

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Third
Legislature*

OF THE

STATE OF MAINE

Volume III

June 16 to July 8, 1967

Index

1st Special Session

October 2 and October 3, 1967

2nd Special Session

January 9 to January 26, 1968

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Tuesday, January 16, 1968

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

Prayer by the Rev. Mr. Ondon P. Stairs of Augusta.

The journal of yesterday was read and approved.

Papers from the Senate

From the Senate: The following Communication: (S. P. 802)

January, 1968

To the Members of the Second Special Session of the 103rd Legislature:

I have the honor to transmit herewith a report on Collective Bargaining by Municipalities.

This report, marked as Committee Publication 103-18, deals primarily with a proposed Act establishing a municipal public employees law and contains the findings and recommendations of the Legislative Research Committee as developed by the Committee under the scrutiny of representatives from the State Department of Labor and Industry, The Maine Municipal Association, The Maine Teachers Association and The American Federation of State, County and Municipal Employees, AFL - CIO.

The Committee sincerely hopes that the information contained herein will prove of benefit to the members of the Legislature and the people of the State of Maine.

Respectfully submitted,

HORACE A. HILDRETH, JR.,
Chairman

Legislative Research Committee

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

In the House, the Communication was read and with accompanying Report ordered placed on file in concurrence.

From the Senate: The following Communication: (S. P. 803)

January, 1968

To the Members of the Second Special Session of the 103rd Legislature:

I have the honor to transmit herewith a report, along with implementing legislation, on Marine Growth.

This report, designated as Committee Publication 103-19, is supported by the Committee in an effort to preserve, protect and stimulate research in the production, harvesting and commercial uses of Irish moss. The Legislative Research Committee presents these findings and recommendations in the best interests of the State as trustee for the people and in all fairness to existing industry and persons connected therewith.

The Committee sincerely hopes that the information contained herein will prove of benefit to the members of the Legislature and the people of the State of Maine.

Respectfully submitted,

HORACE A. HILDRETH, JR.,
Chairman

Legislative Research Committee

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

In the House, the Communication was read and with accompanying Report ordered placed on file in concurrence.

Senate Reports of Committees Ought Not to Pass

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act Appropriating Monies to an Act for Night Pay Differentials for State Employees in Institutions within the Department of Mental Health and Corrections" (S. P. 775) (L. D. 1847)

Came from the Senate read and accepted.

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

Ought to Pass Passed to Be Engrossed

Report of the Committee on Highways reporting "Ought to pass" on Bill "An Act relating to

the Piscataqua River Bridge" (S. P. 773) (L. D. 1845)

Report of the Committee on Public Utilities reporting same on Bill "An Act Validating the Moscow Water District" (S. P. 747) (L. D. 1805)

Came from the Senate with the Reports read and accepted and the Bills passed to be engrossed.

In the House, Reports were read and accepted in concurrence and the Bills read twice. Under suspension of the rules the Bills were read the third time, passed to be engrossed and sent to the Senate.

**Ought to Pass with
Committee Amendment
Passed to Be Engrossed**

Report of the Committee on Public Utilities on Bill "An Act Creating the Corinth Utilities District" (S. P. 786) (L. D. 1866) 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 and accepted in concurrence and the Bill read twice. Committee Amendment "A" (S-339) was read and adopted in concurrence, and under suspension of the rules the Bill was read the third time, passed to be engrossed as amended and sent to the Senate.

Divided Report

Majority Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act Providing a Bond Issue in the Amount of One Hundred and Eighty Thousand Dollars for Constructing a Residential Facility for Mentally Retarded Children in Aroostook County" (S. P. 762) (L. D. 1819)

Report was signed by the following members:

Messrs. BERRY of Cumberland
DUQUETTE of York
— of the Senate.

Messrs. HINDS of South Portland
SCRIBNER of Portland
DUNN of Denmark

HUMPHREY of Augusta
BIRT of East Millinocket
— of the House.

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

Report was signed by the following members:

Mr. ALBAIR of Aroostook
— of the Senate.

Messrs. BRAGDON of Perham
JALBERT of Lewiston
— 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. The SPEAKER: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker and Members of the House: I move that we accept the Minority Report of the Committee in concurrence with the Senate.

The SPEAKER: The gentleman from Perham, Mr. Bragdon, moves that the House accept the Minority "Ought to pass" Report in concurrence.

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

Mr. HINDS: Mr. Speaker and Members of the House: It is always difficult to stand up before you and speak against your House chairman, but I can understand why the gentleman from Perham has to make this motion. This has a Majority "Ought not to pass" Report on it and not because the members, or at least the majority members of the Appropriations Committee feel that these type of things aren't good or the programs aren't good, because I think we will all agree that they are. However, this issue was defeated in the regular session of the Legislature, it's a bond issue for this type of facility.

Number one — and of course if we pass this there's nothing in the budget for payment of these bonds at the present time, we will have to dig up money for payment of these bonds. And number two, it was my understanding from the hearing that if this facility was built at the present time it would affect the federal funds — this

facility is eligible for federal funds, and it would affect the federal funds that are planned for the new retarded building at Bangor which we voted through and the people approved in referendum a short time ago. There are no funds available, the federal funds would be used up on that facility and there would be no federal funds available for at least two years to be used for this facility.

Because of this and because the State has never issued bonds for a private or for an area facility like this before — this would be the first one, and there are several places in the State would like to have one of these — there were other bills defeated by the Legislature, one for Kennebec County, and I forget, there were some other bills before us that had to do with a similar facility. And so the majority of the Committee on Appropriations felt because of the lack of funds and because of this being a new venture for the state government to enter into, and because of possible loss of federal funds for the Bangor facility, that the majority signed it "Ought not to pass."

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

Mr. BIRT: Mr. Speaker and Members of the House: I would rise in support of the remarks of the gentleman from South Portland, Mr. Hinds. I feel a good deal as he has indicated and have at many times supported action to improve the facilities for Mental Retardation, but I do not believe at this time with the fact that federal funds are not available, that this would be a good move; and when the vote is taken I would ask for a division.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I certainly can respect the opinions of the gentleman from South Portland, Mr. Hinds and the gentleman from East Millinocket, Mr. Birt; when it comes to measures like these sometimes it can be construed certainly as being easier to say no than to say yes, and cer-

tainly one would appreciate the thinking of the gentleman from Perham, Mr. Bragdon. I appreciate the fact also that I am — I wouldn't want to say far far away, but I'm a little few miles away from the area of Presque Isle.

I look at problems like these as things that are very very unselfish if we entertain them. I look upon these problems as one who would stand in support of those who cannot possibly stand and speak for themselves. Now I am a very frequent visitor, I would say as frequent as any other member of the House, to our home, our hospital at Pineland, which is situated a very few miles from my area. Very often as a member of the Association Pineland Friends and Relatives, very often the meetings are held on Sunday afternoons, which allows people within the far flung areas of the State sometimes to make it possible to take the trip and visit their loved ones at the hospital. On several occasions I have heard — more than several occasions I have heard people say, "I do wish that we had a place where it wouldn't be so far to come to visit these people."

Now when you talk about rehabilitation for these youngsters or these people you are talking about a program that involves several areas and certainly one of the areas of Mental Rehabilitation would be visits and comfort from those that can give it to you, friends and relatives.

Now at the cost of possibly receiving more letters by saying that the area of the county is far away, I would have to say that in the area of Presque Isle and up north and around Presque Isle it makes it not only physically but sometimes materially and financially impossible for these people who have loved ones in these places to come and visit. It would make no difference to me how much money was attached to such a proposal, I would be for it. This is \$180,000. I don't think that it certainly is the end of the road if we would go for it.

Inssofar as this measure is concerned I find that in the bill, or the Appropriations Bill, there is an item for \$150,000 to bring up the

cost of the building at Gorham to the established \$1,500,000. At a meeting of the Appropriations Committee I detected this item and upon inquiry I find that I was correct. This is in effect in the bill that we would lose \$150,000 in federal funds, so we've got to put up another 150,000 to bring up the amount to 1,500,000. We could well bring down the amount to 1,350,000. Also, I find that upon further inquiry that Aroostook County itself, if the call was upon making themselves available for funds, could well save \$150,000.

And the last and strongest argument that I can give you — this is a bond issue, to be decided by the people of the State of Maine in referendum under our Constitution. This in my opinion is a very, very sound measure and if we now reach out and give a hand to those who cannot speak for themselves I can hardly see how anybody could not allow, or we could not allow this measure to go to the people for referendum, which means a paltry sum in comparison to the vast amounts that we expend.

I certainly hope that the motion of the gentleman from Perham, Mr. Bragdon, for the Minority "Ought to pass" Report will prevail.

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

Mr. HENNESSEY: Mr. Speaker and Members of the House: There has been some probably reference here to the Bangor facility. We have used up our Mental funds for that, but as we go along there is more money coming in. If we have it ready and matching we certainly can use the amount that's asked for in this section.

I also want to call to your attention that all these programs are still worth, as far as expenses are concerned, a mile of road, and if we sacrifice one mile of primary road we could have it taken care of.

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

Mr. LEVESQUE: Mr. Speaker and Members of the House: Certainly you have listened to the

remarks made by the gentleman from Lewiston, Mr. Jalbert, regarding the Mentally Retarded bond issue that is before you this morning. Now it is our hope in Aroostook County as probably the rest of the State of Maine has enjoyed over the period of years, to try to help in some small way to take care of some of these youngsters that otherwise it would be almost impossible.

If some of you would have seen the number of volunteers, at least in the last five and six years, that have gone behind on a voluntary basis. Now granted this may be happening in some other area of the state as well as Aroostook County. But these interested citizens on their own and without any funds at all from any segment of the society, have gathered these small classes of youngsters to try to form some kind of relationship between their families and society, because it was impossible for them to be brought either to Augusta or to Pineland.

Let alone the fact that some of these youngsters if they would have been able to receive admittance at Pineland, part of the rehabilitation is somehow or other related to their families. If they are brought to Pineland or other state institution in southern Maine, the parents of these youngsters could not ever have been able to visit these youngsters. Plus the fact that if the facilities are built in central Aroostook these students can be brought in to the center or to the institution for three or four days and then return home or be brought back home on the weekends by their parents. Right now they are doing this as a day school, that they commute by bus to and from the institution.

Certainly there are problems to be overcome — there's no question about it, but we still feel that the bond issue proposed before you this morning the people in the State will have to speak finally on it.

So it is our hope that this special session, not to take too much of your time but to also put some of these problems in proper perspective. The cost to the State of Maine granted in a bond issue

is a lot of money, but if you take these same students and bring them into Pineland or other state institution the cost will be four times what it is presently established in central Aroostook.

