

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Eighth
Legislature***

OF THE

STATE OF MAINE

Volume II

May 26, 1977 to July 25, 1977

Index

**Senate Confirmation Session
September 16, 1977**

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KJ PRINTING
AUGUSTA, MAINE

HOUSE

Monday, June 27, 1977

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

Prayer by Pastor David Ingraham of Fisherman's Ministry, Bangor.

The members joined in the Pledge of Allegiance to the Flag.

The journal of the previous session was read and approved.

**Papers from the Senate
Later Today Assigned**

The following Joint Order (S. P. 570)

Ordered, the House concurring, that the Joint Standing Committee on Veterans and Retirement report out a bill mandating the inclusion of adequate funds in the state budget to cover the state's share of retirement costs.

Came from the Senate read and passed.

In the House, the Order was read.

(On motion of Mr. Tierney of Lisbon Falls, tabled pending passage in concurrence and later today assigned.)

Non-Concurrent Matter

Bill "An Act to Establish the Legal Rights of Hospital Patients" (H. P. 755) (L. D. 901) on which the Minority "Ought to Pass" as amended by Committee Amendment "B" (H-769) Report of the Committee on Health and Institutional Services was read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "B" (B-769) in the House on June 22, 1977.

Came from the Senate with the Majority "Ought to Pass" as amended by Committee Amendment "A" (H-768) Report of the Committee on Health and Institutional Services read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (H-768) in non-concurrence.

In the House:

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

Mrs. TRAFTON: Mr. Speaker, I move that we adhere.

The SPEAKER: The Chair recognizes the gentlewoman from Bethel, Miss Brown.

Miss BROWN: Mr. Speaker, I move that we recede and concur.

The SPEAKER: The Chair recognizes the gentleman from Lisbon Falls, Mr. Tierney.

Mr. TIERNEY: Mr. Speaker and Members of the House: We have a House version and a Senate version of the legal rights for hospital patients. The Senate version, ladies and gentlemen, has been essentially written by the hospitals and it seems to me that having the hospitals write a bill of rights for the patients would be a little bit like having the Senate write the rules of the House, and I certainly hope we don't recede and concur and I hope we all adhere.

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

Mrs. TRAFTON: Mr. Speaker, Ladies and Gentlemen of the House: I think there are two points that are different in these bills. One is that the bill that the House passed does have a standard, and that is the American Hospital Bill of Rights. We feel it is important to have that standard for all the hospitals in the State of Maine.

Secondly, in this draft, we have also asked them to address the rights of the maternity patients. I hope you will all adhere.

The SPEAKER: The Chair will order a vote. The pending question is on the motion of the gentlewoman from Bethel, Miss Brown, that the House recede and concur. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

Whereupon, Mr. Tyndale of Kennebunkport 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 pending question is on the motion of the gentlewoman from Bethel, Miss Brown, that the House recede and concur. All those in favor will vote yes, those opposed will vote no.

ROLL CALL

YEA — Aloupis, Bagley, Birt, Brown, K.L.; Bunker, Carter, F.; Connors, Dexter, Durgin, Garsoe, Gill, Higgins, Hunter, Hutchings, Immonen, Lewis, Lougee, Lunt, Mackel, Marshall, McPherson, Palmer, Perkins, Peterson, Rollins, Sewall, Silsby, Sprowl, Stover, Tarr, Teague, Torrey, Whittemore.

NAY — Ault, Austin, Bachrach, Beaulieu, Benoit, Berry, Berube, Biron, Blodgett, Boudreau, A.; Boudreau, P.; Brenerman, Brown, K.C.; Burns, Bustin, Carey, Carroll, Carter, D.; Chonko, Churchill, Clark, Connolly, Cote, Cunningham, Curran, Davies, Diamond, Drinkwater, Elias, Fenlason, Flanagan, Gillis, Goodwin, K.; Gray, Green, Greenlaw, Hall, Henderson, Hickey, Huber, Hughes, Jackson, Jalbert, Jensen, Joyce, Kane, Kany, Kelleher, Kilcoyne, Laffin, LaPlante, LeBlanc, Lizotte, Locke, Lynch, MacEachern, Mahany, Mastermon, Masterton, Maxwell, McBreaity, McHenry, McKean, Mills, Mitchell, Nadeau, Najarian, Nelson, M.; Nelson, N.; Pearson, Peltier, Plourde, Prescott, Quinn, Raymond, Rideout, Shute, Smith, Spencer, Stubbs, Tarbell, Theriault, Tierney, Tozier, Trafton, Truman, Tyndale, Valentine, Wilfong, Wood, Wyman, The Speaker.

ABSENT — Bennett, Carrier, Cox, Devoe, Dow, Dudley, Dutremble, Fowlie, Gauthier, Goodwin, H.; Gould, Hobbins, Howe, Jacques, Kerry, Littlefield, Martin, A.; McMahon, Moody, Morton, Norris, Peakes, Post, Strout, Talbot, Twitchell.

Yes, 33; No, 92; Absent, 26.

The SPEAKER: Thirty-three having voted in the affirmative and ninety-two in the negative, with twenty-six being absent, the motion does not prevail.

Thereupon, on motion of Mrs. Trafton of Auburn, the House voted to adhere.

Non-Concurrent Matter

Bill "An Act to Clarify Election Related Laws" (H. P. 1734) (L. D. 1887) which was passed to be engrossed as amended by House Amendments "A" (H-742) and "B" (H-794) in the House on June 23, 1977.

Came from the Senate passed to be engrossed as amended by House Amendment "A" (H-742) in non-concurrence.

In the House: On motion of Mr. Berry of Buxton, the House voted to adhere.

Non-Concurrent Matter

Bill "An Act to Require an Annual Adjustment in the Standards of Need for Families Receiving Aid to Dependent Children" (H. P. 1124) (L. D. 1342) which was Passed to be Enacted in the House on June 23, 1977 (having previously been passed to be engrossed as amended by Committee Amendment "A" (H-653)

Came from the Seante passed to be engrossed as amended by Committee Amendment "A" (H-653) as amended by Senate Amendment "A" (S-326) thereto in non-concurrence.

In the House: On motion of Mr. Davies of Orono, the House voted to recede and concur.

**Non-Concurrent Matter
Later Today Assigned**

Bill "An Act to Revise the Election Laws Concerning Political Activity at Elections and

Requirements for Absentee Ballots" (H. P. 1117) (L. D. 1335) which was Indefinitely Postponed in the House on June 21, 1977.

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" (H-688) in non-concurrence.

In the House: On motion of Mrs. Boudreau of Portland, tabled pending further consideration and later today assigned.

**Non-Concurrent Matter
Tabled and Assigned**

"An Act Increasing the State Gasoline Tax" (H. P. 1159) (L. D. 1383) which Failed of Enactment in the House on June 22, 1977.

Came from the Senate passed to be enacted in non-concurrence.

In the House: On motion of Mr. Tierney of Lisbon Falls, tabled pending further consideration and tomorrow assigned.

Messages and Documents

The following Communication:

STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE 04330

June 23, 1977

To: The Honorable Members of the Senate and House of Representatives of the Maine 108th Legislature

I am returning without my signature and approval, H. P. 1477, L. D. 1673, "An Act to Require the Human Services Council to hold public hearings on Maine's Title XX Plan of Social Services."

While I recognize and support the Legislature's concern in this regard, I am advised that this legislation is unnecessary. The Maine Human Services Council already has the statutory authority under Title 22 MRSA, Section 5316, Paragraph 7, to hold public hearings on any human service program in the state except those programs that affect the elderly. Those hearings would be held by the Maine Committee on Aging.

This bill would mandate by law that public hearings be held when in fact the Human Services Council has existing statutory authority to hold hearings. I am not aware of any specific cases of abuse or instances where hearings have not been held that would necessitate this legislation. However if there is ever a need to insure that appropriate hearings are held, I pledge my assistance to the sponsor of this bill and any other concerned legislators.

If we can help a future Governor and Legislature avoid having to sift through unnecessary laws, and help them avoid having to spend time and taxpayer money repealing such laws, then we will have performed a valuable service to future elected officials, as well as to the public. As a matter of fact, some legislators have already rendered a great public service in working to eliminate unnecessary and confusing legislation.

Although I appreciate the motivation behind this bill, the Human Services Council has existing authority and responsibility for holding public hearings, and I am confident that that authority and responsibility can be exercised appropriately without more legislation. In the final analysis, adding unneeded laws and more superfluous mandates serves the bureaucracy and not Maine people.

I respectfully request that you sustain my veto of this measure.

Very truly yours,

Signed:

JAMES B. LONGLEY
Governor

The Communication was read and ordered placed on file.

The SPEAKER: The pending question is, shall this Bill become law notwithstanding the objections of the Governor?

On motion of Mr. Tierney of Lisbon Falls, tabled pending reconsideration and later today assigned.

Orders

An Expression of Legislative Sentiment (H. P. 1771) recognizing that: Capt. S. Stanwood Hinckley has retired after 40 years of service in the Maine Ferry Service

Presented by Mrs. Hutchings of Lincolnville. The Order was read.

The SPEAKER: The Chair recognizes the gentlewoman from Lincolnville, Mrs. Hutchings.

Mrs. HUTCHINGS: Mr. Speaker and Members of the House: Since Captain Hinckley is here in the balcony with his wife and members of his family, I think it is proper to say a few words about his accomplishments.

Captain Hinckley, or Hank, as he is affectionately known, was born in Blue Hill on July 2, 1906 and was graduated from Penobscot High School. He started work on the ferry, Governor Brann, in 1936 as a purser. In 1939, he had his able seaman papers and in 1939 he also obtained his master's license and sailed until 1947 as alternative master, at which time he became full master of the Governor Brann.

In September, 1959, when the then new ferry, Governor Muskie, went on the run, he became master and served in this capacity until he retired last year, July 2, 1976, 40 years later. He estimates that he has made about 200,000 trips across Penobscot Bay between Lincolnville and Islesboro. Wind, fogs and tides notwithstanding, that is a considerable journey. It figures out to something over a million miles, and that is not counting all the emergency trips in the night.

Captain Hinckley was one of the Maine State Ferry's most able and loyal employees, and everyone was sorry to see him retire when it became mandatory at 70 years of age. We are proud and honored to have him with us today and to recognize his achievements. (Applause) Thereupon, the Order received passage and was sent up for concurrence.

By unanimous consent, ordered sent forthwith.

An Expression of Legislative Sentiment (H. P. 1773) recognizing that: Asa A. Gordon, now in retirement, has served the educational needs of this State with great dedication for many years

Presented by Mr. Lynch of Livermore Falls. The Order was read.

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

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: I have the feeling that I ought to make one or two remarks this morning on this.

I probably have known Asa Gordon as long as most anybody in this House. I don't know if there is anybody I have had more disagreements with: yet, I don't believe in all the years I have known him I have ever met anybody who was more dedicated to his job, dedicated to his philosophy or dedicated to the betterment of education than Asa Gordon was. I wish him the best of luck in his retirement and express, I think, the thoughts of many in the Legislature for the tremendous efforts that he did make in bettering education for the students in the State of Maine.

Thereupon, the Order received passage and was sent up for concurrence.

On motion of Mr. Jensen of Portland, the following Joint Order: (H. P. 1774) (Cosponsors: Mr. Carroll of Limerick; Mr. Garsoe of Cumberland; Mr. Strout of Corinth)

WHEREAS, the laws governing aeronautics in this State have not been substantially revised since the consolidation of the Department of Transportation; and

WHEREAS, as a result, many of those laws are obsolete and no longer applicable to modern aviation practices in Maine; and

WHEREAS, many private aircraft are now

operating in violation of these obsolete laws; and

WHEREAS, there was introduced into the First Regular Session of the 108th Legislature S. P. 340, L. D. 1154, "An Act to Clarify and Correct Laws Relating to Aeronautics," which concerned many of the laws governing aeronautics; and

WHEREAS, there is a great need for a careful and lengthy evaluation of aeronautics laws in this State in order to properly evaluate the contents of this bill and in order to ensure that all needed revisions to Maine's aeronautics laws are properly considered; now, therefore, be it

ORDERED, the Senate concurring, that the Joint Standing Committee on Transportation undertake an evaluation of L. D. 1154, "An Act to Clarify and Correct Laws Relating to Aeronautics," as a means of conducting a thorough study of Maine's aeronautics laws, and that the committee determine upon a modernization and revision of those laws; and be it further

ORDERED, that the committee shall complete this study no later than December 1, 1977, and submit to the Legislative Council within the same time period its findings and recommendations, including copies of any recommended legislation in final draft form; and be it further

ORDERED, upon passage in concurrence, that a suitable copy of this order shall be forwarded to members of the committee.

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

A Joint Resolution (H. P. 1770) in memory of Clyde Irving Swett, M. D. of Island Falls

Presented by Mr. Lougee of Island Falls (Cosponsors: Mr. Peltier of Houlton, Mr. Smith of Mars Hill, Mr. Lunt of Presque Isle)

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

House Reports of Committees

Divided Report

Tabled and Assigned

Majority Report of the Committee on Appropriations and Financial Affairs reporting "Ought Not to Pass" on Bill "An Act to Require the Payment of AFDC Benefits for Unborn Children" (H. P. 673) (L. D. 858)

Report was signed by the following members:

Messrs. HUBER of Cumberland
MORRELL of Cumberland
— of the Senate.

Messrs. JALBERT of Lewiston
CARTER of Winslow
PERKINS of Blue Hill
HIGGINS of Scarborough
McBREAIRTY of Caribou
MORTON of Farmington
— of the House.

Minority Report of the same Committee reporting "Ought to Pass" as amended by Committee Amendment "A" (H-841) on same Bill.

Report was signed by the following members:

Mr. MERRILL of Cumberland
— of the Senate.

Mr. GREENLAW of Stonington
Mrs. NAJARIAN of Portland
Ms. GOODWIN of Bath
— of the House.

Reports were read.

(On motion of Ms. Goodwin of Bath, tabled pending acceptance of either Report and tomorrow assigned.)

Divided Report

Majority Report of the Committee on Labor reporting "Ought to Pass" as amended by Committee Amendment "A" (H-838) on Bill "An Act Concerning Dispute Resolution under the Municipal Public Employees Labor Relations Statutes" (H. P. 1422) (L. D. 1670)

Report was signed by the following members:

Mr. PRAY of Penobscot
— of the Senate.

Mr. McHENRY of Madawaska
Mrs. BEAULIEU of Portland
Messrs. FLANAGAN of Portland
BUSTIN of Augusta
ELIAS of Madison
LAFFIN of Westbrook
— of the House.

Minority Report of the same Committee reporting "Ought Not to Pass" on same Bill.

Report was signed by the following members:

Mr. McNALLY of Hancock
— of the Senate.

Mr. PELTIER of Houlton
Mrs. LEWIS of Auburn
Mrs. TARR of Bridgton
— of the House.

Reports were read.

On motion of Mr. Bustin of Augusta, the Majority "Ought to Pass" Report was accepted and the Bill read once. Committee Amendment "A" (H-838) was read by the Clerk and adopted and the Bill assigned for second reading later in the day.

Divided Report

Eight Members of the Committee on Business Legislation on Bill "An Act Relating to Providing Information Services to Maine Travelers" (H. P. 1505) (L. D. 1738) report in Report "A" that the same "Ought to Pass"

Report was signed by the following members:

Mr. CHAPMAN of Sagadahoc
— of the Senate.

Messrs. PEAKES of Dexter
KILCOYNE of Gardiner
WHITTEMORE of Skowhegan
Ms. CLARK of Freeport
Messrs. HOWE of South Portland
JACKSON of Yarmouth
SPROWL of Hope
— of the House.

Four Members of the same Committee on same Bill report in Report "B" that the same "Ought Not to Pass"

Report was signed by the following members:

Mr. FARLEY of York
— of the Senate.

Miss ALOUPIS of Bangor
Mrs. BOUDREAU of Portland
Mr. RIDEOUT of Mapleton
— of the House.

One Member of the same Committee on same Bill reports in Report "C" that the same "Ought to Pass" as amended by Committee Amendment "A" (H-835)

Report was signed by the following member:

Mr. PIERCE of Kennebec
— of the Senate.

Reports were read.

The SPEAKER: The Chair recognizes the gentlewoman from Freeport, Ms. Clark.

Ms. CLARK: Mr. Speaker, I move that the House accept Report "A", "Ought to Pass," and when the vote is taken, I would request that it be taken with the yeas and nays.

Further, Mr. Speaker, while the calendar on Page 5 does accurately reflect the signatures of the members of the Committee on Business Legislation, I am pleased that the gentlewoman from Bangor, Representative Aloupis, has joined the majority report and would like the record to show that she signed with the "Ought to Pass" Report.

The SPEAKER: The gentlewoman from Freeport, Ms. Clark, moves that the House accept the "Ought to Pass" Report "A".

The Chair recognizes the gentleman from Auburn, Mr. Hughes.

Mr. HUGHES: Mr. Speaker and Members of

the House: I wish I could say on this bill that this is my bill. I am the prime sponsor, but a bill like this, a major piece of legislation, is not the work of any one sponsor. It is cosponsored by three members of this House, Representatives Higgins of Scarborough, Jackson of Yarmouth and Greenlaw of Stonington. They have all played a very important part in getting the bill to where it is today. It is sometimes called the Governor's Billboard Bill because he, too, favors it, and I was anxious and offered to sponsor it for him some months ago. It has been worked on by members of state agencies, by interest groups which want to see this legislation passed, and it is the end result of a lot of work by a lot of people. And I am very happy to say now, nine members of the thirteen-member Business Legislation Committee, so it comes before you as major pieces of legislation do, as the work of a great many.

I would like to let this thing kind of just go through. It certainly would be easier and I don't know to what extent there is going to be a fight on the bill, but I think when any important piece of legislation comes through, you deserve and need to have a thorough explanation of it and I will attempt to give an explanation of what this bill does.

It is called the billboard bill, but that is a shorthand term for a piece of legislation which pulls together the present state laws regarding outdoor, off-premise advertising. I make clear at the outset that this deals with off-premise advertising; it in no way changes the law regarding on-premise advertising. There is a section in here which incorporates the present law but it does not change the present law. So let me put your minds at rest in terms of what people may put for signs in front of their businesses. Around their businesses, this bill does nothing. It deals with off-premise advertising.

It begins by recognizing that there are two functions of off-premise signs. One of those functions is to provide a directional service to help people find businesses, services which are offered to them, and the other function is to provide outdoor advertising for products.

With regard to the function of directional signing, this bill recognizes that that is important. It also recognizes that it is not now being done very well, but directional signing has to compete with thousands of billboards advertising products, which makes the directional signing less apparent to the visitor, that they often cannot get good locations for such directional signing to help people locate a business off the main drag and that such signing is very irregular, often unattractive, and that something ought to be done about that to help our Maine businesses which need that kind of service. I am talking principally now of businesses not on main thoroughfares. So this provides a system of directional signing.

The system works this way. Any business which wants a directional sign put up for them is allowed up to four within a 10-mile radius of their business. Those signs will be similar to but not identical to the ones which have been erected in the rotunda. They cannot be bigger than those in the rotunda, which means 6 feet long and 16 inches high, but the lettering may vary, the type may vary, that kind of thing; it is left up to the business which wants to advertise. Any business which feels it needs that kind of signing will have the signs made — and this is important — they will have the signs made by private sign makers in the State of Maine and bring those signs to the Department of Transportation and say, "I need these erected at the intersection of Route so and so and Route so and so, and the DOT will erect those signs for them. They will pay for that service of having those signs erected and having the site maintained, a fee to the DOT of up to \$30 per year. So for that rather modest price, and that is the upper limit,

it is actually set at what is necessary to make the program self-sustaining, but for that rather modest annual fee, they will get a sign located within the highway right-of-way, that is near the road, at the intersections where they need those signs, and we think this will be a major improvement over the present situation for those businesses.

This bill also sets up an advisory council made up of representatives of those businesses so affected, restaurants, hotels, that kind of thing and in an amendment tomorrow, I will add a public member to that board as well, and a representative of historical and cultural activities. So, we have a system of directional signing set up that I think is superior to what we have now.

The other function of off-premise advertising is to advertise products, and that is what we typically call billboards. This bill would eliminate billboards. There is no equivocation; the bill is exactly as it went in. It came out of the committee exactly as it went in and it will, over a four-year period, eliminate billboards.

Now, there are two kinds of billboards. There are those billboards which fall under federal law, federal law written, indeed, by the billboard industry, which requires that we compensate them if we order billboard taken down. That is a feature I am not terribly happy with but it is one that we must live with, and court decisions say that the federal law in this respect governs what we are to do in Maine. For those kinds of billboards, and they are the ones typically located on primary roads within the State of Maine, must be compensated for if they are to be removed. This bill would provide that that be done over a four-year period, one quarter of them each year, and there are some 2600 or so in the State of Maine to be taken down. Incidentally, there are also 300 additional billboards in the state which have been up illegally for three years now. They have been tied up in courts by the billboard companies and they will eventually come down when the court finally makes its ultimate decision. But there are about 2600 legal ones and they will come down over a four-year period.

The other kind of signs are those signs which are not governed by federal law, for which we are under no obligation to compensate the owners of those signs, and those will come down through an amortization process; that is, the owners of those signs may write them off for tax purposes over a six-year period, and at the end of that six-year period they must be taken down, unless they conform to the requirements of the new directional sign system that we have been talking. So, two purposes for outdoor advertising — one, directional, that we recognize as good and legitimate; the other, advertising of products, and I think this entails the gut reaction on the part of people. I can't tell you what to think about billboards themselves, you have lived with them as I have.

I would share, however, my experience in having seen two visions of what the future of Maine may be. One of those visions, you can see either you travel to Europe or much more inexpensively travel to Vermont, which has a law upon which this bill is based. And in either of those two visions you see states or countries where they have controlled outdoor advertising so that it is the scenery and the country side which is available both to the residents of those places and to the tourists who come to visit those places and come to see the countryside.

The experience in Vermont, since they have passed their bill, has been that their tourist industry has doubled, a rate of increase far greater than that in the State of Maine, which is a very close and very similar state.

I can't tell you what to think about billboards. I will toss in a few considerations for you. One is that in peak periods of time in the year, namely, holiday periods, the bookings for out-

door advertising, that is billboards, consist 60 percent of advertising for hard liquor. This is because it is one of the few avenues of advertising for hard liquor still available. The television industry voluntarily banned it years ago, the newspaper industry does not accept advertising for hard liquor; billboards still do. So to that extent, billboards add to one of the major health problems this state and this country faces. Another 10 to 15 percent of such bookings for billboards consist of cigarette advertising. Again, been banned in the media and billboards is one of the few outlets that they have. I happen to be offended by both of these forms of advertising; one, because of the products and, two, because of the nature of the advertising, completely nondiscriminating. That is, anybody who drives up and down the highway has to look at that advertising. It means it appeals to the entire family, not simply those over 18, not those who choose to read a magazine or who choose to turn on the television set or whatever. So, I really don't know what the public purpose could be in continuing an industry whose main purpose is to contribute to the health problems of our state.

