

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fourth
Legislature*

OF THE

STATE OF MAINE

1969

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Thursday, March 27, 1969

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

Prayer by the Rev. Mr. Lewis Berube of South Berwick.

The journal of yesterday was read and approved.

Papers from the Senate

Bills from the Senate requiring reference were disposed of in concurrence.

Reports of Committees**Ought Not to Pass**

Report of the Committee on Towns and Counties reporting "Ought not to pass" on Bill "An Act relating to County Advisory Organizations" (S. P. 118) (L. D. 328)

Came from the Senate with the Report and Bill recommitted to the Committee on Towns and Counties.

In the House: Report was read and the Report and Bill referred to the Committee on Towns and Counties in concurrence.

Ought to Pass

Report of the Committee on Natural Resources reporting "Ought to pass" on Bill "An Act Establishing a Study Committee on Water Resources" (S. P. 281) (L. D. 928)

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

In the House: Report was read and accepted in concurrence, the Bill read twice and tomorrow assigned.

Divided Report

Majority Report of the Committees on Appropriations and Financial Affairs and Education jointly, pursuant to Joint Order (S. P. 327) reporting a Bill (S. P. 414) (L. D. 1379) under title of "An Act Providing for Payment of the 1969 Education Subsidies to Municipalities" and that it "Ought to pass"

Report was signed by the following members:

Messrs. SEWALL of Penobscot
DUNN of Oxford
DUQUETTE of York

KATZ of Kennebec
STUART of Cumberland
— of the Senate.

Messrs. LUND of Augusta
BRAGDON of Perham
SAHAGIAN of Belgrade
MARTIN of Eagle Lake
JALBERT of Lewiston
BIRT of Millinocket
BENSON
of Southwest Harbor
RICHARDSON

of Stonington

CHICK of Monmouth

MILLETT of Dixmont

Mrs. CUMMINGS of Newport
— of the House.

Minority Report of same Committees, pursuant to Joint Order (S. P. 327), reporting a Bill (S. P. 415) (L. D. 1380) under title of "An Act Providing for Payment of the 1969 Education Subsidies to Municipalities" and that it "Ought to pass"

Report was signed by the following members:

Mr. KELLAM of Cumberland
— of the Senate.

Mr. WAXMAN of Portland

Mrs. KILROY of Portland

— of the House.

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

In the House: Reports were read.

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

Mr. RICHARDSON: Mr. Speaker, I would move that we accept the Majority Report and I would speak very briefly to my motion.

The SPEAKER: The gentleman from Stonington, Mr. Richardson, moves that the House accept the Majority Report.

The gentleman may proceed.

Mr. RICHARDSON: I would point out to the House that this Report is the result of several weeks of intensive work on the part of the Education Committee. The report bears the signatures of all ten members of the Appropriations Committee; it is also signed by six members of the nine who were present at the time, members of the Education Committee of the

House. It is truly a compromise measure.

I believe, in view of the tremendous change which took place in the State valuations last December, that it is the duty of this House and this Legislature to pass a supplemental subsidy program as this is; it is only for one year of the biennium, but it will ease the impact on the towns. I hope that each of the members of this House will look at this bill as a statesman and not as a politician who wants to know just what it will do for his individual town; rather let us look at it to see what it will do overall for the entire state.

Some of you have pointed out to me that many communities have already passed their budgets and have swallowed the bitter pill, and I can wholeheartedly agree, but I would submit that these people who have done this did it with a prayer on their lips that we would do something to help them from Augusta. I would urge that every member of this House vote for the Majority Report as an equitable compromise and when the vote is taken I would request that it be taken by the yeas and nays.

The SPEAKER: The Chair recognizes the gentleman from Caribou, Mr. Allen.

Mr. ALLEN: You will notice from our calendar that there are sixteen names that have signed this report. As you will recall that I was unavoidably absent, but I have kept in touch with this and if I had been here I certainly would have signed the Majority Report.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I rise this morning; I'm against either one of these reports. I did something very unusual last night for me. I spent most of the evening until the late hours of the night studying these two bills and what they do to the State of Maine and its people, and I don't think either one of these bills is the answer to our problems in the State of Maine today. I think our people expect us to do something, but it isn't

just to keep bailing money into a sinking ship.

