

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Third
Legislature*

OF THE

STATE OF MAINE

Volume II

May 10 to June 15, 1967

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Monday, June 5, 1967

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

Prayer by the Rev. Mr. Malcolm Galbraith of Hallowell.

The members stood at attention during the playing of the National Anthem by the Machias High School Band.

The journal of the previous session was read and approved.

Papers from the Senate**Reports of Committees****Leave to Withdraw****Covered by Other Legislation**

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act to Authorize Bond Issue in the Amount of Eight Million Two Hundred Five Thousand Dollars for Capital Improvements, Construction, Renovations and Repairs at the University of Maine" (S. P. 350) (L. D. 934) reporting Leave to Withdraw, as covered by other legislation.

Came from the Senate read and accepted.

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

Ought to Pass**with Committee Amendment
Tabled and Assigned**

Report of the Committee on Judiciary on Bill "An Act relating to Dividends and Stock Held by Unknown Stockholders" (S. P. 503) (L. D. 1218) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

In the House, the Report was read.

(On motion of Mr. Quinn of Bangor, tabled pending acceptance in concurrence and specially assigned for tomorrow.)

Divided Report

Majority Report of the Committee on Natural Resources reporting "Ought not to pass" on Bill "An

Act relating to Pollution Control in Maranacook Lake, Annabessacook Lake and Cobbosseecontee Lake in Kennebec County" (S. P. 410) (L. D. 1039)

Report was signed by the following members:

Messrs. SEWALL of Penobscot
FERGUSON of Oxford
VILES of Somerset
— of the Senate.

Messrs. PIKE of Lubec
SAHAGIAN of Belgrade
DICKINSON of Mars Hill
Mrs. FULLER of York
Mr. CURRAN of Bangor
— of the House.

Minority Report of same Committee reporting "Ought to pass" on same Bill.

Report was signed by the following members:

Messrs. BROWN of Augusta
EUSTIS of Dixfield
— of the House.

Came from the Senate with the Majority Report accepted.

In the House: Reports were read and the Majority "Ought not to pass" Report accepted in concurrence.

Divided Report

Majority Report of the Committee on Public Utilities reporting "Ought to pass" on Bill "An Act Authorizing Joint Rates Between Certain Transportation Carriers" (S. P. 609) (L. D. 1603)

Report was signed by the following members:

Messrs. BREWER of Sagadahoc
LUND of Kennebec
VILES of Somerset
— of the Senate.

Mr. WILLIAMS of Hodgdon
Mrs. LINCOLN of Bethel
Mr. SNOW of Caribou
Mrs. SAWYER of Brunswick
Mr. CLARK of Wells
— of the House.

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

Report was signed by the following members:

Messrs. D'ALFONSO of Portland
HEALY of Portland
— of the House.

Came from the Senate with the Majority Report accepted and the

Bill passed to be engrossed as amended by Senate Amendment "A" as amended by Senate Amendment "A" thereto.

In the House: Reports were read, the Majority "Ought to pass" Report was accepted in concurrence and the Bill read twice.

Senate Amendment "A" was read by the Clerk.

Senate Amendment "A" to Senate Amendment "A" was read by the Clerk and adopted in concurrence. Senate Amendment "A" as amended by Senate Amendment "A" thereto was adopted in concurrence and the Bill assigned for third reading tomorrow.

Divided Report Tabled and Assigned

Majority Report of the Committee on State Government reporting "Ought not to pass" on Bill "An Act to Create the Office of Ombudsman" (S. P. 439) (L. D. 1091)

Report was signed by the following members:

Mr. STERN of Penobscot
— of the Senate.

Messrs. DENNETT of Kittery
WATTS of Machias
MARTIN of Eagle Lake
STARBIRD

of Kingman Township
PHILBROOK

of South Portland
— of the House.

Minority Report of same Committee reporting "Ought to pass" on same Bill.

Report was signed by the following members:

Messrs. WYMAN of Washington
LUND of Kennebec
— of the Senate.

Mr. RIDEOUT of Manchester
Mrs. CORNELL of Orono
— of the House.

Came from the Senate with the Minority Report accepted and the Bill passed to be engrossed.

In the House: Reports were read. (On motion of Mr. Rideout of Manchester, tabled pending acceptance of either Report and specially assigned for tomorrow.)

Non-Concurrent Matter

An Act to Allocate Moneys for the Administrative Expenses of the

State Liquor Commission for the Fiscal Years Ending June 30, 1968 and June 30, 1969 (H. P. 82) (L. D. 112) which was passed to be enacted in the House on May 5 and passed to be engrossed on April 28.

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

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

Non-Concurrent Matter

Report of the Committee on Indian Affairs reporting "Ought to pass" on Bill "An Act relating to Compensation and Allowances for Members of the Indian Tribes at the Legislature" (H. P. 89) (L. D. 186) which Report and Bill were indefinitely postponed in the House on April 28.

Came from the Senate with the Report accepted and the Bill passed to be engrossed as amended by Senate Amendment "C" in non-concurrence.

In the House: On motion of Mr. Dennett of Kittery, the House voted to recede and concur with the Senate.

The Bill was read twice. Senate Amendment "C" was read by the Clerk and adopted in concurrence and the Bill assigned for third reading tomorrow.

Non-Concurrent Matter

An Act Continuing Governor's Advisory Council on the Status of Women (H. P. 766) (L. D. 1113) which was passed to be enacted in the House on April 14 and passed to be engrossed on April 7.

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

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

Non-Concurrent Matter

An Act Appropriating Moneys for the Continuing Activities of the Committee on Aging (H. P. 866) (L. D. 1279) which was passed to be enacted in the House on April 21 and passed to be en-

grossed as amended by House Amendment "A" on April 18.

Came from the Senate with House Amendment "A" indefinitely postponed and the Bill passed to be engrossed as amended by Senate Amendment "B" in non-concurrence.

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

Non-Concurrent Matter

Bill "An Act relating to Realty Subdivisions in Municipalities and Unorganized Territory" (H. P. 1162) (L. D. 1663) which was passed to be engrossed in the House on May 18.

Came from the Senate passed to be engrossed as amended by Senate Amendment "B" in non-concurrence.

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

Non-Concurrent Matter

Bill "An Act Revising the Drug, Narcotic and Pharmacy Laws" (H. P. 1176) (L. D. 1674) which was passed to be engrossed in the House on May 26.

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

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

Orders

Mr. Hennessey of West Bath presented the following Order and moved its passage:

ORDERED, the Senate concurring, that Bill "An Act to Authorize Bond Issue in Amount of One Million One Hundred and Fifty Thousand Dollars for Construction at Pineland Hospital and Training Center and of Regional Care Facilities for the Severely Mentally Retarded at Bangor" (S. P. 371) (L. D. 984) be recalled from the Legislative Files to the House. (H. P. 1193)

The SPEAKER: Pursuant to Joint Rule this Order to receive passage requires a two-thirds vote. All those in favor of its being recalled from the Legislative Files

pursuant to the Order will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

The SPEAKER: Ninety-seven having voted in the affirmative and seven in the negative, ninety-seven being more than two-thirds, the Order receives passage.

Sent up for concurrence.

Mr. Drigotas of Auburn presented the following Order and moved its passage:

WHEREAS, Frances Ruth Darey received her M.D. Degree at New York Medical College, June 1, 1967, at Commencement Exercises at The Cathedral Church of St. John the Divine, New York City and will interne at Deaconess Hospital, Boston, Massachusetts.

BE IT ORDERED, that congratulations be extended by the members of the House to her parents, the Honorable and Mrs. Edmund C. Darey. Miss Darey is a graduate of Livermore Falls High School, graduate of Pembroke College at Brown University where she received her B.A. Degree and of Boston University where she was awarded her Masters Degree as a major in Biochemistry.

BE IT FURTHER ORDERED, that an attested copy of this order be forwarded to her home in Livermore Falls by the Clerk of the House. (Applause)

Mr. Darey of Livermore Falls was granted unanimous consent to address the House.

Mr. DAREY: Mr. Speaker, Ladies and Gentlemen of the House: I wish to thank you, I wish to thank the gentleman from Auburn, Mr. Drigotas, for these congratulations. However, I do feel somewhat like the father of the bride, and this is a comparable situation—I had little to do with it. Needless to say, my wife and myself are very pleased with the accomplishments of Dr. Frances and we appreciate your congratulations, and it is items such as this which make serving in this Legislature a pleasure. Thank you. (Applause)

The SPEAKER: The Chair recognizes the gentleman from Denmark, Mr. Dunn.

Mr. DUNN: Mr. Speaker, I would inquire if L. D. 305 is in the possession of the House.

The SPEAKER: The answer is in the affirmative.

Mr. DUNN: Mr. Speaker and Members of the House: I would move to reconsider our action of June 2 whereby we voted to adhere and I would like to speak to my motion.

The SPEAKER: The gentleman from Denmark, Mr. Dunn, moves that the House reconsider its action of June 2 whereby it voted to adhere relative to Bill "An Act relating to Applications for and Marking of Absentee Ballots," House Paper 215, L. D. 305, which was passed to be engrossed as amended by Senate Amendment "C" in non-concurrence in the Senate. Is it the pleasure of the House to reconsider its action whereby it adhered?

The motion prevailed.

The SPEAKER: The gentleman may proceed.

Mr. DUNN: This is an important matter, and now I would move that we vote to insist and ask for a Committee of Conference, hoping that something can be worked out to help solve some of the problems.

Whereupon, on motion of Mr. McMann of Bath, tabled pending the motion of Mr. Dunn of Denmark to insist and ask for a Committee of Conference and specially assigned for tomorrow.

House Reports of Committees Leave to Withdraw Covered by Other Legislation

Mr. Crommett from the Committee on Towns and Counties on Bill "An Act Increasing Salary of Register of Deeds, Southern District, Aroostook County" (H. P. 253) (L. D. 361) reported Leave to Withdraw, as covered by other legislation.

Same gentleman from same Committee reported same on Bill "An Act Increasing Salaries of County Commissioners of Penobscot County" (H. P. 562) (L. D. 794)

Same gentleman from same Committee reported same on Bill "An Act Increasing Salary of Register of Probate of York County" (H. P. 924) (L. D. 1333)

Mr. Farrington from same Committee reported same on Bill "An Act Increasing the Salary of the Oxford County Sheriff" (H. P. 292) (L. D. 412)

Same gentleman from same Committee reported same on Bill "An Act Increasing Salaries of Jury Commissioners of Hancock County" (H. P. 294) (L. D. 414)

Mr. Meisner from same Committee reported same on Bill "An Act Increasing Salary of Clerk of Courts of York County" (H. P. 555) (L. D. 787)

Mr. Nadeau from same Committee reported same on Bill "An Act Increasing Salary of Sheriff of Hancock County" (H. P. 165) (L. D. 228)

Same gentleman from same Committee reported same on Bill "An Act Increasing Salaries of Certain Sagadahoc County Officers" (H. P. 168) (L. D. 231)

Same gentleman from same Committee reported same on Bill "An Act Increasing Salaries of Registers of Deeds and Register of Probate in Oxford County" (H. P. 923) (L. D. 1332)

Mr. Robertson from same Committee reported same on Bill "An Act Increasing Salary of Sheriff of York County" (H. P. 553) (L. D. 785)

Same gentleman from same Committee reported same on Bill "An Act Increasing Salary of Deputy Clerk of Courts of York County" (H. P. 554) (L. D. 786)

Mr. Wight from same Committee reported same on Bill "An Act Increasing Salaries of Judge and Register of Probate and Register of Deeds of Penobscot County" (H. P. 815) (L. D. 1191)

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass Tabled and Assigned

Mr. Nadeau from the Committee on Towns and Counties reported "Ought not to pass" on Bill "An Act Authorizing Androscoggin County to Raise Money for the Reconstruction and Renovation of its County Buildings" (H. P. 1151) (L. D. 1643)

Report was read.

(On motion of Mr. Gaudreau of Lewiston, tabled pending accept-

ance of Report in concurrence and specially assigned for Wednesday, June 7.)

Ought to Pass with Committee Amendment

Mr. Brennan from the Committee on Judiciary on Bill "An Act relating to Compensation for Certain Municipal Officers Who Appear in District Court" (H. P. 896) (L. D. 1309) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 896, L. D. 1309, Bill, "An Act Relating to Compensation for Certain Municipal Officers Who Appear in District Court."

Amend said Bill in the 5th line by inserting after the underlined word "appear" the underlined words "for a scheduled trial"

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Tabled and Assigned

Mr. Meisner from the Committee on Towns and Counties on Bill "An Act relating to Hours of County Offices of Androscoggin County" (H. P. 1045) (L. D. 1517) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read.

(On motion of Mr. Snowe of Auburn, tabled pending acceptance of Report and specially assigned for Wednesday, June 7.)

Divided Report Tabled and Assigned

Majority Report of the Committee on State Government reporting 'Ought not to pass' on Bill "An Act relating to Increasing Revenue of the Liquor Commission" (H. P. 1031) (L. D. 1497)

Report was signed by the following members:

Messrs. WYMAN of Washington
LUND of Kennebec
— of the Senate.

Messrs. DENNETT of Kittery
WATTS of Machias

PHILBROOK

of South Portland
RIDEOUT of Manchester
MARTIN of Eagle Lake
CORNELL of Orono

Mrs. — of the House.

Minority Report of same Committee reporting "Ought to pass" on same Bill.

Report was signed by the following members:

Mr. STERN of Penobscot
— of the Senate.

Mr. STARBIRD
of Kingman Township
— of the House.

Reports were read.

(On motion of Mr. Starbird of Kingman Township, tabled pending acceptance of either Report and specially assigned for tomorrow.)