On terms of affecting the economy, some of the money that is now spent on outdoor advertising will probably be lost — I hope so. That is the money spent on liquor and cigarette advertising, because there are few places that money can be transferred to; probably the print media would be the major source, and that would be mostly magazines. That, to me, is much less offensive because you choose to read a magazine, you choose to subscribe to it. But the rest of the money spent on outdoor advertising will shift to other media. If there are a few jobs lost, and they are very few, over this six-year period, those jobs will, I think, be more than made up in the gains of the other media as that money transfers. It will be more than made up in the new sign industry which will be spawned by the directional side of this bill. I think simply on that that the economics balance out.

We must always remember that Maine is a state dependent on its tourist industry. People don't come to Maine to see advertised the same products they saw advertised back in New Jersey, they come to Maine to see something different. They come to Maine to see Maine. This is a bill which I think in the long run will contribute to the economy of our state through making our state more attractive to its summer visitors.

I think I have laid out generally the way the bill works. I am sure there are questions and I would be happy to answer them. I may, if there are a number of questions, just store them up and answer them all at one time, but I certainly don't want you to leave this debate with unanswered questions.

The bill has been the thoughtful product of a lot of labor. It is based on the Vermont experience, which means that it has had the advantage of having been tested by the billboard companies in the highest courts of this land. That is why we think it is so important to keep this bill in its thorough, worked out form that we have it in now, because if we change a comma or a dot, it is going to go to the courts and they will try to tie it up for years. This bill has been tested in every significant aspect. We think it is sound, we think it is good, we commend it to your attention.

The SPEAKER: The Chair recognizes the gentleman from Sangerville, Mr. Hall.

Mr. HALL: Mr. Speaker, Ladies and Gentlemen of the House: First of all, I must apologize for asking something that the gentleman may already have answered. It is pretty hard to listen to him and all the noise in the back too at the same time. I may be a little mite deaf, but it is a little mite frustrating.

I did as I agreed to do with the former speaker. I had a problem with this bill to begin

with. In my area, we have 17 small industries that are coming and most of them come from out of state. There are a couple of questions that I would like to pose through the Chair if I might. One is in regard to the size. Does it necessarily have to be in the shape that they are in. Can it not be done by the square footage in a sign of their own design? Some signs have had a significance to them for years. Because of that particular type of sign, people realize what that stands for. I am wondering if those could be grandfathered in or what the procedure may be in that case.

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

Mr. PEARSON: Mr. Speaker, Ladies and Gentlemen of the House: I would like to pose a question through the Chair since he indicated he wanted to store up some of his questions. My question is, as I understood your presentation a person or a firm would be able to have four directional signs. In the area that I come from, most of the highways run north and south. Would that be four directional signs in both of those directions or only four in total?

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

Mr. HICKEY: Mr. Speaker, Ladies and Gentlemen of the House: I would like to pose a question to the sponsor. I would like to have assurance from him that all on-premise signs are not affected by the passage of this bill. I would like to know if any of them are mandated as to size?

The SPEAKER: The Chair recognizes the gentleman from Anson, Mr. Burns.

Mr. BURNS: Mr. Speaker, Ladies and Gentlemen of the House: I have several questions for the sponsor. One, what about a temporary type sign such as lawn sale going on a mile down the road? What about the "A" shaped framed sign that advertises a church supper; and one that is probably near and dear to our hearts, the political advertising at the time of elections?

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Hughes.

Mr. HUGHES: Mr. Speaker, Ladies and Gentlemen of the House: I would be pleased to respond to the four questions I have before me. Taking them in order, Representative Hall asked about the size of signs, whether or not they had to be in the general shape of the sign out in the rotunda. He did talk to me on Friday about a number of businesses in his area which I gather some of them might be called craft shops. That kind of thing, where people have been artistic and have taken the trouble to design attractive, hand made in many cases, signs. That is certainly the kind of effort which we all sympathize with.

First of all, any of these present off-premise signs are not in the category of billboards would not be touched for six years. That is, they have six years to stay up where they are. The business which owns them can write them off for tax purposes, depreciating them each year for six years. At the end of six years, they would then have to conform to the requirements of this law. Those requirements would give those businesses some leeway. As they are presently written, it would have to be no larger than the shape mentioned. That is, 16 inches high, 6 feet wide. They can be smaller, they can vary within those requirements. I suppose they could be round if you could get a circle inside that kind of thing. In other words, the shape doesn't matter if in their greatest dimensions they are not longer than 6 feet by 16 inches. Whether or not they could be turned upside down and be 6 feet tall and 16 inches wide is a trick answer that I guess would hesitate to give. Certainly, we could do something in the amending stage if it is not clear, but I guess I would rather check on that before I could give an answer.

The second question from Mike Pearson

talked about how many signs would a business be allowed on a north/south route. These directional signs which we speak of are designed to go at places people are trying to locate the restaurant, the business, the motel, have to make a decision or turn, so that those signs would not be located, say, a mile down saying Joe's Motel, one mile ahead. If, indeed, one is on the main thoroughfare and the business is on the main thoroughfare, it is the intention that the signs of the motel when one gets to the motel would be adequate enough to tell people that this is indeed Joe's Motel. The purpose of the directional signing is for those businesses which are not on the main thoroughfare for which you have to make turns. The signs can be located at intersections wherever a traveler has to make that kind of decision.

Representative Hickey asked the question about on-premise signs, and he wanted an assurance that this did not deal with on-premise signs. He certainly has my personal assurance that it does not. The bill was drawn up by attorneys from the Attorney General's Office. Their personal assurance to me is that it does not in any way change on-premise signing, and if anybody can find a way in which it changes on-premise signing, I will sponsor amendments, I will do anything necessary to make it clear that it does not affect on-premise signs. There are two very distinct categories, on-premise advertising and off-premise advertising. We have no intention to touch on-premise advertising. As I say, anybody that can find a way that it does, let me know and we will change it.

I do have one small amendment for tomorrow which deals with an ambiguity where barbers thought perhaps one of those rotating barber signs might be affected. I don't think it is, but we are going to have an amendment tomorrow at second reading which will make clear that it does not. Other than that, I have heard no criticism from anybody that this indeed does affect on-premise advertising in any way and you have my personal assurance that it is not intended to.

Finally, the fourth question had to do with temporary signs. There is in this bill a number of exemptions for certain categories. One of those categories is temporary signs. Certainly, political advertising is one example. The way that exemption is written now, temporary signs are defined as those remaining up to three weeks. Since political signs would fall under that, it simply means that we would have three weeks to put our signs up before an election. I don't know about your own districts, but in my district, we are getting to the point where everybody tries to jump the gun a few days. We are up now to about a month or five weeks and they are usually stolen by the time the election is halfway there. I think this bill would probably be useful in that respect, because it will simply say "political signs up three weeks before the election." I think that is an adequate period of time to alert people and remind people of your name. That certainly is an arbitrary choice and could be changed, but we have written into the bill that temporary signs may be up for up to three weeks.

I hope I have answered the questions. If there are any others, I would be pleased to respond to them.

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

Mr. BIRON: Mr. Speaker, Ladies and Gentlemen of the House: I have no questions on this legislation; however, I have a few comments. The legislation before you is a direct attack on the free enterprise system. It says that a certain group of people doing business in the State of Maine will be prohibited from doing so — the billboard advertisers. When you don't have the free enterprise system, you have got government control. I will give you two examples of government control, the post office and

Amtrak. I will have any of you define and tell me how great government control is.

The bill that you have before you proposes that we shall have signs in the State of Maine as you see in the lobby. I will say to any of you in this House, drive down any major highway in this state at 45 or 55 miles an hour and read one of those signs. It is physically impossible. Therefore, the people who do business in the state, and you fully have to realize that in the State of Maine all of the major tourist areas are not on the main roads, therefore; the people have to turn off and go, in some cases, three, four, five miles to get to where they want to go.

Driving down Route 1, for example, there is a large sign which says "Railroad Museum." I am sure you have all seen it if you have driven down at that end of the state. Under this proposal, you would have a small sign like you see out there which says "Railway Museum." I would guarantee you that the people driving by will not be able to see those signs which direct them to the railroad museum; therefore, those businesses would suffer.

The next thing that the sponsor failed to mention is the cost of this bill. His estimated cost is a little under a million dollars, it is seven or eight hundred thousand dollars.

At the public hearing on this bill, a gentleman came in who did the impact study on Loring Air Force Base. No one said that his impact study at that point was wrong and that it was totally incorrect. He came in and he said that this legislation could cost the State of Maine up to \$25 million. We, in this body, just a few weeks ago refused to give a tax rebate credit to the elderly but yet, today, we are considering passing a bill which will cost as much as \$25 million, and I am not even going to say it is going to cost that, I will say that is not true. I am not going to say that less than a million dollars is true either. Let's just say \$2 million and I am compromising quite a bit. Let's say that it is going to cost the taxpayers of Maine \$2 million to get rid of an industry in this state.

The people who came down and testified on this bill talked about visual pollution and the tremendous impact it has on the State of Maine. Well, I say to you, the members of this House, if you are concerned about pollution, why haven't we addressed the closing of every mill in this state which has polluted our rivers? Why? I will tell you why, because they employ too many people. Obviously, if we did not have any mills, we would not have any polluted rivers. Yet, here we have an industry that only employs 80 people, those people we can attack and destroy, and that is what we are doing with this legislation. I don't care if they employ one or they employ 20,000, if it is wrong, it is wrong.

There is federal legislation that deals with billboards. The major billboard companies in the state have conformed to those rules and regulations. When we here in the State of Maine say that we will not allow billboards, in my opinion, it is a direct attack on the free enterprise system. Here is an industry in this state, as I said earlier, that employs 80 people, that has a payroll of in excess of \$800,000 a year that pays a wage to their people of \$7.73 per hour. I don't have any problems with an industry like that: I don't see why anyone else should. It is a good paying industry and let's face it, we are an industry poor state and we are going to force these people out. It is an industry that deals with tourists. It shows the tourists where the different things are.

You talk about advertising dollars. I am in the advertising business and a lot of businesses in this state have a limited advertising budget. They spend, I would say, on the average for a small business between five and eight thousand dollars a year. When they advertise on billboards, they have what we call a cost per thousand. A cost per thousand is based on how

many people you are going to reach for the dollar that you spend, how many thousand people. On billboards presently in the state of Maine, it is estimated that if you advertise on a billboard, it will cost you 30 cents per thousand.

The sponsor of the bill argues that if they cannot advertise on billboards, they will simply shift those dollars to another media. I will prove to you right now that if you shift those dollars to another media, you will not have the same impact that you are now having on billboards because, for example, your cost per thousand on television is \$3 per thousand. If your advertising budget remains the same, you cannot reach as many people at \$3 per thousand as you can at 30 cents per thousand, and no one can argue that point with me because I am in the business. That means the less people you reach, the less business you do. The less business you do, the more you hurt yourself and your business. Those are the facts about this bill.

I am as much an environmentalist as everyone else, but what are these 80 people going to do when they have no more money, they have no more jobs, what are they going to do, eat the environmentalists? That is all that is going to be left.

I am saying, ladies and gentlemen, the time has come for us to be a little reasonable here. If we are to spend, I say at least \$2 million, let's do it to benefit a lot of people in this state. Those signs that we have along our roadways need legislation, but when we say that there will be no longer any signs, and we say billboards specifically, that rubs me the wrong way, and the bill includes cities anywhere in the state, no more billboards. If you ride down the main road and you go up that road and you see all those major signs and some of them are a lot bigger than billboards will ever be, they are lit and they are flashing. Why should we leave those there and take the billboards out? That doesn't make much sense to me and that is exactly what this bill does.

There are some people who cannot afford the flashing neon signs but yet feel that certain months of the year, during the tourist season, that they should have their message out there. That is what this bill will prohibit them from doing. It is going to cost the taxpayers of this state money, it is going to hurt an industry in this state and it is a bad bill.

There is a compromise that has been proposed in Senate Amendment "A," I believe. I am not in favor of the compromise because it does away with billboards in certain areas, but I would vote for that long before I vote for this bill. There is a tremendous cost to this piece of legislation, ladies and gentlemen, a tremendous cost.

The environmentalists will argue all kinds of things. There was one interesting thing. I went down to the public hearing on this bill. There was a lady who walked in who was very well dressed, her hair was neat. She said, "I was sitting at a tea party with some friends of mine and we heard about this legislation so I thought we would come in and tell you we are in support of it." She says, "I own 25 acres of land and I don't have any billboards on it." Of course she does not. She has got a million dollars, she drives around in a Mercedes Benz and she needs billboards on her land like I need a hole in the head, but how about the consideration of the farmer: the only way he can pay his taxes each year is from the revenue he gets from the billboard company. We don't consider them. There are hundreds of those people in the state, people along Route 1. The only way they pay their land taxes each year is from the revenue they get from renting that land, but the lady who was drinking her tea and couldn't see the sunrise one morning because of a billboard, we are going to do what she wants.

I will say to you, ladies and gentlemen, there are a lot more farmers in this state than there

are tea drinkers. It is time that we start looking at the total picture. I would urge you to vote against the motion that you have before you.

The SPEAKER: The Chair recognizes the gentleman from Yarmouth, Mr. Jackson.

Mr. JACKSON: Mr. Speaker, Ladies and Gentlemen of the House: The last speaker has posed a lot of questions and I am not going to try and answer them all but I will make a brief summary and then I will hit a couple of them.

You who sat in this House during the last session and the session before I think went through the bottle bill fight, and you are going to hear much of this same type of argument. I personally feel that this is the same type of a problem. I think if you went out and you polled the state, you would find that it was tremendous support for this piece of legislation. I think its problem is getting through here. I know on the bottle bill we had to beat on the door for two sessions of the legislature anyway before we finally passed it.

The question has been brought up about free enterprise. Yes, unfortunately, the government does have to get involved in free enterprise. We involved ourselves in free enterprise when we got into the bottle bill. We involved ourselves in free enterprise when we stopped log runs on the river. We involved ourselves in free enterprise when we got into the question of clean water, and I would point out to you now that Maine is one of the two states with the best record for clean water in the whole nation. This has been done at considerable expense, but I think it is a great goal that we have accomplished and I hope it will set an example for other people.

The question of visibility of signs — coming up this morning listening to the radio I heard someone talking about the question of sugar and they were saying that for a human being sugar is an acquired taste; you are not born liking sugar, you have to learn to like it. I think the question here, too, is that we will learn to read the small signs. We have been used to one thing but we can certainly get used to the others. The small signs are engineered in such a way that they are visible from an automobile moving at the rate of speed that they would be moving on these roads and they do give the information.

I would also point out that a question has been raised about how people will find places to stay, particularly in places like Boothbay Harbor, the ends of the points off the main road? I would point out to you that particularly from the point of view of Boothbay Harbor and many of the resort areas, the reservations are made before the people ever come into the State of Maine. All they really need to do is find the town. The motels that are along the main road and places like this, they can have signs, they are on-premise; they can be seen and they can be found.

The last thing I would like to mention, and I realize I haven't answered all his questions, he spoke about the woman from the garden party. As he well knows, that hearing went from 1:30 in the afternoon until almost 10 o'clock at night. We sat through that. There was a whole series of hearings that day and the billboard bill was the final one. That particular woman came in at 1:30 and she sat through the whole hearing. She was the only person I know of who sat through all of the hearings, all that time, and she had the sufficient conviction and felt strongly about this enough so that she sat through that so she could speak for probably a minute and a half or so to say that she was opposed to it. I don't care how wealthy she is or anything else, I think this points out a very strong conviction on her part and I don't think we should criticize her for this. I think she speaks for a large number of people in this state and I hope you will pass this bill.

The SPEAKER: The Chair recognizes the gentleman from Limestone, Mr. McKean.

Mr. MCKEAN: Mr. Speaker, Ladies and Gentlemen of the House: A few questions

through the Chair if I may. On the bill itself, L.D. 1738, I had a question for the sponsor of the bill, or one of the sponsors. The other day on signs of towns and municipalities, this is your large billboard sign where they announce the name of the town and maybe have a saying or two about the town on the sign. He was going to get a reading on whether or not this was considered as a governmental body sign. That would be the first question.

The second is on the on-premise signs. My understanding from the remark that was made is that there is no condition on on-premise signs, but I would refer you to Paragraph 1914, Subsection 6 on Page 8, which I think is very prohibitive of on-premise signs. First of all, in Section C, contains, includes or is illuminated by flashing intermittent or moving light or lights, and many, many signs, I know especially in my area and in Bangor, all the way south, there are many on-premise signs containing a number of lights and some moving lights. In fact, there is a large sign company that rents signs in the State of Maine that has moving lights.

In Section D, it makes reference to the fact whether or not the sign is brilliant or causes glare or impairs the vision of the operator of a vehicle. Who is going to make this type of determination as to whether it contains glare for a vehicle operator or not? Some people are bothered by a very slight amount of glare, where other people, a high amount of glare doesn't bother them one bit.

In Section E, if a sign moves or has any animated or moving parts — well, just off the top of my head, many of your car wash people have on-premise signs that have the moving round type sign. Amusement areas have such signs on premise, so I take this to mean in his remarks that this on-premise sign bit is not relevant or could you answer my questions, sir?

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Hughes, who may answer the questions.

Mr. HUGHES: Mr. Speaker and Members of the House: The questions fall into two categories. First, he was asking about the kind of sign which you see outside of many towns saying "Welcome to Auburn, Maine," that kind of thing, which are put up by the towns themselves. He asked me this question Friday afternoon and I haven't got the official answer that he wants. We have an exemption in the bill for governmental signs, and the question is whether or not that sign would fall under that exemption. My feeling is that it does, but being early Monday morning, we haven't got the answer yet from the Attorney General, but I will have it for him before second reading.

Regarding on-premise signs, I will repeat my statement that this bill does not change the law regarding on-premise signs. All of the features that he read from this bill are features of the present law. It is now against the law to have flashing lights in on-premise signs. It is against the law to have on-premise signs which set off a glare which may distract drivers, and it is presently and will be the job of the DOT to determine whether or not the signs do violate that ordinance, so this bill does not change the law in one way. It is probably useful that we are finding out that this is now against the law.

I think you will notice that where there have been moving signs, I believe the Kentucky Fried Chicken used to have a moving bucket of chicken, but I think if you will notice, most of them have been stopped in the last few years, that they are now stationary signs. Those kinds of regulations which were developed to protect travelers from being distracted at crucial moments are in the present law, they are unchanged in this bill, they are incorporated in this bill because this bill is a compilation of all of the outdoor advertising laws of the state but

they are unchanged, and that is my pledge to you.

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

Mr. HOWE: Mr. Speaker and Members of the House: I signed the Majority "Ought to Pass" Report and not without some personal deliberations, because in my district there is one of the three big billboard companies in the state. Donnelly Advertising, so I did not sign the report in a cavalier manner. I was concerned about some of the free enterprise questions as well as the jobs question, and I guess I resolved it this way. It seemed to me that we long ago left the era of laissez faire capitalism and that government has had quite a bit to do with regulating certain aspects of a great number of businesses. I don't view this exactly as putting an industry entirely out of business, because we are not putting an end to signs, we are putting an end to certain types of signs of certain size.

We didn't close the polluting paper mills, but we have encouraged them, through legislation, to clean up the rivers of the state and they have done a tremendous job at that. Maine leads the nation insofar as cleaning up its rivers. I would submit that this type of legislation is analogous to getting polluting mills to clean up the discharges from those plants. We are not putting an end to this industry, we are changing its character, however.

One of the things I asked at the hearing was, what about the people presently working in the industry, and although that is not a large number of people, I was nonetheless concerned about it. First of all, it occurred to me that the people would have four years to find another job, but even that wasn't quite sufficient, but in thinking this legislation over, it seems to me that somebody is going to have to make and maintain all of those new signs that will be the direct result of this legislation. They are much smaller, but I suspect there will probably be more in number than there are billboards now. It seems to me that many of the people who are in the sign business will be in the sign business then, including, perhaps, the three big billboard companies in the state. I think the legislation is giving them several years to diversify and not necessarily simply closing the doors.

As far as the cost of the bill is concerned, I think the report that was mentioned by the gentleman from Lewiston is suspect, if for no other reason than it was a report paid for, a study paid for by the opponents of the legislation. I am always suspect of that kind of testimony. I guess, and I asked Dr. Hayes, who conducted this report, a few questions. For example, I said, does the cost in loss of jobs assume that nobody in the billboard industry now is able to find another job, does this assume that they are all out of work, and he said yes, so I think that the costs in the report are not exaggerations, at least the highest possible limit rather than the lower possible limit, as you might expect. It was the same gentleman who conducted a similar report for the opponents of the bottle bill, so although I was not on the Business Legislation Committee a couple of years ago, I understand from those who were there that it was in many ways a repeat performance with the same people on the other side of this issue that were on the same side of that issue.

The federal legislation does control billboards, it has really moved them around and we have already spent thousands of dollars of taxpayers' money to move a large number of billboards from one place to another. And as to whether you feel that is sufficient or wise use of the taxpayers' money, you will have to decide, but we have already spent taxpayers' money in this direction but I don't think it was the right direction.

As far as this free enterprise question, I guess I feel that we are not putting an industry out of

business, signs are still going to be there, signs are necessary, but the type of signs that will be eliminated are the big signs with the Marlboro man and the girl on the Black Velvet, and the billboard in downtown Hallowell advertising Cutty Sark and I guess for myself I feel that farewell and goodbye to those signs is fine with me. So I hope you will accept the "Ought to Pass" Report today.

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

Mrs. KANY: Mr. Speaker, Members of the House: I agree with Representative Jackson that there is growing amount of support for this bill statewide, and I do appreciate the intent and the hard work of the sponsors of this measure, particularly Representative Hughes, but I will be voting against this measure and I would like to go on the record to explain my opposition to the bill.

This bill has been termed an environmental bill, the significance of the bottle bill, and I thought the bottle bill was visionary and important in that it pertained to conserving our natural resources and moved us a step away from the throw-away society, and I remember receiving loads of pressure on that particular bill. We had distributors in Waterville, as well as vending machine operators and many small store owners, and I felt so strongly, in fact the more pressure I got, the more I got my back up and went off in the other direction pushing for that bottle bill which I believed to be very very important, and it came out during the campaign and everything; unnecessarily in favor of that bill, and I don't believe that this bill is of the significance of that. But that is not the real reason, perhaps, why I am voting in opposition, it is because I have one constituent, a constituent who lives in Waterville who is an owner of a billboard company who has pressured me in no way and yet I feel responsible for this constituent, a constituent who will not be in the new district which I have been allocated by the Reapportionment Commission, I might add, but one who I know as a friend and whose wife has been in the hospital with migraine headaches, headaches which I personally attribute to this bill and who definitely would be run out of business — I guess he has part ownership in the billboard company. This is one of the big differences to me between the bottle bill and this particular bill, in that the bottle bill, although it was an extreme aggravation and an annoyance to all those small store owners and the beer distributors and the vending machine operators and so on, it never had the potential of actually putting somebody out of business.