Now something needs to be done, true. This I agree to and I even tried to make myself believe what is the problem, where can we correct the problem? Most of us haven't stopped to think what really is the problem. Now in my opinion, for what it's worth, the problem is not with dollars and cents; it's with common sense, and it's in the Department of Education. Although they are very intelligent people, this I'll acknowledge, their thought is only for education, and mine is also.

Now I find in making some analysis in the field of education with children that I am well acquainted with, and I'm very well acquainted with a lot of them. I help a lot of them go to college and so forth and I am very well acquainted with the problems of education from the child's level. And I find that some of these children go to take an entrance exam and where they generally fail is the field of science or in the field of English. Now in this particular field I don't think we are doing enough. But here's the field where I think we are overdoing it, and this is in the field of guidance, in the field of music, in the field of physical education.

Now these are fringe benefits to education and this is where the sticker comes. When the Department of Education says to these schools, "you must have these things to qualify," this is number one mistake because there's a lot of these schools and a lot of these districts would not have some of these things. They would rather have more science and more English. So this is problem number one. They're being told, "you must do this." I think the law should say, "you may have this," but at the present time they say you must have it to qualify for this, and this, and this.

Now this is one of the things we're doing wrong or the Department of Education is doing wrong, in my opinion. And I would like to have you give this some thought because this is one of the things that is costing us a lot of money.

I went further in this research. I took District 31 school of which that's in my district. Over a ten year period they've taught music; as a matter of fact they have two music teachers now and one English teacher and one science teacher. And over this ten-year period not one child went on to make music the method by which he earned his living. Now I think this is probably the case in some of the other schools. Not one in ten years went on to make music his career so far as his living was concerned.

I think this should give us some thought; do we need to spend this money for music? I went to school, once upon a time I did, and I had to take music lessons after school and I think they cost a dollar or two a lesson, and it was a pretty good method because those children that didn't want to take it just didn't go take their music lesson; they went skating or something else. And today there's lots of children taking music that don't want to; I know.

These are some of the fields that we may explore and there are many others but I don't want to bore this House listening to my gab all the morning. But I offer this as one suggestion, and I would say certainly that you can't go on forever just bailing money into a sinking ship. It's time, like the honorable gentleman from Kittery said once at the beginning of this session, Mr. Dennett said that it was like the little boy that put his finger in the dike. Well I just hope that somebody who is here today who heard this honorable gentleman speak in this House earlier in the session about putting his finger in the dike, the little boy, because this is the place this morning and this is one of the bills where you've got to put your finger in the dike and stop trying to secure everything with dollars, because dollars are not the answer. We've got to go into the curriculum and try to do something to improve education in Maine and you can't do it with just dollar bills alone. So I want it well known in this House that I'm opposed to both of these programs and I think we should start looking in a different

direction other than just dollar bills. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Skowhegan, Mr. Dam.

Mr. DAM: Mr. Speaker and Members of the House: I can't agree with the gentleman who just spoke, I believe Mr. Dudley, wholeheartedly because we're not here to overhaul the educational system or the Education Department. Now many of the problems do not lie with the Education Department here in Augusta. They lie directly with the school boards and the SAD boards in their own towns. There are a lot of times that a program is not in the educational system and there is talk about putting this into your system in your own locality, and you get this pressure from the people that they want this.

Now I'll take just one for instance — art. Maybe this will never be anything, anyone as far as making a living in later life, but it is a subject that is offered. In my district SAD 54, I'm on the school board and we have put in programs. The State Department has not said, "you must do this. The people have said, "we want this; we would like to have this." A lot of times this problem lies directly with the people because these programs are entered into the system, and the people themselves, not being too familiar with the cost, they don't realize that a little later this will reflect in the budget and it will mean an increase in their educational cost with the taxes. But, by the same token, we cannot deny the children today the right to a good education.

