

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

***One Hundred and Eighth  
Legislature***

OF THE

STATE OF MAINE

**1978**

**Second Regular Session**

January 4, 1978 — April 6, 1978

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**Senate Confirmation Session**

June 14, 1978

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September 6, 1978 — September 15, 1978

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APPENDIX

**HOUSE**

Thursday, January 26, 1978

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

Prayer by the Reverend James L. Johnson of the Waldoboro United Methodist Church.

Reverend JOHNSON: Would you please permit me to set the context for the prayer this morning by sharing with you a passage from the Wisdom of Solomon.

Listen, therefore, O Kings and understand; learn, O judges of the ends of the earth. Give ear, you that rule over multitudes, and boast of many nations. For your dominion was given you from the Lord, and your sovereignty from the Most High, who will search out your works and inquire into your plans. Because as servants of his kingdom you did not rule rightly, nor keep the law, nor walk according to the purpose of God, he will come upon you terribly and swiftly, because severe judgement falls on those in high places. For the lowliest man may be pardoned in mercy, but mighty men will be mightily tested. For the Lord of all will not stand in awe of any one, nor show deference to greatness; because he himself made both small and great, and he takes thought for all alike. But a strict inquiry is in store for the mighty. To you then, O monarchs, my words are directed, that you may learn wisdom and not transgress. For they will be made holy who observe holy things in holiness, and those who have been taught them will find a defense. Therefore, set your desire on my words; long for them, and you will be instructed.

Almighty God and our gracious Father, we ask Thy blessing upon those who have been trusted with the power to serve You and Your children through government as they participate in the House of Representatives of the State of Maine. Grant them wisdom and courage, patience and understanding as they deliberate on the business of the day. Help them to set aside personal prejudice and outside pressures which thwart and open mind and listening heart that they might see the issues clearly and vote on each peice of legislation according to its merits.

Yes Father, when they have been courageous enough to stand up for what they believe, even though it runs counter to public opinion and their peers' best understanding, help them to bear the consequences. If after further study and contemplation they find their thoughts have been erroneous, grant them the courage to reverse that decision.

In closing, Father, may each remember that they have not been called to power but to serve, that they are not only responsible to the people whom they represent but also to You who will judge their acts. May each be found to be a good and faithful servant in the name of Jesus Christ. Amen.

The journal of yesterday was read and approved.

**Papers From the Senate Pursuant to Joint Order S. P. 528**

The Committee on Education to which was referred the study relative to the education of handicapped children, pursuant to S. P. 528 have had the same under consideration, and ask leave to submit its findings and to report that the accompanying Bill "An Act Concerning Pilot Projects for More Effective and Efficient Delivery of Services to Preschool Handicapped Children" (Emergency) (S. P. 684) (L. D. 2106) be referred to this Committee for public hearing and printed pursuant to Joint Rule 17.

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

In the House, the report was read and accepted and the Bill referred to the Committee

on Education in concurrence.

**Messages and Documents**

The following Communication:

STATE OF MAINE  
ONE HUNDRED AND EIGHTH  
LEGISLATURE  
COMMITTEE ON LIQUOR CONTROL

January 25, 1978

The Honorable John L. Martin  
Speaker of the House  
State House

Augusta, Maine 04333

Dear Speaker Martin:

The Committee on Liquor Control is pleased to report that it has completed all business placed before it by the second regular session of the 108th Legislature.

Total Bills Received	1
Divided Reports	1

Respectfully,

Signed:

SIDNEY D. MAXWELL  
House Chairman

The Communications was read and ordered placed on file.

**Study Report**

**Pursuant to Legislative Council**

Mr. Carroll from the Committee on Transportation to which was referred the study relative to the transportation problems and needs of and the alternatives to the present transportation system between the Casco Bay islands and between the Casco Bay Islands and the Portland City mainland have had the same under consideration, and ask leave to submit its findings and to report that the accompanying Bill "An Act to Provide Residents of the Islands in Casco Bay with Additional Transportation Service" (H. P. 2042) (L. D. 2107) be referred to this Committee for public hearing and printed pursuant to Joint Rule 17.

The Report was read and accepted and ordered placed on file.

On motion of Mr. Carroll of Limerick, the Bill was indefinitely postpone and sent up for concurrence.