I guess this is where I feel kind of strongly, in that as long as I am a representative to the legislature representing any constituency, I have to live with myself, and I don't know if I really could if I felt that I put this one person out of business, particularly someone who has given plenty of billboard space to advertising for the Waterville Bicentennial Commission, Cerebral Palsy and many other charitable causes, but I do appreciate the intent. It is honorable and nothing Representative Hughes has ever sponsored has been dishonorable, I always appreciate his work and I mean that, as he knows, from the bottom of my heart, but I must vote in opposition to this bill.

The SPEAKER: The Chair recognizes the gentleman from Ellsworth, Mr. Silsby.

Mr. SILSBY: Mr. Speaker I have one or two questions I would like to pose to Mr. Hughes. One relates to the small sign that is used by a seasonal type of business, which would be for the summer, it would be longer than three weeks, and in my area we have a local ordinance which allows signs which are roughly 6 inches by 20 inches to be placed around the highways. They are used frequently for seasonal businesses, directional from Route 3 or some of the major arteries into these areas that are out of the

way. I am wondering whether or not these people would have to go to the expense of buying these lots of land, and of course their argument of Transportation.

The second question I have relates to the term "on premises." In my area some businesses own pieces of land some miles from their business and they keep their own signs on those lots of land, and of course their argument is, this is our land, we are entitled to do it. I realize it not on premises under the L.D., but you run into the argument of deprivation of our constitutional rights problems.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Hughes.

Mr. HUGHES: Mr. speaker, I will attempt to answer the questions of the gentleman. First, he asked about certain small signs which some businesses in his district put up, 6 inches by 30 inches or so. Certainly they would be permitted under the bill, there is no problem about that. The question, I guess, is whether or not they would have to be put up by the DOT, and therefore subject to this annual fee of whatever it is going to be under the figure of \$30. I guess I would need to talk to him a little further about what the signs look like and all those kinds of things before I could give an answer. I do know they would be permissible; whether or not they would have to be put up by the DOT, I can't answer that, but I will before tomorrow.

The other question was whether or not a company owning a piece of land separate from its business with a sign on it, whether or not such a sign would be an on-premise or an off-premise advertising sign. My quick answer is that that would be an off-premise sign because it is not contiguous to the property upon which the business being advertised sits. If indeed the business owns a fairly large piece of land with and there was a sign on that piece of land, that would be on premise, but where it is a separate piece of land, I think it would be off premise. Whatever it is, the definition does not change, so if you ask your business whether or not that is an off-premise sign or an on-premise sign, whatever it is now is what it would be in the future. If they say it is off premise under the present definition, it will stay off premise and would then be governed by this bill. I think that is the best answer I can give to those two questions quickly.

While I am on my feet, I will comment about some of the things that have been said. Many people are comparing this to the bottle bill. I don't think the comparison goes very far. I came out of a family myself in which all the members but me opposed the bottle bill: all the members, including me, favor this bill. It is a very different kind of bill. The bottle bill, while I supported it, affected a number of people, especially small grocery store owners of whom there are hundreds in the State of Maine. I think no matter how strongly you were for that bill, I don't think you could ignore the fact that it put those small grocery store owners at a real disadvantage. In spite of that and balancing all of the arguments, I was for the bill.

This bill works a hardship on only three companies — Donnelly Advertising, which is a national company with a subsidiary in Maine; United Advertising, another national corporation with a franchise in Maine; and the National Sign Company, which is a subsidiary of Minnesota Mining and Manufacturing, it is a Maryland corporation doing business in Maine. These three national companies are the ones affected by this bill, the typical citizen is not affected. In fact, the typical citizen, if we can rely on our polls which were done by the State Planning Office, is strongly for this bill. I have in front of me the results of this poll which I will distribute to you before tomorrow which shows that a two to one majority, almost completely across the state, supports legislation to ban billboards, and it is amazingly uniform from

county to county and from region to region within the state, so I think we know how the people feel.

I think we have three companies which are going to bear the burden of this legislation, not hundreds of businesses, as was the case in the bottle bill, and those three companies are not being put out of business. Their businesses are being bought by the people of Maine at a fair price, a price dictated, in fact, by the billboard companies when they wrote the federal legislation, and that brings me to the question of cost to this bill, which I certainly don't dodge in any way.

The cost of this bill is — what you are buying when you vote for this bill is a program, a four-year program of purchasing the billboards in the state. It will be concluded at the end of four years. So, you are not voting for an on-going program whose cost 20 years down the road is hard to anticipate. Because when the four years are up, the billboards are gone, and hopefully no one will ever need to put in a bill like this one again in the future. The cost over that four-year period in state funds will be \$100,000 for the first year, \$100,000 for the second year and then roughly \$250,000 for each of the following two years, and then it is done. Those state funds will be matched by federal funds which are available at a rate of three to one federal to state funds. The total cost, therefore, to buy these businesses, not to put them out of business but to buy these businesses, will approach \$3 million, a hefty sum but a one-time isolated kind of expenditure, and most of which is paid for by federal funds which, as I said, are available to Maine.

I had talked with the gentlewoman from Waterville, Mrs. Kany, about her particular problem with this bill to some length, and I certainly sympathize with it. There is only one response I would make, that that gentleman, when he goes out of the billboard business, will go out of it with a pretty hefty sum of cash in his pocket, a sum which I would suggest, if I could tell you all exactly on this floor, would not create a great deal of sympathy for the gentleman. It is somewhere in the area of \$800,000 for his business, so he is being well paid for the burden this industry puts on him and we are not doing anything that I think we need to be ashamed about regarding these three businesses. The bill has a price tag, it is a limited price tag it is a four-year thing, it will have to go to the Appropriations Committee. We will have to table it and it will have to compete with the other priorities which we have before us, and it will cost \$100,000 this year, \$100,000 next year of state funds, and that is the effect on this biennium.

My final remark is to quote to you from something that the Representative from Lewiston, Mr. Biron, said. He said: "A lot of people can't afford big flashing signs." You know, that is right, exactly; they also can't afford billboards, even lease billboards for a period of months. The typical Maine business is small and they can't very well compete for the eye of the public with cigarettes, liquor, the major banks of the state and the other major advertisers. They are not doing very well in that competition for the eye of the tourist right now. Under this bill, for \$30 a year they can compete just as well as the large hotel and the largest bank in the State of Maine. So, I think what we are doing is getting a grip on the billboard problem in the state and at the same time giving the small business and the large business that same access to the dollars of the traveling public that they have not had for the past few years.

You have two choices on whether or not to vote for this bill. You can vote for those two pictures of the future that I described to you. One is a state similar to Vermont or Europe or

Hawaii or Alaska or Oregon, the other states which have laws like this, and if you have seen those states I think you will be impressed. The other picture is the picture of my parent's home state, for example, North Carolina, which I traveled in last winter, where the billboards are close enough together, they are just far enough apart so they don't block each other out but there is nothing in between, and that is on the interstate highway system. You go through North Carolina, you see a lot of advertising but you don't see much of the State of North Carolina, and I think in the long run, that contributes to the degradation of the quality of life of the people living in that state and just as important probably, from Maine's viewpoint, it hurts the tourist industry upon which our state depends so greatly, and that is why I commend this bill to you. If there are other questions, or if I haven't answered some questions, please let me know so that by tomorrow I will have thorough answers for all of them.

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

Mr. KELLEHER: I move the question.

The SPEAKER: For the Chair to entertain a motion for the previous question, it must have the consent of one third of the members present and voting. All those in favor of the Chair entertaining the motion for the previous question will vote yes; those opposed will vote no.

A vote of the House was taken, and more than one third of the members present having expressed a desire for the previous question, the motion for the previous question was entertained.

The SPEAKER: The question now before the House is, shall the main question be put now? This is debatable for five minutes.

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

Mr. BIRON: Mr. Speaker, Ladies and Gentlemen of the House: In response to the questionnaire—

The SPEAKER: The Chair would advise the gentleman from Lewiston, Mr. Biron, that he cannot debate the bill. The only question before the body now is, shall the main question be put now, which is debatable for five minutes.

Mr. BIRON: Mr. Speaker, Ladies and Gentlemen of the House: I would urge you not to support the motion to move the question at this time. I think there are some more facts that are important that I would like to bring before this body before the vote is taken.

The SPEAKER: The pending question is, shall the main question be put now? All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

41 having voted in the affirmative and 51 having voted in the negative, the main question was not ordered.

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

Mr. BIRON: Mr. Speaker, Ladies and Gentlemen of the House: In response to the questionnaire that was passed to the people of Maine, if they would like to see billboards removed from our scene, which was brought up by the sponsor of the bill, Mr. Hughes, I would simply say to that, if we went out in the State of Maine today and asked the people of Maine if they would prefer not to have their rivers polluted, I would safely say that a tremendous amount of those people would say yes, and this is the question that they asked the people on the billboards. They asked those people, "would you prefer not to see billboards?" And I would think that if they did that poll right here in the House, a tremendous amount of us would say yes, but if we said in the same breath that it is going to cost you X-amount of dollars out of your tax dollars, I wonder how many people would say yes at that point? That is a consideration that was never done in that questionnaire.

They never said it is going to cost you so much to do it; all they simply said is, would you like to see them go? That is a big consideration that we should have here today.

The arguments that have been brought forth by the sponsor of the bill and those who are in favor of this bill are good arguments. I am not going to say that billboards are the greatest thing going, but I am going to say that there are other things in this state, other signs, which are as repugnant to me as billboards might be to you, but yet those signs are not going to be affected by this legislation, not at all. We are directly attacking an industry, and that is the problem I have with this legislation. When is government going to stop interfering with the business of those who are working within the free enterprise system? The question here before us is a simple one: Are we going to have government interfere with this kind of legislation?

They talked about Vermont, how great it is in Vermont, and the gentleman from Vermont who came to the public hearing said that tourism had increased in Vermont and he attributed that to his billboards, the fact that there were no more billboards. But he failed to mention that in Vermont businesses have gone out of business because they did away with billboards, he failed to mention that. He failed to mention that in the State of Maine tourism has increased as high, if not more, than Vermont, and we have billboards. So those stories have two sides to them. Tourism in the past two years in Maine has increased as much, if not more, than it has in Vermont, so don't give me the story that because the billboards are gone in Vermont, that tourism is going to increase in Maine.

It is going to cost the taxpayers of this state a tremendous amount of money. These gentlemen say \$100,000 a year. The man who did the survey said several million. I am not going to argue the two points. I am going to say it is going to cost some money, money that we don't have. We can't even help our elderly and we are going to attack an industry. I urge you to vote against this motion?

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

Mr. JALBERT: Mr. Speaker and Members of the House: The gentleman from Auburn, Mr. Hughes, said that the first year would be \$100,000 and I believe the second year \$100,000, and then \$250,000, is that correct? My Governor here, in giving the Appropriations Committee a memo through the leadership of our committee, stated that this would cost a million dollars for the next biennium. Furthermore, we are talking about three industries from outside of the state, Minnesota, Donnelly, etc. I remember the Donnelly people since the thirties, and they have hired a tremendous amount of local people in Maine like the other companies. As a matter of fact, I know a young man who worked through high school and college and then went on to medical school working eight years for Donnelly. Let's not kid ourselves here, we are putting people out of business, purely and simply. It is just as simple as that.

And to answer the good gentleman, Mr. Silsby, who is not in his seat, the next thing that will ride will be all those signs all along our coast that say, Pemaquid Harbor, Pemaquid Beach, Wells area or this place or that place, those will go. Now, as far as interstate is concerned, we don't have any of those on the interstate in Maine that I know of, and I don't think there ever will be. Frankly, they don't bother me too much anymore than the 150 or 200 signs that said "Think About It" bothered me two years ago. It is all right with me. A lot of people did think about it, they must have some value somewhere along the line.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call, it

must have the expressed desire of one fifth of the members present and voting. All those desiring a roll call vote will vote yes; those opposed will vote no.

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

The SPEAKER: The pending question is on the motion of the gentlewoman from Freeport, Ms. Clark, that the House accept the Majority "Ought to Pass" Report. All those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Aloupis, Ault, Bachrach, Bagley, Benoit, Berry, Birt, Blodgett, Brennerman, Brown, K. C.; Bunker, Burns, Bustin, Carroll, Chonko, Churchill, Clark, Connolly, Cunningham, Davies, Devoe, Dexter, Diamond, Durgin, Fowlie, Goodwin, H.; Goodwin, K.; Gray, Green, Greenlaw, Hall, Henderson, Hickey, Higgins, Hobbins, Howe, Huber, Hughes, Hutchings, Jackson, Jensen, Joyce, Kane, Kelleher, Kilcoyne, LeBlanc, Lewis, Littlefield, Locke, Lunt, Lynch, MacEachern, Mackel, Marshall, Masterman, Masterton, Maxwell, McKean, McMahon, McPherson, Mitchell, Moody, Morton, Nadeau, Najarian, Nelson, M.; Norris, Palmer, Peakes, Pearson, Peltier, Perkins, Post, Prescott, Quinn, Raymond, Shute, Silsby, Spencer, Sprowl, Stover, Stubbs, Tarbell, Theriault, Tierney, Torrey, Trafton, Truman, Tyndale, Valentine, Whittemore, Wilfong, Wood, Wyman, The Speaker.

NAY — Austin, Beaulieu, Bennett, Berube, Biron, Boudreau, A.; Boudreau, P.; Brown, K. L.; Carey, Carter, D.; Carter, F.; Connors, Cote, Curran, Drinkwater, Dudley, Elias, Fenlason, Flanagan, Garsoe, Gill, Gillis, Gould, Hunter, Immonen, Jacques, Jalbert, Kany, Laffin, LaPlante, Lizotte, Lougee, Mahany, McBreairey, McHenry, Mills, Nelson, N.; Peterson, Plourde, Rideout, Rollins, Smith, Strout, Tarr, Teague, Tozier, Twitchell.

ABSENT — Carrier, Cox, Dow, Dutremble, Gauthier, Kerry, Martin, A.; Sewall, Talbot. Yes, 95; No, 47; Absent, 9.

The SPEAKER: Ninety-five having voted in the affirmative and forty-seven in the negative, with nine being absent, the motion does prevail.

Thereupon, the Bill was read once and assigned for second reading later in the day.

Consent Calendar Second Day

(H. P. 1268) (L. D. 1496) Bill "An Act Authorizing Expenditures for Health Care Alternatives" (C. "A" H-834)

(S. P. 479) (L. D. 1742) Bill "An Act Providing for Changes in the Laws Relating to Property Taxation" (C. "A" S-316)

No objections having been noted at the end of the Second Legislative Day, the Senate Paper the Second Legislative Day, the Senate Paper was passed to be engrossed in concurrence, and sent up for concurrence.

Second Reader

Later Today Assigned

Bill "An Act to Clarify Actual Notice Under the Recording Laws in Regard to Exceptions and Reservations" (H. P. 1119) (L. D. 1337)

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

On motion of Mr. Spencer of Standish, tabled pending passage to be engrossed and later today assigned.

Passed to Be Engrossed

RESOLVE, to appropriate \$8,956 to the Town of Milbridge to Reimburse it for Burglary Loss (Emergency) (H. P. 1759) (L. D. 1891)

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

Amended Bills

Later Today Assigned

Bill "An Act to Appropriate Money for Improvements to Airports and to Authorize General Fund Bond Issues in the Amount of \$1,200,000" (H. P. 1409) (L. D. 1684) (C. "A" H-591)

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

On motion of Mr. MacEachern of Lincoln, the House reconsidered its action whereby Committee Amendment "A" was adopted.

The same gentleman offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

House Amendment "A" to Committee Amendment "A" (H-646) was read by the Clerk.

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

Mr. JENSEN: Mr. Speaker, I pose a question to the good gentleman that sponsored this amendment. What does it do?

The SPEAKER: The gentleman from Portland, Mr. Jensen, poses a question to the sponsor.

The Chair recognizes the gentleman from Lincoln, Mr. MacEachern.

Mr. MacEACHERN: Mr. Speaker, It simply adds \$5,000 to the appropriation for the Lincoln Airport and reduces by \$5,000 the contingency fund at the bottom of the list.

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

Mr. JENSEN: A further inquiry of the gentleman, it is my understanding as a member of the Transportation Committee that when we reported this bill out of committee, the mechanism that we used for determining which airport got what money was twofold; first of all, what kind of federal money was available. Most of this money is put in on a 5 percent state, 5 percent local, and 90 percent federal. Now, it is my understanding that all of the projects listed within this proposal had received prior approval by the federal government, and I would inquire as to whether or not the Lincoln Airport also has this approval?

The SPEAKER: The gentleman from Portland, Mr. Jensen, poses an additional question through the Chair to anyone who may care to respond.

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

Mr. PEARSON: Mr. Speaker, Ladies and Gentlemen of the House: In response to that question, I believe that the gentleman from Portland is in error. I don't think that all of the airports have received federal approval; they are applying for federal approval. The Lincoln Airport's amendment would be one of those that would be applying for this approval under this bond issue. Some of the requirements of getting the money for the various airports is to have a master plan, which some of the airports have not completed yet but anticipate doing so before the time that the federal government would allocate the money. So I would think that the Lincoln Amendment would be in order.

On motion of Mr. Jensen of Portland, tabled pending adoption of House Amendment "A" to Committee Amendment "A" and later today assigned.

Bill "An Act Relating to Residency Requirements of Municipal Employees" (S. P. 192) (L. D. 589) (C. "A" S-314)

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

Orders of the Day

The Chair laid before the House the first item of Unfinished Business:

House Divided Report — Majority (10)

"Ought to Pass" as Amended by Committee Amendment "A" (H-821) — Minority (2)
"Ought Not to Pass" — Committee on Labor on Bill "An Act to Amend the Employment Security Law to Include Federal Requirements and other Options Available to the State" (H. P. 762) (L. D. 1012)

Tabled — June 24, 1977 (Till Later Today) by Mr. Tierney of Lisbon Falls.

Pending — Acceptance of Either Report.

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

Mr. BUSTIN: Mr. Speaker, I move that the House accept the Majority "Ought to Pass" Report of the committee.

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

Mr. DIAMOND: Mr. Speaker, Men and Women of the House: I will try to be very brief, but L. D. 1012 does a lot of things. I have worked on this bill for four or five weeks now, and I want to just take a second to explain what it does so you will know, because if you haven't been contacted, you will be soon by the people in your town.

What it does essentially, to back up just a minute, January 1, 1978, we have some new guidelines that are going into effect regarding unemployment compensation. Right now, these guidelines refer to those people who work in municipalities or in educational institutions, primarily cooks, teacher aides, assistants, janitors, any of those people who are nonprofessional, and what L. D. 1012 does basically is to conform the State of Maine to these federal guidelines, and that is good. There is one section, if you care to look at it, I will give you the page number on the amendment, it is page number 12; we are talking essentially about items B and C. The choice we have is whether to accept B and C or not.

Paragraph B refers to those people who work in these institutions, schools if you will, who have vacation periods between or during the school year, such as Christmas vacation, Easter vacation, these periods off, when right now and they have since 1974, they could draw, they could draw unemployment for that one week, that brief period.

Section C refers to the area between academic years, summertime, and for the past two years they could draw there. So that essentially is what we are talking about when we are talking about this amendment in referring to page 12.

Two things are happening, we have guidelines, January 1, 1978, I just spoke of. The other thing which most people don't know about and are not aware of yet, and that is last October 20, the U.S. Congress amended the existing unemployment guidelines, and further amended them to say that after June 30, that is this Thursday, people cannot draw. And those people who have drawn this past summer, or the past two summers, and may expect to draw this summer, who fall into this nonprofessional category, will not be able to draw after this Thursday, it is the last day. So, I want you to be aware of that.

We are talking about two groups of people here. We have persons who have worked in the school department, for example, because they want to be off in the summertime, they want to have vacation that period. And they indeed should not be able to draw. I am not arguing with that a bit. The second group of individuals are those people who took a job in the school department as a custodian or a teacher's aide, or whatever it might be, because that was the only job they could get, and because it is the only job they could get, they took it, which means come June 20 or 15, whenever school gets out, they are unemployed, and they are victims of unemployment essentially because they cannot draw: these new guidelines say they can't.

What I would like to do is, first of all, make

sure you understand what this whole thing does, and we have two choices in the State of Maine under Sections B and C of this amendment, Page 12, we can, No. 1, adopt B and C, which says none of these people will be able to draw at any time under the guidelines I have just gone through. No. 2, we can disregard the items B and C and everyone can draw. Both situations are not good, we are left in somewhat of a dilemma. Both situations leave us with, No. 1, if we select one, we are paying people who really don't really want it, or they will take it if it is there, and, No. 2, if we take the other option, we are not paying those people who really need some sort of unemployment if they are going to be laid off. So that is the problem which I pose to you.

I have called several superintendents throughout the state before today's vote, and I asked this be put off so I could do just that. In talking with the superintendents, I have asked them if they would indeed hire anybody who needed a job for the summertime, who wanted to work, and I had some good responses, interesting responses. What I wanted them essentially to say to me is, "yes, if we have anybody who really wants to work, we will put them to work during the summertime; that would be a lot less money than having to pay everybody." You see, under the new guidelines, each school system has to pay the unemployment, it is not federal dollars, and that is the kicker, that is why we are making a decision here, that is why we have the option and the decision to make. It is no longer federal dollars. If we say we are going to pass this, we are paying everybody out of each individual school system's school budget, and most school budgets just can't handle that.

Keeping in mind, again, those people who are working in the school system only because it is the only job they can get and they would like to do something, again, as I said before, I talked to many superintendents around the state. The superintendent in Westbrook said that he would be happy to employ anybody who wants to work, who is not classified, a nonprofessional person — Auburn, only if he has to make a choice. Milo, Portland, Windham, to just name a few, all said they would. The only problem I have, there are several school systems I have not been able to reach and talk with, and I wanted you to be aware, since you will be, I am sure, contacted by these people who are not aware of these regulations, that maybe you could see your superintendent of schools, ask him or her. (I guess in the State of Maine there are no hers) but if you could ask your superintendent if he indeed would be willing to hire these people who want to work and are not trying to bleed the system, who will be looking for work but in the meantime, because they work for an educational institution, will not be able to.

So I hope I have posed to you the problem we are all going to have, the dilemma we are in right now, and I think the only alternative left, after exploring, I have called Boston, talked to people in Washington in the Labor Division, in regional offices as well as state offices, and we find no way we can get around this problem, because we start talking about welfare instead of unemployment. So, again, I just put this to you so you will understand briefly what this whole thing is going to do, who it is going to affect and the people it is going to hurt, that very small percentage of people, and I think that because the superintendents I have talked to have been very very cooperative, I would be quick to say that I think most superintendents would. I think those people who call you and say, "look, I know nothing about this, and I really want to work. I didn't take the job because I want three months off." I think that the superintendent, probably, generally speaking, would be very receptive to that. If you have any problems, I would be more than happy to let you know what I have found. I have found hordes

and hordes of things which I have on my desk here and I am not going to take time now, but if some of you may have some questions you want to get into later, and I would be very happy to do it.

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

Mr. LAFFIN: Mr. Speaker, Ladies and Gentlemen of the House: I guess I am to blame for this. We have our wires crossed here. This bill has got to pass, and I urge the members to vote for the bill and I will present an amendment that we will talk about what Mr. Diamond was talking about.