In the last ten, twelve, fifteen years, the educational system in the State of Maine has made tremendous strides. But this is still not enough. I admit that I agree with the gentleman that just spoke, Mr. Dudley, that there are problems to be solved; there may be inequities in the system. But today I don't think any of us are really here to concern ourselves with an overhaul of any system, whether it be on the State level or the local level. We are here mainly to consider a subsidy bill, a bill that will get many com-

munities out of their financial straits and many districts.

This Majority Report is very pleasing to me. I think that the Education Committee and the Committee on Appropriations has done a tremendous job and I want to say that I do support this Majority Report and I hope that the rest of the members in the House will do likewise.

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

Mr. CAREY: Mr. Speaker, I would ask of anyone here who could answer what will this Report A commit us to for the second year in the biennium? How much money would we have to raise? Secondly, what would the report do for us as to raising funds for the second year in the biennium, and what method is proposed in raising this money?

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

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

Mr. WAXMAN: In answer to Mr. Carey's question, the Majority Report is a one-year program for aid to our towns and cities; it does not attempt to tackle the second year of the biennium and the problems we are going to confront there at all. As to how we might pay for this additional \$5 million cost, I think that is pretty much a question that is open to debate. I was one of the members that signed the Minority Report, Report B, and I'd like to address the attention of the House to that report if I could for a moment.

I would point out that if we do not accept the Majority Report, we do have an alternative, and I think it is a better alternative than the Majority Report. There are a number of reasons for this and I will not dwell on them all; I'm sure they will be covered by other people this morning. But I would just like to talk on the practical aspects of giving funds directly to our towns and cities that need it badly.

I examined both reports very closely before making up my mind as to which report I would support. I decided that Report B was superior for one major reason. For our larger communities in the state, out of the ten largest communities in the state, it grants more aid than does the Majority Report. It seems to me we have a certain obligation to our larger municipalities to insure that where a large percentage of our youngsters are attending school that we get as much help to them as we possibly can, and nine of the ten of the larger municipalities in the state are helped more by the Minority Report than by the Majority Report.

Although I come from the largest city in the state, I am well aware of the problems of many of our smaller communities, and I have discussed on many occasions the difficulties they are facing with members of this body and the Senate. And so I felt in good conscience I could not support any program that did not offer a considerable amount of aid to our so-called poor communities.

So I examined both plans to discover what was being done for our so-called poor communities in each of the two programs. I think a valid basis of judgment for determining what a poor community is would be the per pupil valuation figure; in other words, the total amount of property assessed value divided by the total number of pupils. I discovered, using the figure of 8,000 per pupil, \$8000 per pupil valuation figure that we have 96 school units in the state that fall under this particular category. I would think any member of the House would grant me that any community that has less than 8,000 per pupil valuation would be considered a poor community. I then turned to the two reports to discover how the two reports dealt with these so-called poor communities. Out of the 96, five of them are helped equally by both reports. Out of the remaining 91, 30 are helped more by the Majority Report, but 61 are helped more by the Minority Report.

So I would conclude that if we are seriously interested in getting the money to our poor communities in the best possible manner we can, then we have no course but to follow — we have no alternative but to reject the Majority Report and to accept the Minority Report, for this is the one that gets more money to more communities that need it the most; and, in addition, it helps out our larger municipalities where a good percentage of our youngsters are attending school. So I would hope that the House will reject the Majority Report and then turn its full consideration to the Minority Report.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: It is with somewhat reluctance that I get up on this legislative document this morning, a document that has been before each member of the House and the Senate for a good number of weeks now. At one time we thought we had what we thought was a very good understanding as to what we were going to do with school subsidies, only to find out that weekend after we went home, that there were some sections that were not totally agreeable. So from there we started the runoff sheets again. I don't know how tired the machine is that puts out these tabulations, but I would assume that after a couple of weeks it must have been very tired.