So we ask for your consideration this morning that certainly there are many needs in our State, and from the experience that these volunteers have done to try to educate or to bring some kind of relationship between these mentally retarded students or youngsters and the family and the community I think the price is well worthwhile. Thank you.

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

Mr. DUNN: Mr. Speaker and Members of the House: First, I think the gentleman from Madawaska, Mr. Levesque brought out the fact that this is intended to be a five-day live-in facility and the children to be taken home over the weekends, rather than just a place to leave them and visit. And this I don't think anyone would disagree with the fact that this would be desirable, but there is no such institution in the State; while there are other schools of this type there are no present arrangements for this type of facility.

Now this school was just built and opened in September and at this time it is practically filled by day students and according to a statement by the Department of Mental Health would not accommodate the forty or fifty children planned for the residential facility. The Department has not given this its sanction and it states flatly that it would not meet the most critical needs and would not fit in with the existing facility that it was planned to supplement.

Now this as has been said is a bond issue. Now I think we should keep in mind the fact that the surplus that we felt we had we don't at this moment have — we lost most of it this last month. This makes it quite evident that since the estimates have been raised as much as they have that there is no surplus now and there will be no surplus probably when the 104th meets; and that in itself would point out that any construc-

tion next time would have to be by bond issues. I think there is a limit to what you can send out to bonding and I don't think this is one of the necessities. I think that this should be turned down and I hope that the House will go along with the majority of the Committee and oppose this Minority Report. Thank you.

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

Mr. RACKLIFF: Mr. Speaker and Members of the House: I think all this has been well covered; I think you realize the need for it. And where this was my bill in the last session I merely want to go on record as fully supporting it.

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

Mr. NADEAU: Mr. Speaker and Members of the House: After listening to all these various talks, attending the hearing, I have several questions and remarks I would like to make, questions I would like to have answered. I would like for you to visit that there came out from one speaker that it would be nice to be able to visit and to be closer. I had assumed that these institutions were there because they were needed for necessary treatment—we seem to be getting away from several things. What about the medical aspect of it? Aren't the trained professionals at the proper institutions now? So I say to you if we don't put a stop we should put in one for every county. I think that we ought to have one in York County where I come from.

So then you are going to have to staff them, and that little expert that you will need for a particular type of illness, is going to have to be everywhere, from Aroostook to York he couldn't get there in a day, unless we fly him by jet. So let's look at this on a long projected look. We have taxpayers who are just getting by. Fine, I feel sorry for those who are not able to visit those who are in this condition. However, I think we should feel happy for them that they are able to get correct treatment and at the right place. We say that in the State of Maine

we cannot find trained specialists for many fields. How are we going to staff all these institutions if we keep building them in county after county? The next thing it's going to be in city after city and then town after town. In the meantime the taxpayers have to foot the bill.

I think that it's going to create too much duplication in the long run. I'm not against this type of treatment but I'm saying, let's enlarge what we have; that's what we need. The only thing I've heard here today is that what we need the most is transportation, not new facilities. Remember, everything else is going up, how are you going to staff it, and what are they going to ask for next year? Now you heard Mr. Hennessey say that they are already out of money in the Bangor one. Naturally federal money is coming in; we're all hoping and looking for federal money. I'm thinking about the future cost and these future taxpayers such as these young people who are sitting up here today.

Again in closing I feel that we should support the Majority Report "Ought not to pass" at this time, and let's confine our special type of treatments to the institutions which are now present. Thank you.

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

Mr. MARTIN: Mr. Speaker and Members of the House: I really had no intentions of getting up on this particular item I suppose. When the gentleman from Sanford, Mr. Nadeau pointed out that we have an institution at the present time which can accommodate this type of individual, I find that I must rise and point out to you that if you take a look at a map of the State of Maine you will quickly find out that Aroostook County is a heck of a long ways from Pineland and from that institution. We are talking of a facility for the mentally retarded individuals that are educable and certainly this is not a place where you put them in and lock them up. This is not the purpose of such an institution. It is to construct a residential facility for the mentally retarded so that these people,

these young citizens of ours can return to their homes on the weekends with their parents, and you can ask anyone who is associated with the mentally retarded and they will tell you that this is one of the best things that you can do for these particular children.

And so I certainly hope that we will allow the people of Maine a chance to vote on the bond issue and let them decide on whether or not we want the facility constructed in Aroostook County. You ask if there is a need—there is. At the present time there are approximately fifty students in the Day Center in Presque Isle. To my knowledge these individuals who are running the Center in Presque Isle have told me, that they can accommodate approximately one hundred students without any problems, which means that they can accommodate another fifty which could become a part of the residential facility that could be constructed at Presque Isle. There is no problem in this line and I certainly hope that the members of the House will agree that Aroostook County is not only a few hours away from Pineland, and if you don't believe me why don't you come up and take a short trip and you will find out how far it is.

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

Mr. ROSS: Mr. Speaker and Members of the House: I have a question to ask of somebody from Aroostook County. A few years ago the State appropriated \$550,000, matched by \$550,000 by Federal funds, for an addition to a private hospital in Fort Fairfield. Two sessions ago they realized they didn't need this for a TB sanitarium, so the generous State of Maine sold this back to Aroostook County for one dollar. It was my understanding that they were going to use this addition for the Mentally Retarded program in Aroostook County, is that correct or not correct?

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

Mr. BOURGOIN: Mr. Speaker and Members of the House: I wish

to say that the arrangement for the money was for Mental Health, not for the Mentally Retarded.

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

Mrs. CARSWELL: Mr. Speaker and Members of the House: I would like to bring out something which I think is very important. The parents of these retarded children will be able to work and increase the family's income. Now I think that this would be valuable for the taxpayers of the cities and towns in our State. One of the previous speakers mentioned that this is something new or fairly new that the State of Maine will be getting into. Well, I suggest that we should get into something new to try to solve some of these age old problems, and I hope that this bill does receive passage.

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

Mr. NADEAU: Mr. Speaker and Members of the House: One last remark. I think that you will all agree with me that each of us live in a town or in a city or in a county, that the people are doing it individually now and in groups. They are already starting to ask for local help which is fine. What are we trying to tell them now, that we want to discourage this type of action that they're now taking and we should all get state help? Let's remember, let's not stick one foot in the river before learning how to swim.

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

Mr. LEVESQUE: Mr. Speaker and Members of the House: Only to prolong this debate for a very few minutes, I would like to point out the fact that a lot of these facilities have been able to serve a good part of the State of Maine, including my own constituency over the years. Now I find that the constituency from the Aroostook County part of the State in order for them to have their students or their children admitted to Pineland, it is in the vicinity of three hundred and fifty-five miles. Now this is one-way travel. It

would take parents or a group of parents together, if they want to go see their youngsters in Pineland, one day to go down or approximately eight hours driving time, visit their youngsters, and return back to the northern part of the State of Maine.

Now granted we certainly don't want to secede from the State of Maine, but you will have to admit that it is quite a distance. Now I fail to see where possibly the residents of the State of Maine in the Portland area or in the southern part of the state would consider if we could join a compact between the New England states and to find only that the New England states in this compact, if you travel the same three hundred and fifty miles you would have to make the facility available in New York State. Now I don't think the people of southern Maine want that, I don't think they could even subscribe to such thinking. But be that as it may, the road miles are still there and somehow or other we would like to help cut down some of the mileage to help some of these students and families. Maybe they could get together on the weekends, maybe they could — if it would have been last weekend I am very sure that they couldn't have, because if I can't get through the roads I'm sure the parents aren't going to try it either. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Manchester, Mr. Rideout.

Mr. RIDEOUT: Mr. Speaker and Members of the House: I am neither from the southern part of the State nor the northern part, but I am very familiar with the problem of the mentally retarded. I would agree with Mr. Nadeau on one count. I would like to see one of these facilities in every county, but I know that's impossible. But I do insist that new facilities are needed be it in Aroostook County or be where it may, and I am in complete sympathy with their problem up there. We can stop providing new facilities but we cannot stop the mentally retarded from coming into being, and I submit that we cannot equate treat-

ment of these unfortunates to the dollars and cents of our tax dollar because we are in the position of being our brothers' keepers and I would suggest that we are our brothers' keepers in Aroostook also.

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

Mr. HINDS: Mr. Speaker and Members of the House: There is one more point I would like to make and that is that the distance between Aroostook and Pineland has been pointed out here quite a lot today and I would just like to mention the fact that this Legislature did provide funds for a new Mentally Retarded facility at Bangor so that mentally retarded people and children attending the Bangor facility when it is built wouldn't have to travel so far.

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

Mr. MARTIN: Mr. Speaker and Members of the House: I rise only to answer the question posed by the gentleman from Bath, Mr. Ross. The institution in Fort Fairfield is presently being used for mental health and psychiatric care and it is not being used for the mentally retarded and those children that are educable. The two are separable and they cannot be incorporated within the same institution.

Whereupon, Mr. Sahagian of Belgrade moved the previous question.

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

A vote of the House was taken.

The SPEAKER: The Chair will advise the House that the motion for the previous question did not prevail.

The Chair recognizes the gentleman from Kennebunkport, Mr. Pendergast.

Mr. PENDERGAST: Mr. Speaker and Members of the House: In the regular session of the 103rd

last year I introduced a bill, number L. D. 81, which would have made it possible for the local school districts to educate in the public school system educable mentally retarded children anywhere in the State that they had the problem. This bill died on the Appropriations Table. At that time I believe the cost was said to be approximately \$150,000 a year to fund this program. Now here's a bill for one county. I would suggest that this bill be tabled and perhaps we could change the language so that it would benefit more people in the State of Maine. I make that motion, sir.

The SPEAKER: The gentleman is not in order because he debated his tabling motion.

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

Mr. BOURGOIN: Mr. Speaker and Members of the House: I would like to bring to your attention the extra expense that the State would have if twenty percent of those children could take care of themselves, they would not be wards of the State for the rest of their lives and it is a bill that is very much needed at this time.

The SPEAKER: The pending question is on the motion of the gentleman from Perham, Mr. Bragdon that the House accept the Minority Report in concurrence with the Senate. A vote has been requested. All of those in favor of the motion will vote yes, those opposed will vote no. The Chair opens the vote.

62 voted in the affirmative and 73 voted in the negative.

Whereupon, Mr. Martin of Eagle Lake requested a roll call.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All of those desiring a roll call will vote yes and 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 gentlewoman from Portland, Mrs. Carswell.

Mrs. CARSWELL: Mr. Speaker, is debate in order now?

The SPEAKER: Debate is in order.

Mrs. CARSWELL: Mr. Speaker and Members of the House: I would like to explain to you that the policy of Pineland Hospital and Training Center is under constant change and where many mentally retarded children are in Pineland now there will come a day when they will no longer be able to have residents in Pineland.