Thereupon, the Majority "Ought to Pass" Report was accepted and the Bill read once. Committee Amendment "A" (H-821) was read by the Clerk.

Mr. Laffin of Westbrook offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

House Amendment "A" to Committee Amendment "A" (H-829) was read by the Clerk.

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

Mr. LAFFIN: Mr. Speaker, Ladies and Gentlemen of the House: What the Committee Amendment does now that we have the bill passed, there has been a guideline sort of set up by the federal — this bill started out, by the way, as a four page bill, presented by our good chairman, and it ended up with a 33-page bill with the federal guidelines that were involved because we didn't want to lose any of the benefits in the unemployment compensation security law, so we had to go by those, and all of us on the committee did support that. But the two parts that two members, and I was one of them, do oppose, and this, by the way, was not put in by the federal government, this was put in by the Department of Manpower Affairs, and I don't know where it came from there, but it was put in, and we would like to have the members of this House consider very carefully the deleting Paragraph B and also Paragraph C in the bill.

I realize that there is a price tag on this and I have probably, when I fought for my city for benefits in the schools and all those things, why I was a great guy; however, today I am not so great because of the fact that the cities are opposing this, the towns are opposing it, the school boards are opposing it. My school board is very much opposed to it, my superintendent is very much opposed to it, the city government is very much opposed to it, and I couldn't care less because of the fact that you can't be for something one week and then come back and change around and go for something else the following week.

Now, what we want to take out in Paragraph B is, and it is very important, it says you are giving the people who work in the cafeterias, you are giving bus drivers you are giving all non-professional people, when school closes, what will happen will be, when the summer comes they will get no unemployment compensation. So they have to go ten weeks without it. There are those who say, "well they knew what the job was when they took it and they should have been prepared." But I will tell you something, ladies and gentlemen, we have a lot of people in this state that need those jobs, and they are not taking them just for the summer vacation. They are taking them because they need the work and it is not their fault that their mothers and fathers are not wealthy, that they would have had a good education, that they could have been sent to college. These people need these jobs. Consequently, when they are raising their families, they might not have had the education, maybe they didn't have the chance to go to college, so they have to take a job that pays less than what most of us would want to take. Then they say, well, you know,

after all, they knew what the job was, it is a job. But I say to you, that is not the reason for this. The reason is that the cities and towns do not want to pay the tax on it, that is the reason for the whole thing, and it is going to cost my city \$56,000. But I say to you, I would rather have the City of Westbrook pay \$56,000 into the security law and have an income for people who work on low paying jobs, nonprofessional jobs of this type, and I say that is far more important than the \$56,000 that the City of Westbrook will have to come up with.

The City of Westbrook can come up with all the money they need when it comes to improvements in the Police Department, improvements in the Fire Department, improvements in the School Department, no problem there. They raise the taxes and the people accept it, but when they have to raise the taxes to pay for an unemployment ticket, they call that unnecessary.

The second part of the paragraph is that this is for all non-professionals, anyone who is a non-professional employee of secondary and primary schools which would be eligible for benefits while the school vacation was going on. You see, the school teacher's pay is based over a whole year; consequently, they get paid whether they are a vacation or not, and so be it. I am glad for them, but the teacher aides, they get paid absolutely nothing, the janitors could be put out of a job if there was no work during the summer months. Most of them, I will admit, do find jobs in repairing and clean up, so most of them are kept on. Cafeteria workers are completely left out, bus drivers are completely left out. People of this nature cannot draw unemployment compensation because of this law that is in L. D. 1012.

This law, by the way, is a very sad thing when you stop to think about it. I was in this Legislature in January, the leadership in this House in both parties and everybody did not tell me that the unemployment compensation fund by the federal government, which they funded for two years, was going to expire, I didn't know anything about it and I don't know how many other people did, but I certainly didn't. In fact, I didn't know about it until we were going over the bill. The Department of Manpower did not inform me of this, and rightly so; they don't have to tell me everything that is going on. But I think that this was important. We are talking about people working in lower paid jobs. I know the school boards are very bitterly opposed to this, but the school boards, I could care less, they are not going to tell me or this Legislature how to run our business up here.

The other thing is that this group that has been working very very hard to see that this bill becomes law, including Paragraphs B and C, they put out in one of their bulletins that it was rumored that one member was going to sign the "Ought Not to Pass," and of course that one member was right, that was me. They said that at least one member of the committee, that was the Labor Committee, intends to sign a report that favors covering all school employees during normal school vacation periods and all non-professional personnel between the school years. Now, they do their homework real well. They are just like the Associated Industries of Maine. Anytime a labor bill is passed that they don't like, they notify my mills in Westbrook, and I get calls about why am I for this. So you see, they are working, they are working very hard, and the Maine Municipal Association has worked very very hard to see that these two paragraphs, B and C, are left in this law, and this is not right, this is bad.

There are those, I am sure, who are going to argue that people don't need it and all this, they take a vacation and they are not around and they go to the beaches and so forth and so on, but I can also assure you, ladies and gentlemen, they still have to comply with the Manpower

Laws, if they are not able and available for work, they cannot draw unemployment. Consequently, I don't like to have people say that they are going to promise them a job come September. I have had too much experience with management. I don't trust them. I don't believe them, but I would believe a contract, which is not in the bill, they are not bound by it. Some will say, well, yes, we will tell them that they can come back to work in September and they have our word for it. Well, I don't go by people's word too much when it comes to someone for a job, and I feel that the teacher aides and the other people, cafeteria workers, are certainly being hurt. I would ask the members of this House to accept my amendment and I would ask for the yeas and nays.

The SPEAKER: The Chair recognizes the gentleman from Hampden, Mrs. Prescott.

Mrs. PRESCOTT: Mr. Speaker, Ladies and Gentlemen of the House: I was a support educator before I came down here to Augusta, so I know first hand what we are talking about here today. And as the gentleman from Westbrook called us, nonprofessionals, I would like to take issue with that because I don't consider myself a nonprofessional. I think the term that we could use that would be better is non-teaching or support educators, because I think some of these people are professionals in the work that they do.

I will admit that most of the people who take these support educator jobs do know the time that they are going to work and they know the hours that they are going to be there, and I know that they take it perhaps because the job is appealing and perhaps because they know that they may have some vacations during the same time in which their children may be on vacation. Many of the people who take these positions are school year employees.

Now, the custodians will work a full year, they work 52 weeks out of the year, they have a vacation period, but they are not school year employees. We are talking about school year employees, those who work nine months out of the year. Most of these people take these jobs for a second income. Some of them are women, and I think that the people that we should be considering are those women who are taking these positions because they have to be home during the time that their children are out of school.

I happened to work with a woman who was a widow and had eight children, four still at home. It was a problem for her to find employment in which she could be home during the time that her children were home. This was a job that she needed. When she took the position as a support educator, as a teacher aide, she did not take it with the idea that she was going to get an unemployment benefit during the summer, because that came three years after she was employed in the district. The federal government then decided to give a SUAP program, which was unemployment benefits to those people who were support educators who did not work the full school year. The problem is, now the federal government is deciding they do not want to continue that program and they are putting it back on the local property tax or the local school districts, and letting the school boards say they will either come up with the money directly and assess it on the local property tax or they will not support the program.

Now, if we have, for example, 50 employees who are nonteaching employees and they are not going to be employed during the summer, then you are going to be thinking about having to give them \$500, perhaps, in unemployment benefits over the summer. That means that you are going to have to take 50 employees and multiply them—times 500—and the local school districts are going to have to come up with approximately \$25,000 to take care of the unemploy-

ment benefits. I guess this is where I have my mixed emotions. Because I did benefit directly from the SUAP program, and because I did go into the job not knowing that I was going to come under the benefit of the unemployment program, I think these are the people that you are going to be hurting, these people who did not take that position for that very reason.

I am not really sure how I am going to vote on this today because, as I said, I am not sure about whether or not the local people should be taking the responsibility and picking up the unemployment. I think it is too bad that the federal government decided to stop this and put it back under local control.

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

Mr. BUSTIN: Mr. Speaker, I move for the indefinite postponement of the amendment proposed by the gentleman from Westbrook.

The box that we are put in today is the result of the federal government trying to do something about a very high nationwide unemployment rate two years ago. One of the things they decided to do was to make eligible for unemployment compensation certain classes of employees, and one of those classes of employees were the people who worked in schools who could draw unemployment during the Christmas recess, the April vacation, the February vacation, and during the summer vacations. So as a result of that, people in Maine (and Maine qualified, not all states did, only states which had a certain percentage of unemployment) so this class of people in Maine have been used to drawing unemployment checks during these school vacation periods for two years and now it appears that they are not going to be coming anymore. The federal government in withdrawing this particular benefit as of the 30th of June, also told the state that the issue of unemployment compensation for all public employees is now a state issue, and one of the things that the state can do if we want to, is to continue these unemployment benefits for school employees beginning next year. January 1, 1978, is when the state covers all public employees with unemployment compensation.

Well, the issue that we have come down to has been well defined by Mr. Diamond, Mr. Laffin and Mrs. Prescott, and that is in terms of this amendment that has been put forward, would say that next year, not this summer, but next year, nonprofessional (and I don't use the word in a derogatory sense, simply to make the distinction between so-called professional employees, which are teachers, and they are not eligible in any way under this law, whether the amendment passes or not) I will use the word support personnel, support personnel, which is to say bus drivers, cafeteria workers, janitors, teacher aides and teacher assistants, with the passage of Mr. Laffin's amendment would be eligible to draw unemployment benefits during school vacations and during the summer vacation.

Mr. Diamond has put his finger on the real problem. I think many of us know people in our local school districts who have taken the kind of jobs that we are talking about for the sole reason that they are able to do these jobs and at the same time be home with their children during these vacation periods, and it probably offends the average citizen that they are also eligible to have vacation pay provided by the government, it used to be the federal government, now it would be the state government, have vacation pay provided while they are in these vacation periods in the form of unemployment checks.

So it is for that reason that that class of people, as Mr. Diamond indicated, even he does not want to cover. So what he sought to do and which I tried to do with him was to find some kind of system to separate out that class from

the class of people who actually need these jobs and who would work full time and who are sole bread winners at minimum wage and who really have a hard time making both ends meet. Well, we couldn't find a way to do that. So what you are faced with is dealing with all of the people one way or the other, and what I have done with my signature, and the reason I moved to indefinitely postpone, is to come down on the side of those who say that the majority of these people are in this class, that they should not receive unemployment checks during summer vacation and school vacations.

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

Mr. DEVOE: Mr. Speaker, I would like to pose an inquiry to anyone on the committee who may answer this question. The question is based on the assumption that most school budgets operate on a fiscal year, that would be July 1 through June 30. Now, if the cost features of this bill were not to become effective until January 1, 1978, if this amendment were accepted, I wonder if the House and the Senate were to accept the amendment and it did have an adverse financial impact on some school districts or school units, whether or not there would be any opportunity for those districts, once their budget had been set by July 1 of this year, to arrange to obtain the additional funds that this bill would cost starting January 1, 1978.

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

Mr. BUSTIN: Mr. Speaker, I will respond to the question as best as I can. It is my understanding that most of the school districts in the state have formulated their budgets assuming that Mr. Laffin's amendment would not pass. However, the amount of money in premium probably is small enough, the difference between the two, so that most school boards would be able to shift that amount of money around in the budget were the amendment to pass and still be taken care of.

Mr. Laffin of Westbrook requested a roll call vote.

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

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

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

ROLL CALL

YEA — Alopous, Ault, Bachrach, Bagley, Beaulieu, Bennett, Benoit, Biron, Birt, Blodgett, Boudreau, A.; Boudreau, P.; Brown, K.L.; Brown, K.C.; Bunker, Burns, Bustin, Carey, Carroll, Carter, F.; Chonko, Churchill, Clark, Cote, Cunningham, Curran, Devoe, Dexter, Diamond, Drinkwater, Dudley, Durgin, Elias, Fenlason, Fowlie, Garsoe, Gill, Gillis, Goodwin, H.; Goodwin, K.; Gould, Gray, Green, Greenlaw, Hickey, Higgins, Hobbins, Howe, Huber, Hughes, Hunter, Hutchings, Jackson, Jalbert, Jensen, Joyce, Kany, Kilcoyne, LaPlante, Lewis, Littlefield, Lizotte, Locke, Lougee, Lunt, Lynch, MacEachern, Mackel, Mahany, Marshall, Masterman, Masterton, Maxwell, McBreairty, McKean, McMahon, McPherson, Mills, Mitchell, Moody, Morton, Nadeau, Nelson, M.; Nelson, N.; Norris, Palmer, Peakes, Pearson, Peltier, Perkins, Peterson, Post, Prescott, Raymond, Rideout, Sewall, Silsby, Spencer, Sprowl, Stover, Stubbs, Tarbell, Tarr, Teague, Theriault, Torrey, Tozier, Trafton, Twitchell,

Tyndale, Valentine, Whittemore, Wilfong, Wood, Wyman.

NAY — Austin, Berry, Berube, Brenerman, Carter, D.: Connolly, Davies, Flanagan, Hall, Henderson, Jacques, Kane, Kelleher, Laffin, McHenry, Plourde, Quinn, Rollins, Shute, Smith, Tierney, Truman.

ABSENT — Carrier, Conners, Cox, Dow, Dutremble, Gauthier, Immonen, Kerry, LeBlanc, Martin, A.; Najarian, Strout, Talbot. Yes, 115; No, 22; Absent, 14.

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

Thereupon, Committee Amendment "A" was adopted and the bill assigned for second reading later in the day.

The Chair laid before the House the second item of Unfinished Business:

Bill, "An Act to Implement the Recommendations of the Pomeroy Commission on Medical and Hospital Malpractice Insurance" (S. P. 205) (L. D. 727) (H. "B" H-810 to C. "A" S-270)

Tabled — June 24, 1977 (Till Later Today) by Mr. Tierney of Lisbon Falls.

Pending — Passage to be Engrossed.

On motion of Mr. Garsoe of Cumberland, tabled pending passage to be engrossed and later today assigned.

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

Bill, "An Act Reinstating Public Intoxication as a Crime" (H. P. 1201) (L. D. 1430) (C. "A" H-718)

Tabled — June 23, 1977 by Mr. Palmer of Nobleboro.

Pending — Motion of Mr. Kelleher of Bangor to Indefinitely Postpone Bill and All Accompanying Papers.

On motion of Mr. Kelleher of Bangor, tabled pending his motion to indefinitely postpone and later today assigned.

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

Bill, "An Act to Require Filing and Prior Approval of all Rates for Use by Nonprofit Hospital or Medical Organizations" (Emergency) (H. P. 1539) (L. D. 1769) (C. "B" H-753)

Tabled — June 23, 1977 by Ms. Clark of Freeport.

Pending — Motion of Mr. Wood of Sanford to Reconsider Adoption of Committee Amendment "B" (H-753)

The SPEAKER: The Chair recognizes the gentlewoman from Freeport, Ms. Clark.

Ms. CLARK: Mr. Speaker, Men and Women of the House: I would urge you this morning to vote for the pending motion of reconsideration and would review with you the difference between the Committee Reports. Committee Reports "A" and "B" as embodied in Committee Amendments "A" and "B" are exactly the same in that they would provide rate review regulations for the medical non-profit service organizations in the State of Maine. Committee Amendment "B", as reflected in the Committee Minority Report, states that any corporation so organized shall grant participating status under its programs to any hospital that is duly licensed by and in good standing with under applicable statutes and regulations and so forth. What Committee Amendment "B" actually does is present an issue before this body, and the issue is whether this legislature is going to attempt to order, yes, order, groups of Maine citizens who do belong to medical nonprofit organizations in Maine to purchase services from a supplier, any supplier.

Now, the theorem entity sounds like a good idea, I didn't want to discuss the specific events which led up to the amendment proposed by the minority of the Committee on Business Legisla-

tion but it is obvious that the issue needs to be discussed more fully.

As most of you are aware, Blue Cross and Blue Shield of Maine enters into contracts, not only with its subscribers but also with hospitals. The purpose of these contracts is for Blue Cross to purchase services on their subscribers' behalf from hospitals who agree to abide by certain conditions in the contract with Blue Cross. One of the conditions in the contract, which Blue Cross has with hospitals, is that before a hospital will add additional beds to their facility, they will seek the proper review from a planning commission in their area. Usually this is H.S.A.

This brings me to the present dispute between the A.R. Gould Hospital in Presque Isle and Blue Cross/Blue Shield of Maine. The A.R. Gould Hospital pursuant to federal and state law and its contract with Blue Cross and Blue Shield sought planning review for 20 private rooms to be added to its hospital. After approval by the planning agency of those 20 beds, the A.R. Gould Hospital decided to put 40 beds in the 20 rooms rather than the original 20 for which it had approval. Because federal and state law does not require additional planning review unless there is a capital expenditure, the A.R. Gould hospital was not required under law to seek approval for its additional 20 beds. However, the contract between the A.R. Gould Hospital and Blue Cross and Blue Shield of Maine requires that before any additional beds are added to a hospital, the hospital receive planning commission approval. Because the A.R. Gould Hospital had not received planning commission approval for the 20 extra beds, Blue Cross and Blue Shield advised that hospital that its status as a participating hospital with Blue Cross would be terminated if that hospital refused to seek planning review as to the need for the additional 20 beds. The A.R. Gould Hospital refused and has continued to refuse to seek such additional review. There has been some discussion of a \$50,000 cost for such a review. However, Mr. Frank McIntee of the Maine Health Systems Agency, which would be conducting the review of the need for the additional 20 beds has informed the administrator of the A.R. Gould Hospital that his estimation of the cost of the review, which Blue Cross and Blue Shield is requesting, costs no more than \$3,200 to \$3,500. It is this background of the dispute between A.R. Gould and Blue Cross which caused the minority of the Committee on Business Legislation to report out Report "B", which has the amendment requiring Blue Cross to enter into a contract with all licensed hospitals regardless of the need for services which are being provided by that hospital and regardless of the cost to the subscribers of Blue Cross and Blue Shield.

This is not a rural vs. urban issue. It is far from it. It is an issue of a potential breach of contract by one of the parties to the contract and it should not and hopefully will not be resolved by legislation such as this.

Therefore, I hope that you will vote this morning to reconsider our prior action so that we may accept the Majority "Ought to Pass" Report, which will give the Superintendent of Insurance, the right to disapprove requested increases in rates for Blue Cross and Blue Shield. That was the thrust of the legislation as introduced by the Superintendent of Insurance, through the Governor's office and sponsored by me. Thirty-two states have already established regulatory control over Blue Cross and Blue Shield rates. It is on that basis that I ask you again to reconsider our previous action.

The SPEAKER: The Chair recognizes the gentleman from Mars Hill, Mr. Smith.

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: I rise to ask you ladies and gentlemen, I hope that you wouldn't vote to reconsider L. D. 1769. Committee Amendment

"B", in L. D. 1769, is identical in content to Committee Amendment "A" except for the provisions of sections one and six of Amendment "B", which essentially provides that a main hospital be granted participating status under health insurance plans if the hospital is duly licensed under the State of Maine Hospital licensing law.

As you know from statements which have already been made in prior debate on this amendment, Associated Hospital Services of Maine, through its Blue Cross program, has recently terminated the participating status of Milo Community Hospital and it has threatened to terminate the participating status of A.R. Gould Memorial Hospital in Presque Isle, Maine. Unless that hospital requests a special review by the state health planning agencies with respect to 20 beds which are already in use in that hospital and for which the hospital already is duly licensed by the State Hospital Licensing Bureau through June 30, 1978.

I have a copy here from the Department of Human Services as to that License. The license for the 101 beds, which includes the 20 beds which I have referred to, was based in part upon a certification by the state health planning agencies. To change from 81 to 101 beds, A.R. Gould Hospital did not require additional planning review and that the federal and state requirements were met. A special review, which Blue Cross would require, would cost the hospital between \$50,000 and \$70,000 based upon an estimate of the hospital's auditors, Ernst & Ernst. I also have a copy of that here with me this morning.

I also don't believe that Blue Cross should be allowed to make similar, unnecessary and costly demands upon other hospitals in this state in the future.

Another example of the tremendous power which Blue Cross exercises daily with respect to medical cost in this state is the fact that Blue Cross may make a totally independent and uncontrolled decision as to whether it pays anywhere from zero to 80 percent of the hospital costs of the subscriber. I believe that facts such as these which I have referred to clearly indicate that it is about time Blue Cross is properly regulated in its activities as a major health insurer in this state.

Committee Amendment "B" for L. D. 1769 makes it public policy that Blue Cross abide by decisions made by the federal and state governmental agencies which administer licensing and planning regulations. Blue Cross should not spend the people's money duplicating the work of legally constituted health planning agencies in this state or the federal government. Neither Blue Cross nor any other insurance company should have this responsibility or the power to determine whether or not a hospital should offer, expand or reduce the services.

Again, I ask you ladies and gentlemen; I hope that you would vote no to reconsider L. D. 1769.

Mr. Speaker: I request that when the vote is taken, it be taken by a roll call.

The SPEAKER: The Chair recognizes the gentlewoman from Portland, Mrs. Najarian.

Mrs. NAJARIAN: Mr. Speaker and Members of the House: I rise to urge you to reconsider the acceptance of the minority report that the House accepted the other day. I know that this House is very concerned about the rising cost of medical care. This is one of the few attempts that I am aware of, of Blue Cross to really keep the cost of medical care down by requiring that when hospitals propose new services, even though the capital expenditure is under \$100,000 that they seek a review. This is a contract apparently that they have with all the hospitals of the state.

If you accept this report that we did the other day, what is going to happen is that we are

opening up to every hospital in the state being able to add new services without being able to justify the need of those new services.

A. R. Gould had the contract with Blue Cross /Blue Shield. They knew very well that if they expanded their services under the contract with Blue Cross, they were supposed to seek approval from the Health Planning Agency. When the hospital called the health systems agency asking whether they needed a review for 20 additional beds for which they had not sought approval, the health systems agency told them that under the federal law, the health systems agency was required to review an expansion of services or an increase in hospital beds. However, since the state does not have its own certificate in these programs, there was no way that the health systems agency could require them to do that. There was no way that the health systems agency presently had the power to penalize that hospital if they go ahead and do so.

The cost of applying for an application and a review, the \$50,000 to \$70,000 figure is just simply absurd. Probably the most it would cost is \$1,000. Many other hospitals have put together similar applications in a very short time at very small cost.

I do have a letter here from the commissioner of Human Services which he is writing to A. R. Gould dated the 24th. He said, "In regard to these 20 additional beds that have been added at A. R. Gould, a subsequent thorough review by our Division of Development, Bureau of Health Planning and Development of application documents and of the succession of drawings indicates that at least six of the additional beds which had to involve a capital expenditure were not included in the proposal approved by the D.P.A. on July 31, 1974. There is also the probability that some of the remaining 14 beds also involved a capital expenditure not authorized in the project approved on that date. In the light of new information in the form of "completed construction", floor plans supplied with your letter of 5/17/77 to Mr. Chester Dunn, Director of the Division of Hospital Licensing, the designated planning agents find it necessary to rescind its November 15, 1976 non-reviewable decision since those drawings do indicate that capital expenditures were involved in the creation of some of the 20 beds in question. The increase in bed capacity at A. R. Gould Memorial Hospital is considered a subject matter to full review as described in the accompanying letter from John Norton, Executive Director of the Bureau of Health Planning and Development.