I can't help but feel this morning that Report A and Report B are in my humble estimation two very bad documents. The lesser of the two evils would be Report B. If we are trying to help those communities that we have in these halls here, trying to help for as many years as I have been here, giving help and assistance to these unfortunate towns that needed the help. And by so doing what we are trying to do in Report A is — I repeat both are bad bills. Report A, in the sense of the word, is ignoring a good part, not entirely, but a good part of the state valuation which has been the base for establishing school subsi-

dies in the State of Maine for a good many years, with one or two year exceptions.

If we are going to use that as a base, and from what I gather in the paper this morning there may not be a second year in the biennium for subsidies from this Legislature — there may not be, I add — if we are going to use the valuation for school subsidies, then we must recognize that Report B uses the 1968 valuation. This has been the base for years, and if we start dickering with the different valuation, what is so sacred about the 1966 valuation, or what is so sacred about any valuation for that matter?

So therefore, I find that in the last sheet that was printed, towns, municipalities and SAD's, 146 towns would receive additional monies from Report B over Report A. 43 of the communities and SAD's would remain exactly the same.

Now these are some of my observations, and again, if we do provide subsidies for the first year of the biennium, I have heard no far cries from the people of the communities that they are in dire straits versus two years ago. The different associations — the Maine Teachers' Association, the Maine Principals' Association, the Maine Superintendents' Association, that have been in the last year and a half impressing the Governor of the needs for these kinds of money to help the communities, to help their school children, and to help the faculties of the different schools, have pounded the Governor's desk for one year and a half.

Therefore, task forces were established, group citizens were established to recommend to the Governor and to the Department of Education that they must do something. In good conscience, the Governor came out and he tried to do something. The first compromise that was arrived at knocked off two and one half million dollars from the recommendations. This didn't seem to be too radical a change, too radical a move. It was something that we could live with, and I am sure that every town in the state could live with. But yet not a single voice

was heard from the outside as to whether this two and a half million dollars that was being knocked off was going to do anything relative to the municipalities.

Now, I am assuming, because of the lack of communication between the school systems and the Legislature, they are sitting in their rocking chairs or have buried their heads in the sand, because they know no matter what comes out of the Legislature we are guaranteeing these different towns and municipalities four point nine million dollars by any committee report. Is this going to fill the need for our school systems in the state for the next biennium, or are the indications that are in today's paper that we might have to come back in a special session to do something for the second year of the biennium?

My reason for stating these different observations here this morning is that there will have to be something done to our school system, as every one of you that were here two years ago know. The thing that troubles me this morning, and it has for the last several weeks in trying to arrive at something equitable, as was pointed out earlier, we are trying to help the poorer towns. If we don't use the state valuation, the current state valuation, how are we going to correct the inequities built in Report A for the second year of the biennium, if we don't use the true valuation? If we can't use the valuation, then let's forget about it and start from another base.

Mr. Allen from Caribou pointed out because of his sickness that he was unable to sign a report, and I think this entire House feels very sorry that Mr. Allen could not be here because of illness, and then he pointed out that he wished to sign the Majority Report, which is very good. This seemed to have brought back a thought to my mind that committee report we have seen in this House, unanimous committee reports, substituted for the bill. So just how much significance you can tie to a committee report at times leaves me to wonder. But by the same token it has been done, that

unanimous "ought not to pass" committee reports and the bill has been substituted and eventually passed and became legislation.

So I can't help but feel this morning that we are not heading in the right direction by adopting Report A. If we go by such a parochial action as to say, well what is going to be the greatest amount of money for my town regardless of what the valuation is, if this is what you want for the subsidies of your communities from this Legislature, then Report A is what you want to take, regardless of the amount of money that your town is going to receive.

If you think that we should still in this day and age try to help the poorer communities, then we should adopt Report B. Thank you.

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

Mr. JALBERT: Mr. Speaker and Members of the House: First I would attempt to clarify one or two points. One of the speakers mentioned that Report A was a one-year affair. I would correct that statement by submitting that Report A and Report B are one shot deals. I would also say that in the question as to how this would be funded, it would be funded — and one would have to be honest, by additional tax measures.