Passed to Be Engrossed

Bill "An Act to Authorize the Issuance of Bonds in the Amount of Sixteen Million Eight Hundred Thousand Dollars on Behalf of the State of Maine to Build State Highways" (H. P. 1174) (L. D. 1673)

Bill "An Act to Provide a Minimum Wage Plan for State Employees" (H. P. 1190) (L. D. 1690)

Bill "An Act Clarifying the Offense of Procuring Liquor for Certain Persons" (H. P. 1191) (L. D. 1691)

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

Amended Bills

Bill "An Act relating to Appeals from Juvenile Court Proceedings" (S. P. 319) (L. D. 842)

Bill "An Act Repealing the Law Requiring Assessment of Municipalities in Aid to Dependent Children Grants" (H. P. 12) (L. D. 24)

Bill "An Act relating to Municipal Regulation of Community Antennae Television Systems" (H. P. 632) (L. D. 888)

Bill "An Act Revising the Laws Relating to the Reformatories for Men and Women" (H. P. 742) (L. D. 1121)

Were reported by the Committee on Bills in the Third Reading, read the third time, passed to be en-

grossed as amended by Committee Amendment "A" and sent to the Senate.

Engrossed in Non-Concurrence

Bill "An Act relating to Tandem Trailers" (S. P. 595) (L. D. 1573)

Was reported by the Committee on Bills in the Third Reading and read the third time.

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

Mr. DICKINSON: Since this bill has been discussed pretty thoroughly, I would not take up any more time at the moment to discuss it further but would merely move for indefinite postponement.

The SPEAKER: The gentleman from Mars Hill, Mr. Dickinson, now moves that item 8, L. D. 1573, be indefinitely postponed.

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

Mr. SULLIVAN: Mr. Speaker and Members of the House: Now that went through this House last week. It is just common sense. Everybody, as far as I know, wants to get more business in this State. Let's be practical. You can only get more business in this State—at least one of the means, is to provide the most efficient form of transportation for most of the cities and towns of this State and you do it with this bill. Now I think I made myself clear when this bill came up last week and that move to kill this is, from a standpoint of what is being practical, is simply ridiculous; so vote against this idea of killing the bill. Thank you.

Mr. McMann of Bath requested a roll call vote.

The SPEAKER: The Chair recognizes the gentleman from Kennebunk, Mr. Crosby.

Mr. CROSBY: Mr. Speaker and Members of the House: I didn't have anything to say on this bill the other day when it went through the House because I felt that the matter was very thoroughly covered. There was only one person speaking against it and I thought at that time that everything was under control. This weekend, knowing that this would be back, I made a little survey on my own, in my own locality. I think

perhaps we are affected as much by trucks in our area as any area in the State, having a truck depot right in our center of town and having the trucks using the highways. As a result, I have had several complaints in the past from people who said that they didn't want these monsters driving over the state highways.

Surprisingly enough, when I went home this weekend the attitude had changed. They had found out that the tandem trailers were not going to be using our State highways, driving through the center of Kennebunk or driving through the center of any other town. They found out that they were going to be used on four-lane highways and would be restricted to that highway. I think this is something that perhaps we have overlooked and I have served on the Transportation Committee for two sessions and naturally I have become more or less acquainted with the trucking business. I think we are talking about an industry which we want to help and—not that it needs a lot of help, but anything that is going to modernize transportation into this State and for the State is going to be helpful. I would like to call the attention of the House just how important this industry is to the State.

To start with it employs 50,000 people and has an annual payroll of \$2½ million. These employees are the highest paid industry in the State and the average pay is approximately \$7,000 per year as compared to the next overage pay of approximately \$4800. This industry operates, as of 1965, over 81,000 trucks and it pays a lot of taxes. To show you how much it pays, one out of every three miles of highway in the State is paid for by this industry. In other words, 38.5% of all highway revenue comes from the trucking industry. It is the largest industry in the State of Maine.

And I would also like to call to your attention that there are 957 communities in the State and that out of that number 729 are served by trucks alone. That is a very large percentage of towns in the

State which depend on the trucks for the goods that they receive.

Now, to talk about the tandem trailer trucks. I feel that it is a new and progressive method of transporting freight which has been adopted by 34 states and since we have been in session this year, two more states have adopted tandem trailers—Arkansas and Maryland. In view of the fact that we are talking about the larger trucks, let me just state that four axle vehicles and five axle vehicles currently are paying more than their fair share of taxes. These are the vehicles that we normally consider the commercial vehicles on the highway. The average such vehicle having an annual mileage of 100,000 miles is paying per year per truck, is \$3500 in taxes, so the trucking industry is not free loading on the State.

The one thing that made me be more enthusiastic for this, as I said, was the survey that I made at home this weekend. I think that the public has been misled by some of the articles that they read in the paper and now that this has been, shall I say watered down, so that the use is restricted to certain highways, I see no harm in this type of legislation. I could go on and give you more statistics but this being such a good day I am sure that none of us want to stay around here and listen to long speeches. But, for these reasons, I would strongly urge that you defeat the motion to indefinitely postpone.

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

Mr. WOOD: Mr. Speaker and Members of the House: Since we had this bill before us Friday, I see that some good friends in the Third House have been very active. Some of the things that I hear this morning I want to take a minute to make clear to the members of this House. One of the things that is not understood by all is that these double bottom trucks are not going to be operating in our cities and towns. This New Draft eliminates that. The only way that one of these trucks can ever go into one of our cities is

by permission from the city officials, and then only to their terminal. If the city officials object, they have to break these trailers down into one unit to go into the city, which would make them much safer than the units that go in today.

Another objection seems to be that they are going to haul more freight. They are going to haul more freight, but the weight that they can haul stands exactly as it is today. The reason they will haul more freight is because our freight today is much lighter than it was a few years ago. Household articles such as refrigerators and television sets, deep freeze units and all of those things are nearly a third lighter because they are made with lighter material, and many other things the same way.

Now I want it understood that this New Draft eliminates these trucks going off of a four-lane highway. We explained that before but there are a few people who I have seen over the weekend that still didn't understand that they would be limited when they got up above Bangor to the two-lane highway until such time as that became four-lane.

Now we have a great industry in the State of Maine, the trucking industry. It's an industry that helps and assists every other industry in this State, and I believe that this bill to be passed now could make it cheaper for the other industries to send their product out of the State. Therefore I believe that this is a bill that will be of benefit to every citizen of the State of Maine and I believe that all of the people in this House are very intelligent, fair-minded people and I hope that when this vote is taken again that you consider very strongly what will help all of our citizens in Maine. Thank you.

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

Mr. DICKINSON: Mr. Speaker and Members of the House: I would not oppose progress. The gentleman from Brooks, Mr. Wood, has touched on the feature of this that has been most disturbing to me. It is my understanding that some

States have terminals on these four-lane highways whereby these trailers can be uncoupled and they go with only one from that point.

Perhaps I don't understand the redraft, but it was my impression that where these trailers can go after they leave the four-lane is left to the discretion of the town fathers in the area. If that isn't the case, it would change this thing somewhat in my thinking. I would like to have some explanation on that feature of the redraft if they would care to explain it.

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

Mr. QUINN: Mr. Speaker and Members of the House: At first I was a little dubious about what this bill might do, but since the amendment it seems to me it has taken care of those things that I was questioning in my mind. I now think it is progressive legislation and I think it will be of great help to the transportation industry in Maine and thereby help the citizens of Maine and I hope the House does not go along with the motion. As has been said before, there is a provision on the bill that when these tandem trailers leave the thoroughway their activity will be controlled by the municipal officers of the municipality into which they go. And certainly the municipal officers of those municipalities will look after the interests of their citizens.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: My usual position with regard to matters of this sort is just to go along with what I felt would benefit the citizens of the State of Maine. With regard to this amended double bottom bill I find that I am sharing the concern that has partially been expressed by the gentleman from Mars Hill, Mr. Dickinson.

It bothers me greatly, and perhaps I am thinking only of my own area of the State which is anywhere from 100 to 200 miles from the City of Bangor. Under this revised bill, it becomes very obvious to me that if we use this

double bottom system down over the Interstate that when we get within maybe 100 to 200 miles of home, in Aroostook County, then they have got to uncouple one of these empty double bottoms and they have got to get two tractors to move the two empty, or otherwise, from Bangor north. I believe that this thing would apply in a great many areas of the State, because I think no matter where you go from the two-lane highway then you do run into considerable distances. I am just saying if I thought that this would be a good thing I would vote for it, but in this form I don't think that it is going to be any benefit to anybody. It may be an opening wedge but I don't like opening wedges and when we get to the point where we can haul double bottoms, we can load them at our point of origin and haul them down through the State, then I'll vote for them, but until that time arrives I would not go along with it.

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

Mr. BINNETTE: Mr. Speaker and Members of the House: When we debated this bill last week I was very much in favor of the double bottoms. I still am. First, of all, our four-lane divided highways ends up in Old Town so therefore I think my colleagues from Aroostook County should not be too worried about these tandems because if they do have to take and split up their double bottoms it will be a shorter truck on the road and that seems to be what a lot of them are complaining about, the length of them. So therefore I still am going to vote for progress by keeping this bill alive and having it in on the double bottoms.

The SPEAKER: The Chair recognizes the gentleman from Harpswell, Mr. Prince.

Mr. PRINCE: Mr. Speaker and Members of the House: I want to concur with those that are in favor of this so-called double bottom bill. I thought that Representative Crosby brought out a very important point this morning when he reminded the members of the

House that there were approximately 960 communities and 725 of these communities are serviced by trucks. This amounts to approximately 76%, for the transportation in that area. Each year Maine communities are becoming increasingly dependent on trucks for freight transportation and the other day I mentioned the Maine trucking industry employs over 50,000 people in the State of Maine and is seeking authority to operate vehicles commonly termed double bottoms on four-lane controlled access highways. This bill is not asking for money and I believe that it is protecting the 50,000 citizens of Maine that are employed. It is one of our very large industries and I think that we should protect and give the industry what it is asking for. Thank you.

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

Mr. QUINN: Mr. Speaker and Members of the House: As I understand, one of the values of this kind of operation is this. If they have a double bottom, they can load one section for a certain area of a state; they can load the other unit for a different locale. Then they can come in over the throughway into say Portland, Bangor or any of these other places that have a terminal. They can break it down and then go from that point over the state highways to their terminus and it makes it much more efficient for them.

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

Mr. FARRINGTON: Mr. Speaker and Members of the House: I voted against this bill the other day. Since that time I made several inquiries and I had very logical answers to my queries. I am very much concerned about the safety aspect. It was explained to me, and it sounds quite logical that it's not vehicles that cause the accidents,—it is the drivers. The heavier payload, larger, longer vehicles, is not so much a factor as the driver. I therefore today will support the bill, being enlightened to this respect, because one passes the vehicle hauling one payload there

is but one driver and of course these double bottoms will have but one driver and possibly hauling half again as much load. I can see that my objection is discounted, so I will vote for the bill. Thank you very much.

The SPEAKER: The Chair recognizes the gentleman from Chelsea, Mr. Shaw.

Mr. SHAW: Mr. Speaker and Members of the House: I think that about two-thirds of the travel of these double bottoms is going to be over the Turnpike and I think the Turnpike can use the extra income. Thank you.

Mr. Dickinson of Mars Hill was granted permission to speak a third time.

Mr. DICKINSON: Thank you, Mr. Speaker. I would merely again state that my concern is with the blank check aspect of this, placing the officials of their respective towns in a position to make these decisions. I am thinking particularly about the position they would be in if the very capable lobbyists who have worked on this double bottoms bill go to work on them. Thank you.

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

Mr. COTTRELL: Mr. Speaker and Members of the House: I have always, and will continue, to respect the thinking and opinions of Representative Bragdon from Perham, and in this instance I disagree with him. I would point out, it seems to me, that the trucking industry will not prepare double bottom loads for areas a long distance north of Bangor. I think they can arrange their business so that it wouldn't be profitable for them to go a long ways with a single bottom on a two-lane highway. I think they would probably arrange their freight so that things going north of Bangor would be carried in the regular single bodied truck. I don't think they are going to give them up just because they use double bottoms.

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

Mrs. CARSWELL: Mr. Speaker and Members of the House: It

seems to me if we pass this bill it will put Maine in a competitive position with other states, particularly in the frozen food business. Now many customers from out of state when they order frozen foods, they don't like to think that it is going to have to be transferred at a certain point from one truck to another, especially in the summer; so I feel that if we allow double bottoms we can assure the customers from out-of-state that their frozen produce will reach them in good shape.

The SPEAKER: The Chair recognizes the gentleman from Brooks Mr. Wood.

Mr. WOOD: I want to answer the objection that Representative Dickinson has, from Mars Hill. This bill will allow these double bottoms by permission of the city and town officials only in the cities that have these terminals — and along our highways there will be very few, probably start at Portland, Lewiston, Waterville, Bangor, —very few cities that will be affected at all by these going in or asking permission to go into the cities.

The SPEAKER: The Chair recognizes the gentleman from Fort Kent, Mr. Bourgoin.

Mr. BOURGOIN: Mr. Speaker, Ladies and Gentlemen of the House: I believe we are mixing the two-lane highways with the four-lane highways. We all know that the trucks operated now on two-lane highways are long and hard to pass but on the four-lane highways I have met them in New York, once driving there to visit and they are no bother at all to the traveling public on the divided highways. Thank you.

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

Mr. CAREY: Mr. Speaker and Members of the House: We've maintained over the years that trains belong on tracks, and I'm fearful for the passenger car driver who must pass one of these three-unit vehicles. We are not speaking now of a truck that stays in one place; we are talking of a snake that is hinged in two places. Certainly Representative from Port-

land Mrs. Carswell mentioned summer traffic; I am worried about the winter traffic. I have traveled over our turnpikes. I have traveled over the Freeway during the winter, and I am not satisfied with the way it is plowed in the winter, mainly because of the storms that we have been having — but how are these trucks going to act on snow?

The SPEAKER: The Chair recognizes the gentleman from Sidney, Mr. Drummmond.

Mr. DRUMMOND: Mr. Speaker and Members of the House: I think probably there has been enough talk on this subject already, but I do want to mention that along Interstate 95 where there could be some terminals built, some of these municipalities like the one that Representative Carey comes from in Waterville could receive a lot of construction that would bring their city in a lot of taxes. I would also like to say in respect to safety that years ago I drove quite a little bit myself and in some areas of the country there were a lot of these double bottoms at that time. The records for double bottoms or tandems is the best record of any vehicle on the highway. The accident rate of any vehicles that travel our highways is the best for the so-called double bottoms.