So, men and women of the House: The A. R. Gould Hospital is going to have to go through a review anyway. I do think you would be making a big mistake to exempt all the other hospitals in the state by allowing them to add new services without any justification for their need.

The SPEAKER: The Chair recognizes the gentleman from Dexter, Mr. Peakes.

Mr. PEAKES: Mr. Speaker, Ladies and Gentlemen of the House: Since I am also a signer of the Minority Report, I would like to explain my position.

In our small community of Dexter, we have a totally trust support hospital, the Plummer Memorial Hospital. Two or three years ago, we happened to fall into an area of a regional plan that was set up by the federal government. Unfortunately, the towns in the area had their own ideas about being forced into this regional concept which centered in Dover, Milo and Dexter voted to not be part of this regional system. As a result, our Medicare funds were pulled from the hospitals. Part of this time, Dexter's Plummer Hospital had never had to tax the people in the community and we are probably charging around \$40 to \$45 trying to protect our small hospital from closure by the federal government. Although Blue Cross and Blue Shield did not pull their coverage from our hospital, we

did expend great amounts to go through review and study the city process.

As I understand the Milo situation, who was a sister town, who received national attention in their independence to set their own course, they chose to reduce the size of the hospital. They eliminated the top floor. They did this by a series of bean dinners, citizens giving of their time and they did reduce their hospital. At the same time, I believe that Blue Shield and Blue Cross pulled their coverage from this hospital and then recently, Medicare was restored to Dexter and to Milo. However, Blue Cross and Blue Shield refused to reinstate their coverage even though they had in the past. This was because the Milo people had not gone back through the health planning agency and gone through this elaborate reviewing process. I know that this would cost at least \$40,000 to \$50,000 for the Milo Hospital. In effect, it would probably force the closure of the hospital.

The A.R. Gould situation is probably \$3,000 or \$4,000 as I understand it, it is not a full review; it is a review of what they had already done at the Gould Hospital.

My position in this is because of the many calls from the people in my area expressing their concern that we have a third regulatory body in this state, Blue Cross and Blue Shield, who says "well I want you to go back through that \$50,000 gamut. This is the reason I voted this way. I don't mind Blue Cross having the freedom to contract for services but I am concerned when they are setting themselves up as a third regulatory body. They could say to Dexter now even though we have an ongoing Medicare, Blue Cross and Blue Shield program, we want you to go back to the health planning agency, and we would have to do it. I just think you should all think about this when you are voting. If you have small hospitals in your area, think about what the impact would be to your hospital if this were to happen.

Vote your conscience.

The SPEAKER: The Chair recognizes the gentleman from Mars Hill, Mr. Smith.

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: I will not take too much time. I would just raise the question to you ladies and gentlemen speaking as a consumer; what would happen if a major hospital in this state were to be terminated by Blue Cross and what effect this would have on subscribers under Blue Cross? No other insurance company has this right. Travers, Prudential, Aetna or whatever it is, they don't have this authority and I just can't understand why there doesn't seem to be anyone here in the state that can control Blue Cross. They can do anything they so desire.

I would hope that you would vote against the motion to reconsider.

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

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

The SPEAKER: The pending question before the House is on the motion of the gentleman from Sanford, Mr. Wood, that the House reconsider its action whereby Committee Amendment "B" was adopted. Those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Aloupis, Bachrach, Beaulieu, Bennett, Benoit, Boudreau, A.; Brennerman, Burns, Bustin, Chonko, Clark, Connolly, Curran, Davies, Devoe, Diamond, Elias, Garsoe, Goodwin, H.; Goodwin, K.; Hickey, Hobbins, Howe, Hughes, Jackson, Jensen, Kany, Kilcoyne, LaPlante, Lewis, Lizotte, Locke, Masterton, McMahon, Mitchell, Moody,

Morton, Najarian, Post, Prescott, Quinn, Sewall, Spencer, Sprowl, Stubbs, Theriault, Tierney, Traffon, Valentine, Whittemore, Wilfong, Wood, Wyman.

NAY — Ault, Austin, Bagley, Berry, Berube, Biron, Birt, Blodgett, Boudreau, P.; Brown, K.L.; Brown, K.C.; Bunker, Carey, Carroll, Carter, D.; Carter, F.; Connors, Cote, Cox, Cunningham, Dexter, Drinkwater, Dudley, Durgin, Dutremble, Fenlason, Flanagan, Fowle, Gill, Gillis, Gould, Green, Greenlaw, Henderson, Higgins, Hunter, Hutchings, Immonen, Jacques, Jalbert, Joyce, Kelleher, Laffin, LeBlanc, Littlefield, Lougee, Lunt, Lynch, MacEachern, Mackel, Mahany, Marshall, Masterman, Maxwell, McBreairty, McHenry, McKean, McPherson, Mills, Nadeau, Nelson, M.; Nelson, N.; Norris, Palmer, Peakes, Pearson, Peltier, Perkins, Peterson, Plourde, Raymond, Rideout, Rollins, Shute, Silsby, Smith, Stover, Tarbell, Tarr, Teague, Torrey, Tozier, Truman, Twitchell, The Speaker.

ABSENT — Carrier, Churchill, Dow, Gauthier, Gray, Hall, Huber, Kane, Kerry, Martin, A.; Strout, Talbot, Tyndale.

Yes, 53; No, 85; Absent, 13.

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

The Chair recognizes the gentleman from Auburn, Mr. Green.

Mr. GREEN: Mr. Speaker, I move this lie on the table until later in today's session.

Whereupon Mr. Peakes of Dexter requested a division.

The SPEAKER: The Chair will order a vote. The pending question is on the motion of the gentleman from Auburn, Mr. Green, that this be tabled until later in the session. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

62 having voted in the affirmative and 63 in the negative, 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 third tabled and today assigned matter:

Bill, "An Act Concerning Penalties for Operating a Motor Vehicle Under the Influence of Intoxicating Liquor or Drugs" (H. P. 1362) (L. D. 1667) (H. "A" H-731 and H. "B" H-796 to C. "A" H-717).

Tabled — June 24, 1977 by Mr. Tierney of Lisbon Falls.

Pending — Passage to be Engrossed.

Thereupon, the Bill was passed to be engrossed as amended by Committee Amendment "A" as amended by House Amendments "A" and "B" thereto and sent up for concurrence.

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

Resolution, Proposing an Amendment to the Constitution Allowing the Legislature to Impose a Different Rate of Taxation Upon Properties Outside of Incorporated Municipalities and Plantations (H. P. 1009) (L. D. 1212) (H. "B" H-823 to C. "A" H-659)

Tabled — June 24, 1977 by Mr. Tierney of Lisbon Falls.

Pending — Passage to be Engrossed.

On motion of Mr. Tierney of Lisbon Falls, tabled pending passage to be engrossed and later today assigned.

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

Bill "An Act Concerning the Blue Sky Law" (S. P. 200) (L. D. 598) (C. "A" S-260)

Tabled — June 24, 1977 by Ms. Clark of Freeport.

Pending — Passage to be Engrossed.

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

Mr. HOWE: Mr. Speaker, Members of the

House: I have met with the sponsor of this bill and people from the Bureau of Banking and Senator Chapman, who worked with me on the bill. We believe we have, in good faith, reached a satisfactory amendment which I am sure will be ready to present tomorrow. In good faith and with apologies, I ask that somebody table this one more day.

On motion of Ms. Clark of Freeport, tabled pending passage to be engrossed and tomorrow assigned.

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

Bill, "An Act to Permit the Advertising of Prescription Eyeglasses and Other Optical Devices" (H. P. 415) (L. D. 518) (C. "A" H-784)

Tabled — June 24, 1977 by Mr. Goodwin of So. Berwick.

Pending — Passage to be Engrossed.

On motion of Mr. Goodwin, of So. Berwick, tabled pending passage to be engrossed and tomorrow assigned.

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

Senate Divided Report — Majority (8) "Ought Not to Pass" — Minority (5) "Ought to Pass" — Committee on Taxation on Bill "An Act to Repeal the Personal Property Tax on Commercial Fishing Vessels and Equipment" (H. P. 1290) (L. D. 1537) — In Senate, Minority "Ought to Pass" Report Read and Accepted and the Bill Passed to be Engrossed.

Tabled — June 24, 1977 by Mr. Carey of Waterville.

Pending — Motion of the same gentleman to Accept the Majority "Ought Not to Pass" Report.

On motion of Mr. Carey of Waterville, tabled pending motion of the same gentleman to accept the Majority "Ought Not to Pass" Report and tomorrow assigned.

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

An Act to Provide Lifeline Electrical Services (H. P. 1669) (L. D. 1867) (H "A" H-561; H "B" H-656; S "A" S-235)

Tabled — June 24, 1977 by Mr. Connolly of Portland.

Pending — Passage to be Enacted.

On motion of Mr. Connolly of Portland, tabled pending passage to be enacted and later today assigned.

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

House Divided Report — Majority (7) "Ought to Pass" — Minority (6) "Ought Not to Pass" — Committee on State Government on Bill, "An Act to Amend the Maine Human Rights Act" (H. P. 162) (L. D. 200)

Tabled — June 24, 1977 by Mr. Tierney of Lisbon Falls.

Pending — Acceptance of Either Report.

On motion of Ms. Goodwin of Bath, tabled pending acceptance of either Report and tomorrow assigned.

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

(Off Record Remarks)

On motion of Mr. Spencer of Standish, Recessed until one o'clock in the afternoon.

After Recess
1:00 P.M.

The House was called to order by the Speaker.

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

House Divided Report — Majority (10)

"Ought to Pass" as Amended by Committee Amendment "A" (H-734) — Minority (1) "Ought to Pass" as Amended by Committee Amendment "B" (H-735) — Committee on Transportation on Bill "An Act Relating to the Maine Turnpike Authority" (H. P. 343) (L. D. 388)

Tabled — June 24, 1977 by Mr. Greenlaw of Stonington.

Pending — Motion of Mr. Strout of Corinth to Accept the Majority "Ought to Pass" Report.

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

Mr. GREENLAW: Mr. Speaker, Men and Women of the House: This bill has been in the House now for a week and I am going to ask someone to table it once I sit down after just a brief explanation but it seems to me appropriate that you do have that explanation so you know what is transpiring.

The reason I have asked to be tabled for a week is that there are a number of small problems, or perhaps major, depending on the point of view, that I have tried to resolve for a number of members of the House. I have, in fact, drafted a fact sheet which will be distributed this afternoon. What my hope is that you can take a look at it this afternoon and tonight. I would certainly be glad to answer any questions as I am sure the other three sponsors of the bill will be, members of the Transportation Committee. I hope that tomorrow morning it can be discussed in each of the respective caucuses, obviously not from the point of view of taking a caucus position, but from the point of view of trying to pass information on to members of the respective caucus.

On motion of Mr. Strout of Corinth, tabled pending the motion of the same gentleman to accept the Majority "Ought to Pass" Report and tomorrow assigned.

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

Bill, "An Act Concerning Required Voting on Certain Boards and Commissions with Quasi-judicial Authority" (H. P. 1200) (L. D. 1441) (C. "A" H-758)

Tabled — June 24, 1977 by Mr. Palmer of Nobleboro.

Pending — Passage to be Engrossed.

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

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House: We are still awaiting some word from the Attorney General on this bill and I would ask that someone table it for one legislative day.

On motion of Mr. Greenlaw of Stonington, tabled pending passage to be engrossed and tomorrow assigned.

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

Bill, "An Act to Repeal Certain Laws Relating to Conservation" (S. P. 363) (L. D. 1224) — In Senate, Report Read and Accepted and Bill Passed to be Engrossed as Amended by Committee Amendment "A" (S-276) as Amended by Senate Amendments "A" (S-294) "B" (S-302) and "C" (S-310) thereto.

Tabled — June 24, 1977 by Mr. Dow of West Gardiner.

Pending — Adoption of Committee Amendment "A" (S-276) as Amended by Senate Amendment "A" (S-294), Senate Amendment "B" (S-302) and House Amendment "A" (H-813) thereto.

Committee Amendment "A" as amended by Senate Amendments "A", "B" and House Amendment "A" thereto was adopted.

Under suspension of the rules, the Bill was read a second time.

The Bill was passed to be engrossed as amended by Committee Amendment "A" as amended by Senate Amendments "A" and "B"

and House Amendment "A" thereto in non-concurrence and sent up for concurrence.

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

Bill, "An Act to Reform the Regulation of Watch, Guard and Patrol Agencies and of Private Detectives" (H. P. 1741) (L. D. 1889)

Tabled — June 24, 1977 by Mr. Palmer of Nobleboro.

Pending — Passage to be Engrossed.

The SPEAKER: The Chair recognizes the gentleman from Limestone, Mr. McKean.

Mr. MCKEAN: Mr. Speaker, Ladies and Gentlemen of the House: When this piece of legislation initially came out, I did have a few problems with it and I did ask that it be tabled. Part of my problem was on Paragraph 3782, which related to part-time and off-duty law enforcement officers and I wanted to be assured, in my own mind, that this was not going to be an open door to the Commissioner of Public Safety promulgating rules and regulations which would indeed make sure that the local law enforcement people had to either be bonded or be licensed. As you probably know, in a lot of our smaller towns the deputy sheriffs, a lot of the reserve policemen who are under town warrant do serve at school dances, basketball games, different private clubs and clubs within the location themselves, and at the beginning of the L. D., Paragraph 10, Items A, B, C and D, it just so happens that these are the items that these people perform and there is a real close tie in here, and I wanted to be sure in my mind that we are not going to come out with something that would say that the people under warrant would have to either be bonded or be licensed. I am not really assured of that as yet, however, as of right now, I have no problems.

The SPEAKER: The Chair recognizes the gentleman from Anson, Mr. Burns.

Mr. BURNS: Mr. Speaker, Ladies and Gentlemen of the House: In reply to the gentleman's query, there is a provision in here that any rule and regulation set forth by the Commissioner of Public Safety must have a review by the legislature immediately after its implementation or as soon as the legislature can get to it after it has been imposed. Now, specifically to the point, in regard to the officers functioning in this area, this is the same as the current law is now, that a full-time or part-time officer may act as a part-time security guard at such events. This is put in here and for such events, as school dances, various meetings, etc., particularly in small towns. It does require bonding, though, but it does forgive them from having a license but they must be bonded if they are going to act in this area.

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

Mr. KELLEHER: Mr. Speaker I would further like to ask a question to the Legal Affairs Committee. Am I understanding correctly that you are increasing the bond from \$5,000 to \$10,000 and if that is the case, an individual who holds a detective license would be going from \$5,000 to \$10,000. How about an agency, where they employ one, two or more detectives, does the \$10,000 bond provision blanket all those employees, or does it just cover the agency itself and if additional personnel are put on, do they subsequently have to have a \$10,000 bond coverage as well as the fellow that is an independent detective?

The SPEAKER: The Chair recognizes the gentleman from Anson, Mr. Burns.

Mr. BURNS: Mr. Speaker, in reply to the query, in the private investigator area, that addresses to each licensee and each licensee must have his own bond. Now, if they are employed within an investigative agency, they would have to be licensed independently also, with one exception, and that exception being that a licensee

may employ up to two additional people for one year, and one year only. I believe that they have to also have that bonding prior to the issuance of the permit to work for the licensee. I will have to check that out but I believe that is correct.

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

Mr. KELLEHER: Mr. Burns, if I understand you correctly, notwithstanding that I know that they each have to have a license but they would separately have to have the bonding themselves?

The SPEAKER: The Chair recognizes the gentleman from Limestone, Mr. McKean.

Mr. McKEAN: A question through the Chair Mr. Speaker. Ladies and gentlemen of the House can I take it to mean then that a local law enforcement officer, either parttime or fulltime, who does attend a school function and so forth is going to have to be bonded? And I read it in that paragraph, it says who is bonded, he would not have to be licensed, this doesn't say that the man under warrant will have to be bonded, do I understand that he will have to be?

The SPEAKER: The Chair recognizes the gentleman from Anson, Mr. Burns.

Mr. BURNS: Mr. Speaker: Under current law, he has to, and this is continued under this law; he does have to be bonded.

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

Mr. MARSHALL: Mr. Speaker and Members of the House: I watched this bill go through up to the enactment stage and I have a couple of questions about it. I see that Mr. Shute is now in his seat. Section 3782, that is on Page 11 of the document that we were just describing, it says "any person currently employed as a state, county or local law enforcement officer or any constable and so forth, it goes on to talk about who is bonded in accordance with this chapter and who engages in the activity on an off duty basis, am I led to understand that this will allow a police officer to wear his uniform while working as a security guard?"

The SPEAKER: The gentleman from Millinocket has posed a question through the Chair to anyone who may respond.

The Chair recognizes the gentleman from Anson, Mr. Burns.

Mr. BURNS: Mr. Speaker. There is nothing in the law to prohibit it.

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

Mr. MARSHALL: Mr. Speaker and Members of the House: If the police officer then would be eligible to wear a uniform as a security guard, I call your attention to Section 3777, Part 2 on Page 9, and also Section 3779 Part 2 in the ensuing paragraph, it states in Section 3777 regarding an individual performing a security act and it says that no individual while performing security guard services shall wear or display any badge, insignia, device, shield or patch which shall indicate or tend to indicate that he is a sworn peace officer or which includes the words "police" or the equivalent thereof or is similar in wording to any law enforcement agency. Also Section 3779, on the next page, in 2B, it states that "it shall be unlawful for any security guard to knowingly commit or make any statement which would reasonably cause another person to believe that he is a sworn peace officer or other official of the state or any of its political subdivisions or agencies of the federal government". Now I see a problem here, it appears to me that these two sections would prohibit a police officer from wearing his uniform. Also in relation to that first paragraph I stated, which when an officer is off duty, I assume he doesn't wear his uniform and I am particularly curious as to what argument you might submit which would allow a police officer to wear his uniform off duty for a private game using the municipal power given to him by the

municipality for his own personal gain. I see a slight discrepancy here and I would appreciate it if someone could straighten me out on it.

The SPEAKER: The Chair recognizes the gentleman from Anson, Mr. Burns.

Mr. BURNS: Mr. Speaker, Ladies and Gentlemen of the House: The provisions which were outlined by the gentleman from Millinocket are those that are governing the licensee and the police officer on parttime is not a licensee. Therefore, he would be excused from those provisions. Now, as to the second part, the off-duty individual is providing a service to a non-profit organization, a non-profit organization.

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

Mr. MARSHALL: Mr. Speaker and Members of the House: Two problems with the comments of the gentleman from Anson, Mr. Burns. In his own paragraph on Page 11, 3782, not his own paragraph, but in this document that we just read, the way I interpret this is it exempts a part-time policeman from being licensed, it certainly doesn't exempt him from abiding by the rules and regulations and provisions of this whole bill. It says, it exempts him in the Chapter, Section 3765, which deals with licensing but it certainly doesn't exempt him from obeying the rules and regulations that the other provisions call for.

Secondly, if that individual is out in the private sector on his off time, wearing a state uniform, or a local police uniform, is he, in fact, representing the municipality and if he makes a false arrest, does that individual who is falsely arrested, is he eligible to sue the municipality that that policeman is attached to? Because after all he is representing, using their authority and would the municipality be responsible for any suit brought by a police officer using its authority for his own personal gain on his off-time duty?

Mr. Shute of Stockton Springs offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-806) was read by the Clerk.

Mr. SHUTE: Mr. Speaker, Ladies and Gentlemen of the House: The amendment I offer, House Amendment "A", under Filing No. H-806, would provide that police officers could work at profit making organization functions. Under the present statutes under L. D. 1889, the police officers can only work under non-profit organizations and this would permit the police officers to work, for example, to control mass gatherings at profit — making organizations such as a bottle club, an auction or any other function that might take place. Now, they have always been able to do this and under the present bill we are discussing they are prohibited.

Therefore, I would move the adoption of this amendment.

Whereupon, House Amendment "A", was adopted.

Mr. Shute of Stockton Spring offered House Amendment "B" and moved its adoption.

House Amendment "B" (H-807) was read by the Clerk.

Mr. SHUTE: Mr. Speaker, Ladies and Gentlemen of the House: Under the present bill that was presented to the legislature, it provided that private detectives have a bond in the amount of \$10,000 to cover these activities.

A person in my district, a private detective himself, suggested that the legislature should consider that the detective should be able to carry liability insurance in the same amount or a greater amount than the bond itself. I am not too familiar with liability insurance versus a bond and I would appreciate any expertise in this field that someone might have.

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

Mr. GRAY: Mr. Speaker, Men and Women of the House: I am not sure that this amendment

is either in the best interest of the police officer who might moonlight or the municipality whose uniform he is wearing.

Substituting liability insurance for a bond is like mixing apples and oranges, to use an old cliché. Liability insurance, of course, protects the person performing the work, the individual. Watch guard and patrol agencies are required to be bonded. The state holds the bond in that it protects the state, so they are really two different things. I really can't see where liability insurance can take the place of a bond. The bond protects the state to assure that the licensee abides by the laws under this chapter, whereas liability insurance protects the individual performing the work.

The SPEAKER: The Chair recognizes the gentleman from Anson, Mr. Burns.

Mr. BURNS: Mr. Speaker, Members of the House: If I may correct an inconsistency that came up in the last statement, this affects only the private investigator, the private investigator only and not the watch guard and security services.

I have checked with the Commissioner of Public Safety, the individual who is involved in this, and he said, that as long as they have one or the other it would be satisfactory.

The SPEAKER: The Chair recognizes the gentleman from Limestone, Mr. McKean.

Mr. McKEAN: Mr. Speaker, Ladies and Gentlemen of the House: A question through the Chair again to anyone who would like to respond. If, and I won't say police officer because this does not have anything to do with a police officer, this is a different entity altogether, if an individual who came under the rules in this particular L. D. was working at a hotel or school dance, whatever it may be, and he observed an infraction of rule A, B or D on Page 2 under Paragraph 10, what is his authority for powers of arrest? Does he have powers of arrest? If he doesn't have powers of arrest, and he tries to physically detain an individual that is involved, would he not then be in line for a suit?

The SPEAKER: The gentleman from Limestone has posed a question through the Chair.

The Chair recognizes the gentleman from Anson, Mr. Burns.

Mr. BURNS: Mr. Speaker, I presume he is saying an individual who does not have arrest authority. If this is the case, he has civil arrest authority, the same as any citizen of the State of Maine has.

The SPEAKER: The Chair recognizes the gentleman from Millinocket Mr. Marshall.

Mr. MARSHALL: Mr. Speaker Members of the House: But if I recall correctly, that ability to initiate a civilian arrest is in regards to felonies only and perhaps some criminal lawyer might elucidate on that one.

Whereupon, House Amendment "B" was adopted.

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

Mr. MARSHALL: Mr. Speaker, I move this bill and all of its accompanying papers be indefinitely postponed.