Now the priority of the Department was mentioned. A number of our legislators last year had a meeting because of policies and practices at Pineland Hospital and Training Center and because we didn't agree with the department heads, Department of Mental Health and Corrections. The number of letters and complaints that I received from parents of the mentally retarded indicate to me that we don't necessarily have to listen to the ideas and priority ratings of the Department of Mental Health and Corrections. Sometimes I think that the department heads through their lobbying have a tendency to legislate rather than the legislators be effective representatives for their constituents. I think that these are things which we should keep in mind and I think we should keep in mind the future of the mentally retarded individual. We are going to have to take care of them and now is a good time to get started.

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

Mr. SOULAS: Mr. Speaker and Members of the House: I move that L. D. 1819 lie on the table for one legislative day.

The SPEAKER: The gentleman from Bangor, Mr. Soulas, now moves that L. D. 1819 be tabled until the next legislative day.

Mr. Richardson of Cumberland then requested a division.

The SPEAKER: A vote has been requested on the tabling motion. All of those in favor of tabling until the next legislative day will

vote yes and those opposed will vote no, and the Chair opens the vote.

A vote of the House was taken. 22 having voted in the affirmative and 112 having voted in the negative, the motion to table did not prevail.

The SPEAKER: Is the House ready for the question? A roll call has been ordered and the pending question is on the motion of the gentleman from Perham, Mr. Bragdon, that the House accept the Minority "Ought to pass" Report in concurrence on Bill "An Act Providing a Bond Issue in the Amount of One Hundred and Eighty Thousand Dollars for Constructing a Residential Facility for Mentally Retarded Children in Aroostook County," Senate Paper 762, L. D. 1819. All those in favor will vote yes, those opposed will vote no, and the Chair opens the vote.

ROLL CALL

YEA — Allen, Bedard, Belanger, Beliveau, Berman, Bernard, Binnette, Bourgoin, Bradstreet, Bragdon, Brennan, Burnham, Carey, Carrier, Carswell, Conley, Couture, Crockett, Crommett, Curran, Dickinson, Drigotas, Eustis, Ewer, Farrington, Fecteau, Fraser, Gaudreau, Giroux, Hanson, P. K.; Harnois, Harvey, Healy, Hichens, Hodgkins, Jalbert, Jameson, Janelle, Jewell, Keyte, Kilroy, Lebel, Levesque, Lycette, Martin, McMann, Meisner, Miliano, Minkowsky, Morrell, Nadeau, N. L.; Noyes, Prince, Rackliff, Rideout, Robertson, Rocheleau, Roy, Sawyer, Scott, G. W. Scribner, Snow, P. J.; Soulas, Starbird, Tanguay, Townsend, Watts, Wheeler, Williams, The Speaker.

NAY — Baker, E. B.; Baker, R. E.; Benson, Birt, Boudreau, Brown, M. F.; Brown, R.; Bunker, Champagne, Clark, Cornell, Cote, Crosby, Cushing, Danton, Darey, Dennett, Drummond, Dudley, Dunn, Durgin, Edwards, Evans, Foster, Gauthier, Gill, Hall, Hanson, B. B.; Hanson, H. L.; Harriman, Hawes, H a y n e s, Henley, Hennessey, Hewes, Hinds, Hoover, Huber, Humphrey, H u n t e r, Immonen, Kyes, Lewin, Lincoln, Littlefield, Maddox, McNally, Mosher, Nadeau,

J. F. R.; Payson, Pendergast, Philbrook, Pike, Porter, Quimby, Richardson, G. A.; Richardson, H. L.; Robinson, Ross, Sahagian, Scott, C. F.; Shaw, Snowe, P.; Susi, Thompson, Trask, Truman, Waltz, Wood.

ABSENT — Buck, Carroll, Cookson, Cottrell, D'Alfonso, Fortier, Lewis, Quinn, Shute, Sullivan, White, Wight.

69 voted in the affirmative and 69 voted in the negative.

The **SPEAKER**: The Chair will announce the vote, and the Speaker votes yes. Seventy having voted in the affirmative and sixty-nine in the negative, the House has accepted the Minority "Ought to pass" Report.

Thereupon, the Bill was read twice and assigned for third reading tomorrow.

Orders

Mr. McNally of Ellsworth presented the following Order and moved its passage:

Whereas, Miss Patricia Ann Wheelden, daughter of Mr. and Mrs. Norman F. Wheelden of Ellsworth, and a senior honor student at Ellsworth High School, has been named Maine's Junior Miss of 1968; and

Whereas, Miss Wheelden, at seventeen years of age has brought credit to herself and her State, being chosen from a field of sixteen talented and worthy contestants; and

Whereas, the Members of the 103rd Legislature are justly proud of her ability and accomplishments in capturing this title and the honor of representing Maine in the forthcoming National Junior Miss Pageant, March 16, 1968 at Mobile, Alabama; now, therefore, be it

ORDERED, the Senate concurring, that the 103rd Legislature of the State of Maine in its second special session extend congratulations to Miss Wheelden for this outstanding achievement and the warmest wishes for her future happiness and success; and be it further

ORDERED, that duly attested copies of this Joint Order be immediately transmitted by the Clerk of the House of Representatives to

Miss Wheelden and her parents. (H. P. 1325)

The Order received passage and was sent up for concurrence.

House Reports of Committees Ought to Pass Printed Bill

Passed to Be Engrossed

Mr. Ewer from the Committee on Labor reported "Ought to pass" on Bill "An Act relating to Filing Payroll Information under Employment Security Law" (H. P. 1270) (L. D. 1776)

Report was read and accepted and the Bill read twice. Under suspension of the rules the Bill was read the third time, passed to be engrossed and sent to the Senate.

Passed to Be Engrossed

Resolve Providing Moneys for Cerebral Palsy Clinics for Home Care Programs (H. P. 1251) (L. D. 1757)

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

Amended Bill

Bill "An Act to Correct Errors and Inconsistencies in the Education Laws" (H. P. 1259) (L. D. 1765)

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

Mr. Hichens of Eliot offered House Amendment "B" and moved its adoption.

House Amendment "B" (H-509) was read by the Clerk.

The **SPEAKER**: The Chair recognizes the gentleman from Eliot, Mr. Hichens.

Mr. HICHENS: Mr. Speaker and Ladies and Gentlemen of the House: In the closing days of our regular session an amendment was put upon our desks which was not read or perhaps the importance of it was not noted by several legislators, including myself. When I returned to my home my school superintendent brought my attention to the fact that one of the directors in our district was in jeopardy of losing his job because of this amendment. Later on throughout the state several other

people contacted me about it; I became concerned, and I went to the Board of Education and was informed that from 126 districts in our state reported by superintendents, that 80 members of administrative districts or school boards were so affected by this amendment. In one district all five directors are affected; in two districts, four directors are affected; in four districts, three directors are affected, and in twelve others at least two affected.

When this amendment was presented I believe the legislator had all the sincerity that a man should have in his own community, but I do not think that he realized how it was going to affect other small communities, especially throughout the state. The Board of Education is very much disturbed over the passage of this amendment, and so I have presented it in this same errors and inconsistencies bill and make it a vital necessity to prevent undue hardship to the Maine citizens who are vitally interested in education of the youth of our state. I ask that you go along with me on this amendment so that it may become effective before the election dates in these municipalities this year.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I would like to offer a few words about this little jewel, this amendment. First let me tell you that our Committee on Reference of Bills, this was presented to them and they saw fit not to present this before this Legislature at this time, it was denied. Now it comes before us in the form of an amendment. Now let me read in part what it does. It eliminates two small words from the law. The law says that no member of a school board committee of any town or his spouse shall be employed as a teacher in that particular district it goes on to say. Now this amendment eliminates the word 'or spouse.' Let me tell you that this is a problem some places and it's going to be a problem as time goes on everywhere. In most places they pay the school committee a small amount of money ranging from

\$15.00 to \$25.00 per year. It so happens that the individual in the town cannot afford to get out and campaign and haul voters to serve on this minor job. However, if his wife is a school teacher she likes to take orders for some reason unknown to me from her husband, and some of them are greatly influenced by their husband or vice versa.

Now here is what happened in at least one case that I know of. The directors meet and decide to give their wife a raise and they might as well make it a good one, make it \$1200, and this didn't suit well with the people that had to pay the \$1200. Further they went on, one of these teachers didn't want to teach a certain curriculum that was asked, so she said she would take it up with the directors which happened to be her husband, and he said no, dear, you certainly won't have to teach this particular subject. Now I think this is wrong, basically wrong, and if you agree with me, you'll go along with me and defeat this amendment. I could waste your time for a long time, and it has been admitted by the man that put the amendment in that 80 people, mind you, 80 teachers had their wives or vice versa, their spouse so to speak as a school director setting their pay and telling them what they would have as a curriculum.

I think this is wrong, and if you don't do something about it, if you let this amendment go through you will have a lot more than 80, because they have found it's a good way to get raises because most husbands, I won't say all of them, but most husbands find it hard to deny some of the wishes of their wife, and if she happened to ask for a raise, some of them find it advantageous to give it to them, and for this reason, I now move that this amendment be indefinitely postponed. I don't think anything more has to be said on it because you can see what it does, it is not for honest government. It's unfortunate that we have to have laws. If you realized that if everybody was honest we wouldn't have to have laws, and also some laws do infringe on the honest people, but in the educational field

let me tell you it's like any other field, that there are a few, probably they are an awfully few, but they are there, that are dishonest. They are in that walk of life as well as every other, and this just helps to keep them honest.

Someone may tell you that they can't get directors, it's impossible. This is not so. I am sure that every town is not so small that they can find some director of a district. You know this job doesn't require a lot of talent; you don't necessarily have to have a teacher's certificate or a degree from some college. This being a director is not that important, the superintendent of schools presents them with a list of who he has hired for teachers and that's it. He also presents them with a bunch of bills that they got to pay and that's it, he's the purchasing agent, so there isn't — they don't have to have any great talent let me tell you to serve on a school board, it's one of those places a whole lot of talent isn't really required, and thank you for listening and I hope you will be kind enough to go along with me this morning and defeat this amendment.

The SPEAKER: The pending question before the House is the motion of the gentleman from Enfield, Mr. Dudley, that House Amendment "B" be indefinitely postponed.

The Chair recognizes the gentleman from Orrington, Mrs. Baker.