**Study Report**

**Pursuant to Legislative Council**

Mr. Rideout from the Committee on Energy to which was referred the study relative to the State of Maine Energy Policy Statement have had the same under consideration, and ask leave to submit its findings and to report that the accompanying Bill "An Act to Require the Licensing of Insulation Installers" (H. P. 1941) (L. D. 2105) be referred to this Committee for public hearing and printed pursuant to Joint Rule 17.

Report was read and accepted, the Bill referred to the Committee on Energy, ordered printed and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

**Orders**

An Expression of Legislative Sentiment (H. P. 2044) recognizing that: The Fraser Company has completed 100 years in the wood products business since its founding in 1877 and now reflects upon its progress from a primitive sawmill to unprecedented modernization and, in search of unexplored frontiers in the world of forest products and in the spirit of the Voyageau, is striving to lead the way

Presented by Mr. McHenry of Madawaska. The Order was read and passed and sent up for concurrence.

On motion of Mr. Nadeau of Sanford, it was ORDERED, that Louis Jalbert of Lewiston be excused from daily attendance for personal reasons; and be it further

ORDERED, that Richard S. Davies of Orono be excused January 26 and 27 due to personal reasons.

**House Reports of Committees**

**Leave to Withdraw**

Mr. Torrey from the Committee on Agriculture on Bill "An Act to Create a Maine Potato Board" (H. P. 1897) (L. D. 1954) reporting "Leave to Withdraw"

Report was read and accepted and sent up for concurrence.

**Ought to Pass with**

**Committee Amendment**

Mr. Hall from the Committee on Agriculture on Bill "An Act to Provide a Lower Registration Fee under the Transportation of Christmas Tree Statutes" (H. P. 1894) (L. D. 1951) reporting "Ought to Pass" as amended by Committee Amendment "A" (H-979)

Report was read and accepted and the Bill read once. Committee Amendment "A" was read and adopted and the Bill assigned for second reading tomorrow.

**Ought to Pass**

Mr. Henderson from the Committee on Local and County Government on Bill "An Act to Revise the Salaries of Certain County Officers" (H. P. 1942) (L. D. 2108) reporting "Ought to Pass" — pursuant to Joint Order (H. P. 1986)

Report was read.

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

Mr. HENDERSON: Mr. Speaker and Members of the House: This is the Salary bill. As you know, the deadline was last Friday for getting information to the bill. The bill has not appeared on your desks as it was printed — I don't believe you have it, so as soon as you get it, I would like you to look it over to be sure that the salaries reflect what your counties wish to have, and those counties which did not make the deadline may present amendments. We will be having a public hearing next Tuesday. According to procedures, we are required to report out the bill and we will be recommitting it to the committee to have the hearing, and I hope that it is sent forthwith.

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

**Consent Calendar**

**First Day**

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

(H. P. 1922) (L. D. 1983) Bill "An Act Relating to Assessment for Public Services Tax on Unorganized Townships" (Emergency) — Committee on Local and County Government reporting "Ought to Pass"

No objections being noted, the above item was ordered to appear on the Consent Calendar of January 27, under listing of the Second Day.

**Consent Calendar**

**Second Day**

In accordance with House Rule 49, the following item appeared on the Consent Calendar for the Second Day:

(S. P. 613) (L. D. 1901) Bill "An Act to Restore Notice to Policyholders of Right to a Hearing upon Nonrenewal of their Automobile Insurance Policy"

On the objection of Mr. Garsoe of Cumberland, was removed from the Consent Calendar.

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

**Passed to Be Engrossed**

Bill "An Act to Increase the Amount which Qualifies a Financial Institution for Exemption from Insurance of Deposits on Accounts" (Emergency) (H. P. 1862) (L. D. 1920)

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

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

Mrs. KANY: Mr. Speaker, I move that this Bill be indefinitely postponed.

The SPEAKER: The gentlewoman from Waterville, Mrs. Kany, moves that this Bill and all its accompanying papers be indefinitely postponed.

The gentlewoman may proceed.