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

Mr. COTE: Mr. Speaker, Ladies and Gentlemen of the House: This bill comes out of a two year study by the Legal Affairs Committee, members of the Legal Affairs Committee naturally changed from the last session to this one. We know this is not a perfect bill. We met two weeks ago for three and a half hours regarding the powers there are in this state concerning watch guards, private detectives and what not. We took this bill article by article, and as we went along, we accepted or rejected articles and made some changes. Everyone at the hearing, when we got done, was happy with the bill. We knew it was not a perfect bill and so did they but we are coming back here next

January and there aren't any great flaws in this bill and we can change it at that time. But I don't think that on the whim of an individual that we should cancel this bill here today after all this study.

I hope that this bill has passage.

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

Mr. MARSHALL: Mr. Speaker, Members of the House: Despite whether or not this bill was gone over article by article, the gentleman from Lewiston still admits that it is not a perfect bill and I maintain that it is a bad bill, for the simple fact that this does not address a basic problem and that problem is the relationship between a security guard agency and a policeman. Is a policeman, when he is off-duty working for a security agency, is he a policeman or is he a security guard? And we seem to have a discrepancy here setting up a two tier system of two classes of security guards, that if you happen to be a policeman at your discretion you can use your police powers of your local municipality to execute the function of your job as a security guard and I see this as completely unacceptable. I consider myself a strong, as I have stated before, supporter of law enforcement, this is completely unacceptable.

The SPEAKER: The Chair recognizes the gentleman from Anson, Mr. Burns.

Mr. BURNS: Mr. Speaker, Ladies and Gentlemen of the House: I suggest to the gentleman from East Millinocket, if this is what he would like to do, that he get an amendment prepared and change the current law because this is exactly how the current law exists today and whether you indefinitely postpone this bill or not, it will continue unless amended.

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

Mr. MARSHALL: Mr. Speaker, Members of the House: I realize that we do have a current law that I disagree with. Nonetheless, the sections that I brought up are new sections under this bill and they perpetuate the same problem that we have in the current law.

I don't consider this a whimsical move on my part. I have given it quite a lot of consideration and I think that it is the type of bill that until we address ourselves to the basic problem of security guard agencies versus police departments, and what each one's role is in respect to the other, that we are not going to be able to come up with a bill that is going to be acceptable.

The SPEAKER: The Chair will order a vote. The pending question before the House is the motion of the gentleman from Millinocket, Mr. Marshall, that this bill and all its accompanying papers be indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

17 having voted in the affirmative and 66 in the negative, the motion did not prevail.

Mr. Shute of Stockton Springs offered House Amendment "C" and moved its adoption. House Amendment "C" (H-808) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Stockton Springs, Mr. Shute.

Mr. SHUTE: Mr. Speaker, Ladies and Gentlemen of the House: This amendment has three sections to it. It amends Section 6058, Section 6061 and Section 6062 and the amendment itself on 6058 requires that the license fee be refunded if the applicant is denied his license under the provisions of the bill.

Now, the second section of the amendment, 6061, prohibits a police officer from being a private detective and I had a call on this bill from a fellow that is now a deputy sheriff and also is a private detective and he felt it was discriminatory against his work habits to be prohibited from being both a detective and a

deputy sheriff. He said he felt this was discriminatory as it was as being a legislator being in the legislature being privy to private information and, of course, being a detective or either a deputy sheriff or detective in the legislature.

The third section of the amendment amends out unnecessary language in the bill.

I guess all I can say is I would move adoption of this amendment.

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

Mr. JOYCE: Mr. Speaker, Ladies and Gentlemen of the House: I am a member of the Legal Affairs Committee. I worked for nearly three years together with the committee on this bill.

I oppose House Amendment "C." We sent all over the country to get copies of other states' laws and how this problem is handled. Many, many of the states' pointed out the problem of having law enforcement officers hold a license as a private detective. Every law enforcement officer sworn in this State of Maine has access to the computer, the computer in Augusta, the computer in Massachusetts and the computer at the FBI. It was the unanimous feeling of the committee that we should not have licensed a person that could go down to a police station, to his own police station, and sit down and punch that computer and within a matter of a minute, get back highly confidential information on people. The conflict was there and it was a real dangerous conflict and this Amendment "C" would authorize sworn police personnel to do private detective work and have access to all highly confidential information which I and the committee feel is wrong and I ask indefinite postponement of the Amendment "C".

The SPEAKER: The Chair will order a vote. The pending question before the House is on the motion of the gentleman from Portland, Mr. Joyce, that House Amendment "C" be indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

75 having voted in the affirmative and 20 in the negative, the motion did prevail.

Thereupon, the Bill was passed to be engrossed as amended by House Amendments "A" and "B" and sent up for concurrence.

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

RESOLUTION, Proposing an Amendment to the Constitution, to delegate Certain Emergency Budgetary Powers to a Joint Legislative Committee to be Exercised when the Legislature is not in Session (H. P. 1397) (L. D. 1658) (C "A" H-676)

Tabled — June 24, 1977 by Mr. Tierney of Lisbon Falls.

Pending — Final Passage. (Roll Call Ordered)

On motion of Mr. Palmer of Nobleboro, tabled pending final passage and tomorrow assigned.

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

An Act Concerning Solicitation by Law Enforcement Officers (H. P. 547) (L. D. 664) (C. "A" H-678)

Tabled — June 24, 1977 by Mr. Howe of So. Portland.

Pending — Passage to be Enacted. (Roll Call Requested)

The SPEAKER: A roll call has been requested. For the Chair to order a roll call, it must have the expressed desire of more than 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 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 Limerick, Mr. Carroll.

Mr. CARROLL: Mr. Speaker, Ladies and Gentlemen of the House: This is my bill. It is a bill drafted by the Attorney General's Department after many months of study and much investigative work. This is very, very good legislation, it puts our hearts right where they belong, right on the line, in regards to ethics and conduct. I would like to read to you from a book that is used at the State Police Academy in regards to conduct of an officer in this type of an operation. It says: You chose to suggest an annual dance with the tickets to be sold by off duty department personnel. As law enforcement agencies move towards professionalism, they are realizing more and more that the old policeman's ball borders on unethical conduct. The primary considerations here are, I will enforce the law courteously and appropriately without fear of favor, never accepting gratuities, as well as a phrase, I will never permit prejudice or friendship to influence my decisions.

Why do you think a local citizen would buy tickets to the policemen's ball? Because they enjoy dancing? Most will purchase such tickets to show that they support the police department, that they support the police department more than citizens who do not buy tickets. For the most part purchasers of tickets do not intend to attend such events and will admit that they hope that in some future situation their support of the department will be taken into account when they have some law enforcement problem. Whether it is the motorist who buys a pair of tickets with future traffic summons in mind, or the merchant who buys a whole book of tickets thinking of his customer's future parking violations, each is attempting to purchase in advance some type of preferential treatment. Whether or not the law enforcement agency will be involved in such favoritism is immaterial. The fact is that the public thinks that the agency will be involved in favoritism, and to put it simply, buying a ticket is buying a policeman.

Now, I would like to submit to you that about 18 months ago or a little longer, I returned home one evening and I stopped by one of my constituents who is a businessman. At that time, he had another gentleman with him and asked me if I would walk out back, which I did, and then he laid it on the line. Everybody was a bunch of crooks, unethical politicians look the other way. I was a little bit shaken and yet I knew this man and knew him well, knew him to be a good businessman and a man of good standing in his community. He also stated to me, and if I repeated these statements to anybody that he made to me, he had a witness and that he would deny them, because of his position in my community and his position in business, he could be certainly harassed by our law enforcement agencies. Well, I left there then went to the phone and called a few other businessmen and I set up appointments with them, and then I went to this gentleman who I knew would appear before any man in the land and lived in fear of no one, that he stood his ground and he always played the ball right across the home plate, right down the center. I said, did this group ever come to you and solicit funds? Yes, he said, they came to me, I asked him, how do they go about it? He said, Well, they looked all around, they looked at my establishment, saw I had a substantial investment, that I had trucks that would be on the highway for many many hours, equipment travelling, men running the equipment, and then they suggested that I buy a \$400 subscription to a magazine and some tickets. He said, I put them off and told them that I would think about it, and they left. They came back again, and again and again. They approached him eight times and finally, to have peace in his

heart, he bought a ticket and he bought a subscription for \$400.

Now this isn't just one minor incident that has happened in the State of Maine, this has happened statewide, and it hasn't happened just in the State Police Association, Maine State Police Benefit Association, it has happened throughout our cities. I understand just a few miles from here in another city it is going on right now, going around soliciting money from the public. Well, the public pays their taxes and they are paying for the salaries of the law enforcement officers. There is no need of law enforcement officers going around soliciting funds from anybody or hiring any solicitation organization to solicit funds. To me, this is highly unethical, it is uncalled for and does not meet the standards of our present day society.

I go home every week, and one of the first sights that meet my eyes are my grandchildren and they come across the lawn then they sit on my knee, and I look them in the eye and I try to think that I have been an honest man, and I hope I can be. I always told my children as they were growing up, and I hope to tell my grandchildren — wherever you are in this land, if you ever need help, call the law enforcement officer, he will come running to your side. If you are in the wrong, he will tell you you did wrong but he will also try to help you, because our society pays these men well and we expect of these men that they help us in our time of need.

We do not want our law enforcement officers selling tickets, soliciting money from anybody. This is wrong. How can they enforce the law when they come to me and ask me for money one day and then catch me going down the road violating the law the next? Are you sure that they will give me a ticket, are you sure? Have I bought a favor? Do I think I bought a favor?

This law is a good law, its intent is honorable. We don't want our people stooping to this type of action, and if our police officers are underpaid, then for Heaven's sakes raise their pay, don't put them in this position, and don't tell me that the girl scouts and the boy scouts are going to suffer. I happen to know of one organization that solicited \$226,000 in the State of Maine, and the association they were working for got \$24,000 and they took \$202,000 with them. Now, if you call that working for charity, I would like to know what kind of charity that is.

I assure you from the bottom of my heart that I spent many many hours thinking about this problem. That I went to many many people. I have consulted with the clergy of all faiths in various areas of my life, and everyone of them came up with the same answer; this is highly improper and it should not be condoned and it should not go on in the future. Now, you can say that for 50 years we have been doing this type of thing, we have allowed it to go on. Ladies and gentlemen, I never believed my country could be wrong and I always believed that whatever my country did was right, and when I saw the young people of my country challenging the establishment, I shook my head, I shook my head over and over again, I couldn't believe what was happening. And when they began to come out with the answers, I couldn't believe that either, but I had to, because the people that were doing wrong admitted, and they admitted our youth had a right to challenge the establishment, and if you think for a minute you can look one way when it comes to enforcing the law and then look the other way and let them continue to do this, you are entirely wrong, because our young generation is not a double-talking generation. They are a generation that demands facts and I look up to them with honor. They have performed in an admirable fashion, and they have come full swing, all the way around, they have now proven to me that they deserve the opportunity to live in an honorable America, in an honorable society, and I want to be able to walk down the streets with honor knowing that at the

right time I did the right thing in the right place.

I urge you to stop this solicitation by law enforcement people an let them have their salaries raised if they need a raise, let them pay their own union dues if they belong to an association which they call benevolent, but which actually is a union. I have to pay my dues in the various organizations that I belong to, I have to earn my money, I say do the same. Don't come around passing me a ticket and asking me to buy it.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Green.

Mr. GREEN: Mr. Speaker, Men and Women of the House: I have a couple of comments relative to this bill and its Committee Amendment. Friday, when we were debating this bill, I pointed out several things that I felt were wrong with the bill and we tabled it contingent upon my having an amendment drafted to take care of my problems. I spoke with a staff attorney or a staff assistant Friday afternoon, after the debate, and stated my particular situation to them with regards as to how I saw this bill affecting Auburn and our local police department there. They said "well any amendment you would want to offer to this bill would gut the bill, so try to kill the bill". That was their advice. There is just one section of this that I would like to just point out to you and it is section 3702 of the bill, a short paragraph but I feel its important.

I want to get the bad guys, Mr. Carroll, just like you do, but I don't want to hurt the good guys in the process. We never had any problems in Auburn with our police department selling tickets or at least problems have never been brought to our attention, and since they haven't, that is all we have to go on.

Section 3702 says "no person shall solicit property from the general public, when the property or any part of it, in any way benefits, is intended to benefit, or is represented to be for the benefit of any law enforcement officer, law enforcement agency or law enforcement association." In Auburn our local police benefit association, every year, has an annual ball and I would suspect a lot of communities, towns, and cities throughout the state, their local police departments have their annual balls, and the money that they raise, through the sale of tickets, goes to their local association. What the association does with the money, of course, is their own business, but traditionally in Auburn, what they have done with it in the past, is they have put it towards attorney fees for union negotiations for the city for example or they bought things within the department that the men have wanted, one thing or another. But this bill, if it is passed, will prohibit them from doing that.

Now, why can't they sell tickets at the door? Well, in our particular situation, and I would suspect that it is not uncommon, there are a lot of situations like it, they have to bring your own bottle type of deal and as it was related to me, selling tickets at the door would conflict with the "bring your own bottle" status of the current law, which would prohibit them from doing that.

There is a section of the amendment, the committee amendment, which attempted to liberalize the original bill somewhat, that says: "The definition of 'solicit' shall not apply to the offer for sale to the general public admissions to public events sponsored by the law enforcement association provided that no promotion of the event and no sale or attempts to sell, and no active part in the sale of these admissions shall be undertaken by any member of the law enforcement association, any law enforcement officer and provided that no persons shall initiate contact with the general public in person or by telephone for the purpose of selling property."

I just think this is a bad bill, with regards to our situation in Auburn, and I would suspect that a lot of other towns and cities throughout the state run into this same situation.

I would hope that you would indefinitely postpone this bill.

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

Mr. BIRON: Mr. Speaker, a point of clarification? Is the motion of indefinite postponement, is that the pending motion at this time?

The SPEAKER: The Chair will answer in the affirmative.

Mr. BIRON: Mr. Speaker, Ladies and Gentlemen of the House: I would urge you to vote in favor of indefinite postponement of this bill for several reasons. As I pointed out last week, there is a bill presently before you or it is in the other body at this time, which deals with charitable solicitations. I can't see why we should separate the police departments from the Charitable Solicitation Act. There is one part of that bill which deals with professional solicitation.

Mr. Carroll is quite correct in saying and giving examples of the duress that has been used in the name of the Police Benevolent Association and I fully agree with him but I think Mr. Carroll has to come to the realization that that duress was used primarily by professional solicitors, not by policemen themselves. And if we are to address legislation like this towards the police organization, why don't we do it towards the fire department, because obviously the same duress can be used there. The firemen can walk into a place of business, say "you have a nice place here, it would be too bad if it burned, want to buy some tickets?". You know, the same idea could be used here.

Personally, I think we are going a little too far in separating the police from this legislation that we have before us. The other body has a piece of legislation that is being looked at now, it does deal with professional solicitation. I, myself, am in favor of addressing the problem of professional solicitation but I have some serious problems in going after organizations, be they Boy Scouts, Girl Scouts and/or police departments.

Now, there is a real reason for them. I think the gentleman last week talked about the things that they were doing in their communities. I, myself, in Lewiston, as a kid I was brought up with the PAL program, which was sponsored by the local police department, and what was the reason for that? The reason was, that we, as children, oftentimes lose the respect we should have for the police officers and the police officers decided to form an association to give us kids baseball and associate themselves with the kids. They were able to build a little rapport with us and I think that if we start stopping this type of program and I am sure that Mr. Carroll's bill and the Committee on Business Legislation have good intentions in passing this legislation, but I think they have gone a little too far. As I said earlier, there is another bill before you that deals with professional solicitation and that is the problem so lets address that bill when it comes back to this body in the area of professional solicitation, and no other area, and that is where I am coming from.

I hope that you indefinitely postpone this bill and look very closely at the other bill.

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

Mr. CARTER: Mr. Speaker, Ladies and Gentlemen of the House: As I understand Section 3702, I believe the language is similar to any other non-profit organization or social organization that raises funds for a charitable purpose and the way I interpret this section, unless I am wrong, a local police department would have the authority to solicit funds providing they are not utilized by the associa-

tion. If they are utilized for charitable purposes, they would be permissible.

But, I still have a problem with the bill. In my community we do have an association and they sponsor PAL or the athletic league for the youngsters and they do this through an annual ball, which is attended by about 80 percent of the citizens in the community. Every year it is filled to overflowing but they also utilize the receipts from the ball to maintain and operate a target range, a rifle range, and the rifle range would not qualify under this category. The rifle range is being used by the citizens in the area, not just Winslow, but the entire area, and its also being used by the local police departments within the area and the criminal justice academy. And if we were to pass this legislation, they would be barred from continuing this type of operation.

I would hope that you would go along with the motion to indefinitely postpone this bill.

The SPEAKER: The Chair recognizes the gentleman from Hope, Mr. Sprowl.

Mr. SPROWL: Mr. Speaker, Ladies and Gentlemen of the House: I am one of the committee members who prepared this bill and I hope that you won't indefinitely postpone it. The people who were there, the Attorney General, all except one party was in favor of the bill. I sort of sat on both sides of this fence, I guess, or have in the past. I was a law enforcement officer and I was President of the County Association, we had our dues, so I have compassion for the police and their organizations. But, I also was one of the businesses who were solicited by these out-of-state solicitors. When they called, they didn't tell us that they were professional fund raisers, they called in the name of the State Police Association and in my case, they asked for \$300. I have a total advertising budget of \$1,200, and I guess my initial reaction was that I would donate \$50 but the fellow on the other end of the telephone wasn't at all happy with that. There just wasn't any no so to make a long story short, I ended up not giving them anything. But shortly after I finished talking with that party, I had a call from another business and he felt very intimidated. He didn't know just what to do, he was afraid. I think it is very wrong for police officers to solicit. I don't want my local police coming in and asking for \$5 or \$10 for any cause. I am very willing and I do at Christmas time take down a few cartons of cigarettes to the police officers. They treat me very well in my community and I respect each and every one of them but I think that they do hold a big club. I think that when they come in and want to sell you something, they have a big stick in their hand and I just don't think that we do want solicitation by police officers. They can still have a Jimmy Fund. We are not prohibiting them from having their annual ball but we are prohibiting them from selling tickets to us directly.

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

Mr. BIRON: Mr. Speaker, Ladies and Gentlemen of the House: The problem that the gentleman just talked about again are problems of professional solicitation, okay? By his own admission, he said they were professionals who called him and everything else. And this bill deals with everyone else. It deals with the officers, the people that we work with every day. Now, some of you in this House might be in favor of this bill for that reason but I don't want any of you to think that you are going to be in favor of this legislation and you are going to be addressing the professional solicitors because actually what the bill does, it makes it a little worse, because it divorces the police officers, and it forces them to go out and get a professional solicitor, if you read the bill correctly. It forces them to, because it divorces them, they can't do it themselves.

Another thing that the bill does, is the percen-

tages that you talk about, if all the money goes to charity, then it is all right, you can do it yourself. I think all of you belong to organizations or societies of one type or another and each one of those organizations have a minimal amount of money that is needed each year to operate, to send out a newsletter, to buy the necessities of the organization and if every time you solicit, you can't take 2 percent, 5 percent to pay your normal operation cost, you won't have an association, and that is what this bill will do.

So if you want to force at this point those people that hire professionals, that is what you are doing if you pass this bill because you are saying "you can't do it yourself".

The SPEAKER: The Chair recognizes the gentleman from Yarmouth, Mr. Jackson.

Mr. JACKSON: Mr. Speaker Members of the House: I would add one thing here, that when we had the hearing on this, we had a professional solicitor in and he told us that he could take soliciting on this but he needed to keep 75 percent of everything he took.

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

Mr. MARSHALL: Mr. Speaker, Ladies and Gentlemen: Just to clarify a point raised by Mr. Biron from Lewiston. In the Committee Amendment, there is a provision that the definition of "solicit" shall not apply to the offer for sale for the general public admissions to public events sponsored by law enforcement associations. It will prevent them from soliciting but soliciting doesn't cover everything that the good gentleman suggested. It does divorce the police from the charitable solicitations act, I think that is a good enough argument in favor of the bill, certainly not against it.

The SPEAKER: The Chair recognizes the gentleman from Lincoln, Mr. MacEachern.

Mr. MACEACHERN: Mr. Speaker, Ladies and Gentlemen of the House: I will be very very brief because I was the one that was nodded down by the Speaker a few minutes ago.

As I said the other day, I am a former law enforcement officer and this bill is aimed directly at the state police, and being a graduate of that academy, I feel a little bit sad that I have to stand up here and say that I am ashamed that they went through the process that they went through but they did coerce people. They bamboozled people into buying ads, they bamboozled them in my town and every one of your towns and it wasn't done by the police officers themselves, it was done by some people from out-of-state that took most of the take with them when they left.

I hope you don't vote to kill this bill. I think the bill has merit and there is a possibility of some amendments that might take care of the local police departments along the line, but please don't vote to kill this bill. I think it is a good bill, and it should be passed and I hope you will all vote in that direction.

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

Mrs. KANY: Mr. Speaker, Members of the House: I am wondering, if this bill does pass, if we all would be asked to sell those tickets for them?

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Green.

Mr. GREEN: Mr. Speaker, Men and Women of the House: Just very briefly, to answer a couple of comments made by Mr. MacEachern, there are no amendments you can offer to take care of local problems. At least that is the advice that was given to me by our professional staff upstairs because that would essentially gut the bill. The bill does just what you would all want it to do.

The SPEAKER: A roll call has been ordered. The pending question is on the motion of the gentleman from Auburn, Mr. Green, that this Bill and all its accompanying papers be in-

definitely postponed. Those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEAS — Beaulieu, Berube, Biron, Boudreau, P.; Burns, Carey, Carter, D.; Carter, F.; Connors, Cote, Drinkwater, Fenlason, Fowlie, Gauthier, Gould, Green, Jacques, Jalbert, Kany, Kelleher, LaPlante, Lewis, Lizotte, McKean, Moody, Raymond, Stover, Strout, Stubbs, Tarbell, Torrey, Twitchell, Tyndale.

NAYS — Aloupis, Ault, Austin, Bachrach, Bagley, Bennett, Benoit, Berry, Birt, Blodgett, Boudreau, A.; Brenerman, Brown, K. L.; Brown, K. C.; Bunker, Bustin, Carrier, Carroll, Churchill, Clark, Connolly, Cox, Cunningham, Curran, Davies, Devoe, Dexter, Diamond, Dudley, Durgin, Dutremble, Elias, Flanagan, Garsoe, Gill, Gillis, Goodwin, H.; Goodwin, K.; Gray, Greenlaw, Hall, Henderson, Hickey, Higgins, Hobbins, Howe, Huber, Hughes, Hunter, Hutchings, Immonen, Jackson, Jensen, Joyce, Kane, Kilcoyne, Laffin, Leblanc, Littlefield, Locke, Lunt, Lynch, MacEachern, Mackel, Mahany, Marshall, Masterman, Masterton, Maxwell, McBreairty, McHenry, McPherson, Mills, Mitchell, Morton, Nadeau, Najarian, Nelson, M.; Nelson, N.; Palmer, Peakes, Pearson, Peltier, Perkins, Peterson, Post, Quinn, Rollins, Sewall, Shute, Silsby, Smith, Spencer, Sprowl, Tarr, Teague, Theriault, Tierney, Tozier, Trafton, Truman, Valentine, Whittemore, Wilfong, Wood, Wyman, The Speaker.