I am sure that not too many of you people have probably ever had the pleasure of driving one of these tractors that tow these vehicles—that most of these tractors are equipped with a 350 or 375 horse power diesel, probably a 15 speed rotor engine transmission to give you all the variations in the book for traveling at the posted speeds and to get over the hills with the heavy loads that they carry, and most states specify tire size that has to be on the highway, specify the number of square inches of brake surface that can be applied to the brake drums. These vehicles are very, very safe vehicles to be on the highways and the drivers that drive these vehicles are the best in the country. I am going to vote against indefinite postponement.

The SPEAKER: Is the House ready for the question? The pend-

ing question is on the motion of the gentleman from Mars Hill, Mr. Dickinson, that item 8, L. D. 1573, Bill "An Act relating to Tandem Trailers," be indefinitely postponed. The yeas and nays have 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 of those in favor of a roll call will vote yes; those opposed will vote no. The Chair opens the vote.

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 Stonington, Mr. Richardson.

Mr. RICHARDSON: I would like to pose a question through the Chair to anyone who might care to answer, something that is a little bit vague in my mind as yet. Are these double bottoms allowed on the roads in New Hampshire and in Massachusetts?

The SPEAKER: The gentleman from Stonington, Mr. Richardson, poses a question through the Chair to any member who may answer if they so choose.

The Chair recognizes the gentleman from Fort Kent, Mr. Bourgoin.

Mr. BOURGOIN: They are allowed in quite a few states, I don't know the number of them. And they are allowed up to a length of 98 feet in some states.

The SPEAKER: The Chair recognizes the gentleman from Kennebunk, Mr. Crosby.

Mr. CROSBY: The tandem trailer trucks are allowed on the Massachusetts Turnpike and they have been ever since the Turnpike was constructed. It is my understanding that if this bill should pass the trucking industry can enter into an agreement with the Commissioner of Motor Vehicles in the State of New Hampshire, and he has the full authority to allow them to travel over the New Hampshire Turnpikes.

The SPEAKER: The Chair recognizes the gentlewoman from York, Mrs. Fuller.

Mrs. FULLER: I would like to know if these double bottoms in Massachusetts and New Hampshire

are 65 feet or less, they are in Massachusetts and New Hampshire.

The SPEAKER: The gentlewoman from York, Mrs. Fuller, poses a question through the Chair to any member who may answer if they choose. The Chair recognizes the gentleman from Waldoboro, Mr. Waltz.

Mr. WALTZ: Mr. Speaker and Members of the House: In answer to the question of the gentlewoman from York, Mrs. Fuller, the limit in New Hampshire is 55 feet. They are permitted to use tandem trailers there. I think in some instances up to three of them are used. In Massachusetts, they are used only on the Turnpike and I think, I'm not positive about this, that the distance is 55 feet there. I am sure it is 55 in New Hampshire.

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

Mr. HANSON: Mr. Speaker, I would like to pose a question through the Chair to anybody who might answer. Presuming that an agreement can be worked out with New Hampshire to use their Turnpike and assuming that they are now using the Massachusetts Turnpike, if these tandem trailers do come up to enter Maine, how then will they get across the bridge between Newburyport and Kittery? This is rather narrow; certainly it isn't a divided highway. Would they have to break down and haul them over individually?

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

Mr. SNOW: Mr. Speaker and Members of the House: In answer to the question of the gentleman from Solon, Mr. Hanson, I believe they would have to break down and go over the bridge as individual units, but we are in the process of building a new bridge that will be four-lane.

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

Mrs. CARSWELL: Mr. Speaker and Members of the House: I would just like to make a point clear that as it is now we have to break down our loads and in some states we are allotted more weight than we are in other states.

So we have to send two trucks and once you get over the line where the load is limited then you can put the produce or whatever it might be back on the other truck, so it really wouldn't be any different. Now, in as far as the winter goes, too, these trucks are, many of them are equipped with sanders. I know that this is not the complete answer as far as safety but I have driven, as I said before, across the United States a couple times and I don't find any safety problems at all in passing these rigs. I hope that the bill is passed because I do feel that it will put Maine in a competitive position with other states.

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

Mr. TRUMAN: Mr. Speaker and Members of the House: I have been listening to this debate for two days now and I think, finally, I would like to put my two cents worth into it. I am in the wholesale food business, institutional business, and I receive 95% of my product by truck. I sell dry goods, frozen foods, wet goods, fresh fruit and produce. In many instances, with a mixed cargo, some of the dry cargo has come in damaged so I have had to put in a claim against the trucking industry for reimbursement. Now I know that eventually, when the trucking company has to pay me damage, it eventually will reflect in higher rates in the trucking industry. So I hope you will go along with this bill. Thank you.

The SPEAKER: The pending question is on the motion of the gentleman from Mars Hill, Mr. Dickinson, that Bill "An Act relating to Tandem Trailers," Senate Paper 595, L. D. 1573, be indefinitely postponed. A roll call has been ordered. All of those who are in favor of indefinite postponement will vote yes; those opposed will vote no. The Chair opens the vote.

ROLL CALL

YEA — Allen, Belanger, Beliveau, Benson, Berman, Birt, Bragdon, Brennan, Bunker, Carey, Carrier, Carroll, Conley, Cornell, Cote, Crockett, Curran, D'Alfonso,

Danton, Dennett, Dickinson, Dunn, Durgin, Eustis, Ewer, Fecteau, Fortier, Foster, Fuller, Giroux, Hanson, H. L.; Hanson, P. K.; Hinds, Hodgkins, Huber, Humphrey, Immonen, Jameson, Jewell, Lewin, Maddox, McMann, Minkowsky, Mosher, Nadeau, N. L.; Pike, Porter, Rackliff, Richardson, G. A.; Richardson, H. L.; Rideout, Snow, P. J.; Starbird, Trask, Waltz, Wheeler.

NAY — Baker, R. E.; Bedard, Bernard, Binnette, Boudreau, Bourgoin, Brown, Buck, Burnham, Carswell, Champagne, Clark, Cottrell, Crommett, Crosby, Cushing, Darey, Drigotas, Drummond, Edwards, Evans, Farrington, Fraser, Gauthier, Hall, Harnois, Harvey, Haynes, Henley, Hennessey, Hewes, Hichens, Hoover, Hunter, Keyte, Lebel, Levesque, Lincoln, Lycette, Martin, Miliano, Nadeau, J. F. R.; Philbrook, Prince, Quinn, Robertson, Robinson, Rocheleau, Ross, Roy, Sawyer, Scott, C. F.; Scribner, Shaw, Shute, Snowe, P.; Sullivan, Thompson, Truman, Watts, White, Wight, Wood.

ABSENT — Baker, E. B.; Bradstreet, Cookson, Couture, Dudley, Gaudreau, Gill, Hanson, B. B.; Harriman, Hawes, Healy, Jalbert, Jannelle, Kilroy, Kyes, Lewis, Littlefield, McNally, Meisner, Noyes, Payson, Pendergast, Quimby, Sahagian, Scott, G. W.; Soulas, Susi, Tanguay, Townsend, Williams.

Yes, 56; No, 63; Absent, 30.

The SPEAKER: The Chair will announce the vote. Fifty-six having voted in the affirmative and sixty-three in the negative, the motion to indefinitely postpone does not prevail.

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

The SPEAKER: The Chair recognizes the gentleman from Glenburn, Mr. Cookson.

Mr. COOKSON: Mr. Speaker, my vote did not record on the previous question. I intended to vote "No".

The SPEAKER: The Chair would advise the gentleman from Glenburn, Mr. Cookson, that his vote of "No" cannot be recorded

inasmuch as the vote has been announced.

Constitutional Amendment Tabled and Assigned

Resolve Proposing an Amendment to the Constitution Pledging Credit of the State and Providing for the Issuance of Bonds Not Exceeding One Million Dollars for Loans for Maine Students in Higher Education (S. P. 618) (L. D. 1616)

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

(On motion of Mr. Richardson of Stonington, tabled pending final passage and specially assigned for Wednesday, June 7.)

Passed to Be Enacted

An Act Appropriating Operating Funds for Vocational Educational Institute in Washington County (S. P. 136) (L. D. 266)

An Act Providing for Associate Degree in Nursing at Aroostook State College (S. P. 296) (L. D. 735)

An Act relating to Directors of Insurance Companies (S. P. 386) (L. D. 1020)

An Act relating to Countersigning Fees for Insurance Agents and Brokers (H. P. 875) (L. D. 1287)

An Act Providing for a New Charter for the City of Waterville (H. P. 945) (L. D. 1385)

An Act to Grant Public Utilities Commission Control Over Co-operatives (H. P. 1168) (L. D. 1669)

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.

Order Out of Order

Mrs. Baker of Winthrop presented the following Order out of order and moved its passage:

WHEREAS, Winthrop High School has won State Class M track championship to climax the greatest track and field season in the history of the school; now, therefore, be it

ORDERED, that the Members of House of the 103rd Legislature extend to the participants and their

coach, Arthur Warren, a message of commendation for their outstanding accomplishment in the field of sports; and be it further

ORDERED, that a certified copy of this Order be transmitted by the Clerk of the House of Representatives to the officials of Winthrop High School.

The Order received passage.

Mrs. Carswell of Portland was granted unanimous consent to address the House.

Mrs. CARSWELL: Mr. Speaker and Members of the House: Today, from 2:00 to 4:00 at Stevens Training Center in Hallowell, will be the dedication ceremony of the Governor Reed gymnasium and all legislators are invited.

Orders of the Day

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

Bill "An Act Regulating Snow Traveling Vehicles" (S. P. 654) (L. D. 1666)

(In Senate, passed to be engrossed as amended by Senate Amendment "A" (S-171))

Tabled—June 1, by Mr. Haynes of Camden.

Pending—Motion of Mr. Dudley of Enfield to indefinitely postpone.

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

Mr. HAYNES: Mr. Speaker and Members of the House: I would hope that the House will vote against indefinite postponement of this bill. I have an amendment which I will offer.

The SPEAKER: If the gentleman has an amendment the Chair would advise the gentleman that an amendment has precedence over the motion to indefinitely postpone.

Thereupon, Mr. Haynes of Camden offered House Amendment "A" and moved its adoption.

House Amendment "A" was read by the Clerk as follows:

HOUSE AMENDMENT "A" to S. P. 654, L. D. 1666, Bill, "An Act Regulating Snow Traveling Vehicles."

Amend said Bill in section 1 by striking out in the 4th and 5th lines of subsection 3 of that part desig-

nated "§ 2151" (3rd and 4th lines in L. D. 1666) the underlined punctuation and words ", used principally for recreational purposes"

Further amend said Bill in section 1 by striking out all of subsection 5 of that part designated "§ 2158" (same in L. D. 1666) and inserting in place thereof the following:

'5. Age restriction for operation. It shall be unlawful for any person under 12 years of age to operate any snow traveling vehicle unless he is under the immediate supervision of a person who is at least 16 years of age. This restriction shall not apply to the operation of any such snow traveling vehicle by any person on lands owned or occupied by him. No person under the age of 16 years shall operate such snow traveling vehicle when crossing any public way maintained for travel. No operator's license shall be required for crossing such public ways.

6. Noise. No person shall operate a snow traveling vehicle without an adequate muffler or operate in such a manner as to cause a harsh, objectionable or unreasonable noise.

7. Operating on land of another. Any person operating a snow traveling vehicle upon the land of another shall stop and identify himself upon the request of the landowner or his duly authorized representative.'

Further amend said Bill in section 1 by inserting after the underlined word "regulations" in the 2nd line of that part designated "§ 2159" (first line in L. D. 1666) the underlined words, figures and punctuation 'in accordance with Title 5, chapter 303,'

Further amend said Bill in section 1 by inserting after the first subsection 3 of that part designated "§ 2159." (same in L. D. 1666) the following underlined subsection:

'4. Temporary registrations. Regulations providing for issuance of temporary registrations.'

The SPEAKER: Is it now the pleasure of the House to adopt House Amendment "A"?

The Chair recognizes the gentleman from Chelsea, Mr. Shaw.

Mr. SHAW: Mr. Speaker and Members of the House: This bill had a very extensive hearing in the Legal Affairs Committee. This was drawn up through the cooperation of several hundreds of people and a great many of the departments in the State. It is not a perfect bill by a long shot, but it stands to fill a need which is really there. Unfortunately under this amendment which is quite extensive, there are several things that were taken up at the committee hearing and passed over.

For instance, in the first part of this bill they want to amend the part designated 2151 and take out "used principally for recreational purposes." We took that under consideration in the Committee and we decided that that would even mean that the logging equipment would be included in the Snow Sled law, which was impractical.

Under the next section they want it to be unlawful "for any person under 12 years of age to operate any snow traveling vehicle unless he is under the immediate supervision of a person who is at least 16 years of age." Now a great many of the people who testified thought that children at age of 6 could handle these vehicles adequately. The Committee thought that was too young for a heavy vehicle which would go forty miles an hour or better. It could get away from them. So the part that we had in the bill was a compromise for a great many ideas.

The next section under "Noise" says that the vehicle must have an adequate muffler or not operate "in such a manner as to cause a harsh, objectionable or unreasonable noise." That's a matter of opinion, and when you get the enforcement of that it's impractical unless you have a suitable limit on that.

I think that the amendment is too extensive and there are too many things wrong with it, and I move for indefinite postponement of the amendment.

The SPEAKER: The gentleman from Chelsea, Mr. Shaw, now moves the indefinite postponement of House Amendment "A".

Mr. Haynes of Camden then requested a division.

The SPEAKER: A vote has been requested. Is the House ready for the question?

The Chair recognizes the gentleman from Mars Hill, Mr. Dickinson.