Mrs. BAKER: Mr. Speaker and Members of the House: In the class of towns which I represent, three towns, Clifton, Eddington and Holden have recently formed a School Administrative District, it's one of the newer districts. They are now in the process of building a school. They feel very strongly about this amendment which was put on in the closing hours of the regular session, it was put on to this errors and inconsistencies in the education laws without hearing, there was no opportunity for towns to appear in opposition or in support. It affects this district directly in that three of the directors would have to resign. It is not easy to replace these men particularly while the building is in

the process of construction. They are good members; they were put on there by a vote of the people; the people wanted them, they recognized their qualities and it is not easy to replace them. They say they can be replaced but not with men who have the particular qualities that they want at this time. These towns feel very strongly about this. They are anxious that this amendment as proposed by Representative Hichens should pass, and I urge you to support his amendment.

The SPEAKER: The Chair recognizes the gentleman from Hollis, Mr. Harriman.

Mr. HARRIMAN: Mr. Speaker, Ladies and Gentlemen of this House: I stand up here in support of this amendment. In the small communities it is hard, regardless of what some people may think, to get qualified people to run for the school board. It is hard to get qualified teachers, and I think that we just make the problem that much harder for the small towns in the present structure of the bill and I hope this House will support the amendment.

The SPEAKER: The Chair recognizes the gentleman from Kingman Township, Mr. Starbird.

Mr. STARBIRD: Mr. Speaker, I would like to inquire through the Chair to Mr. Dudley from Enfield, if there was any question of present school board members resigning? As I understood during the regular session when this item was passed that persons who were currently serving on the school boards could serve to the end of their current term.

The SPEAKER: The gentleman from Kingman Township, Mr. Starbird, poses a question through the Chair to the gentleman from Enfield, Mr. Dudley who may answer if he chooses and the Chair recognizes that gentleman.

Mr. DUDLEY: Mr. Speaker and Members of the House: It was my understanding that this affected the re-election of these people, but now this may not be so, I am not an attorney, but it was the way it was interpreted to me that this didn't affect those that were presently serving, it covered those who were being re-

elected to the next municipal election.

The SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. Susi.

Mr. SUSI: Mr. Speaker, I think this bill that got through and as has been pointed out went through with no hearing and with little notice from most of us is kind of a holdover to the time when it was a real plum in rural communities if a person could get a school teacher's job or a job driving the school bus. I don't think that that is any longer so around most of Maine. The qualifications for the teaching profession are rigidly spelled out. I don't believe there is any opportunity for directors to get their wives in as teachers unless they are qualified. The salaries of the teachers practically speaking are determined here at the Legislature when we set up minimums and I think communities generally are having a struggle to keep caught up with the minimums as we advance them all the time.

In Pittsfield, my home town, we would under the law as it is now, lose three out of five on our representatives to the district board including the Chairman of the Board. It was a real victory and a real accomplishment for us in Pittsfield when we got these people to be willing to go on and serve, it wasn't because they were attempting to advance the interests of their spouses that they were willing to serve. We had to work hard on them to get them to take these jobs; it would be very difficult to replace them. I think it just does happen that in some families they have a greater interest than average and commitment to education, and when you can recruit these people to help with the serious problems of education, then I think that you are doing well.

I think Mr. Dudley from Enfield has said earlier that unfortunately there always are a few, very few, dishonest people, and I think that is an accurate appraisal of the situation. This is a case in my mind of burning the barn to kill the mouse, and I hope that you will support the amendment and

vote against indefinite postponement.

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

Mr. DICKINSON: Mr. Speaker and Members of the House: I resent the reflection on the integrity of these people who are giving of their time to serve as directors on these school boards, and I think we should analyze how they got there. Perhaps we are an accessory after the fact, we might have had something to do with their being on these boards.

This bill prohibits employment of a spouse of a school director as a teacher or in any other capacity, and superintendents in my area have pointed out to me that this works an undue hardship on them in areas with a shortage of qualified teachers. The directors themselves are not opposed to the intent of the law, but I do think that the wording of this is something which should be changed, and I go along with the amendment of Representative Hichens and I hope you will vote against the motion to indefinitely postpone. Thank you.

The SPEAKER: The Chair recognizes the gentlewoman from Lebanon, Mrs. Hanson.

Mrs. HANSON: Mr. Speaker, I would like to go along with this amendment of Representative Hichens. I feel that perhaps the screening committee did not let this in as a bill because they realized it could be handled on this bill as an inconsistency.

I have been approached by some superintendents who say it is not their board of directors they are worried about losing, it is the teachers, because there are teachers who are resigning and going to other districts to teach, therefore creating and compounding the difficulties that the superintendents are having in finding new teachers. In fact our superintendent of our S.A.D. is going to have to have eighty teachers next term and he is going to be short seventeen, and that would simply make his job that much harder.

The SPEAKER: The Chair recognizes the gentleman from Brewer. Mr. Robertson.

Mr. ROBERTSON: Mr. Speaker, I want to bring out one point which I don't think has been taken up. I am quite familiar with municipal government having spent twenty years in that capacity.

There are other problems besides members of the school board determining the salaries of teachers. For the first place, most boards I believe would not determine an individual person's salary, but they would be determined in a block. In other words, there would be a general raise for everyone, I don't think they would take exceptions. There are requirements at least in our system that if you have a degree you get a certain salary, if you have your masters you get an increase and so forth and so on.

Now there are other problems besides just the school board. If you want to go further, the budget of the school system is approved by your municipal officers, your councilmen, your selectmen and so forth. There again you have an opportunity because if the superintendent brings in a budget, a member of the council or the chairman of the council happens to have a wife who is a teacher in the system, it does happen in our city, we have to settle that budget between the school board, the superintendent and the council. There is an opportunity there because all right if you approve as a municipal officer the budget, your wife gets an increase. I don't think that happens in our community, I don't think it would in the majority. There again we have a situation, I can recall several instances where principals in schools have their wives as secretaries or they work in the department. There again is an opportunity for a plum if you want to take this into consideration, so throughout the entire system there are opportunities if you look for them. I think we are just attacking one of these, and for my own municipality we do have one member who has a wife who is a part-time teacher. I don't think that he attempts to give her any personal preference, and I am sure that he doesn't intend to in the future. That's just my personal observation.

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

Mr. RICHARDSON: Mr. Speaker, I also would like to rise in support of the motion of the gentleman from Eliot, Mr. Hichens and his amendment. I completely disagree with my good friend from Enfield, Mr. Dudley, that this is a serious problem. It may be possible in his area, but I don't believe it is throughout the State.

We are in the position in Stonington of losing an excellent man on a five-man school committee, and I cannot agree that we do not want the very best people possible to serve on these school committees because they are spending between fifty and seventy percent of the appropriation of the town, and it seems to me that therefore we want the very best qualified people that we can get. I think that anyone that is qualified and well qualified to serve on a school committee would bend over backwards not to favor their wife, but even might be accused by the wife or by a relative of being parsimonious as far as they were concerned in favor of someone else in the school system, and I think that this is truly the mark of a good administrator. Therefore, I would certainly hope that the motion to indefinitely postpone does not prevail and that we will accept Mr. Hichens' amendment as written.

The SPEAKER: The Chair will interrupt debate just for a moment to recognize the presence in the House of the gentleman from Westbrook, Mr. Harnois.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: Somehow or other this morning we have all heard all these kind words and kind things about the teachers and the members of the different school boards and school directors that are also true in our State. Somehow or other I've got the feeling that maybe the directors on a school

board could probably serve in some area to probably give a little bit of favor here or a little bit of a favor there without hindering any part of the operation of the school system. Somehow or other I have got the reflection over the years that some of these people, and certainly a very small minority group of these people, might have used these same positions to do exactly as I have stated, small favors within the powers of the school boards or the school directors because of the position that they hold.

Now I am not telling you people that this might be somehow related to the friendly words that you have heard throughout the years of the little bit of nepotism in between the most of them, a favor to one could be just a plain ordinary favor because he deserves it. Some of these same people in another phase of government will say he is in this position because he can have the rest of his family doing something else for pay, so if you regard this as just plain giving somebody a small favor because of his position on the school board, that's all well and good. Somehow or other I feel that these same people, these same dedicated people that want to serve on the school board that there are many, many other opportunities on the municipal level or the state level or on the city level, that there are elective offices that they could run and serve their community in other capacities.

In my home town we happen to have one director that has his wife on the school payroll, and he has indicated to me that I should care less whether we have this or not because I can find other ways of serving the people of my community in dedicated areas. So I fail to see where we are going to promote favoritism as far as the school boards are concerned, but yet we are going to call it nepotism in other forms of government. Now either we do it one way or we don't. If these are the same dedicated people that we are talking about, let them serve in some other capacity. The budget committee, the formulation of a better school system or promoting other areas

of education in their communities, but let us not call one area and say well, he is in a position or she is in a position to play a little bit of favoritism, you are not going to teach this or you are going to teach this; if you remain on the school board your wife will be receiving this. It could be a correlation of a lot of community efforts, but I ask you just the question, how do you relate a small favor to a little bit of nepotism?

THE SPEAKER: The Chair recognizes the gentleman from Baileyville, Mr. Townsend.

Mr. TOWNSEND: Mr. Speaker and Members of the House: I represent three towns in my area, and out of these three towns, two of them have these school members whose wives are teaching school, and these people are dedicated and well qualified. So if this amendment of Mr. Hichens isn't passed and we go back, then we will lose roughly five members from these two towns, these dedicated people. Therefore, I move that we vote in favor of Mr. Hichens' amendment. Thank you.

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

Mr. DUDLEY: Mr. Speaker and Members: I will be very brief. I know there is a lot of dedicated people, I've heard a lot about it, and a lot of them are dedicated to their own pocketbook, and I also believe that a person, whether it be male or female, can't serve two masters. I believe that none of our towns are so small in Maine that we can't find qualified people to serve on a school board that their wife isn't teaching. I also believe that I believe those three things very seriously, and I hope we will indefinitely postpone this amendment.

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

Mr. FARRINGTON: Mr. Speaker, Ladies and Gentlemen: I can see both sides of the coin here. I would like to see a further amendment to this matter that those who have votes that were related directly to a spouse would be caused to abstain from their vote on this matter. Now this

seems to me to be a compromise in this area, and this would allow the relatives to be employed, but when it came to a vote they would have to abstain if it related directly to one of their spouses if they were serving in any capacity as a school board member or otherwise.