Mrs. KANY: Mr. Speaker, Ladies and Gentlemen of the House: I had a little trouble with this bill yesterday. I remember something similar coming in a year or two ago and at that time it didn't seem reasonable to allow an exemption for a small bank from the FDIC requirements, and now this same bank, it seems, must be coming in for an even larger exemption so that it can carry more deposits and still be exempted from the insurance requirements. I am really concerned about these people and their deposits. We were told that the liquid assets of banks were held in a bank which does have that insurance, but, of course, we are only talking about the liquid assets, remember, not the full amount of the deposits. So I hope that you won't forget that.

I can't understand where in the law these people would be protected in any way. I am wondering if this bank could even keep those liquid assets in a shoebox if they so desired.

Also, I was asking Representative Torrey — I believe this bank must be in his district — what happens if the town's only industry folds? He said that would be a problem, of course, if you have loans and your people might need the money that they had deposited with the bank. I certainly hope that we do consider these people in this small community and perhaps we are not doing them a favor by allowing this exemption.

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

Ms. CLARK: Mr. Speaker, Men and Women of the House: Obviously, this bill and that small financial institution in Mechanic Falls, Maine, is very dear to my heart. As a matter of fact, it is probably my favorite financial institution in the state.

While I am sensitive to the concern expressed by the Representative from Waterville, Mrs. Kany, I would like to place her concern at rest. The Mechanic Falls Building and Loan Association, which has applied for a new name in light of the new name changes across the state, which would be "Savings and Loan," was organized and chartered just before the turn of the century; it is about 90 years old. They have never experienced more than a thousand dollars in bad debts in all of the years of experience, and that is cumulative. They are currently situated 40 feet from Depositors Trust Company, the bank that is busy building Maine, and all of their liquid assets are deposited in savings and checking accounts in that very stalwart financial institution.

Interestingly enough, another large financial institution has made application with the Bureau of Banking to locate in the Mechanic Falls area, and the name of that institution is Mid-Maine Mutual. So, obviously, the financial climate in that area of our fine state is sound.

I have talked with the members of the board of directors relative to some concerns which were expressed yesterday, and the board of directors is willing to amend their bylaws to require that their deposits be deposited in insured institutions, but that really is unnecessary, since Mechanic Falls Building and Loan is the only uninsured financial institution in this state and they have deposited for over 90 years all of their cash deposits and so forth in other insured institutions. And as I mentioned, Depositors Trust is 40 feet away and they, to quote, "the director makes regular trips back and forth."

They have a bond surety of \$25,000, which they have never had to exercise, to cover burglary, theft, embezzlement and those kinds of things relative to their personnel, and perhaps

that is another enviable record of this fine, little, friendly banking institution.

I would ask you members of the House to defeat the pending motion of indefinite postponement.

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

Mr. TORREY: Mr. Speaker and Members of the House: I would just like to say a few words on this. This institution is located in the Town of Mechanic Falls, which is one of the towns in my district. They have had a splendid record of financial integrity over the years, as Representative Clark has stated, for over 90 years. They have weathered the depression from 1927 through to 1936 with no losses at all. They have also weathered other problems, such as other small businesses and institutions in that town that have gone out of business and still they are able to carry on and provide a service for the citizens in that area. I am certain that in case the present industry, Marcel Paper, should be forced to close down, it certainly would be a problem and perhaps a hardship to the community, but they have a good reserve in their operation, and I am certain that they would be able to withstand any problems that might arise from the closing of that business.

I trust that you will keep faith with the people and the directors of this institution and not accept this indefinite postponement motion.

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

Mrs. BOUDREAU: Mr. Speaker, Ladies and Gentlemen of the House: I hope you do not vote to indefinitely postpone this bill. As for the Mechanic Falls Savings and Loan coming in and asking for an increased exemption, I was here when they came in originally. At that time, they asked for \$450,000, and there were two other institutions that would come under that. The other institution, where they were located, they had other savings and loan organizations. We felt their need was not so great so we reduced that amount to \$250,000 to accommodate Mechanic Falls because they are the only savings and loan institution in that area.

They do have the highest reserve in the state, and I do have concern for the people in that area, and my concern is that this bank has served them well for a long time. It is the only one in the area that is interested in granting small loans. If not being a wealthy area, the people need these small loans. They also pay 6 percent on savings. Where else can you get that? They have the highest reserve in the state, so I do hope that you will vote against the indefinite postponement motion.