Mr. DICKINSON: Mr. Speaker and Members of the House: I can appreciate the problems of purchasing of snowmobiles and dealers. Under this proposal there is no provision for temporary registration of a snowmobile, and most everyone who purchases one of these machines wants to use it at the time of purchase. The amendment of the gentleman from Camden, Mr. Haynes, would provide for temporary registration to be handled by the Secretary of State. It is similar to that now in effect for automobiles and, as a result of legislation during this session, now applicable to boats.

It certainly seems to me that we should give this serious consideration and make provisions so that these vehicles can be temporarily registered pending receipt of proper registration. We have the procedure all set up in this legislation that we have passed for boats and it would merely be a provision patterned after that. I thank you.

The SPEAKER: The Chair recognizes the gentleman from Glenburn, Mr. Cookson.

Mr. COOKSON: Mr. Speaker and Members of the House: I personally would like to see this bill go on its way this morning and not be indefinitely postponed, or amended either. At about the third reading I think we will be able to get together and come up with some amendments that might be agreeable to all. I notice the House Chairman of the Committee which put this bill out "Ought to pass" is not here today and I am sure she was quite upset about it. So, for that reason I hope that we will pass the bill along and give it its first two readings today.

The SPEAKER: Is the House ready for the question? The pending question is on the motion of the gentleman from Chelsea, Mr. Shaw, to indefinitely postpone House Amendment "A". A vote has been requested. All those in favor of indefinite postponement of House Amendment "A" will vote

yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

50 having voted in the affirmative and 56 having voted in the negative, the motion did not prevail.

The SPEAKER: Is it now the pleasure of the House to adopt House Amendment "A"?

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

Mr. MARTIN: Mr. Speaker, I now offer House Amendment "A" to House Amendment "A" and move its adoption and I wish to speak to my motion.

The SPEAKER: The gentleman from Eagle Lake, Mr. Martin, now offers House Amendment "A" to House Amendment "A" and moves its adoption.

The gentleman may proceed.

Mr. MARTIN: Mr. Speaker and Members of the House: If you will note my amendment is filed under number H-393 and deals with only one portion of the bill itself, and this has to do with the age requirement or age restriction for operation of the vehicle. What I have done is to remove any reference to age in terms of operating a snow vehicle when it is out in the woods or in an open field. I have left in an age requirement when that vehicle is crossing a public way maintained for travel. And this, of course, I think solves many of the problems that the original L.D. had in relationship to the age requirement and I know that it solves many of the problems that I was faced with when this bill came to the people from my area. I certainly hope that this amendment is adopted.

Thereupon, House Amendment "A" to House Amendment "A" was read by the Clerk as follows:

HOUSE AMENDMENT "A" to HOUSE AMENDMENT "A" to S. P. 654, L. D. 1666, Bill, "An Act Regulating Snow Traveling Vehicles."

Amend said Amendment by striking out all of the 3rd paragraph designated "5." and inserting in place thereof the following:

'5. Age restriction for operation. No person under the age of 14 years shall operate such snow traveling vehicle when crossing

any public way maintained for travel. No operator's license shall be required for crossing such public ways.'

House Amendment "A" to House Amendment "A" was adopted. House Amendment "A" as amended by House Amendment "A" thereto was adopted, and the Bill was passed to be engrossed as amended by Senate Amendment "A" and House Amendment "A" as amended by House Amendment "A" thereto in non-concurrence and sent up for concurrence.

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

Mr. DUDLEY: Mr. Speaker, don't we have a motion before the House to indefinitely postpone?

The SPEAKER: The Chair would advise the gentleman that it has been passed to be engrossed and is sent to the Senate. The Chair would advise the gentleman that his motion to indefinitely postpone did not have the priority of the amendment—the offering of amendments.

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

Bill "An Act to Revise the Laws Relating to Authority for Granting Degrees and to Approval of Degree-Granting Institutions" (S. P. 637) (L. D. 1641) (In House, enacted) (In Senate, passed to be engrossed as amended by Senate Amendment "A" (S-168))

Tabled—June 1, by Mr. Littlefield of Hampden.

Pending—Further consideration.

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

Mr. MINKOWSKY: Mr. Speaker and Members of the House: L. D. 1641, Bill, "An Act to Revise the Laws Relating to Authority for Granting Degrees and to Approval of Degree-Granting Institutions," is not much different than its predecessor which was L. D. 1368, which is strictly a Department of Education bill which in essence takes away our legislative power when Legislature is not in session.

I refer to section 3 captioned "Temporary Approval" and I quote, "When the Legislature is not in session, the State Board of Education shall have the power to grant to an applicant, who has secured from the board a certificate of temporary approval, permission to use the term 'junior college', 'college' or 'university' in its name until the expiration of the academic year in which the next regular session of the Legislature convenes. Said board shall establish regulations concerning the requirements for licensure and temporary approval. In the establishment of such regulations, said board shall seek the advice of the Higher Education Council."

There are simply not enough new private institutions of higher learning coming into the State of Maine that warrants giving the Education Department this power. The law is quite clear regarding new institutions as was proven in the case of John F. Kennedy Institute and Unity Institute and I might add, as well as Bliss College and Beales. We in the Legislature have always made this decision and I sincerely believe it is the feeling of all in this branch that we shall continue to make this decision and I sincerely hope somebody would table this for a couple of days so that further analysis can be made of this and of the opinion rendered from the Attorney General, and the possibility of having an amendment which will delete this section.

Whereupon, on motion of Mr. Robertson of Brewer, tabled pending further consideration and specially assigned for Wednesday, June 7.

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

Bill "An Act to Make Allocations from the General Highway Fund for the Fiscal Years Ending June 30, 1968 and June 30, 1969" (H. P. 1173) (L. D. 1672)

Tabled—June 1, by Mr. Crockett of Freeport.

Pending — Passage to be engrossed. (House Amendment "A" (H-350))

Thereupon, passed to be engrossed as amended by House Amendment "A" and sent to the Senate.

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

Bill "An Act Revising the Motor Vehicle Dealer Registration Law" (H. P. 1164) (L. D. 1665)

Tabled—June 1, by Mr. Richardson of Cumberland.

Pending—Motion of Mr. Pendergast of Kennebunkport to indefinitely postpone House Amendment "A" (H-342)

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

Mr. DICKINSON: Mr. Speaker and Members of the House: I have two amendments which I would like to offer to this at the proper time.

The SPEAKER: The gentleman may.

The pending question is on the motion of the gentleman from Kennebunkport, Mr. Pendergast, to indefinitely postpone House Amendment "A". Is the House ready for the question?

The SPEAKER: The Chair recognizes the gentleman from Old Orchard Beach, Mr. Danton.

Mr. DANTON: Mr. Speaker and Members of the House: I rise in opposition to the motion to indefinitely postpone the amendment in question. Prior to a few weeks ago I had very little interest in this type of legislation until it came to my attention that there are many abuses of our present new dealer and used car dealer registration plate law. And for that reason I delved into the question and found that the amendment offered by the gentleman from Van Buren, Mr. Lebel, is a fair and just amendment which would provide opportunity to the used car dealers and to the new car dealers to conduct their business without giving them the opportunity to abuse the law in a fashion that they have in the past. Now, I don't know whether all the members of this House are aware of it or not, but it seems to be the practice today that when a man works for a used car dealer or

new car dealer he is given fringe benefits in that he doesn't have to pay his registration plate fee, he doesn't have to pay his excise tax fee to the local government and he doesn't have to pay his sales tax fee.

Now, it would seem to me, that if these fringe benefits are to be offered by an employer they would be coming out of his pocket and not out of the taxpayer's pocket. Upon further investigation, I found out that many members of the family of used car dealers are using the used car dealer plates and new car dealer plates as well, to conduct little private businesses of their own, conducting schools, transporting children, etc. So, upon further study of this bill I found out that Mr. Lebel's amendment was an amendment that was given a great deal of thought by that gentleman and it is a fair amendment to the present bill, and at this time I would like to congratulate the Committee on Transportation for coming out with a New Draft of the bill. They have tried to do their best and I think that the amendment offered by Mr. Lebel improves this New Draft and for that reason I urge all of you to oppose the motion to indefinitely postpone this amendment.

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

Mr. McMANN: Mr. Speaker, this was tabled by Representative Pendergast and he is not in attendance. I make a motion that this be tabled until the next legislative day.

Whereupon, on motion of Mr. Benson of Southwest Harbor, tabled pending the motion of Mr. Pendergast of Kennebunkport to indefinitely postpone House Amendment "A" and specially assigned for tomorrow.

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

Bill "An Act to Appropriate Moneys for the Expenditures of State Government and for Other Purposes for the Fiscal Year Ending June 30, 1968 and June 30, 1969" (S. P. 597) (L. D. 1575) (In

House, passed to be engrossed) (In Senate, passed to be engrossed as amended by Senate Amendment "A" (L. D. 1682) in non-concurrence).

Tabled—June 2, by Mr. Richardson of Cumberland.

Pending—Further consideration.

On motion of Mr. Richardson, the House voted to recede.

Senate Amendment "A", L. D. 1682, was read by the Clerk.

Mr. Richardson of Cumberland offered House Amendment "A" to Senate Amendment "A" and moved its adoption.

House Amendment "A" to Senate Amendment "A" was read by the Clerk as follows:

HOUSE AMENDMENT "A" to SENATE AMENDMENT "A" to S. P. 597, L. D. 1575, Bill, "An Act to Appropriate Moneys for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1968 and June 30, 1969."

Amend said Amendment in that part designated "§3722," of section 3 of subsection 7 of section C by striking out the 3rd sentence of the 2nd paragraph and inserting in place thereof the following underlined sentence: **'To this amount shall be added 90% of the average of the 2 preceding years' expenditures for pupil transportation.'**

The SPEAKER: The gentleman may proceed.

Mr. RICHARDSON: Mr. Speaker and Ladies and Gentlemen of the House: Before offering a series of amendments to L. D. 1575, I thought it might be helpful to the orderly consideration of this bill if I indicated to you that in view of the fact that the Representative from Lewiston, Mr. Jalbert, is absent, and that I know that he intends to offer an amendment which has already been printed and distributed, it is our present intention to offer these amendments to keep the bill in the amendable stage as a courtesy to Mr. Jalbert and anyone else who wishes to offer amendments. In other words, it is not the intention of the Republican leadership to attempt to pass this bill to be engrossed today. We simply would like to put on these amendments,

describe what they do and leave the bill short of engrossment in order to permit any additional amendments that may be desired.

First of all, House Amendment "A" to Senate Amendment "A" under filing H-381 replaces the word "average" which was inadvertently left out of Senate Amendment "A," it was used I believe in four out of five of the necessary places and this was the result of typographical error and it was not included within the Senate Amendment.

Senate Amendment "A" to the basic bill 1575 places a grandfather clause in the foundation program to insure that no school district will receive less than it would have had this bill not become law. This Senate Amendment under L. D. 1682 contains the Republican program for oceanography, the foundation program of which more later and the state employees pay raises recommended, and benefits recommended by the Republican program. Mr. Speaker, I move the adoption of House Amendment "A" to Senate Amendment "A."

The SPEAKER: The gentleman from Cumberland, Mr. Richardson now moves the adoption of House Amendment "A" to Senate Amendment "A."

The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: There is no doubt that there is dire need for this amendment. There is also no doubt in my mind that a sincere effort is being made by the majority party to eliminate some of the outstanding errors that were presented in this amendment. However, I find myself in the position this morning, that this may very well be a need, this may very well be a need now and it may very well be a need in the future. Somehow, I find myself in the position that not only the education subsidies are in need or the revisions of the foundation program allowances are in need, but I find that in many other areas of state government, there is also a great need.

In order for us to be responsive to the needs of the general people of our State of Maine, who are in turn the taxpayers, I find that we would be just as well justified by asking a percentage increase for all these other needed departments — Department of Health and Welfare, Mental Health and Corrections, the University of Maine, the State colleges, Highway, all these other departments are in need. Somehow or other I get the impression from the general taxpayers that they do not want to be faced with the possibility of a major tax increase back to back. I find myself in the position, in loyal opposition, of not being able to support this amendment because this is exactly what it will do, saddle the taxpayers of our State with a major tax increase this year and also two years hence by creating in itself an increase in our current services budget two years from now of a deficit of \$46 million.

With those and many other reasons, I find that the Republican Party in this State, and certainly not all Republicans, put themselves in the position of a little story that I heard many years ago and it is still very true today. Being a Catholic, we find that every now and then through the different parishes, the parish priests ask for apostles of the church to go to the different churches and remind the people of what their responsibilities are. So this parish priest at this little meeting with his congregation — and naturally most of these priests will carry a crucifix with them at all times, this parish priest was in the church preaching to his congregation and at the same time was holding the crucifix and he would point out to the parishioners that you have crucified Jesus Christ by your sins. And again — you have crucified Jesus Christ by your various acts or deeds, and just about at that time a very gentle lady in the middle of the church got up and she says to the priest, she said "You go ahead and break his neck this morning, and then say we did it."

So there is a little bit of a moral behind that story, I feel, that is quite reminiscent of the Republican Party in our State. The Republican Party in our State seems to have taken the position over the years not necessarily for progress, but as long as we can vote against something. So this year I think probably the Republican Party has come out saying that we are for reforms. We are for reforms — yes. The same reforms that we have failed to enact many, many years ago and have failed to enact at this session of the Legislature. We want to enact reforms in the ways of taking away from the voter the right to have a choice as to how they are going to vote, yet by the same voices, failed to allow the twenty year olds to vote because it did not give them the right to buy a drink, where this could very well be done by statutory amendment.

I certainly don't want to belabor these arguments this morning any longer than I have to, but somehow or other a certain amount of debate is in order this morning and I fail to see where if we buy this amendment this morning that this is going to be progress back to back with a major tax increase. I think the Governor and the Minority Party have taken a stand of the Governor's proposals and as you have all heard, he is open minded, he is open for discussion, he is open for compromise, and those doors and avenues are still open.