ABSENT — Chonko, Dow, Kerry, Lougee, Martin, A.; McMahon, Norris, Prescott, Rideout, Talbot.

Yes, 33; No, 108; Absent, 10.

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

The Chair recognizes the gentleman from Sabattus, Mr. LaPlante.

Mr. LAPLANTE: Mr. Speaker, Ladies and Gentlemen of the House: I won't go over the whole dissertation of last Friday but I was led to understand that there would be an amendment presented to this bill today that would protect the small law enforcement agencies in small towns and I would like, at this time, if someone would table this until tomorrow so that I may go to the office and have an amendment prepared to protect the real small law enforcement agencies and small towns.

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

Mr. KELLEHER: Mr. Speaker, I can sympathize with the good gentleman but I don't think his small town is any bigger than my big city.

The SPEAKER: The Chair will order a vote. The pending question before the House is on passage to be enacted. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

99 having voted in the affirmative and 22 in the negative, the Bill was passed to be enacted, signed by Speaker and sent to the Senate. By unanimous consent, sent forthwith to the Senate.

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

Bill, "An Act to Provide for the Periodic Review of Sales and Property Tax Exemptions" (H. P. 1250) (L. D. 1479)

In House, Minority "Ought to Pass" as Amended by Committee Amendment "A" (H-652) Read and Accepted and Bill Passed to be Engrossed as Amended by Committee Amendment "A" (H-652) on June 21.

In Senate, Majority "Ought Not to Pass" Report Read and Accepted.

Tabled — June 24, 1977 by Mr. Carey of Waterville.

Pending — Further Consideration.

The SPEAKER: The Chair recognizes the

gentleman from Waterville, Mr. Carey.

Mr. CAREY: Mr. Speaker, Ladies and Gentlemen of the House: We received this morning, late this morning, the amendment that we are proposing for this bill, which would take away the word "repeal" and substitute the word "review". However, it is an extremely lengthy amendment and it is doubtful that it will be ready today and we would hope that somebody might table it for one day and then we could finally get rid of it tomorrow.

On motion of Mr. Brenerman of Portland, tabled pending further consideration and tomorrow assigned.

The Chasir laid before the House the seventeenth tabled and today assigned matter:

Bill, "An Act Relating to the Powers of Plantations and their Organization" (H. P. 1396) (L. D. 1635) — In House, Passed to be Engrossed as Amended by House Amendment "A" (H-761) on June 21. — In Senate, Passed to be Engrossed.

Tabled — June 24, 1977 by Mrs. Post of Owl's Head.

Pending — Further Consideration.

On motion of Mrs. Post of Owl's Head, tabled pending further consideration and tomorrow assigned.

The Chair laid before the eighteenth tabled and today assigned matter:

Bill, "An Act Providing for the Registration and Regulation of Off-road Vehicles" (H. P. 1162) (L. D. 1420) (C. "A" H-812)

Tabled — June 24, 1977 by Mr. Jacques of Lewiston.

Pending — Passage to be Engrossed.

On motion of Mr. Jacques of Lewiston, under suspension of the rules, the House reconsidered its action whereby it adopted Committee Amendment "A".

The same gentleman offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

House Amendment "A" to Committee Amendment "A" (H-832) was read by the Clerk.

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

Mr. JACQUES: Mr. Speaker, Ladies and Gentlemen of the House: The only reason that this bill was introduced in the first place was to allow four wheel vehicles to be able to cross the road. But the bill showed up in committee with all sorts of things. The bill didn't specify also in the heading if it included motorcycles or not, so no motorcycle riders were present at the hearing, there was only one person that appeared at the hearing for the bill. Now, what this bill would do here, if we didn't pass this amendment, it would exclude minibikes, which a lot of our youngsters use after school traveling in some area, with permission, it would exclude them. Now, in my area, we have cut down 50 percent of juvenile delinquency in the past two years. Now, this certainly wouldn't help it any if we did pass this type of law. I wish that I could present an amendment that would exclude my county because I don't know of any problem that we have. I noticed the other day we had fifteen in court but not for the same reasons. Now, they say that they can't see the numbers, because they can't identify these people, well, they were identified because there were fifteen in court. So, I don't see any reason why we should not exclude these minibikes and motorcycles.

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

Mr. GOODWIN: Mr. Speaker, Men and Women of the House: Just briefly, I hope you will go along with the good gentleman from Lewiston Mr. Jacques on this and not indefinitely postpone this amendment. I think it is a good

amendment. I think it gets to the heart of the bill and the original intent of some people when they wanted this type of bill introduced was to get at some of the four wheeled vehicles that are used and aren't registered to use the roads and not to attempt to get at all the trail bikes and trail riders that use their motorcycles either on their own property or some trails in the woods.

I think that one of the arguments you will probably hear on this, as the good gentleman from Lewiston pointed out, is they want to be able to identify trail bikes if they cross someone's land or something. I would just ask you all to take a look at this little folder you got today, distributed by Representative Mahany on the Maine Potato Blossom Festival. Inside is a picture of, I would imagine, a sanctioned race event with trail bikes. However, as a rider of a trail bike, I would submit to you that that picture is indicative of what most trail riders look like after they have been out riding for a day. There is no way you could read a license plate if it was on a bike like that because it would be covered with mud. I think the argument about registration just does not hold water in this case.

I would also like to submit to you that when the original bill was introduced in its original form, I was contacted by some people in the New England Trailrider's Association and was aware of the bill. I am not sure who drafted it, I guess it was introduced by Mr. Morton, but there were a lot of sections in there that some of the trailriders felt were pretty good, and I did too at first, that set up a fund to try and establish, help get trails built and everything, similar to what we do with snowmobiles. I envisioned this as dovetailing with the snowmobile law so that we could have a system of trails and everything else throughout the state. But as the bill came out of committee, it is nothing more than a registration. Any excess money will be deposited into the highway fund. I ask you, is that fair? The bikes that don't even use the highway, their registration money is going to help build more highways.

I would ask you to go along with this amendment, because I think it is the only fair thing we can do at this point. If in the future you want to include trailbikes and minibikes and everything else in registration, let's try to do it so the people that ride will know about it and we can have a good honest discussion about it and perhaps set up a system similar to what the snowmobiles have so we can develop the trails. If there are, and I am sure there are people who abuse the privileges and maybe wreck some land and things like this, I hope we could get at that type of problem.

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

Mr. STROUT: Mr. Speaker, Ladies and Gentlemen of the House: I am going to shock some of the members today when I give my testimony. Originally when this bill was presented to the committee, I was opposed to it. However, in the last couple of weeks and being in the rush of the process, I was not aware of just what the amendment was going to say. My signature came out as an "Ought Not to Pass."

I would like to relate to you that in the last ten days to two weeks, in my area alone, this amendment addresses a very serious problem. The trailbikes, the minibikes and the motorcycles that are not registered, in fact, in the very last week have been harassing not only people in my area but my own property. We have been faced with smaller children walking the sidewalks in our neighborhood and not being able to ride a bicycle or even walk, in fact, without these minibikes and trailbikes going down the sidewalks at 35, 40 and 45 miles an hour.

I would like to repeat that I was originally against the bill, but with the committee amend-

ment, I am prepared to go with it. I think it is time we made a decision. I would only say that if you adopt this amendment, you are going to gut this bill. I would urge you to indefinitely postpone the amendment that is before you.

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

Mr. JENSEN: Mr. Speaker, Ladies and Gentlemen of the House: I would join with Mr. Strout in his opposition to the pending House Amendment. What too often occurs in this kind of problem is that a problem does exist, people attempt to solve it in a minimal way, such as what this bill presently does. That minimal effort is defeated, the pressure builds and before you know it, you have got a situation where a very strong bill is later enacted, an overreaction to a problem.

This bill basically does two things. It allows off-road vehicles to cross the road and to cross bridges, and it allows them to be identified in some fashion by means of a license plate. Minibikes and trailbikes are a part of the problem. Unless we solve this problem, we are going to have a heck of a lot worse problem in years to come. I would urge you to vote for the Committee Amendment and vote against this House Amendment.

The SPEAKER: The Chair recognizes the gentleman from Hallowell, Mr. Stubbs.

Mr. STUBBS: Mr. Speaker, Ladies and Gentlemen of the House: I, too, hope you indefinitely postpone House Amendment "A" and then vote for the bill. We do have a very serious problem in our midst. I know in my area, we can be walking through the woods very quiet and peaceful, then all of a sudden you have about a dozen of these motorcycles. This House Amendment would exclude motorcycles, trailbikes and minibikes. You have about a dozen of these motorcycles come roaring down through the woods. It really is not very pleasant to be walking out in the woods and have things roaring through, scaring off all the animals and creating really a very serious hazard.

The other day, we had a real problem in the city's recreation area. A couple of these lovely young children roared right up onto the beach and made circles around the lifeguard tower, putting the lady lifeguard into fear of her life. If there is anything that is needed, it is regulation of these off-the-road vehicles.

The SPEAKER: The Chair will order a vote.

The pending question is on the motion of the gentleman from Waldoboro, Mr. Blodgett, that House Amendment "A" to Committee Amendment "A" be indefinitely postponed. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

Thereupon, Mr. Goodwin of South Berwick 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 Sangerville, Mr. Hall.

Mr. HALL: Mr. Speaker, Ladies and Gentlemen of the House: Again I apologize for being out of the room but that amendment does this say anything about running over Christmas trees?

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

Mr. GOODWIN: Mr. Speaker, Men and Women of the House: What you are voting on today, this indefinite postponement is not going to have one thing to do with the problems that have been brought up here. It is not going to say that you cannot ride a trailbike through the

woods. As I said before, the problems that have been brought up here are not going to be addressed by this Committee Amendment that has come out. All this does is, it says that every little motorized vehicle we have in the state is now going to be registered.

Just because there is a license plate on the back or wherever they can find to put it on some of these trailbikes, does not mean that you are going to be able to identify it. I have been a trail rider for quite a few years and believe me, after a day of riding out in the boonocks, you are covered with mud and dirt and so is your bike. There is no way you are going to be able to identify it simply because there is a little tag on it.

I suggest to Representative Strout that if there are people riding on sidewalks on minibikes or motorcycles or anything else scaring people, then I would suggest and I am sure they are already breaking a current law, and if they cannot get them on that law, they are not going to get them on any other law.

As far as riding in the woods, this is not going to stop anybody from riding in the woods. All this is going to do is mean that every person or kid that has got a little minibike or a person has got a trail bike, he does nothing more than ride on some trails and in some woods near his house or something, is going to have to get it registered, and for what? Simply to give the Secretary of State more people to work for him and if there is any money left over it will go to the highway fund? It says so right here in the Committee Amendment. If any monies are not expended during the year in which they are collected, the unexpended balance should be deposited in the highway fund. It doesn't make sense to me.

The original bill at least set up a system whereby you have an advisory committee for off-the-road vehicles and perhaps the ability to develop a trail system or maybe in conjunction with the snowmobile trail system or something of that nature. At least, in a sense, the trail riders were going to be getting something for giving up their right, let's say, to ride without being registered. The Committee Amendment does not do that. It just says that they must be registered.

When you register your car, at least you have got the privilege of riding on roads maintained by the state. Snowmobile registration fees go to help maintain and set up trails, things of this nature. I think that it is important that if we are going to register a group or a class of people for something, then we ought to do it for a good reason. Simply to put a little thing with some numbers on it, I don't think is a good reason, especially in this case when it just will not work. If anybody is going to go out and break the law and ride through a farmer's field and dig up his crops or something like that, it is going to be pretty obvious he is not going to want to be caught. Just by the fact of doing that, you are going to muddy up the bike so bad you are not going to be able to see anything.

I think that we ought to go with this amendment and maybe provide something for your larger vehicles that are not used on the roads, the four wheel vehicles, but as far as your trailbikes and minibikes, I think it is totally unnecessary.

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

Mr. STROUT: Mr. Speaker, Ladies and Gentlemen of the House: I would make one comment to the gentleman from South Berwick, Mr. Goodwin. If this bill isn't going to do anything, why does he object to it?

The second thing is, I think there is something very important here. This will have identity. Maybe in time to come we should do more. But I think we have to start somewhere, and I think if we are able to identify some of these vehicles, I personally feel it is a step in the right direction. I guess to go a little bit further to the

gentleman from Berwick, I would ask him why does he want to register the four-wheel drive vehicles that are used maybe to go in fishing or hunting on some of these back roads and yet he doesn't want to make these little trailbikes or motorcycles be registered to go on these roads?

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

Mr. JACQUES: Mr. Speaker, Ladies and Gentlemen of the House: I just want to explain how this bill was advertised. This is an act providing for registration and regulation of off-road vehicles. What does that mean to you? Does that mean motorcycles to you? This is one of the reasons that this thing did not have a real good public hearing. I happen to be a member of that committee and there was not one motorcycle operator there except some of these fellows who are trail riders and they belong to an association.

Let me read another paragraph here under Section 491. "No person under the age of 14 shall operate an off-road vehicle except upon the land of his parents, immediate relatives or legal guardians unless he is accompanied by an 18-year-old person." Who the heck is going to ride a little mini-bike at the age of 18 years old? Gosh, his knees are going to be right under the handlebars. He is not going to be able to turn the thing.

This bill has got 14 pages. You mean to tell me that we could not get registration without writing a 14-page bill? It doesn't concern them. This is one of the reasons. It is a \$3 million industry that you are shooting right out the window because you have more little fellows that are riding these little bikes and having a good time with them.

I own a cottage. I have a piece of land and I have the right-of-way to ride on the road. Under this law now, he could not ride it up there because I don't own the land, nobody owns it. That would ban him from riding it. I will tell you, you don't have much grievance about the bill right now, but later on, wait and see when you come back here next year how much you are going to have of it. No youngsters are going to be able to ride. I don't care about my motorcycle, it is registered.

First of all, the first bill you had in there was that you had to have two plates. If your bike was registered for the road, you also had to have it registered to ride in the woods, so you needed two plates. This is how this bill was written. The sponsor will tell you that the reason he introduced this bill was not for this. It was to have the off-road vehicle, the four-wheel drive, the dune buggy, so they could have permission to cross the roads, right now they cannot do it. All of this took place. This did not have a good public hearing, believe me, it did not.

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

Mr. DIAMOND: Mr. Speaker. Men and Women of the House: Very quickly, the one thing this bill will do and the reason I am going to support it and the only reason I really have is that in the last six years, being the principal of a school, one of the biggest problems we had were people on these minibikes going through the playground and just missing children time and time again. In fact, once one was hit. I would run down the hall, run out the back door and all I would see is that bike as close as 10 yards away, going away from me time and time again. If this law will allow these bikes to be numbered so we can see these bikes, who they might be, number one, it would discourage the people from doing this. Number two, if they did it, we would be able to identify who did it.

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

Mr. SPENCER: Mr. Speaker, I would like to pose a question through the Chair. In the discussion so far, we have talked about this bill as if it only applied to registering.

The SPEAKER: The Chair would advise the gentleman that we are presently on House Amendment "A" and not the bill or the Committee Amendment.

Mr. SPENCER: Mr. Speaker, in deciding the question on House Amendment "A", whether to exempt motorcycles, my question is, if they are covered, will it be a Class E crime to operate such a motorcycle at an unreasonable rate of speed in the woods? If so, what does that mean and how do you determine what is a reasonable rate of speed to operate in the woods and would we make it a Class E crime when speeding on the road would simply be a traffic infraction?

The SPEAKER: The gentleman from Standish, Mr. Spencer, has posed a question through the Chair to anyone who may care to answer.

The Chair recognizes the gentleman from Limestone, Mr. McKean.

Mr. MCKEAN: Mr. Speaker, Ladies and Gentlemen of the House: In answer to the previous question, speed in the woods is governed by just how bad you want to get hurt. We don't have a police car out there, we don't have a bike with a police officer on it, so the speed of off-the-road type vehicles is as fast as you want to go to see how hard you can hit. So we have nothing in there. In fact, there are no speeding regulations within this particular document.

The SPEAKER: A roll call has been ordered. The pending question is on the motion of the gentleman from Waldoboro, Mr. Blodgett, that House Amendment "A" to Committee Amendment "A" be indefinitely postponed. All those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEAS — Ault, Bachrach, Bagley, Bennett, Blodgett, Boudreau, A.; Brown, K. L.; Bunker, Burns, Bustin, Chonko, Churchill, Clark, Conners, Cox, Cunningham, Dexter, Diamond, Drinkwater, Dutremble, Fenlason, Flanagan, Gauthier, Gill, Gillis, Gould, Gray, Green, Greenlaw, Higgins, Huber, Hughes, Hunter, Hutchings, Immonen, Jackson, Jensen, Joyce, Kilcoyne, Laffin, LaPlante, Lewis, Lougee, Mackel, Masterman, Masterton, Maxwell, McBreairty, McKean, McPherson, Mills, Moody, Morton, Nelson, N.; Peltier, Peterson, Quinn, Rollins, Sewall, Silsby, Smith, Stover, Strout, Stubbs, Theriault, Tierney, Torrey, Whittemore, Wood.

NAYS — Alopous, Beaulieu, Benoit, Berry, Berube, Biron, Birt, Boudreau, P.; Brenerman, Brown, K. C.; Carey, Carrier, Carroll, Carter, D.; Carter, F.; Connolly, Cote, Curran, Davies, Dow, Dudley, Durgin, Elias, Fowlie, Garsoe, Goodwin, H.; Goodwin, K.; Hall, Henderson, Hickey, Hobbins, Jacques, Jalbert, Kane, Kany, Kelleher, LeBlanc, Littlefield, Lizotte, Locke, Lunt, Lynch, MacEachern, Mahany, Marshall, McHenry, Mitchell, Nadeau, Najarian, Nelson, M.; Palmer, Peakes, Pearson, Perkins, Plourde, Post, Prescott, Raymond, Shute, Spencer, Sprowl, Tarbell, Tarr, Teague, Tozier, Trafton, Truman, Twitchell, Tyndale, Valentine, Wilfong, Wyman.

ABSENT — Austin, Devoe, Howe, Kerry, Martin, A.; McMahon, Norris, Rideout, Talbot. Yes, 69; No, 72; Absent, 9.

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

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

Mr. MORTON: Mr. Speaker, Ladies and Gentlemen of the House: I have kept quiet on this bill up until now because I would have to agree with the gentleman from Lewiston. That when I first put this bill in, it was put in to cover off-road vehicles. There was no particular limitation put into what the connotation of off-road vehicle was. The people who came to me with this bill wanted to acquire the privilege of

crossing the road, which they cannot do legally under the present law, they wanted this privilege as much as snowmobile people have it, so they asked me to put the bill in and it would allow them to cross roads and bridges, and for that privilege, they were willing to be registered and to have their vehicles with numbers on them. I felt it was a responsible attitude on the part of a group of citizens who had a sport that they wanted to engage in, and I was perfectly willing, under those circumstances, to put in the bill.

Since the bill was put in, and after it was put in, it came to my attention and the attention of the committee that there was a considerable problem in connection with two-wheel, off-road vehicles, namely, motorcycles, trailbikes, etc., that the people of the State of Maine wanted addressed. Therefore, under the pressure from this group, these particular type vehicles were included in the Committee Amendment. I have no objection to this. In fact, I favor it and will continue to vote for it.

It is not correct when the gentleman from Lewiston says that there were no motorcycle riders at the hearing, the Trail Riders' Association was represented. Again, in all honesty, I must say that the Trail Riders' Association was, much the same as the snowmobile people are, in favor of enough registration fee to create an excess fund which would then be applicable to trail construction and that sort of thing. You can obviously see, then, that as this bill progressed through the committee structure and the drafting that it did get changed considerably from what the people who asked me to put it in wanted. The committee, in its wisdom, felt that that was too comprehensive a bill in its final drafting; hence, they came out with a modified bill of registration which does allow crossing the roads and crossing bridges for this type of vehicle. But they, in their wisdom, did include the minibikes, the two-wheel bikes and the trailbikes.

I have heard enough of the debate to convince me that the people who are opposed to including these are not wanting registration; they do not want to be identified. I am sorry to hear this, because, frankly, I do not think that is a responsible position. However, that is up to you folks to judge.

I feel that if we pass this in its modified form, with the trail bikes in, we will not be doing any harm to that group and it is no great terrible thing to have funds coming in which eventually have to go somewhere, and in this particular instance, it was designated it would go to the highway fund. If it develops as we go down the road that this brings in more money than is needed for the purposes involved, or if you want to make it more sophisticated as we go down the road, fine, I am sure we can address that in the future. But this is a step that I think the people of Maine want us to take. It is responsible to be willing to accept the consequences of any acts that you do, and one of the things that can help this situation is to get numbers on all these vehicles, be they four-wheel drive, dune buggies, trailbikes or whatever they are. I feel that is responsible and I hope that you will not vote in favor of this amendment.

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

Mr. SPENCER: Mr. Speaker, I don't seem to be able to relate the debate on this bill to the actual Committee Amendment which seems to be under consideration. And if you look at Committee Amendment "A" to L.D. 1420, which is under filing number H-812, on Page 6 it has a whole section on unlawful operations. In Sections A through I, there is a list of things that are prohibited for these off-road vehicles, and one of them says that it is unlawful and that it is a Class E crime to operate an off-road vehicle on public lands without expressed approval by the state or federal government. Now, as I read

that, it would make it a Class E crime to operate a dune buggy on a dune if you didn't have the expressed approval from the state or federal government, if you were driving one of these things on a beach which was public land.

No one who has discussed this bill has made reference to the fact that we are prohibiting all kinds of activities in addition to requiring registration. I am going to vote against this unless somebody can speak to the question as to whether this is what is under consideration and whether it makes sense to prohibit operating these vehicles, for example, without the express written permission of a governmental agency.

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

Mr. GOODWIN: Mr. Speaker, Men and Women of the House: I think Representative Spencer is right, except we haven't got to the Committee Amendment yet in this debate and I didn't want to bring out that point and several other points, although I have, but I didn't want to try to stress those.

I think one thing I would like to point out is that, first of all, one statement by Representative Morton, in that trail riders don't want to be identified. I don't think that is the case, it isn't with me. I recently sold my trail bike, so I don't have it anymore and I haven't even registered this summer my street motorcycle. I probably won't be riding at all this summer, but I still feel that it is important that if we are going to pass a law up here that is going to put additional restrictions on a group of people, that we do it for a good reason and that that reason is valid.

I think the problem is, what we are assuming here by putting a license plate on a group of people, that it is first either going to stop abuses or, second, be able to identify everybody, I think common sense tells you it is not going to stop abuses, and I think the second point is that, from my experience of riding, there is just no way — it is not like riding down a street where you stay relatively clean, it just isn't. From a day of riding, you are covered with mud and dirt and everything else and you are not going to be able to identify these bikes.