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

Mrs. KANY: Mr. Speaker, I would like to pose a question through the Chair. I would like to know from any of those who were present at the public hearing, and I was not, I have no particular interest, I have not discussed this with anyone in the hall or anything else, it is just as a consumer that I am interested. I feel a real responsibility to the citizens of this state to have decent banking laws and an act to provide exemptions from them.

I know that it is a problem when you talk about a little local bank, a little local anything, it is just marvelous, just wonderful. It is like apple pie and motherhood, the sweet, little, local bank — all they want is a nice little exemption from having to provide insurance, FDIC insurance. I do not think that they should have such an exemption. I really do not think it is in the best interest of all of the people of that community when they have one single industry. It is not a wealthy community. I do not think that these people at home have that much money stuffed under their mattresses to tide them over if they have a bad time, if that industry should go under in that town.

Back to the question, I would like to pose a question as to what the amount is of deposits within that bank, and, then, what are the liquid

assets which are being held in another bank with that FDIC insurance? Remember, the difference between the two, whatever it is, that there will be no FDIC insurance on it. I have no ideas. I was not at the public hearing. It was just when I saw this coming forth on the calendar and remembered from before that I did not like it at that time and it sounded even worse now. May I have the answer to that question?

The SPEAKER: The gentlewoman from Waterville, Mrs. Kany, has posed a question through the Chair to anyone who may answer if they so desire.

The Chair recognizes the gentleman from Gardiner, Mr. Kilcoyne.

Mr. KILCOYNE: Mr. Speaker, Ladies and Gentlemen of the House: The answer to the gentlewoman from Waterville is with the Commissioner of Banking, who plays watchdog day and night almost over this institution.

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

Ms. CLARK: Mr. Speaker, Men and Women of the House: I apologize, I was not listening to the question. I believe the question is, what is the difference between the amount deposited in the Depositors Trust Company 40 feet down the road or across the street and what is kept on site? The answer is, there is no more than \$200 on site and that is in a safe. So, the largest amount of money that they experience cash on hand would be \$100 to \$200. The rest is safely insured 40 feet away.

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

Mrs. KANY: Mr. Speaker, I would like to rephrase my question. My question was, what is the difference between the deposits, the amount people have deposited with that savings and loan association, or whatever it is under its new name, and the amount which that savings and loan association has put into the bank down the street which does carry FDIC insurance? So, the difference between the total amount and the amount which is insured by putting it in a second bank, that would not be insured, the total amount of their deposits and the amount that is actually insured.

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

Ms. CLARK: Mr. Speaker, Members of the House: \$165,000.

The SPEAKER: The Chair will order a vote. The pending question before the House is on the motion of the gentlewoman from Waterville, Mrs. Kany, 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.

12 having voted in the affirmative and 90 in the negative, the motion did not prevail.

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

#### Amended Bill

Resolve to Transfer a Land Parcel From the Bangor Mental Health Institute to the Region 4 Vocational District (S. P. 631) (L. D. 1990) (S. "A" S-442 to C. "A" S-441)

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

#### Passed to Be Enacted

"An Act to Clarify Reporting Requirement under the Campaign Finance Law and to Correct Other Oversight in that Law" (H. P. 1910) (L. D. 1971) (C. "A" H-966)

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

#### Orders of the Day

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

Bill, "An Act to Continue the Potato Tax at

the Rate of \$.025 per Hundredweight" (Emergency) (H. P. 2033) (L. D. 2097)

Tabled — January 25, 197 by Mr. Palmer of Nobleboro.

Pending — Motion of Mr. Kelleher of Bangor to Indefinitely Postpone Bill.

The SPEAKER: The Chair recognizes the gentleman from Easton, Mr. Mahany.

Mr. MAHANY: Mr. Speaker, Ladies and Gentlemen of the House: I would just like to make a short statement. I hope that you will not vote to indefinitely postpone this bill.

Mr. Tierney of Lisbon Falls requested a roll call.