We in the minority feel that there is no need to put this State with a \$46 million deficit at this stage of the game. And there are many, many reasons why we feel this way. I think possibly two years ago was one of the more progressive legislatures that had been in these halls here for a good many years. And certainly this progress was made and we also want to see the State of Maine progress in years to come. Although with the Governor's proposal we feel that in the field of education, that a 25, 26 and 27% and more increases have been made toward school subsidies, we feel this is justifiable and this is on the right path. We also feel that in the second year of the biennium, some

area of compromise could very well be in the picture. So, therefore, ladies and gentlemen, this morning I hope that this amendment will fail of passage.

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

Mr. SULLIVAN: Mr. Speaker and Members of the House: I feel I have an obligation to speak for the majority of the people of this state. 55 or 56% of the people of this State, families, have take-home pay of \$4,000 a year or less. All this amendment would do would be to again load those people with more taxation. And 55 or 56% of the people are already overtaxed. And this proposal, which in my opinion is a lot of hokey, a camouflage. Now who are we going to look out for? Certain special interests of this state, certain people who favor it because they have been told it will do this and do that and do the other thing — like, it will reduce their property taxes. Please don't make me laugh too loud.

The Republican Party in the past, not all of them, but quite a proportion of them have always been seemingly interested in protecting the interests of mainly entrenched people with big incomes. If they would get up here and tell the truth, all this is, is a political move. Are they considering the interests of the majority of the people of this State with their proposal? The answer is — of course not. And I would like to debate my good and very dear friend, the majority leader at any time he says, particularly down in Portland, I would like to debate it before the Greater Portland Chamber of Commerce or in City Hall or any places that he chooses. And I'll pick his suggestions and his reasoning to pieces and I of course give him the advantage that he is a very well trained lawyer with a better official education than I have. But I don't concede that he has any more general knowledge than I have. I concede that he possibly has more knowledge in the legal field, but I am talking about general knowledge.

I am a little bit, frankly, sick and tired of these political moves and they camouflage them so that

the average person who was so busy in the State of Maine earning a meager living, why don't they consider helping those people who are already overtaxed? And that represents, in my opinion, about 60% of the people of this state. And it's always when you propose that it should be some measure that will make taxation in this State just and equitable as it should be, and which in my opinion it is not.

I suggest they cut out this camouflage, which in my opinion a lot of it is downright hypocrisy. I realize I am taking up a lot of time but this is being forced upon me and is being forced upon a lot of other people. I trust that that very smart lawyer, I might term one of the legal lights of the State of Maine, I trust he will accept my challenge. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker and Members of the House: I must point out this morning that certainly this amendment, as I look at it, would be somewhat deceiving to sixty of our odd school administrative districts at this time of the year. Since the adoption of the Sinclair Law in 1957, most of the far reaching communities — the smaller communities that have joined together in consolidating their school systems, have been promised, or at least an indication of a promise, that they would receive 100% of their transportation subsidies. Now I find that this amendment reduces their transportation subsidies to 90% of the two preceding years. Now I fail to see, if we have promised a group of communities under the School Administrative District that we are going to pay them 100% on transportation subsidies, that we should narrow it down now to 90%. Certainly those far reaching communities, a big cost of transportation is one of their major costs, so therefore we should not lower the state payments of school subsidies to transportation, but we should at least leave it as it is.

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

Mr. SULLIVAN: Mr. Speaker and Members of the House: If I may add a few other things. This bill has promised the teaching profession more money, etcetera, etcetera. I received probably about twenty-five letters from teachers and what I particularly resent is receiving letters from certain teachers in the Portland School System. And they are written on stationery and stamps that I as a taxpayer of the City of Portland including others paid for. And when they write me a letter on stationery that I helped pay for, and stamps that I helped pay for, I am particularly disturbed. And that's due—to what? To the proposal of the majority leader of this House. Why don't they have the decency and the honesty to write it on plain stationery or on their own, so that they will pay for it? Why should they keep adding and wasting—oh, all right they will say, it only amounts to probably forty or fifty dollars. I assume that those letters went out, as I know they did, to every member of the Portland delegation. That's the type of stuff you have because of the proposals of the majority leader of this House. No matter how good judgment people have, unless they have all of the facts they can't make a good judgment. I know when the majority leader of this House goes home, and I know the way his Mother brought him up, he probably says prayers every morning and evening. I suggest he say a prayer to make his judgments on the basis of what's best for the majority, not best for certain interests that have been told things that have no basis in fact. Thank you.

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

Mr. HINDS: Mr. Speaker and Ladies and Gentlemen of the House: I have spent a good part of my time this session serving on the Committee of Appropriations and Financial Affairs. This Committee probably holds more public hearings and spends more time working over the State's budget document and L. D.s than any

other committee in the Legislature.

I have seen many things come before us and I have tried to use my judgment the best I could in what would be good for the State and what we could afford, and I am not without legislative experience. I have served in one or another of these bodies three times in past sessions. And with the exception of one or two items which are very minor in this complete document, I agree almost one hundred percent.

I think that perhaps if our Minority Leader, Mr. Levesque, the gentleman from Madawaska, and some other members of his Party that are not on Appropriations could have sat through these hearings, I think they would have agreed with this budget document and I think they would have agreed that perhaps the last Legislature encouraged our colleges and our State University to increase their enrollments, take in more students, the crash program it was called and I used to read it in the newspapers because I didn't serve in the last session of the legislature, and as far as I could make out this session was supposed to make this program crash, but it wasn't in the same area as they had planned in the last session I am sure.

I live in a city of 23,000 people and I have yet to have one person object to all the discussion there has been in the newspaper about raising the sales tax, because we are quite progressive in the City of South Portland, we spend a lot of money to support our schools and our government and I feel that the people in my city that I represent want additional educational subsidies for the towns and cities and they want the University of Maine to receive more funds so that their boys and girls and relatives will be able to attend this fine institution along with our teachers colleges and our vocational institutes and I support the gentleman from Cumberland, Mr. Richardson one hundred percent and I hope this House will do the same.

Mr. Levesque of Madawaska was granted permission to speak a third time.

Mr. LEVESQUE: Mr. Speaker and Members of the House: Somehow or other I find myself in the position to try to implement some of the things here that I have already stated that might not have been heard, or they might have been heard by deaf ears.

When I made my first remarks I offered that many of the state departments are in dire need, and that that need will sooner or later come before us. I have said then that certainly the Education Department is in dire need; so are some of the other departments that I have pointed out.

The gentleman from South Portland, Mr. Hinds, pointed out that the 102nd Legislature even passed a crash program—we did, and some of our school systems of higher education have benefitted from it; and if I understand correctly the Governor's recommendations are one hundred percent of what the Department of Education has proposed to the Governor in his budget and has increased in many areas of education.

What the 102nd Legislature did, and what this Legislature is going to do, is obviously two very distinct different situations.

When the Republican Party was holding the corner office two years ago, and if I remember correctly the Democrat majority in this House and in the other unmentionable branch, passed the Governor's program in its entirety, then they supplemented the Governor's proposals, but only then—after the Governor's proposal had been adopted a hundred percent.

As I said a few minutes ago, the Republican Party has to be against something, so therefore they choose in this session of the Legislature not a proposal, not a supplemental proposal of trying to help the communities, but trying to abort the Governor's programs with their amendments—and believe me ladies and gentlemen this morning the Minority Party at this stage of the game is not about ready to see the Governor's program being aborted and then trying to pass a Sales Tax for a Republican proposal. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Limerick, Mr. Carroll.

Mr. CARROLL: Mr. Speaker and Members of the House: At this time I have a few questions and a few doubts in my mind.

Number one—some 51 towns will receive less under 636 than under the present law. I understand that the bill has been amended to grant them an increase to bring them up to the present law. All right, the question is now—how many towns are not receiving any increase in this ten million dollar expenditure?

Item number two. At the present time it is my understanding that a town spending between \$255 and \$320 would receive a four percent reward for that difference under our formula of ten years' standing. Question, doesn't this bill say that the state will not reward you four percent, but one hundred percent?

Item three. Again if the foundation figure is increased, shouldn't the state still send out our percentage, say twenty percent or sixty-four percent?

Under Title II, Section 3457 of this title; isn't someone doing some boondoggling?

Item four. Why is the \$2 million still in L.D. 1575 as amended when we thought we had agreed to bond this two million dollars?

Item five. I'd like Mr. Richardson to explain his previous statement that there will not be a \$46 million gap because the sales tax always exceeds estimates.

I have a statement from the budget office showing an average increase over estimates of 4.92 percent over the last ten years. Is he saying then, that there will be only a thirty-nine million dollar gap? If so, a six cent sales tax won't cover it, because a six cent tax will only yield twenty-eight million.

In our Revised Statutes we have what we call Table 2, a little book they issued to us here by the Education Committee, page 183, which is a formula, a formula on which our state subsidies have been paid in the past, and it appears to me that we have not repealed Table 2, but we are passing another document and it appears quite strange that if we are still going to have Table 2 on the statutes,

which one of these formulas are you going to use?

I think there is a lot of doubt and very, very many questions about this. This morning I had distributed to you a formula work sheet, and it's amazing to me we held a public hearing, and we had many people come down here objecting to the previous legislative document 636. There were so many objections, so many discrepancies that we had to have a redraft. We have a redraft which was hurriedly sent out of our committee—should have had a divided report—it was sent out; I was told there was a misunderstanding of communication. I never have any trouble communicating my thoughts to anybody unless they have their hearing aid turned off! So it appears to me that this worksheet is quite a complicated item. We have forty-five items on this worksheet, and they're all taken into consideration, and so I would like to have some member of this House get up and explain this worksheet to this House so that you will all know what you're voting for. I want you to be sure that you know what you're doing this morning.

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

Mr. BIRT: Mr. Speaker and Members of the House: I don't know how much I can help Mr. Carroll, but two years ago I had the privilege of being on the same committee that I am presently serving on. At that time the Uniform Effort Bill was presented to the Appropriations Committee and the Legislature. At that time there were two bills presented at the Legislature, one presented by Senator Snow which recommended, and eventually was the bill that came out, with a recommendation for a twenty mill rate and \$255 per pupil allowance. There was a second bill introduced by Representative Carroll dropping it down to an eleven mill rate. At that time, this worksheet that Representative Carroll is speaking on was presented to the Appropriations Committee and I believe he very likely was there, as the form that

would be used for developing the foundation program. They have continued with this same program. At that discussion the question was also asked whether they would drop the mill rate or increase the per pupil allowance in the event of any changes. At that time Mr. Gordon of the Department of Education said that undoubtedly any changes in the determination of the foundation program would be done by increasing the per pupil allowance, and this is exactly what I understand is being done now—that they're raising the per pupil allowance from \$255 to \$320 and they're using exactly the same worksheet that certainly Mr. Carroll must have had exposure to last year by having served on both the Education Committee and being a proponent of one of the Uniform Effort bills.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: The question before the House is the adoption of House Amendment "A" which involves a typographical error in the Senate Amendment of this bill, and I reluctantly embark at this point on an answer to these questions and an answer to some of the statements that have been made which I think are completely inaccurate, based on a lot of false premises.

The minority floor leader apparently delights in castigating the Republican Party as a "stand-pat, do-nothing" party, and of course he has the Floor and is entitled to make whatever statements he wants. I refuse to engage in that sort of, what I consider, unconstructive, unhelpful and obstructionist debate, and I'm speaking to members of both parties when I say this, that I think we're wasting our time when we sit here and parade all of each other's skeletons in front of one another.

The issue before us is whether or not we're going to move Maine forward now, or are we going to wait two years—that's the whole issue. It is an every day occurrence in the hall of this House for the Speaker to recognize in the

balcony of the House so many students from such and such a school who are here watching our activities. I think we owe an obligation to them and to ourselves to behave with decorum, to discuss the issues that are before us, and not try to cloud up the things.

We are on the threshold of an unprecedented stride forward in education. The only question, ladies and gentlemen, is whether or not the State of Maine assumes the larger share of the cost of education. That's really the only question.

We believe — the Republican leadership believes that through sound fiscal management we can bring about reasonable progress now when everything indicates that the progress is needed, and that no major tax is necessary in the next biennium.

Now I have some charts with me today, but before I get into those I want to give you a summary of what these charts show and what these figures show, and the information is distributed to you at my request.

First of all, the fiscally responsible use of unappropriated surplus will mean that we can reduce very substantially this alleged or so-called revenue gap that the Governor is talking about. We propose a new concept for the use of unappropriated surplus to pay bond maturities, to pay for those items that are bonded construction items.

Secondly, we believe that a realistic appraisal of the foundation program will show that the Governor's projected cost of the foundation program is without substance.

Third, we believe that an impartial assessment by the President of the University of Maine of the projected student population at that great student university will show that the need is now for action at the University of Maine.

And finally, I suggest to you that we can demonstrate that with corrections in some calculation errors an additional sum in excess of \$400,000 is realized. In other words, I'm going to show you the figures that will demonstrate the

net reduction of this alleged revenue gap in the amount of \$22,490,000.

We also maintain that an analysis of the revenue measures which we propose on the basis of past experience and conservative assessment of the effect of these measures for the future show a revenue gain of \$24,786,600.

I have some charts and I'm going to go through them very quickly. I have distributed this information to you and as I indicated at the outset, I do not intend, the leadership does not intend to attempt to push this bill to engrossment today. We welcome debate — we welcome questions, and that's the reason why after we hopefully get these amendments on the bill, I intend to ask that it be tabled so that Representative Jalbert from Lewiston, and anyone else can offer amendments and can ask questions, and let's have it out and let's let the truth come out.

First of all, Chart A, is a reproduction of a chart used by the Governor. This breakdown shows the 1965, 1967 biennium. It points out that the figures used are true, are correct with the exception of the last, the Governor on his chart said that the anticipated revenues for the biennium would be 190.9 million. Naturally, the figure is 191 million.

In the 1967-69 biennium the Governor's chart fails to take account of the fact that we intend to use a certain portion of general fund surplus for the retirement of bond maturities — this is the principle I was talking to you about a moment ago.

Then the Governor got into this question that has been raised again by the Minority Floor Leader of the 1969-1971 biennium. That is, what kind of problems are we giving the 104th Legislature? Well we believe that the statements here on anticipated budget requests from our program, on anticipated budget recommendations, and on anticipated revenues are completely false and without justification.