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

Mr. McNALLY: Mr. Speaker, the more I listen to this, the more confused I get. I ran as a Representative and was elected to the towns of Surry and Blue Hill and Ellsworth, and my wife worked on the election board, she had worked at election time for some thirty years, not wishing to give away her age as bad as that, but her mother served before her and then she did, but immediately upon me becoming nominated in the primaries, she no longer was allowed to serve at election time, and not even to be a checker, and I cannot see any difference between the two items, and because of that fact I shall have to go along with Mr. Dudley.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: To bring the point a little bit closer to home, and I am sure that you people as interested citizens of your community have probably witnessed this or have heard about it, that in certain areas you will find that a secretarial position is vacant but because a member on the town board or board of directors or what have you, they say well, we can't hire your daughter because you are on the board which would make a very, very bad relationship, and under the same pretense we find that in the summer recreational program for the municipalities generally they appoint a director to supervise the physical education of the youngsters during the summer, and naturally this director is authorized to hire summer help to put on a good program which he so dearly needs, only to find out that the secretary could not be made available because some relationship between an elected office,

and to appoint a director that would have four or five members of his immediate family supervising summer recreation, so for some of these reasons and many, many others that I don't want to bring up here this morning I will now ask for a roll call on the motion for indefinite postponement.

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

Mr. NADEAU: Mr. Speaker and Members of the House: I didn't intend to say anything about this but I know how I am going to vote, I'm going to vote with Mr. Dudley, and with several other people who have got the nerve and the guts to call a spade a spade and nothing else, and let's not start hiding behind or take a walk because we're going to have a roll call. Let's do the job we're supposed to do —

The SPEAKER: The gentleman will restrain his language to a point of acceptance by this body.

Mr. NADEAU: I'm sorry, Mr. Speaker, I get emotional when I see things like this get taken over by certain groups. Now let us all stop and think. We have read that in the Federal Government —

Mr. EWER: Mr. Speaker, a point of order.

The SPEAKER: The gentleman will state his point of order.

Mr. EWER: The gentleman from Sanford, Mr. Nadeau, has referred to certain groups here in the House as trying to run things. I think that is more or less of an aspersion on the membership of this House.

SPEAKER: The point of order is not well taken, the gentleman may proceed.

Mr. NADEAU: That was not so. As I say, you can even read into what I am going to say, so there are groups. We have found that we have made laws in the Federal Government whereas they cannot hire their own relatives, brothers and sisters and so forth. There are various other departments of the Federal Government that that is not a law. Now just let's take State Government for instance. How many have your brother, your sister and my mother-in-law working for you so I have to hire your brother, your sister and your

mother-in-law? So consequently who does any work? So again I say I don't want to see education run like I think Federal Government and State Government is run, so for that purpose I am going to support Mr. Dudley.

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

Mr. SHUTE: Mr. Speaker, Ladies and Gentlemen of the House: Before emotion carries us back to the last two weeks of July, I feel that I have a small voice in this matter because this is a bill on which my name is affixed, and I agreed to submit this on behalf of the Education Department. There was one item in here to which I did not wholly subscribe, and if you will check Legislative Document 1765, page 5 at the bottom of the page, Section 21, and the article referred to as beginning: "Any student attending a regional vocational-technical school," it refers to transportation of students to a vocational-technical school. This amendment — this part has been deleted by an amendment. During the hearing it was suggested that we might consider this amendment which has now been offered by Mr. Hichens. We decided not to do so, to let it come to the floor of the House. Now what we are doing if we go along with Mr. Hichens' amendment is to revert to law as it was prior to the emotional days of the regular session back last July. It has been pointed out by several of you that many towns are in dire straits because it is difficult enough to find people who want to become involved in community affairs, to serve on school boards or boards of directors of school administrative districts, Reverting to the original law prior to July would provide the answer. One gentleman came before our committee at the hearing last week, a gentleman from Litchfield, and he is the chairman of a board in that community. His wife is a teacher in Litchfield. According to law as it was adopted in the final two weeks of our regular session, this valuable member of the school board will have to quit his job, he can't run for re-election, and

Mr. Hichens' amendment would permit him to do so. So therefore, I am going to vote as the sponsor of this bill in opposition to the indefinite postponement of this amendment. Thank you, Mr. Speaker.

The SPEAKER: Is the House ready for the question? The pending question is the motion of the gentleman from Enfield, Mr. Dudley, that House Amendment "B" to L. D. 1765 be indefinitely postponed. A roll call has been requested. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All of those desiring a roll call will vote yes; those opposed will vote no, and 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 Lewiston, Mr. Jalburt.

Mr. JALBERT: Mr. Speaker and Members of the House: I understand that we in special sessions try to do our work as quickly as we can and go home. I certainly know that I have got also some important legislation of my own and I might want to take more than the ordinary time that I would take. By the same token, I think we should always at all times know exactly what we are voting about. I think I know, but I mean the last speaker did a very fine job, but I mean added a little bit of confusion to my thinking.

I think this whole bill is very important; the amendment is or is not important, I don't think that is the point there. Certainly I — because I have heard several members say that they are confused because of the importance of this piece of legislation, I would hope that somebody would table this until tomorrow; tomorrow is not the end of the world.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: This is supposedly a bill to correct errors and inconsistencies in the

education laws. I submit to you that it is full of substantive changes in the laws, and as a philosophical matter I find that objectionable. However, we are confronted with this, we are confronted with the report and I think we should take the action. I do not think that we should table this matter, I think that we should decide now on this particular aspect of the bill and then later on if we find another objectionable portion or debatable portion, we can do it at that time at another stage.

The SPEAKER: The pending question is on the motion of the gentleman from Enfield, Mr. Dudley, that House Amendment "B" to Bill "An Act to Correct Errors and Inconsistencies in the Education Laws," H. P. 1259, L. D. 1765, be indefinitely postponed. A roll call has been ordered. All of those in favor of indefinite postponement of House Amendment "B" will vote yes, those opposed will vote no, and the Chair opens the vote.

ROLL CALL

YEA — Bedard, Beliveau, Ber- man, Bernard, Binnette, Boudreau, Bradstreet, Brennan, Carey, Car- rier, Carswell, Champagne, Con- ley, Cote, Couture, Crommett, D'Alfonso, Danton, Drigotas, Dud- ley, Fecteau, Gaudreau, Gauthier, Giroux, Harnois, Hawes, Haynes, Hodgkins, Hunter, Immonen, Jal- bert, Jameson, Keyte, Kilroy, Le- bel, Levesque, Martin, McNally, Nadeau, J. F. R.; Richardson, H. L.; Rocheleau, Ross, Roy, Sa- hagian, Sawyer, Scribner, Star- bird, Tanguay, Trask, Waltz.

NAY — Allen, Baker, E. B.; Baker, R. E.; Belanger, Benson, Birt, Bragdon, Brown, M. F.; Brown, R.; Bunker, Burnham, Clark, Cornell, Crockett, Crosby, Curran, Cushing, Dickinson, Drum- mond, Dunn, Durgin, Edwards, Eustis, Evans, Ewer, Farrington, Foster, Fraser, Gill, Hall, Hanson, B. B.; Hanson, H. L.; Hanson, P. K.; Harriman, Harvey, Healy, Henley, Hennessey, Hewes, Hich- ens, Hoover, Huber, Humphrey, Jannelle, Jewell, Kyes, Lewin, Lincoln, Littlefield, Maddox, Mc- Mann, Meisner, Miliano, Minkow- sky, Morrell, Mosher, Nadeau,

N. L.; Noyes, Payson, Pendergast, Philbrook, Pike, Porter, Prince, Quimby, Rackliff, Richardson, G. A.; Rideout, Robertson, Robinson, Scott, C. F.; Scott, G. W.; Shaw, Shute, Snow, P. J.; Snowe, P.; Soulas, Susi, Thompson, Townsend, Truman, Watts, Wheeler, White, Wight, Williams, Wood.

ABSENT — Bourgoin, Buck, Carroll, Cookson, Cottrell, Darey, Dennett, Fortier, Hinds, Lewis, Lycette, Quinn, Sullivan.

Yes, 50; No, 87; Absent, 13.

The SPEAKER: The Chair will announce the vote. Fifty having voted in the affirmative and eighty-seven having voted in the negative, the motion to indefinitely postpone House Amendment "B" does not prevail.

Thereupon, House Amendment "B" (H-509) was adopted, the Bill passed to be engrossed as amended by Committee Amend- ment "A" and House Amendment "B" and sent to the Senate.

Order Out Of Order

Mr. Jalbert of Lewiston pre- sented the following Order out of order and moved its passage:

WHEREAS, the Bates Manufac- turing Co. is one of the oldest and largest private enterprises in this State, having operated its first Maine plant for 117 years; and

WHEREAS, the Bates Manufac- turing Co. employs more Maine citizens than any other private en- terprise in the State of Maine; and

WHEREAS, this company has contributed substantially to the economic growth of Maine; and

WHEREAS, the Bates Manufac- turing Co. has remained the stead- fast friend of the State of Maine and has, in spite of strong com- petitive factors, continued its operations in this State while many other companies in similar production have abandoned their operations in New England in favor of other sections of the United States; and

WHEREAS, the President of the Bates Manufacturing Company, Mr. Arnold L. Ginsburg, has di- rected the operations of that com- pany in such manner as to bring about its continuance and growth in this State; now, therefore, be it

ORDERED, that the 103rd Legislature of the State of Maine, through its House of Representatives, expresses the friendship and appreciation of the people of Maine to the Bates Manufacturing Company and, equally, the president of that company, Mr. Arnold L. Ginsburg, for the great and growing contribution that has been made to the rising economy of Maine and to the welfare of the people of this State.

The Order received passage.

The SPEAKER: The Chair at this time would request the gentleman from Lewiston, Mr. Jalbert, to escort the President of the Bates Manufacturing Company to the rostrum to be presented to this House and for you to accept a few words from the President.

Whereupon, the Honorable Arnold L. Ginsburg was escorted to the rostrum by the gentleman from Lewiston, Mr. Jalbert, amid applause, the members rising.

Mr. GINSBURG: I just want to say that we consider it a high honor that you would take this time to pay tribute to all the people of the Bates Manufacturing Company. I really want to thank you for the people that have been with the company for over one hundred years and who have contributed to make this a fine, successful firm. Thank you. (Applause)

**Passed to Be Enacted
Emergency Measure**

An Act Authorizing the Issuance of Additional Notes in Anticipation of State Aid by School Administrative District No. 46 (S. P. 749) (L. D. 1807)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 130 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Emergency Measure
Tabled and Assigned**

An Act relating to Vacancies in the Office of State Senator (S. P. 750) (L. D. 1808)

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

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

Mr. HANSON: Mr. Speaker and Members of the House: My comments would not be directed primarily to this particular bill, but it does raise a problem of a similar vein in regard to the election of Governors' councilors. Governors' councilors presently sometimes serve more than one county, and some of these counties have now been divided up into senatorial districts, and of course the Governors' councilors are now nominated by the members of the Legislature. In many instances now Senators may represent constituents outside of the constituency of the Governor's council or vice versa, and I wondered if this measure could be tabled with the view perhaps to including an amendment which would clarify the election or nomination of Governors' councilors as well. Thank you.