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

Mr. STROUT: Mr. Speaker, Ladies and Gentlemen of the House: I hope that you do not indefinitely postpone this. As a cosponsor of the bill that is before us, I would only make a short statement, that the Committee on Agriculture met yesterday afternoon and it is my belief that it was the unanimous feeling of the committee that we have worked out our problems and I would only ask, this morning, from one side of the membership of this House, that hopefully today they would follow my light.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: In my mind, the issue has not changed in the last 24 hours at all. I honestly believe that there is a bill down in the Agricultural Committee, as I know that Mr. Strout believes and I think any other member of that committee believes, can deal with this issue. I think the principle is the same today as it was yesterday.

The SPEAKER: The Chair recognizes the gentleman from Sanford, Mr. Wood.

Mr. WOOD: Mr. Speaker, Ladies and Gentlemen of the House: I think that the situation has changed in that the Agricultural Committee yesterday gave the other bill a unanimous "Leave to Withdraw."

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

#### ROLL CALL

YEA — Brown, K. C.; Garsoe, Green, Huber, Kane, Kelleher, Laffin, Raymond.

NAYS — Aloupis, Ault, Austin, Bachrach, Bagley, Beaulieu, Bennett, Benoit, Berry, Berube, Biron, Boudreau, A.; Boudreau, P.; Brenerman, Brown, K. L.; Burns, Bustin, Carey, Carrier, Carroll, Carter, D.; Carter, F.; Chonko, Churchill, Clark, Connors, Connolly, Cote, Cox, Cunningham, Curran, Dexter, Diamond, Dow, Drinkwater, Dudley, Durgin, Dumtreble, Elias, Fenlason, Flanagan, Fowlie, Gill, Gillis, Goodwin, H.; Goodwin, K.; Gould, Gray, Greenlaw, Hall, Henderson, Hickey, Higgins, Hobbins, Howe, Hughes, Hunter, Hutchings, Immonen, Jackson, Jacques, Joyce, Kany, Kerry, Kilcoyne, LaPlante, Lewis, Littlefield, Lizotte, Locke, Lougee, Lunt, Lynch, MacEachern, Mackel, Mahany, Marshall, Martin, A., Masterman, Masterton, Maxwell, McBreairty, McHenry, McKean, McMahon, McPherson, Mitchell, Morton, Nadeau, Najarian, Nelson, M.; Nelson, N.; Norris, Palmer, Paul, Peakes, Peltier, Perkins, Peterson, Plourde, Post, Prescott, Quinn, Rideout, Rollins, Sewall, Shute, Silsby, Smith, Spencer, Sprowl, Stover, Strout, Stubbs, Talbot, Tarr, Teague, Theriault, Tierney, Torrey, Tozier, Trafton, Truman, Twitchell, Valentine, Vio-

lette, Whittemore, Wood, The Speaker.

ABSENT — Birt, Bunker, Davies, Devoe, Jalbert, Jensen, Mills, Moody, Pearson, Tarbell, Tyndale, Wilfong, Wyman.

Yes, 8; No, 130; Absent, 13.

The SPEAKER: Eight having voted in the affirmative and one hundred and thirty in the negative, with thirteen being absent, the motion does not prevail.

Thereupon, the Bill was referred to the Committee on the Agriculture and sent up for concurrence.

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

Bill, "An Act Concerning Brake Requirements on Agricultural Vehicles" (H. P. 1857) (L. D. 1924)

Tabled — January 25, 1978 by Mr. Burns of Anson.

Pending — Adoption of the Committee Amendment "A" (H-971)

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

Mr. BURNS: Mr. Speaker, Ladies and Gentlemen of the House: The Bills in the Second Reading are back at work. There is a printing error in L. D. 1924 and I would like to request that the Clerk read Paragraph 4a, Sub 5, to point the error out.

Thereupon, that portion of the report was read by the Clerk.

Mr. BURNS: Mr. Speaker, Ladies and Gentlemen of the House: The printing error admitted is a phrase right after the first, exclusively and ends at the end of the second exclusively in the first sentence. The committee amendment placed this back in, although it is already law so this puts a barring into getting amendments on this, so I would like to now move this indefinite postponement of Committee Amendment "A" (H-971).

Thereupon, Committee Amendment "A" was indefinitely postponed.

On motion of Mr. Burns of Anson, under suspension of the rules, the Bill was read a second time.

The same gentleman offered House Amendment "A" (H-977) and moved its adoption.

House Amendment "A" (H-977) was read by the Clerk.