Chart B, ladies and gentlemen, is a projection, or using the same chart that the Governor used

except that we arranged them so that all the apples are in one picture, and all the oranges, if I may use that expression. In other words, budget requests are included by biennium, or legislative session, 102nd, 103rd, 104th. The same thing goes down to line here — budget recommendations, anticipated revenues and anticipated from the 104th Legislature.

I would call to your attention on Chart B the striking similarity between the size of the programs recommended by the Republican Party, 242.8, less debt retirement, and the Governor's program, 244.5. You see the recommendations that he makes to the Legislature, or that we make are 242.8; the Governor's program 244.5. Now the significant thing that this chart shows is that even using the Governor's figures with which we violently disagree, the 102nd Maine Legislature built in costs far in excess of anything that this Legislature proposes for the 104th, even assuming the Governor's figures are true, which we say they are not.

Finally down here at the bottom in red is the revenue gap that the Maine public is being asked to buy as the reason to delay Maine's future.

Chart C, and I would remind you again that all of these charts are available for your evaluation. Chart C shows a mathematical error in computation, it is a breakdown to show these figures. I ask you to note that the Governor suggests the anticipated revenues in the 1965-67 biennium on the chart that he brought out, the 194 million, of course this is incorrect, it's 191 million.

The last, Chart D, as you can see, cram full of information, and we invite inspection, check the figures and you'll see that Chart D brings out again the striking comparison between the size of the Governor's program which is up here 244.5 and the Republican program which is 242.8. What is all the argument about?

Ladies and gentlemen—it's right here, where the Governor recommends a financial bonding program of 17.5 million dollars, and

lending that money at 3.31 percent a favorable rate which we'll just assume for the purpose of not exaggerating, assuming a favorable rate, the interest on that is seven million dollars, in excess of seven million dollars.

Now we say that this is irresponsible and indiscriminate use of the state's powers. Now, we also point out that in the Governor's program he's talking about the use of 4.4 million dollars of unappropriated surplus to finance current services. Now, of course the fact that Governors Muskie, Clauson and Reed took positions opposed to this is interesting and helpful, but the most valid authority we think for not going along with the use of unappropriated surplus to finance current services is the tax foundation, a non-partisan organization which is concerned with state expenditure controls and state finance, and on page 70 of their report, the following statement is made: "In those states (the great majority) which simply forward surpluses into the next fiscal period with no restrictions as to their use, the existence of such surpluses may cause the state to engage in questionable fiscal operations. If the surplus is the result of temporary conditions, then it is a 'non-recurring revenue.' To use 'non-recurring revenues' for current operations, or to initiate new programs, expand existing programs, or reduce taxes would seem to be unwise. Nevertheless, some states have engaged in such practices. Preferred uses of such funds would appear to be to earmark them for capital improvement funds, to retire outstanding bond issues, to set up a stabilization fund to provide a financial cushion against future recessions, or to maintain 'working capital funds.' "

We propose to retire bonded indebtedness principle with unappropriated surplus.

The Republican program utilizes the increase of general fund undedicated revenue, the increase of estimates ordered by the Governor, the increase in liquor prices ordered by the Governor, and takes the surplus as I have indicated and

puts it into retirement and bond maturities.

Chart E I think pretty graphically demonstrates why when you're talking about unappropriated surplus, it's a bad idea to plan the state's financial future on the anticipation that unappropriated surplus is going to be carrying the load, because as you can see, Chart E, which shows the actual, available unappropriated surplus in the sessions involved is a very, very fluctuating figure. You can't pass programs, or at least we feel that you shouldn't, unless you have the courage to pass the tax revenues to pay for them. Any other procedure is simply delaying the inevitable and produces disaster.

Next—I have no chart for the next one, but on your desks you have a sheet of paper marked Chart F. Chart F is the breakdown and indicates how by the use of a financially responsible program we reduce the so-called revenue gap by \$6,500,000. This is by appropriation from the unappropriated surplus of the general fund for payment of General Fund bond maturities. We appropriate to that three million, four hundred and seventy-five.

In Section B of the bill we deplore, and if you will, condemn the practice of floating bonds in order to get money to reinvest on the market. We say that when the people of Maine vote for these bond issues they expect them to be issued when, as and if the need for those bonds on the basis upon which they were voted, has been shown. If we go out and float a bond issue and say that we're going to build vocational training schools, we Republicans say—let's spend the money for that purpose, let's not use these funds from investment or arbitrage, as it is called, for anything other than the purpose for which the people authorize the spending.

In sub-section C, there are adjustments made in bond maturities and in sub-section D, you will note the alternative Republican plan with respect to issues.

Next, I have given you Chart G which is probably the most im-

portant thing we are going to talk about today.

The budget office, apparently using a formula suggested by the Governor or his staff, projects the cost of the foundation program that they — for the 104th, that is, \$25 million. I've heard the figure \$23 million, I've heard the figure \$27 million. Now apparently the budget office got this figure by taking past history and drawing a straight line of projected costs. Well of course, this is invalid for the reasons set forth in the memorandum from Asa Gordon to me, copies of which are on your desks. What does it say — it says because of the rapid decrease in the formation of school administrative districts, so that only one has been before this session of the Legislature, because B, assuming that if inflation continues at roughly its present rate; and C, because the poorer cities and towns don't make the maximum effort; and finally D, because of the limiting factors in this L. D. itself which limits the expansion, because of all these reasons, the State Department of Education, the people who know, talk about a built-in cost of 11.5 million dollars. I encourage you to read the memorandum.

Chart G which is before you is a breakdown of the Department of Education departmental requests, and let's start reading across lines 1962. There is a percentage total figure, and under that it says 78 percent. What this means is, this is the percentage of the total departmental budget used for general purpose subsidies. Follow down if you will, and note how every session right up until 1966 makes this contribution to general purpose subsidies. What happened in 1966, when the 102nd Legislature sat? General purpose subsidies for education fell to their lowest percentage in the five-year period. In 1967, you will note that the built-in increases resulting from the actions of the 102nd put us up to 81 percent.

Now we've heard a lot of discussion, a lot of criticism of our program about — what are you doing for the state colleges and vocational schools? If you will

note, our program the first figure under 1968 says 78 percent, then off to the right is 58 percent. I think you'll find if you examine the budget document that the Republican program goes far, far beyond what was projected as being adequate by the Governor.

The biennium about which we're having all the discussion, again, what's going to happen in the 104th — that biennium for 1969-1971 will involve a projected increase which results in a \$15,355,000 reduction in the Governor's alleged revenue gap. The revenue gap, by this one significant error alone, is shown to be \$15 million less than the figures that are being bandied about.

Next — and I apologize to you for taking so long, but we've heard so much of this for so long it's time that the record is set straight.

Next before you is a letter from the President of the University of Maine to me dated May 31, 1967. What does this letter show? It shows that in '67 - '68 we can anticipate a student population increase of 700 to 800 students — a 700 pupil increase in 1967. 1968-69 Dr. Young says four to five hundred. 1969-1970, three to four hundred. In 1970-1971, three hundred to four hundred. What does all this mean? It means that if we were really serious in the 102nd about our crash program in education, we'll have the courage now to come forward with the necessary funds to provide that those facilities are operated at their full capacity — that the teachers and professors that have been hired on the commitment made by the 102nd are actually there to teach Maine's young people. What this letter says is that the need is now — now!

Chart H is a breakdown of the figures based on these enrollment projections indicating that with adjustments made in order to meet the current need, the alleged revenue gap is reduced by one million two hundred and fifty thousand dollars.

Chart I, which is before you, and I do not want to go into great length here — indicates errors in computations which we believe

can be demonstrated of approximately \$405,000.

Next, Chart J. Now you recall that when I talked about the Department of Education and why the foundation program isn't going to cost any twenty-five to twenty-seven million dollars, I said that you couldn't really project — you couldn't have these straight-line projections of that because to do so you'd have to assume that the history would continue about the same. Now, we as intelligent people know, that eighty percent of our students are in SAD's or under the umbrella, so to speak. We know that only one SAD has come in here this session. We know in our own minds, as much as some of us disagree with it, that we reduced the minimum from seven to five, so we are arriving at a leveling-off point in our foundation program and in our general purpose subsidies insofar as the Sinclair Act and its propositions were concerned. This is borne out by the document that Asa Gordon writes.

With respect to the sales tax, unless someone is going to tell us that inflation is not going to continue at about the same rate, and unless someone can show objective evidence that passage of an additional cent on the sales tax would depress our economy—and there has been no objective evidence of that whatever—as a matter of fact, one state within the past couple of weeks—a New England state, the Governor has signed into law a five cent sales tax, so unless and until there is some objective proof that five cents is going to depress our economy, ladies and gentleman, I ask you to look at that in all sincerity—I ask you to look at that objectively and tell us where all this static is coming from.

Now what we've done with the sales tax—start in 1964, we have added an increment at the top which makes allowance for the one-month lag—in other words, it's a time the figures aren't available, you don't have the June in, and we got this figure and I hope the gentlemen on Appropriations will follow that—we've put this additional

increment on here in order to indicate the true revenue realized, and to get that figure we've used the previous year's experience in the same month averaged out. Now let me show you what would have happened if we had started our graph at an artificially low rate by not taking into account that last month.

The line instead of going up this yellow line here, if you started it at a lower point and made allowance to get up to our experience of 1966, look at the projection you'd have.

This is a straight-line projection, the bottom of the two yellow lines, and what it indicates is what we believe the record bears out as to what we can anticipate in the way of revenues from the four-cent sales tax. Again, assuming, assuming that inflation continues at its present rate—it doesn't increase or decrease significantly, we impose a parallel line indicating the five-cent projection. Now the Governor when he got up here left out 12.1.

Now Chart K deals with the sales tax. Chart K deals with general fund, undedicated revenues, less the sales tax—in other words you take the sales tax out in order to give a clear view as to exactly what's going on.

These taxes other than the sales tax, cigarettes, liquor, are in essence, control taxes. They don't vary tremendously with inflation the way the sales tax does. A straight-line projection of these indicates very clearly that we can anticipate for example in 1969, revenues less the sales tax of \$53,543,300.

Now let me give you the breakdown: We start with the Governor's so-called revenue gap of \$46 million, and as I showed you on Chart F, because of the sound use of unappropriated surplus in a way recommended by Governors Clauson, Muskie and Reed, and in accordance with the recommendations of the tax foundation, we reduced this by \$6,500,000.

Chart G indicates that the scare figures for the foundation program are totally out of line. Our own Department of Education gives us

the figures indicating that we further reduce this so-called revenue gap by fifteen million, three hundred fifty-five thousand; on Chart H, I indicated to you that the need is now at the University of Maine, and that by meeting this need now we will meet the expectant student population and that we can anticipate a saving of a million two hundred and fifty thousand, the figures incidentally from Dr. Young, and finally we indicated to you errors in the computation of the Governor's so-called revenue gap of four hundred and five thousand, and that reduction, as I told you at the outset, in excess of \$22 million, the net revenue gain in excess of 24, leaving a figure of two million plus to meet contingencies and emergencies.

Now when the Governor first made his statement about a built-in tax gap of \$46 million, I said then and I say now, the imposition of this program at this time and taking the steps that objective, disinterested nonpartisan people say we should take, will not result in any new major tax in the next biennium. At the worst you'd have adjustments, but certainly nothing like the figure that the Governor is discussing. There is no evidence to support the position that has been taken in opposition to this program.

Ladies and gentlemen of the House, I would urge you—I don't know where these charts are going to be—I don't know whether those of you who have expressed an opinion against this program or for this program are willing to take the time to study the figures. I believe in this House; I believe in this State. If you will take the time to review these figures you will see that there is nothing phony about them. They are facts. The only thing we're debating is time. We say the time is now. Thank you.

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

Mr. HEALY: Mr. Speaker and Members of the House: The gentleman from Cumberland, Mr. Richardson, referred to figures being bandied around. I call his atten-

tion to Chart D, the seventeen and a half million dollar bond issue, and ask him to explain the seven million dollars that that will cost.

The SPEAKER: The gentleman from Portland, Mr. Healy, poses a question through the Chair to the gentleman from Cumberland, Mr. Richardson, who may answer if he chooses.

Mr. RICHARDSON: Mr. Speaker and Members of the House: As I indicated, if you take the interest on the, I believe now, I believe it is the most recent issuance of 3.31 percent, and figure it out, this is what you come up with.

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

Mr. HEALY: Mr. Speaker, the question I asked the gentleman from Cumberland, Mr. Richardson, was—he refers on Chart D to the seventeen and a half million dollar bond issue, and said the interest would be \$7 million—that's what I'd like to have explained.

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

Mr. RICHARDSON: The figure that I gave is 3.31 percent extended over the entire life of the bond issue. In other words, in order to get \$17.5 million of operating revenue to operate this State, we are paying an additional \$7 million plus, I believe it is 7.1 if you figure it out, in order to give this cash now, to bond what we view as current services.

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

Mr. HEALY: May I ask the gentleman from Cumberland, Mr. Richardson if those bonds could be called in the interim?

The SPEAKER: The gentleman from Portland, Mr. Healy, poses a question through the Chair to the gentleman from Cumberland, Mr. Richardson, who may answer if he chooses. The Chair recognizes that gentleman.

Mr. RICHARDSON: Bonds including a call feature are of course, more expensive. I don't know whether the 3.31 involved bonds with the call feature or not and I don't think they did, but in either event I think that is an awfully

poor argument for saying that we ought to bond if we can put a call feature and hope that Santa Claus is going to fall out of a tree and give us a bunch of money later on. If we have the service now, that we want to fund, and if we want to take these steps now, I say let's have the courage to raise the revenues to pay the way to do that rather than falsely and I think shamefully delude the people of the State of Maine into thinking, "Oh, well, let's pay a bond issue now—let's have a bond issue—let's borrow now and delay payment until later." This is to me the tragic consequence of bonding to pay for current services.

Mr. Levesque of Madawaska was granted permission to speak a fourth time.