Thereupon, on motion of Mr. Ross of Bath, tabled pending passage to be enacted and tomorrow assigned.

Emergency Measure

An Act relating to Maine Junior Chamber of Commerce (S. P. 761) (L. D. 1818)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 119 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Validate Proceedings Taken in School Administrative District No. 63 (S. P. 768) (L. D. 1825)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 116 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act relating to Trucks Carrying Flammable Liquids in Bulk. (S. P. 801) (L. D. 1870)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 120 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act relating to Single Superintendent for Certain Institutions Within Department of Mental Health and Corrections (H. P. 1262) (L. D. 1768)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 121 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Clarify the Law for Establishment of the Maine Veterans Memorial Cemetery (H. P. 1273) (L. D. 1779)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 119 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act Creating the Webster Water District (H. P. 1278) (L. D. 1784)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 122 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act Establishing the Maine Planning Committee on Criminal Law Administration (H. P. 1307) (L. D. 1836)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 120 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Bond Issue

An Act to Authorize the Construction of a Bridge Across the Androscoggin River Between the Cities of Auburn and Lewiston (H. P. 1305) (L. D. 1834)

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

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

Mr. HINDS: Mr. Speaker and Ladies and Gentlemen of the House: I plan to vote against the enactment of this bill today, not because of the need for a bridge in the Lewiston-Auburn area, because I do feel that the people in that area and the representatives from that area have proven a need. However, as we all know, there are other needs within our State and I have three reasons for voting against this today. Number one, the people of this State recently defeated this Lewiston bridge. Every county but Androscoggin County voted against the bridge. The vote was yes votes

36,444; no votes 55,434. This is different than the educational bond issue, in my opinion, that we had before us in the last special session. This particular issue involved many, many projects throughout the State of Maine in practically every county or at least a large number of them. I think the Legislature was wrong, and if some of you will remember, I warned during the Legislature that we were making this issue too large for the people to absorb, and it was defeated. We came back and split it up so the people could understand what they were voting for, and they passed it.

There isn't too much you can do to the Lewiston bridge, whether you hold it upside down or look at it standing on your head or cover it with paper —

The SPEAKER: The House will be in order. The Chair will request those in the rear of the Hall to be quiet, debate is going on in this body. The gentleman may proceed.

Mr. HINDS: No matter what you do, this is still the Lewiston bridge no matter how you cut it or whether you run it across that river or up the river.

The Highway Commission, and I have always found, and we have had to wait in the greater Portland area for priorities, they set priorities on all their projects, and I honestly believe if a lot of work was spent with the Highway Commission in the next few years they would have this as part of their program for the next few years as we acted on in the regular session, the 12.8 million dollar bond issue, which will be voted on at the same election as this other item would be voted on. We know that the Highway Commission lost their highway building a while back and we know that because of that job they do have many people within the state that do not care too much for the Highway Department.

For these reasons and because we are going to be voting in the November election on the 12.8 million dollar bond issue for projects all over the State of Maine that are also very necessary and the Highway Commission has found

them vital and have found that they should include them in their recommendations, and for these three reasons I will have to vote against this item today.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I feel that the gentleman from South Portland has truly given you several reasons as to why you should vote for this bill. However, staying with the gentleman from South Portland, Mr. Hinds, for a brief moment, he termed the project the Lewiston bridge. It is a State Highway, number one. He facetiously said no matter what you do, stand on your head, it is the Lewiston bridge. I wonder whether or not the gentleman from South Portland, Mr. Hinds' reaction would have been a little different when on a Saturday afternoon, and bank on it that it was Saturday afternoon some five weeks ago, a fire developed in Lewiston. Within a half hour the fire was out of control. The second alarm had to be sounded, and try one bridge or the other, the Auburn Fire Department, with its usual efficiency, wanted to quickly get to the help of their neighboring City of Lewiston. It took several minutes before they could finally get to the fire. Now I am not an expert on firefighting, but I would state frankly that all of us should know that delays in firefighting can be costly wherein it concerns lives and certainly property.

At the same time, the very same day, a visiting couple from New Jersey attempted to get across the bridge with their child who had suffered a serious attack in Auburn. The only way that child could get relief or get aid was to be brought across the bridge on a stretcher to an awaiting cruiser car on the Lewiston side of the bridge so that they could come and get to the nearest hospital, one of the two only hospitals in the Lewiston-Auburn area.

I wonder when we think of things like that if we can make remarks no matter how you look at it, you can stand on your head,

it's the Lewiston bridge. I don't mind anybody opposing me, but I wish they would come up on serious matters with better arguments than no matter how you look at it, standing on your head or otherwise, it's a Lewiston bridge.

Now speaking of Lewiston and what we do get, here is the last copy of The Trail that if I received I am sure all the other members of the Legislature gets, dated January of 1968. On the very last page: Maine Highway and Bridge Projects totalling \$20,118,387 under Construction or Contracts let as of December 15, 1967. I will not take the time to enumerate all of the cities and towns, and good luck to them, but I can't find Lewiston on here, and I know one thing, that my City, if we have to call this a Lewiston bridge, my City fortunately, or unfortunately, does not have highways, and I shouldn't say unfortunately because as you drive along any of our highways in Maine it is truly really beautiful, but we are not having these highways. However, I am sure that the people in my City pay their share of excise taxes to finance the entire highway program in the State, and I am positive that certainly we pay our gasoline tax, we have no exemptions when in our area we go for gasoline. So that it behooves me that my City, my people in Lewiston and certainly in the other areas, while they are standing on their heads, are paying \$1.50 in taxes to finance the Highway Department and taken out no more than ten cents, and that's an exaggeration.

Now I am certainly aware of the fact that this measure was defeated at the polls. I am certainly aware of the fact that without saying one word that we unanimously in both branches five weeks after Question 8 was defeated, cut it up three ways without a dissenting vote, threw it back at the people three weeks later and passed it. Whether it passed or not is not of any consequence in this argument of debate with me right now. The fact of the matter is this, that if this was presented before the electorate some eight weeks after it was defeated, certainly that should shut-

ter the second argument as presented by the illustrious gentleman from South Portland, Mr. Hinds, when he says it is too soon, that we have already defeated this, we had ought not to vote on this thing; yes, it would be about a year and three or four months after we had voted on it previously.

Now I know that some of us here come to you with outstretched hands. We are stretching our hands to your hearts. We would ask you people to place yourself in the situation that we are in in Lewiston when people have to get up a half or three-quarters of an hour earlier to get to work and do not come back to their homes after a hard day in an honest endeavor to earn their living in a mill or a shoe shop after their day's work is completed.

At the hearing, the gentleman from Auburn, Mr. Bernard, upon testifying said it is three o'clock and I have an appointment in Auburn at five o'clock so I will make my presentation brief. After he testified, I addressed the Committee pursuing his remarks, and I think many of you know the area of Lewiston-Auburn, and I told the Committee that if anyone representing the Committee or the entire Committee, bearing in mind that Representative Bernard lives four miles on a fairly well travelled but not too heavily travelled road beyond the Auburn bridge, the north bridge, and I stated that if from the time he would leave the State Office Building to the time that he would get to just as you get to the corner of Main and Lisbon Streets near the bridge on this side of the river in Lewiston, if it did not take him as much or more time to get from there to that area as it would to cross the bridge and three or four miles further, then come back in session and give me an ought not to pass unanimous report. The Committee did not take me up naturally. However, had the Committee done so, believe me the report would not have been seven-three ought to pass, it would have had to be on the basis of good sportsmanship 10-0 ought to pass.

The Highway Department sent me recently a letter upon a verbal inquiry as I made in regard to financing of a new bridge across the river. You are aware of the fact that the Commission during the 103rd Legislature recommended that such a bridge be constructed, and that bond financing was the proper method of financing the construction costs of a bridge. The Commission believes that the statement which it made in the 103rd Legislature in connection with possible construction of this bridge still applies. Subsequent to the adjournment of the 103rd Legislature, the question of financing the construction costs of such a bridge through tolls was mentioned in the public press. The Commission is of the opinion that toll financing for such a bridge would not be feasible.

Back a few years ago the headlines in one of our local papers were "Jalbert favors toll for third bridge." What changed my thinking was that some four weeks later in the very same Trail Magazine, which is the mouthpiece or the speaking voice of the Maine Good Roads Association, editorially said that they doubted that tolls would pay for this bridge; they did this editorially. They favor this bridge. They do not like the method of bond financing, and believe me, that this is a group, a small group of directors speaking for a whole association. I have a tremendous amount of respect for their spokesman, the Honorable Joseph S. Jones is a personal friend of mine, and we have discussed this problem time and time again. I respect his opinion of not wanting to bond even capital expenditures which in this instance would be a bridge. When he testified before a Committee to this effect, I can appreciate his extreme, extreme pay as you go philosophy, but I can hardly appreciate his philosophy when on the very next breath he is asked how he feels about financing a program that would operate, operational expenditures of the Highway Department. One must say at least that that might be termed a little bit inconsistent.

I also appreciate the thinking of the Maine Good Roads Association and the thinking of many others that in the future, certainly we are late now in providing funds other than bonding and providing measures other than bonding to support our programs. I state added revenues, and added revenues mean gasoline taxes, and I know that we must, we are late in doing it, entertain the thinking of getting more revenues through our excise taxes and gasoline taxes if we are to continue the financing properly of State expenditures. But I do know this, I do know this, that we must remain as we do on general fund financing, remain within the realm of bonding capital expenditures. We must continue still to buy automobiles out of our savings accounts, but we must go to our checking account in order to operate the automobile, and if one were to ask me the question of what I think about financing programs particularly without annual sessions, of tremendous — of raising surpluses and also using surpluses, if anyone would ask what I think of this procedure, really and truly as a man who has possibly served a number of years on a committee, I would like to honestly say that I do not like it. I am happy to say that through our general fund that we have safeguards that will protect this just in case our programs of estimated revenues does not hold up that somewhere along the line we would be back here not too late to repair it if there was any damage.

Insofar as toll roads are concerned, as I stated I was for years for the toll road method of financing. The Augusta problem has proven this when last year not hardly any more was taken in than was expended. I certainly would favor the elimination of the Bangor-Brewer toll.

The Congress itself, because two sub-committees of the House Public Works Committee have issued a blistering report against the thinking of the Public Works to bond by toll — to finance by toll. And they now are of the opinion that they would prevent further toll operations, and I agree with

this philosophy. Insofar as we are concerned, besides that it being not only a state highway but also in certain times of our day both avenues, north and south bridges being local problems, the backup that would occur on this stoppage for tolls would be even greater — a greater problem than is presently created at certain intervals of the day. Coupled with the fact that we already have a toll highway in our area. We can get to and from the Super Highway for fifteen cents; there is no reduced rate like there are, ten cents one strip across or two and a half cents. We have a toll road.