Mr. McKean of Limestone offered House Amendment "A" to House Amendment "A" (H-978) and moved its adoption.

House Amendment "A" to House Amendment "A" (H-978) was read by the Clerk, and adopted.

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

Mr. BURNS: Mr. Speaker, Ladies and Gentlemen of the House: As additional information in these errors that have been voted, in the L. D.'s, I would like to read a list of eight that we also found and also caution everyone that they should re-read the L. D.'s very, very carefully because there are more and more errors coming out from the printers. Those L. D.'s that we have found with errors in them are 1929, 1960, 1968, 2006, 2013, 2034 and 2038.

Thereupon, House Amendment "A" as amended by House Amendment "A" thereto was adopted.

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

On motion of Mr. Brenerman of Portland, under suspension of the rules, the House considered its action whereby Bill "An Act to Provide Residents of the Islands in Casco Bay with Additional Transportation Service" (H. P. 2042) (L. D. 2107) was indefinitely postponed.

Mr. BRENERMAN: Mr. Speaker, Ladies and Gentlemen of the House: Last session, we referred bills dealing with Casco Bay Transportation Services to the Transportation Committee for study. The minority of that

committee reported out a bill which is in this particular study report. The chairman of the committee, I guess, feels that this should be indefinitely postponed. I feel that that bill deserves a hearing and if there is a minority, or a majority report that comes before the House, I feel that the House should have an opportunity to debate this bill and vote on it. I do not think that it should be indefinitely postponed out of hand. Therefore, I think that it should be referred to the Committee on Transportation.

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

Mr. STROUT: Mr. Speaker, Ladies and Gentlemen of the House: I was late getting in this morning and I did not know that it had been indefinitely postponed but I agree with the House Chairman. Hearings have been held and a sub-committee went to Portland, back last Fall, and it is my belief because I was not on that sub-committee but some of the people that have spoken this morning or spoken in the last two weeks, did not even attend the public hearing in Portland so if they were interested in this, going to another hearing, why were they not there in Portland?

On top of that, we have hashed this and hashed it and I do not think in this session, we need another bill concerning Casco Bay. This is a local problem and I support the indefinite postponement. I would request a division.

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

Mr. CONNOLLY: Mr. Speaker, Ladies and Gentlemen of the House: The point that the gentleman from Corinth, Mr. Strout, makes is that there should not be another hearing on the bill. There was a hearing session and that there was a hearing conducted in Portland as a result of a study order that the legislature passed last year but the point of the issue is that this legislature, last year, did not consider the legislation. We never were given the opportunity to vote on the legislation. The matter that was before this body was whether the issue should be studied or not. If the committee decides that it does not want to refer the bill to a public hearing but simply wants to report it out to the floor of the House with Majority and a Minority Report and then have the issue debated here and in the other body, I think that that is all right for the people from Portland who are concerned with legislation. The issue is that this body should have the opportunity to consider the legislation and what has been done up to this point is that it has simply been referred for study, the committee has studied the issue and has taken two positions on the legislation.

I would hope that you would support the motion of the gentleman from Portland, Mr. Brenerman, to allow this bill to be referred eventually to this body for consideration.

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

Mr. TALBOT: Mr. Speaker, Ladies and Gentlemen of the House: Just a few statements and that is that I agree with the gentleman that spoke, that this is a local problem. It is a local problem. It deals with Casco Bay Islands. It deals with the mainland in Portland and I would also remind you that we held a caucus here yesterday dealing with just what I am about to say and that there are ten Democrats coming out of the City of Portland and this particular piece of legislation is important to the island people as it is to the representatives who represent them. I think it would only be respectful for us as a body to give that a chance to public hearing.

Therefore, I would hope that you would vote against the motion to indefinitely postpone and support this particular piece of legislation.

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

Mr. MCKEAN: Mr. Speaker, Ladies and Gentlemen of the House: I am on Transportation Committee. I was not, however, on the sub-committee on the Casco Bay hearings. I did,

however, sign the minority report. I feel bad because Representative Jensen is not here this morning and he was an avid signer of the minority report. I feel that there is merit in the minority report, not per se as it is written but there is a problem. If there wasn't a problem, they wouldn't have brought it before us. I think the people deserve the right to be heard, and they haven't been heard, as far as I am concerned, yet.