Mr. LEVESQUE: Mr. Speaker and Members of the House: Certainly this morning I want to thank the Majority Floor Leader, Mr. Richardson of Cumberland, for giving us quite an artful and colorful work of art on the right hand side of the House this morning. I think probably the only thing that one can see from a chart it all depends who puts the chart together and for what purpose. I think probably that another or any member of this House could very well project a chart before us this morning that two years from now we will have our present helicopters going a thousand miles an hour. But those are bases for charts as for explaining how it may or how it can be done. In the course of his remarks, the gentleman from Cumberland, Mr. Richardson, pointed out the errors in the Governor's figures. I think possibly the errors, if there are any errors, would come from the Budget Office. Now, I fail to see where the Budget Office has been any closely related to the Democratic Party over the years, being an original appointee of the then Republican Governor, John H. Reed.

So if the Governor's figures would be wrong, or if projected figures would be wrong, they would come from the Budget Office, so I fail to see where the blame is going in the right direction. And if the 102nd had done so wrong as was projected by the gentleman

from Cumberland, Mr. Richardson, that we had some bills that increased that were clearly visible, where was the then Republican Governor John H. Reed in the office, of using his power of that office and the rest of the Republican Party?

In his remarks, I would like to further point out, that I think probably the gentleman from Cumberland, Mr. Richardson, and possibly Mr. Gordon from the Department of Education, should be in the Budget Office and not in the Education Department or in the House of Representatives. So, these and many other comments that I would like to make, but the hour is getting fairly late, and I just wanted to put in these few brief remarks in the proposals made by the gentleman from Cumberland, Mr. Richardson, that certainly in their Republican proposals now, it is quite clear, quite evident, that their proposal is to provide more subsidies not evenly distributed, but to favor some high value towns when you take some subsidies that are presently receiving, which the subsidies are now based between 18 and 64 percent. And you find a town that is presently receiving 18 or 20 percent with the eventuality that they might receive 100 percent although only 45 percent the first year and then 25 percent every year thereafter. I fail to see where this is going to help the poorer communities as far as school subsidies is concerned.

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

Mr. COTTRELL: Mr. Speaker and Members of the House: This L. D. 1682, I think we can all agree, is the most important measure of business that we have. I certainly appreciated the work and the suggestions of the presentation of the Majority Leader but at this hour it seems to me that it would be common sense and sound judgement to table this and assign it for a definite time so that the debates can be organized and made as efficient as possible, and I am just making this suggestion.

There being objection, Mr. Sullivan of Portland was denied permission to speak a third time.

The SPEAKER: The Chair recognizes the gentleman from Limerick, Mr. Carroll.

Mr. CARROLL: Mr. Speaker and Members of the House: I noticed that my good friend from Cumberland, Mr. Richardson, when he presented the Republican package, in comparing it with the Governor's Budget, plus the construction aid and bonding to 17 million, that he quoted a figure of \$11,500,000 from the Department of Education. According to my understanding, this is for one year only. So if you times that by two you come up with a figure of 23 or approximately \$25 million. Now he says that poorer towns won't meet it. This could well be true. It could be that this \$2 million decrease would come because of this. These figures are slightly phony to me.

I would also like to point out one other thing that I noticed or understood him to say, that when we decreased the number of students from 700 to 500 that we actually, he wanted to tell you, this House destroyed the Sinclair Act. It is just what I told him that they were about to do—and he this morning himself admitted it that you have only had one district formed since we have been in session this past year. Now, if we had continued to work as hard this year as we had in the past, we would have gathered up all the rest of the communities—we would have had them all in districts and then we would have begun to really show some good, sound progress. But you came down here and you took all the wind out of the sails, you cut the figure from 700 to 500; you have actually sent the message out to all the little towns "Don't join a District, you don't have to. We're your buddies! We're your buddies!" Let me tell you right now, these little towns haven't got any buddies down here.

Because in these little towns are where the big families are. And I think it is a shame, I think it is a disgrace to reach into the little man's pocketbook, take out that other cent of sales tax so you can reward the wealthy towns because this document is a document to make the rich towns richer and

it doesn't help the poor towns but a very little.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: My very good friend, Mr. Carroll, pointed out a short time ago that under 636, fifty-two towns, I believe, would lose money. I would like to call his attention to the fact that under the so-called 636 loss, there would be a total loss somewhere in the vicinity of \$46 thousand. Under the Governor's program, as presently proposed, two of my towns, poor towns, would lose almost half of this amount of money under the Governor's program—just two towns.

Mr. Richardson of Cumberland was granted permission to speak a third time.

Mr. RICHARDSON: Mr. Speaker and Members of the House: I would call the attention of the members of the House to the communication from the Department of Education over the signature of Asa Gordon, dated May 31, 1967.

"At your request, this Department has calculated the built-in costs of L. D. 1642, based on its present cost of \$9,900,000 for the 1969-71 biennium, as well as total general purpose subsidies to cities and towns (account number 4810) for the 1969-71 biennium.

L. D. 1642 will cost between \$11,000,000 and \$12,000,000 based on our calculations in the 1969-71 biennium. Twelve million dollars is a maximum built-in cost;" I would like to repeat that figure, twelve million dollars is a maximum built-in cost, "as a basis of computation of the effect of L. D. 1642 on general purpose subsidies we are estimating the impact of this program at \$11,500,000."

I don't think there is any question but that the Department of Education feels that the foundation program is not going to cost \$25 to \$27 million or whatever the figure is that is being used in order to generate opposition to this bill. The fact of the matter is that the foundation program is, as hasn't been indicated, going to cost about 11.5 or \$12 million at the maxi-

mum. It is for this reason that I ask that this document be reproduced and placed before you because I think that on an objective analysis and a fair analysis you will see that the \$25 million figure is just absurd.

There being objection, Mr. Sullivan of Portland was denied permission to speak a third time.

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

Mr. LITTLEFIELD: May I ask a point of order here, can I ask for a division on the permission of Mr. Sullivan to speak before this House?

The SPEAKER: The Chair would advise the gentleman that one may speak a third time only by unanimous consent.

Mr. Levesque of Madawaska was granted permission to speak again.

Mr. LEVESQUE: Mr. Speaker, not as a point of deliberation here on this document, but I think a great injustice is being done to the gentleman from Portland, Mr. Sullivan of not being granted permission that has been granted to all the other speakers to this day in this session of the Legislature when request was made to speak a third or fourth time. Thank you.

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

Mr. CAREY: Mr. Speaker, I would remind the minority leader that only a short time ago the gentleman from Waterville, Mr. Fortier was denied permission to speak a third time.

The SPEAKER: The Chair recognizes the gentleman from Southwest Harbor, Mr. Benson.

Mr. BENSON: Mr. Speaker, I would like to concur with the remarks of the gentleman from Madawaska, Mr. Levesque. I feel that if the Representative from Portland wishes to speak a third or a fourth time he should be granted that permission, possibly after lunch.

I move we now recess until 2:30.

The SPEAKER: The gentleman from Southwest Harbor, Mr. Benson, now moves that the House recess until 2:30. Is this the pleasure of the House?

The motion prevailed.

After Recess
2:30 P.M.

Called to order by Speaker Kennedy.

The SPEAKER: The pending question is the adoption of House Amendment "A" to Senate Amendment "A."

Mr. Sullivan of Portland was granted permission to speak a third time.

Mr. SULLIVAN: Mr. Speaker and Members of the House: The Majority Leader has spent unquestionably hours and hours of time and those charts interest me very very much. Of course it would take me probably a couple of days to analyze them, I'd like to have them for a couple of days or copies of them so that I could analyze them.

I would like to ask him a few questions; he said he would answer any. Number one — before I ask that question, I will say this, up until the 102nd Legislature, what party was in control of the allotments of money for education? In my opinion, those legislatures should have appropriated over the past fifty years a minimum of a million dollars a year or two million dollars a year, therefore at the start of the 102nd as far as education was concerned, we were 50 to \$100 million in the red as far as education was concerned.

Next, many of the points he brought out, if after I go over them and they are true, I will agree with them. Probably both parties, as I have listened to some of these speeches, nobody being perfect, in all probability they both have made certain errors. Maybe when we get through they should get together some place between the ideas of the Democratic Party and the Republican Party. The gentleman from Stonington, I believe it is, made a point, if what he says is true concerning the Governor's budget, that should be changed. If as some of the Democratic members have brought up that there are inequities in the amount of school subsidies and certain towns are favored over others,

then those should be adjusted. I think that is about all.

I hope the gentleman will see to answer that question about the 50 to \$100 million in the red at the start of the 102nd Legislature, does he think that is true? Also I would like to ask him does he believe that taxation should be based on ability to pay? Does he believe that always the taxes should be added on to the smaller income people? I would like to have him answer those if he will please.

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

Mr. BRENNAN: Mr. Speaker, I would like to pose a question through the Chair to the gentleman from Cumberland, Mr. Richardson. My question is, do the figures on these charts come from the Budget Office?

The SPEAKER: The gentleman from Portland, Mr. Brennan, poses a question through the Chair to the gentleman from Cumberland, Mr. Richardson, who may answer if he chooses and the Chair recognizes that gentleman.

Mr. RICHARDSON: Mr. Speaker, I would like to inquire if I might also answer the question of the gentleman from Portland, Mr. Sullivan?

The SPEAKER: The gentleman may proceed.

Mr. RICHARDSON: I would like to take them in order if I may. In reference to the question asked by the gentleman from Portland, Mr. Sullivan. Chart G shows the record of general purpose subsidies and indicates that in the five years dealt with, '62 through '66 the lowest rate of aid to general purpose subsidies—in answer to the question of the gentleman from Portland, Mr. Sullivan, first of all, prior to the 102nd Maine Legislature, as everyone in Maine knows, the Republican Party controlled the State Legislature, of course I always thought that was an excellent idea. In 1962 the general purpose subsidies voted by the Legislature were 78% of the total Department; in 1963 it was 79%; in '64, 78%; in '65, 79%; in 1966 the general purpose subsidies under the Democratic-controlled

102nd Maine Legislature fell to 75%. We have proposed to return it to 81%; 1968 to 78% and in 1969 to 78%, this would give an eight year average of 78.25% general purpose subsidy from the total Department of Education budget.

Secondly, I do believe in taxation based on ability to pay and I think that this statement that the income tax would be more favorable to the working man than the sales tax with its present exemptions is a pure fallacy, it just doesn't make sense. The income tax, and I think debate on this bill bore it out when substantial numbers of both parties voted against it, would be worse than a sales tax.

In answer to the gentleman from Portland, Mr. Brennan's question, the figures which we have used in the preparation of these figures, all of which are before you, come from budget documents and Comptroller's Reports.

If I may, I would like to indicate very clearly and on the record that the Republican leadership has no fault to find with the Budget or with the figures that were produced by the Budget. This issue is much too important for us to get involved in a blaming session. We're simply trying to indicate what the facts really are.

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

Mr. COTTRELL: Mr. Speaker and Members of the House: I would just like to go on record as not agreeing with the statement of comparison just made between the income tax and the sales tax.

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

Mr. SCRIBNER: A few years ago we had a star on television named William Bendix, and one of his favorite expressions was: "This just don't look right to me." Now I get somewhat of an impression of the document distributed by the gentleman from Cumberland, Mr. Richardson this morning and I would make the same remark that some major areas of this just don't look right to me.

On the second page there is use of an item of \$6½ million

using surplus for the reduction for debt retirement. This to me is quite an unorthodox way of using this, although it may be a future policy type of thing, but it is based on the assumption that we will have a \$6½ million surplus in the next biennium. If we are going to do something of this nature, it would be far more appropriate to raise the revenue estimates by \$3½ million rather than to back it off in this fashion. I feel that the debt retirement of the State of Maine is one of our prime obligations ahead of everything else and that we should make adequate provision for it in the revenue and expenditure estimates rather than base it on an assumption that we are going to have a surplus. There is no guarantee of this, and if there were no surplus, it would have to be paid from current revenues. This is a substantial item in this proposal reducing the revenue gap. To me it does not exist and it is a fallacy.

On the next page of this document, this is based on averaging out percentage of the Department of Education expenditures to 78%, 78¼%. I would like to call the attention of the House members that the balance of this is the, primarily the funds that go to the State colleges. The State colleges are in a completely different situation than the school subsidies. It's kind of like comparing apples and oranges. I certainly don't believe that we can make a valid assumption for the amount that would be required for school subsidies based on projection of what if this measure is passed what the rest of it is going to go to which is primarily State colleges, I don't believe that higher education and elementary education needs can be compared arbitrarily in this manner. It is certainly very inappropriate I feel.

On the last page there is quite an explanation of \$405,000 so-called errors. I believe — I am pleased that the Majority Leadership agreed out of the \$300 million projection that other than the items I have mentioned that there was a balance or only a difference of opinion of \$405,000 out of \$300 million. To me it certainly proves that there is some consistency

here or some sense of agreement. The method of projecting those particular figures on which there was such a small difference was the same method that was used on the others. I feel that any method of projecting revenues and expenditures is bound to be inexact, but I believe that there are far more errors and inconsistencies and fallacies in this particular explanation than there were in that prepared by the Budget Office during the early part of this session. If anyone has any answer to any of these items that could justify them and make them a little more palatable I would be glad to hear it, but at this point I feel that this is certainly, a good extent of it is just a waste of words, play on words and an inappropriate use of fiscal planning.

Mr. Carroll of Limerick was granted permission to speak a third time.

Mr. CARROLL: Ladies and Gentlemen of the House: This morning I thought I detected an error in my good friend from Cumberland, Mr. Richardson, and I mentioned the fact that I thought that his figures were slightly incorrect, and I mentioned the fact that I thought that he was only basing his figures on one year of the biennium. He informed me on the Floor of the House that I was incorrect.

It so happens that I have here a letter from Asa Gordon which confirms which I told you here this morning, and I expect, even though he shall deny, I have the statements here to back me up, that the following biennium is going to be \$23,200,000. I would like to read into the record this statement. He says the requirements for the '69 to '71 biennium will be \$3 and \$84 million or between 11.5 and 12.5 million greater than the cost of 1967-69 biennium if the Governor's Budget for subsidies to cities and towns is increased by 9.7 million as proposed by the Republican Leadership. This confirms the fact which I brought to your attention this morning and I desire to bring it to your attention again that this is \$23,200,000 and not one-half of that.