If I felt, and I knew and my people knew, or the Highway Department or the Bureau of Public Works, or the Wilbur Smith Report at a cost of a quarter of a million dollars, who oppose this toll financing, if we felt this was different and we could operate with a toll, we would be more than happy to do it. But we cannot do it.

It is not my intention and I know the hour is late, but certainly it's not so late that I don't think that I should not take the time necessary. We ask, we know that in some areas some might have told you we don't want this. We know that in some areas that they said no. I know that some of us including myself did not work hard enough. We are beseeching you to allow this measure of extreme importance to the entire populace of Maine, certainly of extreme importance to the people in our area, we beg of you to allow this measure to be placed again before the electorate.

The SPEAKER: In accordance with the provisions of Section 14 of Article IX of the Constitution, a two-thirds vote of the House is required for the enactment of this bond issue. The Chair opens the vote. All in favor will vote yes, those opposed will vote no.

88 voted in the affirmative and 46 voted in the negative.

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

Mr. JALBERT: Mr. Speaker, not to delay, I don't intend to debate the matter any longer, I would ask for a roll call vote.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All of those desiring a roll call will vote yes, those opposed will vote no, and 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 pending question is on the enactment of L. D. 1834.

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

Mr. HENLEY: Mr. Speaker, is additional brief debate in order?

The SPEAKER: Debate is in order.

Mr. HENLEY: I would like to make a few remarks in favor of this bill. Maine is a state of paradoxes and I suppose nearly every state is. I recall coming to Augusta thirty years ago and I thought that everything was about even. I admired the roads, the highways. I remember I had a flat tire on the middle of Main Street in Lewiston one time, about 1934, and we didn't have very much traffic. I changed the tire and didn't have much of a problem.

But now it seems that a lot of things we have become tremendously up-to-date on, many things we have not. We have catered tremendously late years to tourism, which of course is one of our leading revenue industries, but it seems to me we have partly lost a bet in even our catering to tourism. We cater to north and south tourism in our highways, in our facilities, but a good many times and especially in highways we forget east and west.

I of course live adjoining Androscoggin County. I am not carrying a torch for particularly the Lewiston-Auburn bridge. I do say that the time is long past when the east and west highway system should carry another bridge over the Androscoggin River in the middle of our State. The river is too big for us to go across by ford like we used to, some of the places. And there is no place for a ferry.

But we've got a bridge system which is horse and buggy.

Of course a lot of the argument has been in favor of the safety devices around Lewiston-Auburn, which of course is very valid. My argument is that if we have a third bridge, a modern bridge, we would take a lot of load off the other bridges. The other bridge being probably up the river north would take a lot of the through traffic and allow more space for those people in Lewiston-Auburn to use the present bridge system. I don't know what the safety factor is on those old bridges. We do have recent history in Ohio of some pretty bad problems of an overloaded bridge; I hope that that situation does not occur anywhere in the State of Maine.

But I am for this bridge, I am for allowing the people to vote on it again. Possibly some of the people from the other areas may have to travel through that area and take an hour to go through the two cities when they just want to go on Route 202 or 100 or Route 11; and at certain times nearly every day when if they have to go through those routes and go down through the business section of both of those cities they're going to be in rather a dangerous mood when they get out on the other side if they're trying to make time.

So again I don't know of any other thing to state except that as an outsider, regardless of the questions that have been already well answered relative to the local situation, I feel that we do need to bring the bridge system up to date in the center of our State and assist the east and west traffic which of course cannot be aided much by the big bridge on the 'pike because if we use the 'pike to go from here to my home, sure, we can go over the bridge and go over the Androscoggin, well then I have about six miles to travel north to get back onto my route, so it really takes us way out of the way. So I urge a yes vote on this subject.

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

Mr. ROBERTSON: Mr. Speaker, I feel since I am a member of the

Committee before which Mr. Jalbert's bill appeared that I perhaps should state at least my opinion, and not necessarily that of a concensus of opinion of the Committee.

We heard this bill presented before us very capably. The facts were brought out, and I think we have as Representatives of the State of Maine only one thing to consider; whether we live in Houlton or whether we live in Portland, whether we are Democrat or whether we are Republican, the important thing, does there exist a need for an Auburn-Lewiston bridge?

From the facts that I have had presented me I sincerely feel that there is a need. Regardless of the fact that the people of the State of Maine have turned this down, I think we must realize that we are somewhat locality-conscious. If we live in Bangor, perhaps we think of what's best for Bangor and the Brewer area. If we live in Portland, we think of what's best for Portland. But I think we have all got to be fair-minded and consider the entire State of Maine, and the needs of a specific locality.

I know that we have had a similar situation in our area; it will probably exist again, and it is indeed a problem in a case of emergency or a handicap in workers getting from one community to another. For this reason, I sincerely believe as a member of this Committee that this bridge is needed, and I sincerely believe that we have an obligation to allow this bill to again go to the voters of the State of Maine in order that they again might express their opinion. Let's let them have that opportunity. Thank you.

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

Mr. MINKOWSKY: Mr. Speaker and Honorable Members of the House: Commencing my second year as a lawmaker, I have learned in this short span of time that the word 'emergency' attached to a piece of legislation has been stretched to encompass many projects to suit the fancy of lawmakers. In L. D. 1834 this is not the case.

The need is real and the need is great, and the word 'emergency' has not been stretched out of proportion.

The traffic congestion in Maine's second largest city adjoining its sister City of Auburn, particularly at peak hours, constitutes a real crisis. I hope and pray that it does not take a major fire to devastate a portion of our twin communities, because fire fighting equipment would be immobilized by stalled traffic, before the seriousness of this situation is recognized statewide.

A fact not mentioned previously is that these long delays in the moving of traffic would be even worse if it were not for the fact that many of our Lewiston-Auburn citizens who can avoid driving during these rush periods studiously endeavor to do so. Meanwhile, the number of cars on the road continues to increase; the congestion gets more serious, and the need for an additional bridge even more compelling.

In these ever changing times with the many changes I have witnessed in our twin communities and projecting myself to the future growth and expansion of our cities, which also benefits our State and all its citizens, I feel that the potential for the future business growth will be retarded if this bridge does not become a reality. There have been numerous recent examples exemplifying the necessity of this additional span; a fire at a Main Street hotel where traffic had to be rerouted; a break in a six inch water main which closed one entire lane of traffic during the height of the 1967 Christmas season rush. The Maine State Highway Commission has made clear its understanding of this critical daily problem with traffic tie-ups on both our north and south bridges. The recent Wilbur Smith Associates survey fully concurred with an earlier survey by Edwards & Kelsey, traffic engineers. Their professional opinions have been completely delivered on an objective basis exemplifying the need. If expert testimony from these witnesses to our traffic problem isn't sufficient, then ladies and gentle-

men of the House, what is? We are not talking up an additional bridge just for the sake of getting a bridge. In essence, what I am saying is that our cities daily experiences could prove disastrous should an emergency arise during the height of traffic.

I say without fear of exaggeration, that these rapidly growing Maine communities must have this bridge, and we must have it now. Its construction should not be delayed an instant longer than necessary. Enactment of L. D. 1834 will be the only step in the right direction to resolve this serious emergency for this justifiable bond issue, and Maine citizens, as I know, have always been fair and just. Please give us this opportunity to tell our story again, statewide. Thank you, Mr. Speaker.

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

Mr. HEALY: Mr. Speaker, Ladies and Gentlemen of the House: I think the proposition here right now is to pick up thirteen votes, and I question whether my remarks will accomplish it, but I hope they do.

I have done considerable traveling over the State of Maine and there is no greater bottleneck, a bottleneck over a bridge I am thinking about at the moment, then there is between Lewiston and Auburn, particularly at the rush hour. Now we had a gentleman here today who pulled one of the largest manufacturing companies up by the bootstraps and restored considerable economy in that area. I have been traveling through Lewiston to Auburn or Auburn to Lewiston at the rush hours, and I am certain that these people have to allow at least from one-half to one hour's time more than they should have to get to work.

Ladies and Gentlemen, if there was a need for a bridge anywhere in the State of Maine, it is between Lewiston and Auburn, and I ask you to have compassion for these poor people in that area and pick up this thirteen votes. Thank you.

The SPEAKER: The Chair would advise the gentleman that it is a two-thirds vote of the House under

the provisions of Section 14, Article IX, of those present and voting.

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

Mr. DRIGOTAS: Mr. Speaker and Ladies and Gentlemen of the House: I certainly would be remiss if I didn't rise in support of this bill. I live in Auburn and work in Lewiston, and I have perhaps no less than ten times a day to cross this bridge. I am not going to add any more to what has been said so eloquently and so sincerely by the preceding speakers. I just want to go on record as saying that I heartily, heartily support this legislation and implore you to let it go before the people of the State of Maine for their action. Thank you.

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

Mr. SNOWE: Mr. Speaker and Members of the House: We need this bridge desperately. We are only asking for the opportunity to send this measure back to referendum. If we are given this opportunity, we will travel next summer from Kittery to Fort Kent knocking on doors if we have to and explaining our needs to the people of the State. I urge you to support this bill. Thank you.

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

Mr. WOOD: Mr. Speaker, we realize of course that this bond issue has been before the people and defeated, but I think that the enormous need for this bridge will justify us at this time sending it to the people again.

We speak of this being a bridge for the City of Lewiston. I believe that any bill or any bridge that will help the economy or industry in one part of the State of Maine is helping the whole State of Maine. In a very short time now, in less than five years there will be as great a need for another bridge across the Penobscot River in Bangor, as great a need as there is for this bridge. We are coming back to this Legislature and ask for funds to build those bridges with. I think the people can be educated to understand how seriously the situation is and how badly we need this bridge at this

time, we can get the consent of the people and go ahead and build this bridge before the time comes when we have to have three or four bridges to spend our money for all at the same time. Thank you.

The SPEAKER: The Chair recognizes the gentlewoman from Winthrop, Mrs. Baker.

Mrs. BAKER: Mr. Speaker, I have nothing new probably to add but I have been for this bridge ever since we discussed it in the 103rd and even—in the regular session and even spoke to many of my constituents about how worthwhile I thought it was, and I don't think my town stacked up too badly in the vote for it. It's not a Lewiston bridge, and I would want to agree with everyone else there, it's a State bridge. It's got to come. It's got to be built, and every year we delay this letting the people vote on it, it's going to cost that much more, and we are going to be faced with another bridge as has been said over the Penobscot and everywhere else, and cost is what I am thinking of. This bridge can be built now I think many thousands and hundreds of thousands of dollars less than it can two years from now, and it's got to be built I thoroughly believe.