I really thought we had a good thing with the original bill. I thought maybe the time has come that we have got to start working on setting up a trail system and develop an advisory committee on this and really work to try to get things moving in developing trails and everything like several other states have done, especially in New England. I was grudgingly in support of the original bill, but the bill as it has come out, which is the Committee Amendment, is a bad, bad, bad Committee Amendment.

I would hope that you would at least adopt the House Amendment today, and if that is the case, I will probably still go against the bill as a whole but at least if that passes, then one group goes and rides four-wheel drive, off-the-road vehicles that can't drive across, they can't push their vehicles across the road, at least they will be able to cross the roads. At least with the motorcycles, you can stop, turn your bike off and push it across the road and that is legal.

All you are getting to is to try to register a group so they can cross the road where you probably need it with a four-wheel vehicle because they are too heavy to push across, but other than that, I really don't think there is a need to get into this whole other group of people; therefore, I would urge you to adopt the House Amendment.

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

Mr. KELLEHER: Mr. Speaker, let's vote on the amendment, and then I would like to put a motion before the House to take care of the whole thing.

Thereupon, House Amendment "A" to Committee Amendment "A" was adopted.

Committee Amendment "A" as amended by House Amendment "A" thereto was adopted.

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

Mr. KELLEHER: Mr. Speaker, I move that this Bill and all its amendments and papers be indefinitely postponed.

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

Mr. MORTON: Mr. Speaker, Ladies and Gentlemen of the House: With or without House Amendment "A" on the Committee Amendment, the bill does exactly what the people who asked for this legislation wanted to do. It provides that they be given legal authority to cross highways in this state and it provides that they are willing to be registered in order to do this.

At the present time, the operators of these vehicles can only cross highways against the law and they would much rather not do that. It seems only simple justice to me that we give them this privilege. So I hope you will vote against the motion to indefinitely postpone.

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

A vote of the House was taken.

59 having voted in the affirmative and 34 having voted in the negative, the motion did prevail.

The SPEAKER: The gentleman from Corinth, Mr. Strout, having voted on the prevailing side, now moves we reconsider our action whereby this Bill was indefinitely postponed. All those in favor will say yes; those opposed will say no.

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

Sent up for concurrence.

The following papers appearing on Supplement No. 2 were taken up out of order by unanimous consent:

Passed to Be Enacted Emergency Measure

An Act to Extend the Exemption for Certain Individuals Engaged in Fishing from Coverage Under the Employment Security and Workmen's Compensation Laws (H. P. 198) (L. D. 259) (H. "A" H-696 to C. "A" H-673)

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

Emergency Measure Tabled and Assigned

An Act to Amend or Repeal Certain Laws Relating to Local and County Government (H. P. 1279) (L. D. 1510) (H. "B" H-728; H. "A" H-709, and S. "A" S-309 to C. "A" H-645)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed (On motion of Mr. Henderson of Bangor, tabled pending passage to be enacted and tomorrow assigned).

Passed to Be Enacted

An Act Relating to Motor Vehicle Fees Collected by the Public Utilities Commission (S. P. 92) (L. D. 216)

An Act to Require Adequate Polling Facilities in Municipalities (S. P. 445) (L. D. 1535) (S. "A" S-311 to C. "A" S-255)

An Act to Revise Certain Motor Vehicle Related Laws (H. P. 246) (L. D. 336) (H. "A" H-669; C. "A" H-597)

An Act Exempting Certain Uses of Gas and Electricity from Taxation under the Sales and

Use Tax Law (H. P. 307) (L. D. 362) (C. "A" H-737)

An Act to Create a Board of Registration of Substance Abuse Counselors (H. P. 418) (L. D. 530) (C. "A" H-732; H. "A" H-772)

An Act Providing for an Investment Tax Credit and a Credit for the Creation of New Jobs (H. P. 540) (L. D. 658) (H. "A" H-766; C. "A" H-694)

An Act Relating to Taxable Personal Property (H. P. 851) (L. D. 1042) (H. "A" H-774 to C. "A" H-647)

An Act to Coordinate, Effectively Utilize and Comprehensively Plan the Service Needs of Maine's Children and Families by Establishing a Maine Council of Families and Children, County Councils on Families and Children and a State Office for Children and Families (H. P. 910) (L. D. 1158) (C. "A" H-712)

An Act to Repeal and Correct Certain Laws Relating to Health and Institutions (H. P. 1356) (L. D. 1592) (C. "A" H-767)

An Act Concerning the Farm and Open Space Tax Law (H. P. 1408) (L. D. 1678) (S. "A" S-306 to C. "A" H-711)

An Act to Establish Long-term Foster Care (H. P. 1453) (L. D. 1693) (C. "A" H-697; H. "A" H-756)

An Act to Adjust Payments from the Mental Health and Mental Retardation Improvement Fund (H. P. 1470) (L. D. 1727) (C. "A" H-630)

An Act to Encourage Restitution (H. P. 1474) (L. D. 1712) (C. "A" H-720; H. "A" H-773)

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, sent forthwith to the Senate.

An Act to Provide for the Licensing of Denturists (H. P. 1689) (L. D. 1877) (S. "A" S-279)

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

On motion of Mr. Dudley of Enfield, under suspension of the rules, the House reconsidered its action whereby the Bill was passed to be engrossed.

On further motion of the same gentleman, under suspension of the rules, the House reconsidered its action whereby Senate Amendment "A" was adopted.

The same gentleman moved that Senate Amendment "A" be indefinitely postponed.

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

Mr. GOODWIN: Mr. Speaker, I would ask for a division on that.

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

Mr. DUDLEY: Mr. Speaker, if we can dispose of Senate Amendment "A", I will offer House Amendment "B", filing number 848, and I don't think this amendment I am offering is very controversial. It has to do with education.

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

Mr. GOODWIN: Mr. Speaker, Men and Women of the House: I would like to pose a question to the good gentleman from Enfield, Mr. Dudley, and ask him why he has to kill Senate Amendment "A" to put on House Amendment "B"?

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

Mr. DUDLEY: Mr. Speaker and Members of the House: If Senate Amendment "A" isn't disposed of, I intend to ask that the whole bill be indefinitely postponed because this makes it in a worse position than we are in now. So with Senate Amendment "A", I don't even want the bill. This small amendment that I am putting on doesn't do that much damage. It deals with

licensing and then the Representative from East Millinocket, Mr. Birt, and I intend to present a House Order in relation to the subject matter within a day or so.

Mr. Tyndale of Kennebunkport requested a roll call vote.

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

Mr. GOODWIN: Mr. Speaker, Men and Women of the House: I am in a very awkward position right now. I didn't realize that the good gentleman from Enfield was going to try to remove Senate Amendment "A" when he was going through this procedure.

I originally opposed Senate Amendment "A" because that actually gives the Board of Registration of Dental Medicine the authority to tell a denturist that he must work in the office or in the presence of a dentist. However, as I stated the other day when we passed this bill to be engrossed, I felt that we should at least attempt to get something on the books. I wasn't very much in favor of this and very disappointed in the attitudes and the maneuverings of the denturists but I was willing to go along with this. However, if we do this and remove Senate Amendment "A", I am sure the bill will be killed and the issue of denturism will be dead for this session.

I would hope that you wouldn't remove Senate Amendment "A". The good gentleman can still put his House Amendment "B" on the bill without removing Senate Amendment "A". So I would hope that you would vote not to remove Senate Amendment "A".

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

Mr. DUDLEY: Mr. Speaker and Members of the House: If this bill needs to be killed, I want the butchers to do it, I don't want this House to do it, and the bill is absolutely no good with Senate Amendment "A". I don't want it, the denturists don't want it, the public doesn't want it. It is just trying to deceive the public, and this I don't want to do and I hope you feel the same way.

Let's indefinitely postpone this amendment. If they won't go along with at least a little bit for the denturists and a little bit towards the education of them for future years, then we don't want the bill anyway. So save me the bother of trying to get it disposed of in the House, my own bill, thank you.

The SPEAKER: The Chair recognizes the gentleman from South Portland, Mrs. Gill.

Mrs. GILL: Mr. Speaker and Members of the House: I am sorry Mr. Dudley feels the way he does, but I think this is an opportunity for these people to be licensed and work under the supervision of a dentist. And if once and for all they do prove that they are effective, then they can go out. You can put a bill in at another time that will allow them to work outside of the supervision of the denturists. I just feel that this is the right way to approach this. We are not going to allow people who have no qualifications, who have no training as far as working in the mouth — I just think that this is a good beginning, to allow them to work under the denturists, and if they do prove, then we can go on from there.

I feel badly because, Mr. Dudley, this is a beginning, this is how a lot of things start.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Enfield, Mr. Dudley, that Senate Amendment "A" be indefinitely postponed in non-concurrence. All

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

ROLL CALL

YEA — Austin, Bagley, Beaulieu, Biron, Brown, K. L.; Burns, Carrier, Carter, D.; Churchill, Conners, Connolly, Cote, Cox, Davies, Dexter, Diamond, Dow, Drinkwater, Dudley, Fenlason, Flanagan, Gauthier, Gould, Hall, Henderson, Hickey, Immonen, Jacques, Jalbert, Jensen, Joyce, Kelleher, Kilcoyne, LaPlante, Littlefield, Lougee, MacEachern, Marshall, McBreairty, McHenry, Mills, Moody, Najarian, Peakes, Pearson, Prescott, Quinn, Rideout, Rollins, Shute, Sprawl, Strout, Theriault, Tierney, Tozier, Wyman.

NAY — Aloupis, Ault, Bachrach, Bennett, Benoit, Berry, Berube, Birt, Blodgett, Boudreau, A.; Brenerman, Brown, K.C.; Bunker, Bustin, Carey, Carroll, Carter, F.; Chonko, Clark, Cunningham, Curran, Devoe, Durgin, Dutremble, Elias, Fowlie, Garsoe, Gill, Goodwin, H.; Goodwin, K.; Gray, Green, Greenlaw, Higgins, Hobbins, Howe, Huber, Hunter, Hutchings, Jackson, Kane, Kany, Kerry, Laffin, Lewis, Lizotte, Lynch, Mackel, Mahany, Masterman, Masterton, Maxwell, McPherson, Mitchell, Morton, Nadeau, Nelson, M.; Nelson, N.; Norris, Peltier, Perkins, Peterson, Plourde, Post, Raymond, Sewall, Silsby, Spencer, Stover, Stubbs, Tarbell, Tarr, Teague, Torrey, Trafton, Truman, Twitchell, Tyndale, Valentine, Whittmore, Wilfong, Wood.

ABSENT — Boudreau, P.; Gillis, Hughes, LeBlanc, Lunt, Martin, A.; McKean, McMahon, Palmer, Smith, Stalbot.

Yes, 56; No, 83; Absent, 11.

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

Thereupon, Senate Amendment "A" was adopted.

Mr. Dudley of Enfield offered House Amendment "B" and moved its adoption.

House Amendment "B" (H-848) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mrs. Trafton.

Mrs. TRAFTON: Mr. Speaker, I move that this amendment be indefinitely postponed. If you will refer to the draft that we are amending now, you can see that this is in conflict with Section 1100-C and D which gives the Dental Board of Examiners the authority to promulgate rules and regulations concerning educational requirements for the purpose of licensing.

I think this locks them into something that may not be restrictive enough for the quality of the denturists.

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

Mr. DIAMOND: Mr. Speaker, I would pose a question through the Chair. The amendment speaks of 50 hours of anatomy and 50 hours of bacteriology and so forth. I am wondering if those are credit hours or just classroom hours, because there is a major difference. I think one could be deceived by thinking they might be credit hours, which would be over 12 three-credit courses, or if they are just classroom hours.

The SPEAKER: The gentleman from Windham, Mr. Diamond, has posed a question through the Chair.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I am not positive. This is exactly the method which is used by Canadians and the many provinces of Canada when they license their denturists. This is what they have to have in school. This is their schooling over there, and I thought if it was satisfactory in all the provinces of Canada, it might be acceptable to the small State of Maine.

The SPEAKER: The Chair recognizes the

gentleman from South Berwick, Mr. Goodwin.

Mr. GOODWIN: Mr. Speaker, Men and Women of the House: I guess the only problem I have with this amendment is that I am not sure as a lay person standing here before you that I could say yes, we need 50 hours of bacteriology before we feel a person who is going to be a dentist can work in a person's mouth, and the same with anatomy and everything else. I do know that there are a couple of schools in Canada, but one in particular in Alberta, that this is part of their curriculum. I am not sure myself whether it is class hours or credit hours or how that works. I think it is class hours.

I guess I am going to go along with the indefinite postponement only because at this late time to come in here with this amendment to put on a specific amount of hours in specific courses I think is probably a poor way to legislate a group of people who are going to be practicing a type of health care, and I think I made a commitment that I was willing to see what the dentists could come up with and see if they could act in good faith and try to develop this profession within the dental health care delivery system rather than having the legislature direct every little step that they are going to do. So I am going to go along with the indefinite postponement of this amendment.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: Very briefly, I, at no point, on any law here, want to delegate my authority, what little I have, and it seems as though in the last few years we don't have any here anymore, but if we do have any left, I don't want to delegate it to anybody. I want to set things up right from this body here. I think that is the proper way to do anything as big as this, not leave it up to some board or somebody else. I think we should do it here and now. If this is good enough in the provinces, I think it is good enough here, and if it isn't, in the next session, we will say they have to have 100 or 200 hours, or whatever is necessary. But at the time being, that seems to be sufficient over there and I think it would be sufficient here. I don't feel as though I want to delegate my powers in this direction or to the insurance commissioner or any other commission here. I think that is our duty and we should do it here and now.

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

Mr. PEARSON: Mr. Speaker, I would like to pose a question through the Chair to the gentleman from Enfield, Mr. Dudley. In the amendment that we have under consideration, it says that no person after June 1, 1978, shall be licensed as a dentist. Would that, in effect, grandfather in those people who are denturists now?

The SPEAKER: The gentleman from Old Town, Mr. Pearson, has posed a question through the Chair to anyone who may care to answer.

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

Mr. DUDLEY: Mr. Speaker, it would be my understanding that there would be no one licensed until that time under this report that we accepted from the Senate.

The SPEAKER: The pending question is on the motion of the gentlewoman from Auburn, Mrs. Trafton, that House Amendment "B" be indefinitely postponed. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

Whereupon, Mrs. Prescott of Hampden 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 pending question is on the motion of the gentlewoman from Hampden, Mrs. Trafton, that House Amendment "B" be indefinitely postponed. All those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEAS — Alopis, Ault, Bachrach, Bennett, Berube, Blodgett, Boudreau, A.; Brenerman, Brown, K. L.; Brown, K. C.; Bunker, Burns, Bustin, Carter, F.; Chonko, Clark, Cox, Cunningham, Devoe, Diamond, Durgin, Dutremble, Elias, Fenlason, Fowlie, Garsoe, Gill, Goodwin, H.; Goodwin, K.; Green, Greenlaw, Henderson, Hickey, Higgins, Hobbins, Huber, Hunter, Hutchings, Jackson, Jensen, Joyce, Kane, Kany, Kerry, Kilcoyne, Laffin, Lewis, Lizotte, Locke, Lynch, Mackel, Mahany, Masterman, Masterton, McPherson, Mills, Mitchell, Moody, Morton, Nadeau, Nelson, M.; Norris, Peakes, Pearson, Perkins, Peterson, Post, Raymond, Rideout, Sewall, Silsby, Spencer, Stover, Stubbs, Tarbell, Teague, Theriault, Trafton, Truman, Twitchell, Tyndale, Valentine, Whittemore, Wilfong, Wood.

NAYS — Austin, Bagley, Beaulieu, Benoit, Biron, Birt, Carey, Carrier, Carter, D.; Conners, Connolly, Cote, Davies, Dexter, Dow, Drinkwater, Dudley, Flanagan, Gillis, Gould, Gray, Hall, Immonen, Jacques, Jalbert, Kelleher, LaPlante, Lougee, MacEachern, Marshall, McBreairey, McHenry, McKean, Najarian, Nelson, N.; Plourde, Prescott, Quinn, Rollins, Shute, Sprowl, Strout, Tierney, Torrey, Tozier, Wyman.

ABSENT — Berry, Boudreau, P.; Carroll, Churchill, Curran, Gauthier, Howe, Hughes, LeBlanc, Littlefield, Lunt, Martin, A.; Maxwell, McMahan, Palmer, Peltier, Smith, Talbot, Tarr.

Yes, 85; No, 46; Absent, 19.

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

Thereupon, the Bill was passed to be engrossed as amended by Senate Amendment "A" in concurrence.

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

By unanimous consent, ordered sent forthwith.

Finally Passed

Resolve, to Authorize a Study of the Judicial Pension System of the State of Maine (H. P. 273) (L. D. 1501) (C. "A" H-716)

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

By unanimous consent, ordered sent forthwith.

On motion of Mr. Laffin of Westbrook, the House reconsidered its action whereby Bill "An Act Concerning Arbitration for Municipal Fire Departments" (H. P. 522) (L. D. 640) was passed to be engrossed.

Mrs. Lewis of Auburn offered House Amendment "B" and moved its adoption.

House Amendment "B" (H-849) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Lincoln, Mr. MacEachern.

Mr. MacEACHERN: Mr. Speaker, I would just like an explanation of what this amendment does, that is all.

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

Mrs. TRAFTON: Mr. Speaker, Ladies and Gentlemen of the House: What this amendment does, it puts a self-destruct clause into the bill that requires binding arbitration for

firefighters. It would say that January 2, 1980, this bill would no longer be a law, and if we find that we want to reinstate such a law, then it would be up to the legislature meeting then to do so. Otherwise, this binding arbitration would not exist for firefighters after that period.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I want to thank the lady from Auburn, Mrs. Lewis, for her explanation. This is a compromise. It is my bill and I accept the compromise. I think it is a good amendment. I hope you adopt the amendment so the bill can be engrossed and it can go on its way.

Thereupon, House Amendment "B" was adopted.

The Bill was passed to be engrossed as amended by House Amendment "B" and sent up for concurrence.

On motion of Mr. Kerry of Old Orchard Beach, the House reconsidered its action whereby Bill "An Act Relating to Corporate Expenses in Public Utilities Commission Hearings" (H. P. 132) (L. D. 166) was indefinitely postponed.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: Thank you for the opportunity to reconsider this bill. If you look at L. D. 166, this bill deals with the corporate expenses of utilities going before the Public Utilities Commission to ask for rate increases before that commission. Right now, the individuals who appear on behalf of the utilities to ask for your rate increases, to ask for additional rate increases, the attorneys, the economists, the engineers, you and I are paying for them to ask to increase our own rates. In my opinion, the process is not perfect. The people who get the benefit, notwithstanding you and I as utility users, any profits at all that come from that said that utility are for its stockholders.

If the utilities who go before the commission are requesting an increase, then I think it behooves the stockholders who directly benefit from those increases to pay for it. I don't believe that you or I or our constituents should be paying for people to go before the Public Utilities Commission for increased rates. What we are doing is arguing to increase our own rates with our own money. We are paying for the very agents who are going before the Commission with our own dollars. The Commission in its wisdom, as we know, grants rate increases. There have been a number of appeals before the commission by public interest groups and individuals themselves on whether increases should be granted, but the system that we are operating under now, and it hasn't been changed because of the philosophy of the members on the present commission, and the only way we can change it is to do it here at the legislative level.

The system has been operating since 1913 or 1914, and I just think the philosophy is inconsistent with the philosophy of this House or the ratepayers, the people of the State of Maine. So I would urge you not to vote for indefinite postponement. This is a decent bill. There was a lot of opposition against this bill at the committee hearing, but it all came from the utilities, very little support, unfortunately, from the public itself. If there is anything that I think would help the consumers of this state in dealing with the utilities, it is L. D. 166, so I would urge you not to vote for indefinite postponement.

The SPEAKER: The pending question is on indefinite postponement. All those in favor of this Bill being indefinitely postponed will vote yes; those opposed will vote no.

A vote of the House was taken.

26 having voted in the affirmative and 84 hav-

ing voted in the negative, the motion did not prevail.

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

The following papers appearing on supplement No. 1 were taken up out of order by unanimous consent:

**Non-concurrent Matter
Tabled and Assigned**

Bill "An Act Concerning Administration of the Judicial Department" (H. P. 635) (L. D. 838) which was passed to be engrossed in the House on June 23, 1977.

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" (H-698) in non-concurrence.

In the House: On motion of Mr. Kelleher of Bangor, tabled pending further consideration and tomorrow assigned.

Non-Concurrent Matter

Resolve. Authorizing and Directing the Commissioner of Marine Resources, the Commissioner of Inland Fisheries and Wildlife and the Atlantic Sea Run Salmon Commission to Take the Steps Necessary to Assure the Construction of a Fishway on the Dam Obstructing the Kennebec River at Augusta (H. P. 1267) (L. D. 1494) which was passed to be engrossed in the House on June 20, 1977.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" (S-327) in non-concurrence.

In the House:

On motion of Mr. Carter of Winslow, the House receded from its action whereby the Bill was passed to be engrossed.

Senate Amendment "A" (S-327) was read by the Clerk and adopted.

Mr. Carter of Winslow offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-845) was read by the Clerk and adopted.

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

Non-Concurrent Matter

An Act to Clarify Certain Statutory Provisions for the Licensing of Camps, Eating and Lodging Places (H. P. 1260) (L. D. 1489) which was Passed to be Enacted in the House on June 24, 1977. (Having previously been passed to be engrossed as amended by House Amendment "A" (H-695)

Came from the Senate passed to be engrossed in non-concurrence.

In the House:

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

Mr. GOODWIN: Mr. Speaker, I would move that we insist.

Let me explain the situation here as I understand it. This is a bill that came out of committee unanimous "ought to pass." The good gentlelady from Owls Head, Mrs. Post, put an amendment on it which I did not agree with but it was overwhelmingly passed by the House, but there were some sections of the bill that dealt with the administration of license provisions for the Division of Health and Engineering that I feel are important. That went back to the Senate and I guess they accepted it. I thought things were going to go through and then they reconsidered their action later on and sent it back to us. I think after talking with some of the people in that other body, there was some misunderstanding and I would like to be able to work this out.

Thereupon, on motion of Mr. Goodwin of South Berwick, the House voted to insist.

The following papers appearing on Supple-

ment No. 3 were taken up out of order by unanimous consent:

**Second Reader
Tabled and Assigned**

Bill "An Act Relating to Providing Information Services to Maine Travelers" (H. P. 1505) (L. D. 1738)

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

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

Passed to Be Engrossed

Bill "An Act Concerning Dispute Resolution under the Municipal Public Employees Labor Relations Statutes" (H. P. 1422) (L. D. 1670) (C. "A" H-838)

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

Tabled and Assigned

Bill "An Act to Amend the Employment Security Law to Include Federal Requirements and other Options Available to the State" (H. P. 762) (L. D. 1012) (C. "A" H-821)

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

(On motion of Mr. McHenry of Madawaska, tabled pending passage to be engrossed as amended and tomorrow assigned.)

(Off Record Remarks)

On motion of Mr. Hall of Sangerville,
Adjourned until nine o'clock tomorrow morning.