Mr. Richardson of Cumberland was granted permission to speak again.

Mr. RICHARDSON: Mr. Speaker, point number one, I would like to have the gentleman from Limerick, Mr. Carroll read the memorandum at least in part, because I distinctly heard him say that the cost of the biennium with which we are concerned, '69 to '71, would be between 11 and 12, or 11.5 which is exactly the statement that Asa Gordon made to me. There isn't any difference whatever in this and the statement which I made this morning.

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

Mr. BINNETTE: Mr. Speaker, I would like to pose a question to the Majority Leader. Does the acceptance of this amendment mean an increase in the sales tax to five percent?

The SPEAKER: The gentleman from Old Town, Mr. Binnette, poses a question through the Chair to the gentleman from Cumberland, Mr. Richardson who may answer if he chooses and the Chair recognizes that gentleman.

Mr. RICHARDSON: Mr. Speaker and Ladies and Gentlemen: In answer to the question posed by the gentleman from Old Town, Mr. Binnette, the question before the House is the adoption of House Amendment "A" to Senate Amendment "A" which corrects a typographical error which appeared in Senate Amendment "A" on per pupil transportation costs. This amendment we are now discussing has nothing to do with the sales tax.

The SPEAKER: The question before the House is the adoption of House Amendment "A" to Senate Amendment "A". All those in favor of adopting House Amendment "A" to Senate Amendment "A" will vote yes and those opposed will vote no and the Chair opens the vote.

A vote of the House was taken.

70 having voted in the affirmative and 43 having voted in the negative, the amendment was adopted.

Mr. Richardson of Cumberland then offered House Amendment

"B" to Senate Amendment "A" and moved its adoption.

House Amendment "B" to Senate Amendment "A" was read by the Clerk as follows:

HOUSE AMENDMENT "B" to SENATE AMENDMENT "A" to S. P. 597, L. D. 1575, Bill, "An Act to Appropriate Moneys for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1968 and June 30, 1969."

Amend said Amendment by striking out in the 19th line the following "36,968,789" and inserting in place thereof the figure "36,868,789"

Further amend said Amendment by striking out in the 37th line the following "Total Department of Education 46,653,612 46,884,565" and inserting in place thereof the following:

Total Department of Education	
46,553,612	46,884,565'

Further amend said Amendment by striking out in the 78th line the following "Total—Section A \$113,006,684 \$118,199,776" and inserting in place thereof the following:

Total—Section A	
\$112,906,684	\$118,199,776'

Further amend said Amendment by striking out in the 21st line from the end the figure "\$115,532,819" and inserting in place thereof the figure '\$115,432,819'

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

Mr. RICHARDSON: Mr. Speaker and Ladies and Gentlemen: Since first setting up the foundation program, there have been two reductions. House Amendment "B" to Senate Amendment "A" reduces the cost of the foundation program from \$10 million to \$9,900,000 and we believe that there will be a further reduction to \$9,700,000 but at this point we don't have the final figures on that. This amendment simply reduces the cost of the foundation program based on the most recent Department of Education estimates as to the cost to \$9,900,000.

The SPEAKER: The pending question is the adoption of House Amendment "B" to Senate Amendment "A." All those in favor of the adoption of House Amendment "B" to Senate Amendment "A" will vote yes, those opposed will vote no and the Chair opens the vote.

A vote of the House was taken.

98 having voted in the affirmative and 15 having voted in the negative, the motion prevailed.

Mr. Richardson of Cumberland then moved the adoption of Senate Amendment "A" as amended by House Amendments "A" and "B" thereto.

The SPEAKER: The pending question now is the adoption of Senate Amendment "A" as amended by House Amendment "A" and House Amendment "B" thereto. Is this the pleasure of the House?

The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I would like to ask a question through the Chair to the gentleman from Cumberland, Mr. Richardson, as he stated this morning that this possibly would be laid on the table until another day pending engrossment because of some other amendments being offered. Is that at this time today?

The SPEAKER: The gentleman from Madawaska, Mr. Levesque, poses a question through the Chair to the gentleman from Cumberland, Mr. Richardson, who may answer if he chooses, and the Chair recognizes that gentleman.

Mr. RICHARDSON: Mr. Speaker, in answer to the question, House Amendment "C" under filing H-385 which I understand the gentleman from Lewiston, Mr. Jalbert intends to propose is to the L. D. itself and not the Senate Amendment. I have an additional amendment to the L. D. itself and not to the Senate Amendment, and therefore I suggest that we adopt Senate Amendment "A" at this time and I will present House Amendment "B" to the L. D. and then request that the matter be tabled.

The SPEAKER: Is it now the pleasure of the House to adopt

Senate Amendment "A" as amended by House Amendments "A" and "B" thereto?

The motion prevailed.

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

Mr. RICHARDSON: Mr. Speaker, I present House Amendment "B" to Senate Paper 597, L. D. 1575, which appears as a legislative document L. D. 1689 and I would request that some member of the House table this matter in order to permit any other amendments that seem to be appropriate to be discussed at one time.

House Amendment "B," being L. D. 1689, was read by the Clerk.

Thereupon, on motion of Mr. Benson of Southwest Harbor, tabled pending the adoption of House Amendment "B" and specially assigned for tomorrow.

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

HOUSE REPORT—Ought Not to Pass—Committee on Legal Affairs on Bill "An Act Clarifying the Location of Town Line Between China and Winslow" (H. P. 1118) (L. D. 1595) (In Senate, Report accepted in non-concurrence)

Tabled—June 2, by Mr. Binnette of Old Town.

Pending—Motion of Mr. Farrington of China to reconsider indefinite postponement of Report and Bill.

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

Mr. FARRINGTON: Mr. Speaker and Ladies and Gentlemen of the House: I merely want to explain more in detail the situation regarding this particular piece of proposed legislation. I stated the other day that I introduced this bill after cloture date with the firm understanding that both municipal groups, the municipal officers from China and those from Winslow were in complete agreement; I will so reiterate today.

I feel that whether intentional or otherwise that I sort of got the double shuffle with a short deal and I hope that those who made statements on the Floor of this House will rectify such statements

today. I realize that this is a concern not only of one or two parties who may have had differences about land within this same area, but it is also the concern of every citizen in these two municipalities, taxpayers who have spent a sizeable amount of money through their municipal officers with good intentions and with the purpose of setting a boundary line between these two municipalities. My concern lies with the intentions of the municipal officers on the offset, also with the concern of those people whose tax money has been spent in order that a proper line might be had between these two towns. Right up to the point that this bill last came before you, it was my firm belief and understanding that these two municipal groups still agreed.

Now I am going to leave it to you in your wisdom; if you feel that the municipal groups have proceeded in good faith, spent hard tax dollars to establish a line, and I say to you again this is the only way that a line in dispute may be firmly and finally and completely settled, then you should go along with me and substitute the bill for the report and let this go on the proper perspective. I won't say any more today. Thank you very much.

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

Mr. CAREY: Mr. Speaker, I argue this line is not in dispute. I have piled upon my desk further information which substantiates my talk on this matter last Thursday. While I am prepared to proceed, I hope that in an effort to save time that the motion to reconsider does not prevail and I ask for a division.

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

Mr. ROY: Mr. Speaker and Ladies and Gentlemen of the House: As Mr. Farrington, the honorable gentleman from China stated, at one time the municipal officers were in agreement to an extent with a case pending, the individual property rights were not imposed upon. Both of us felt we had no grievances as far as they are concerned, the only con-

cern lies with a case that is now pending pertaining to an individual where he stands to lose or may not lose 100 acres on this particular line. As we go back into the history of the Town of Winslow and look upon an old deed which dates back to 1772 which stated an entirely different line as the town line as proposed the other day.

Mr. Farrington was right in his remarks, he was not trying to put anything through here today which was with the intent of misleading anybody in this House. We were in agreement up to a certain extent, leaving the decision to the Legal Affairs Committee. The Legal Affairs Committee at one time agreed when it came to report the bill out they reported it out as ought not to pass. I appeared before the Committee and told the Committee that if this did not interfere with the rights of the individual that is in question at the present time, then I in turn would go along with the Committee. They had reported it out ought not to pass for that same reason, that it did infringe upon the rights of the individual in question. I hope that you will kill this bill as was done before.

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

Mr. FARRINGTON: Mr. Speaker, I certainly don't want to belabor this particular issue, but as I stated the other day, the Legal Affairs Committee, as any other committee, has a right to reconsider on new evidence, and I think the House Chairman of the Legal Affairs Committee when he spoke to you the other day, said that they had reconsidered. He did say that this does not and will not interfere with individual property rights. All I can see here is that these two towns are going to spend duplicate money shortly in order to do the very same thing that they have done now. The Committee did reconsider. As I stated and as Representative Beliveau, Chairman of the Legal Affairs Committee said, this does not, I repeat, does not interfere with individual property rights and therefore I hope I discounted that element.

The SPEAKER: The Chair recognizes the gentleman from Sidney, Mr. Drummond.

Mr. DRUMMOND: Mr. Speaker and Ladies and Gentlemen: I have acquaintances that live quite near my business in Winslow that feel that there is a strong possibility that if we pass this bill that it would take away 100 acres of their land. I also have studied some older maps and deeds and so forth to go back to the time when the Town of Albion was the Town of Fairfax, and the Town of China was the Town of Harlem. With all those maps, these maps indicate that the line is at the spot where a monument stands without this change. There is a small pond in this area and the line has always been west of this pond. If we go along with the gentleman from China, Representative Farrington, this would change the line so that it would be east of the pond and there are some individuals that could very easily lose 100 acres of land. I hope you won't go along with this.

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

Mr. ROY: Mr. Speaker, as Chairman of the Board of Selectmen of the Town of Winslow as well as a Representative from that Town, I feel that as in any other circumstances that home rule applies. I have checked with the other two members of the Board of Selectmen and they feel that a thorough job was not done in the beginning pertaining to this town line before you today. They feel they would now like to make a restudy of this and bring it before you in the next session. I don't see any rush pertaining to this measure at this time.

The SPEAKER: The Chair recognizes the gentleman from Norway, Mr. Henley.

Mr. HENLEY: Mr. Speaker, I would like to pose a question to someone who can answer it. If we are going to have to vote on this I would like to know a little bit more about it. I can't — I fail to understand why the changing of a town line takes property away from anyone, it looks to me

as though they are just going to have their property in another town, that's all. I may be way out in left field somewhere, but I don't see how if a person has got a deed of property the mere changing of a town line is going to deprive him of that property.

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

Mr. BELIVEAU: Mr. Speaker, to answer the question raised here concerning private property rights, although there is some disagreement as to whether or not when a town line is changed whether or not it does change a person's property rights, it appears that the prevailing law indicates that the change of a boundary line between two communities does not affect personal property rights, and that was the basis that we in Legal Affairs reconsidered our position on this. We had been assured and we had done some research on this, examined and reviewed some of the leading case reports on it and concluded that the change in the town lines would not affect a person's property rights, and that I think was the basis for our changing our position from our initial standpoint.

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

Mr. CONLEY: Mr. Speaker and Ladies and Gentlemen of the House: As a member of the Legal Affairs, I would just like to state that we have four attorneys on our committee and we more or less left this in the hands of the attorneys feeling that they were probably much better qualified than us as the ordinary laymen. The question was brought up as to whether or not the town selectmen have it within their right and jurisdiction without calling a Town Meeting to change the town line, and I would just like to make it clear as a member of the Legal Affairs that to the best of our knowledge and from what we could find that there was no Town Meetings called and we more or less wondered whether the town selectmen had these powers to be able to do it themselves without having

a Town Meeting and having the townspeople vote on such a thing.

Mr. Roy of Winslow was granted permission to speak a third time.

Mr. ROY: As a municipal officer from the Town of Winslow we had in our last annual town meeting no authorization to change this town line from the people, and as Mr. Conley just reminded us under municipal government, especially town government you must have the approval of the citizens of that town at the annual town meeting in order to make any change in any town line.

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

Mr. DUDLEY: Mr. Speaker, I think to further answer one question that was answered here, I have owned property before now that in describing the boundaries they said, to the town line thence to the one side and to the highway on the other side, and it was a means of describing the property; and I say if you move the town line you move the property line if this is the case of the deed, because I personally have owned lands that went to the town line and to a certain highway and I suspect that this may be the case in Winslow. Thank you.

The SPEAKER: The pending question is the motion of the gentleman from China, Mr. Farrington, that the House reconsider its action whereby it indefinitely postponed the Report and Bill "An Act Clarifying the Location of Town Line Between China and Winslow," House Paper 1118, L. D. 1595. All those in favor of reconsideration will vote yes and those opposed will vote no and the Chair opens the vote.

A vote of the House was taken.

51 having voted in the affirmative and 59 having voted in the negative, the motion to reconsider did not prevail.

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

Bill "An Act to Create a Maine State Board of Human Research and Development" (H. P. 75) (L. D. 100)

Tabled — June 2, by Mr. Gill of South Portland.

Pending — Adoption of House Amendment "A" (H-383) to Committee Amendment "A" (H-368)

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

Mr. HINDS: Mr. Speaker, I note that Mr. Gill is absent and I wonder if someone may table this?

Thereupon, on motion of Mr. Snowe of Auburn, tabled pending adoption of House Amendment "A" to Committee Amendment "A" and specially assigned for Tuesday, June 6.

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

HOUSE REPORT — Ought Not to Pass — Committee on Legal Affairs on Bill "An Act relating to Definition of Practice of Professional Engineering" (H. P. 451) (L. D. 626)

Tabled — June 2, by Mr. Richardson of Cumberland.

Pending — Acceptance.

The "Ought not to pass" Report was accepted and sent up for concurrence.

On motion of Mr. Richardson of Cumberland,

Adjourned until nine-thirty o'clock tomorrow morning.