I signed the Report A when there was no other report before us. I saw Report B, I was asked how I felt — I said I am staying with Report A, for several reasons. But to me the two most important reasons are these. Number one, Report A would give my community less money now. Should there be added subsidies Report A would give me, my home city, much more money than the acceptance of Report B and the continuation of Report B. Coupled with the fact, that in spite of the fact that Report A might not give my community which is labelled a wealthy city — and I would question that at least from a personal standpoint, that we are faced in our community as well as other communities with a sad dilemma wherein it concerns our parochial school problems.

So that I have been given assurance that through legislation that I have introduced this relief will be given to us in our areas and in other areas. So that then the decision would have to be reached that if I did not support one report because of selfish reasons, because I felt it would not be giving my community as much as the other would be giving, that would indicate that knowing that the area I just spoke about would be covered, it would then label me as one who would want both ends and the middle, and that is not my cup of tea.

And the second reason, and so much more important to me than anything else, that I signed Report A, is I gave my word that I would sign Report A. I have signed it, I shall vote for it; and when the time comes that I would do otherwise, then I am going to leave these halls for good.

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: I stand at somewhat of a perplexed situation this morning, not knowing what I should say or what I dare to say for a number of reasons. I, however, want to explain to the members of the House my position why I signed the Majority Report and why I today still feel that if we are going to act on school subsidy it is still the best approach that we can follow.

One month ago the members of the House voted for an order which charged us with the responsibility, with the Education Committee, of coming out with a school subsidy bill. It was not my intention to get involved in school subsidies this year, but I had no choice in the matter. However, when I became involved in it I decided that I was either going to find out what was going on or else I was not going to be doing my job.

If for a moment I thought that the newspaper reports, that this Legislature would adjourn without acting on the second year of the biennium in school subsidy, I would not be for either bill. But I believe

that the Majority Party knows that the people of Maine want a second year of the biennium. I believe that the majority of the members of the Majority Party feel the same way. I believe that the leadership of the Minority Party and the members of the Minority Party feel that we have to fund a second year of the biennium, and I point out to you that if I felt that we would not get a second year of the biennium by passing this bill, I would be for neither bill.

A lot of things have been said about Report A and how we arrived at the computation, how did we get to the money which appears on your — on the folder? I asked the Department of Education to supply me the method, and if you can follow it through as I tried to follow it through and if I understand it at this point, which I hope you will, along with me, I think we will find out exactly what the story is.

First of all you take the number of pupils in your SAD, or your school district, as of April first of 1968. You multiply that by 450. The second step is that you take the number of pupils in special education and you multiply that by twice 450. Then you take 90 per cent of the second year average cost of transportation, minus the miscellaneous receipts; for example, lunch money and etcetera, which gives you a net cost of the foundation program. From that point you subtract the 1968 valuation, not 66 as was indicated in the Kellam bill or the Kellam proposal; you subtract the '68 valuation times 23 mills, which then gives you a basic subsidy. At that point you add 10 per cent for a bonus for all the SAD's in the state and you then add a percentage of the average salary of the superintendents within the district, which then gives you the total subsidy.

Now at that point the three ground rules were added. The first one was that the total subsidy would not be less than 90 per cent of what they received in 1968. Second, that the total subsidy would not be less than the present law for 1969, plus the public law 874 receipts, of which we have no

choice. And finally, that the total subsidy could not be more more than 115 per cent of the 1968 subsidy.

The so-called Kellam proposal had both the comparison between the Kellam and so-called Katz bill. You will note that the heading said: the Majority Report limit has a limit of 115 per cent of 1968, using 1966 state valuation. This is in error. It is lying to the members of the House. There are 21 communities where '66 valuations were used, not 435. I would point out to you that 21 communities are those primarily along the coast, which were affected by the high valuation increase.

Now I think that there has been some misleading statements about '66 valuation and I think if the Department of Education is correct in the figures that they have given me, and I believe that they are, that I do not believe that the so-called Minority Report represents a fairer distribution than the Majority Report of the committees do.