We haven't had a chance to talk about this in front of all of you, and the issue is whether or not the man who has a private boat can take a passenger to the mainland whenever the regular system, the Casco Bay Lines, is not running. It is the same thing as if I have to go to Bangor to the airport and I ask one of you, would you please take me to Bangor to the airport? I will pay for the gasoline. There is nothing wrong with this. In the same light, if I am on an island and I have to go to the mainland because I have people coming in on the airlines or by car or anything and I ask you, would you please take me to the mainland? I will pay for your gasoline and your time. There is no other form of transportation, there is no boat running, and you tell me, no, it is against the law for me to take you to the mainland and you pay for my gasoline. This is a ridiculous situation and it does merit our attention. Therefore, I would hope that you would not vote to indefinitely postpone that report.

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

Mr. BRENERMAN: Mr. Speaker, I move that this bill be referred to the Committee on Transportation.

Whereupon, Mr. Garsoe of Cumberland requested a vote.

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

Mr. STROUT: Mr. Speaker, just to make a statement to clear up something that was said here, it is my understanding that some of the proponents of this said this was never heard. There was a hearing last year; we held it. I agree that it came out to go to study, but we held a hearing. I feel that anything we do this session is not going to be of any benefit to those people down there. They are getting the best transportation now that they can get. If anyone can tell me that there is going to be any benefit, I would support this committee report.

I would like to have gone down to the subcommittee, but the good gentleman who signed out the minority report that serves here in the House did not even attend the hearing in Portland by the subcommittee. He must be really interested in this; he couldn't take the time to go to Portland; yet, he wants another public hearing.

The SPEAKER: The Chair would caution the gentleman about making reference to another member who is not even here to defend himself.

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

Mrs. NAJARIAN: Mr. Speaker and Members of the House: It sounds to me like Representative Strout is trying to second guess what this legislation might do if this bill is brought before us. I have seen this legislature come up with solutions to far more difficult problems than this one that we are trying to get before you today, and I do hope that you will support the motion to send it to committee.

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

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House: This whole situation started with a motion earlier in this session made by the Chairman of the Transportation Committee. I wonder if he would enlighten us, he having been the one who started this debate in the first place.

The SPEAKER: The Chair would advise the gentleman from Nobleboro, Mr. Palmer, as he

can see for himself, that the chairman, obviously, is presently absent for some reasons.

The Chair recognizes the gentlewoman from Portland, Mrs. Nelson.

Mrs. NELSON: Mr. Speaker, Men and Women of the House: I think whether we are here or not here or who attended hearings or who did not is really not what we are dealing with today. We are dealing with the problem of alternatives, we are dealing with the problem of freedom, and it is not a party issue, it is an issue that deals with human beings.

We were told when we introduced the bill that we would have a hearing, which we did. We were told — Mr. Brenerman and I sponsored this bill — that there were some problems with the bill and it should be studied, and they studied it. Obviously, some people felt there were still more problems with the bill. Now, it you simply deny those people on the Transportation Committee who signed the minority report a right to state their case, then this is not the House of Representatives that I know and respect. I am simply asking for a hearing on a report. There was no hearing on this report. There was a hearing on the bill. The report is different from the bill. We are asking you how you would feel were this your bill that was suggested by the committee to become a report. Now we all want to take a look at that report — give us a chance.

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

Mr. TIERNEY: Mr. Speaker and Members of the House: While I agree with most of the remarks made by the gentlewoman from Portland, Mrs. Nelson, I would like to remind her that this bill will only acquire nonpartisan status when it reaches the other end of the hall, and as long as the bill is here, I would certainly hope that people would listen to the plea of the Portland delegation and allow this bill to go to committee.

The SPEAKER: The pending question is on the motion of the gentleman from Portland, Mr. Brenerman, that this Bill be referred to the Committee on Transportation, ordered and printed and sent up for concurrence pursuant to Joint Rule 17. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

82 having voted in the affirmative and 17 having voted in the negative, the motion did prevail.

By unanimous consent, ordered sent forthwith to the Senate

(Off Record Remarks)

On motion of Mr. Wood of Sanford,  
Adjourned until Friday, January 27, at  
twelve o'clock noon.