Just one example of something that hasn't been brought up. There were many workmen in my area who tried to get employment and in fact did get employment in Auburn at one of the mills, and they had to give it up because their eight hour day was extended into a ten and eleven hour day. Any one living in our area or north of us has no other choice but to go over that bridge, they can't use the pike, the toll bridge, toll highway, because it is just impossible to get to it, it adds so many miles, so I know from a personal standpoint that this is a state need. I would urge you to vote for sending this back to the people.

The SPEAKER: A roll call has been ordered. All those in favor of the enactment of this bond issue, An Act to Authorize the Construction of a Bridge Across the Androscoggin River Between the Cities of Auburn and Lewiston, H. P. 1305, L. D. 1834, under the provisions of Section 14 of Article

IX of the Constitution will vote yes; those opposed will vote no, and the Chair opens the vote.

ROLL CALL

YEA — Baker, R. E.; Bedard, Belanger, Beliveau, Benson, Berman, Bernard, Binnette, Boudreau, Bourgoin, Bradstreet, Brennan, Brown, M. F.; Burnham, Carey, Carswell, Champagne, Clark, Conley, Cornell, Cote, Couture, Crommett, Crosby, Curran, D'Alfonso, Danton, Darey, Dickinson, Drigotas, Drummond, Eustis, Evans, Ewer, Farrington, Fecteau, Foster, Fraser, Gaudreau, Gill, Giroux, Hall, Hanson, B. B.; Hanson, P. K.; Harnois, Harvey, Hawes, Healy, Henley, Hennessey, Hewes, Hodgkins, Hoover, Hunter, Immonen, Jalbert, Jameson, Keyte, Kilroy, Kyes, Lebel, Levesque, Lewin, Lincoln, Martin, McMann, McNally, Meisner, Minkowsky, Morrell, Mosher, Nadeau, N. L.; Noyes, Payson, Pike, Prince, Quimby, Rackliff, Richardson, G. A.; Richardson, H. L.; Rideout, Robertson, Robinson, Rocheleau, Ross, Roy, Sahagian, Sawyer, Scott, C. F.; Scribner, Shute, Snowe, P.; Soulas, Starbird, Susi, Tanguay, Townsend, Trask, Truman, Watts, Wheeler, White, Wight, Williams, Wood.

NAY — Allen, Baker, E. B.; Birt, Bragdon, Bunker, Carrier, Crockett, Cushing, Dunn, Edwards, Hanson, H. L.; Harriman, Haynes, Hichens, Hinds, Huber, Humphrey, Janelle, Jewell, Littlefield, Lyette, Maddox, Miliano, Nadeau, J. F. R.; Philbrook, Porter, Scott, G. W.; Shaw, Snow, P. J.; Thompson, Waltz.

ABSENT — Brown, R.; Buck, Carroll, Cookson, Cottrell, Dennett, Dudley, Durgin, Fortier, Gauthier, Lewis, Pendergast, Quinn, Sullivan.

Yes, 105; No, 31; Absent, 14.

The SPEAKER: The Chair will announce the vote. One hundred and five having voted in the affirmative and thirty-one in the negative, a sufficient number of affirmative votes having been cast, the bond issue receives enactment. It will be signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act relating to Survivor Benefit Payments to Children Under State Retirement Law (S. P. 760) (L. D. 1817)

An Act relating to Definition of Restaurant Under the Liquor Laws (S. P. 765) (L. D. 1822)

An Act to Change the Date of Caucus Election of City of Biddeford (S. P. 767) (L. D. 1824)

An Act relating to Industrial and Recreational Obligations (S. P. 778) (L. D. 1850)

An Act relating to Powers and Mortgages Under Maine Recreation Authority Act (H. P. 1264) (L. D. 1770)

An Act Establishing the Bureau of Mental Retardation (H. P. 1312) (L. D. 1841)

An Act relating to Hearings Before Water and Air Environmental Improvement Commission (H. P. 1322) (L. D. 1868)

Finally Passed

Resolve Providing for a Retirement Allowance for Lois Blackwell Goodwin (H. P. 1280) (L. D. 1786)

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

Orders of the Day

On motion of Mr. Scott of Wilton, the House reconsidered its action of yesterday whereby Bill "An Act to Remove the Existing Debt Limit of North Jay Water District," House Paper 1279, L. D. 1785, was passed to be engrossed as amended by Committee Amendment "A".

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

House Amendment "A" (H-513) was read by the Clerk and adopted and the Bill passed to be engrossed as amended by Committee Amendment "A" and House Amendment "A" and sent to the Senate.

The SPEAKER: Is there objection to these several procedural matters being sent forthwith to the Senate? The Chair hears none, it will be done.

On motion of Mr. Richardson of Cumberland,

Recessed until four o'clock in the afternoon.

**After Recess
4:00 P.M.**

The House was called to order by the Speaker.

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

Bill "An Act relating to Payment for Blood Tests in the District Court." (S. P. 764) (L. D. 1821)

Tabled—January 15, by Mr. Miliano of Eastport.

Pending—Passage to be enacted.

The SPEAKER: The Chair recognizes the gentleman from Machias, Mr. Watts.

Mr. WATTS: Mr. Speaker and Members of the House: This bill was adopted at the last regular session of the Legislature after receiving a very favorable report from the Judiciary Committee. It is difficult to understand how this L. D. 1821 can be considered as an emergency with such a short time after passage of the bill in regular session. The amount involved, which accrues to the colleges, is a small amount. Now with the District Court receiving all the fines it seems reasonable that some cost should be assumed by this Court. I hope that the House will not support this measure. Thank you, and I would ask for a division please.

The SPEAKER: A vote has been requested on the enactment of this Bill. All those in favor of its enactment will vote yes, those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

30 having voted in the affirmative and 75 having voted in the negative, the Bill failed of enactment. Sent to the Senate.

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

Bill "An Act Reactivating the Governor's Committee on Children and Youth." (H. P. 1300) (L. D. 1829)

Tabled—January 15, by Mr. Ross of Bath.

Pending—Assignment for third reading.

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

Mrs. KILROY: Mr. Speaker and Members of the House: House Amendment 511 to L. D. 1829 I offer at this time. First of all I would like to explain why I asked the emergency to be removed. In this amendment I have asked that we cut the appropriations for the first year, so therefore we don't need emergency because we do have some money that we planned for last fall's conference but due to the upset they didn't know whether they should go on with it. We have already planned for March or April for this conference. We don't have enough but we will have to make it go.

The second part of the amendment is reduced from \$3,000 to \$1,800. I feel that by presenting this amendment it will give the people a chance to realize that this Committee is anxious to work and do its job that it's been doing for the last ten years and I trust they will go along with the amendment.

The SPEAKER: The gentlewoman from Portland offers House Amendment "A". The Clerk will read the amendment.

Thereupon, House Amendment "A" (H-511) was read by the Clerk and adopted.

Under suspension of the rules, the Bill was read the third time, passed to be engrossed as amended and sent to the Senate.

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

Bill "An Act relating to Compensation for Certain Municipal Officers who Appear in District Court." (S. P. 753) (L. D. 1811) (In Senate, passed to be engrossed as amended by Committee Amendment "A" (S-337)

Tabled—January 15, by Mr. Gill of South Portland.

Pending—Adoption of House Amendment "A" (H-508)

Thereupon, Mr. Philbrook of South Portland withdrew House Amendment "A".

The same gentleman offered House Amendment "B" and moved its adoption.

House Amendment "B" (H-512) was read by the Clerk and adopted.

Whereupon, on motion of Mr. Beliveau of Rumford, the Bill was tabled pending assignment for third reading and specially assigned for tomorrow.

The SPEAKER: Is there objection to consideration of Senate papers out of order at this time? The Chair hears none; the Clerk will read the papers.

**Papers from the Senate
Ought to Pass with
Committee Amendment
Passed to Be Engrossed**

Report of the Committee on Labor on Bill "An Act Establishing a State Employees Appeals Board" (S. P. 771) (L. D. 1843) reporting "Ought to pass" as amended by Committee Amendment "A" (S-340) submitted therewith.

Report of the Committee on State Government on Bill "An Act to Create the Posts of Assistant County Attorney in Oxford County and in Somerset County" (S. P. 755) (L. D. 1813) reporting "Ought to pass" as amended by Committee Amendment "A" (S-341) submitted therewith.

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

In the House, Reports were read and accepted in concurrence and the Bills read twice. Committee Amendment "A" to each was read by the Clerk and adopted in concurrence.

Under suspension of the rules, the Bills were read the third time, passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

**House Report of Committee
Referred to Next Legislature**

Mr. Hoover from the Committee on Labor on Bill "An Act Establishing the Municipal Public Employees Labor Relations Law" (H. P. 1291) (L. D. 1797) reported that

it be referred to the 104th Legislature.

Report was read and accepted, the Bill referred to the 104th Legislature, and sent up for concurrence.

**Emergency Measure
Tabled and Assigned**

"An Act relating to Loans for Maine Students in Higher Education" (S. P. 779) (L. D. 1851)

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

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

Mr. RICHARDSON: Mr. Speaker, there is an amendment being prepared to put on this bill at the suggestion of the Attorney General and I would appreciate it if someone would table this bill for one legislative day pending reproduction of this amendment.

Thereupon, on motion of Mr. Sahagian, tabled pending passage to be enacted and specially assigned for tomorrow.

**Passed to Be Enacted
Emergency Measure**

An Act to Incorporate the Town of Harmony School District (H. P. 1256) (L. D. 1762)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 118 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Reconstitute School Administrative Districts Nos. 60, 64, 65 and 66 (H. P. 1257) (L. D. 1763)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 119 voted in favor of same and none against, and accordingly the Bill was

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

Emergency Measure

An Act Creating a New Charter for the Town of Fairfield (H. P. 1271) (L. D. 1777)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 116 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act Creating the Harrison-North Bridgton Area Water District (H. P. 1294) (L. D. 1800)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 119 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act Continuing the Committee on Aging (H. P. 1301) (L. D. 1830)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 111 voted in favor of same and 6 against, and accordingly the Bill was passed to be enacted, signed by

the Speaker and sent to the Senate.

Emergency Measure

An Act to Incorporate the Town of Litchfield School District (H. P. 1317) (L. D. 1860)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 121 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act Clarifying the Establishment of Hospital Administrative District No. 1 in Penobscot County (H. P. 1324) (L. D. 1869)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 112 voted in favor of same and 5 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act to Reclassify Certain Tidal Waters of Hancock County (H. P. 1274) (L. D. 1780)

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

On motion of Mr. Richardson of Cumberland,

Adjourned until ten o'clock tomorrow morning.