The SPEAKER: The Chair recognizes the gentleman from Monmouth, Mr. Chick.

Mr. CHICK: Mr. Speaker and Members of the House: I won't take but a minute because the previous speaker has answered most of the questions raised I think by the Minority Floorleader. There is one thing that wasn't pointed out, the difference between the two bills, is that the ceiling — to begin with the mill rate used by the B Report is 26 mills instead of 23, which in itself tends to hurt the poorer communities, that is those communities that are now putting considerable more into education, considerable effort. Also the Minority Report has a ceiling of 115% of the 1969 subsidy, which would also tend to help the wealthy communities more than it would the smaller—the poorer communities.

So I think that without belaboring the thing any more there is no question but what the Majority Report has a tendency to help the poorer communities much more than the Minority Report. So I hope that the House when they

vote they will vote to accept the Majority Report.

The SPEAKER: The Chair recognizes the gentlewoman from Newport, Mrs. Cummings.

Mrs. CUMMINGS: Mr. Speaker and Members of the House: It is my firm belief that the Majority Report should be accepted today and enacted as soon as possible. The final disposition of this bill will do two things and do them immediately. First it will restore or will go a long ways towards restoring, the sadly shattered faith in the Legislature. School men and other citizens justifiably feel that the word of one legislature has no weight or meaning, much less a binding effect, on succeeding legislatures.

The passage of this bill would confirm the promises made by previous legislatures to keep pace with the rising cost of education. The second effect is to free the Education Committee to concentrate on a more far-reaching subsidy bill, one that will make it impossible to be in a similar situation soon, one with a more equitable subsidy formula perhaps—yes perhaps, even one that will make everyone happy.

The hours the Education Committee has spent on the present bill are nothing compared to the years that most of the members of this Committee have spent in the field of education.

I would like to think that this august body would see fit to trust these men on this one-shot bill, particularly when the Education Committee report was reinforced by unanimous approval of the Appropriations Committee. Perhaps when we submit this hopefully perfect bill in a month or two, we could have meetings to explain to anyone who hasn't taken the time as Representative Martin has to look into this, and to explain our suggested solutions and what changes we have made and why.

But right now we have no time for that, and I ask you to show some faith in the integrity and caliber of the men on the Education Committee and the Appropriations Committee and confirm their long considered judgement that this is the best possible solution

to the existing emergency that is possible right now.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: A few very brief points this morning that I would like to make very clear to the Members of the House and to the members of both parties. It was not my intention when I rose the first time to implicate that they were using the 1966 valuation as was stated by another gentleman before. I said a combination of 1966 and 1968 valuation, and this is exactly what has happened in Report A that is before you.

Next, I think probably to answer a previous question that has been pointed out, the 2 years of the biennium, will put in 4 point 9 million dollars the first year and 4 point 9 million dollars the second year. These will have to be funded at least the first year. We don't know yet about the second year.

I would like to bring out a very strong point that is before us this morning, that again the basis of valuation is something that we have been doing on the current valuation. If we eliminate this, what are we creating? What are we going to create to the dedication of the members of the Education Committee that are going to come up with something of the second year of the biennium? I believe it is multiplying the inequities in this first year of the biennium so that it will be relatively impossible to come out with some equitable means for the supporting of school subsidies for the second year of the biennium by using in one document 2 different valuations in some instances to arrive at a figure.

Now, I place my faith as much in the Committee on Education, the Department of Education, and also the Bureau of Taxation that does the evaluation. If we cannot place our faith to these organizations, then how are we going to arrive at something? So we have to use some basis of the current valuation to establish a base and then work from there, but I find

myself in the position that it will be relatively impossible, because of the inequities built into Report A, of being able to come up with a fair agreement, to divide the money equally to the needy towns in the state for the second year of the biennium, and this is my strongest point, that we are doing something for the first year of the biennium, and I have yet to see where the urgency is, that if the Committee on Education and the Appropriations Committee would have sat down in the last month, that they could not have worked out a compromise for both years of the biennium.

Of course the understanding was then that they probably could come out with a plan in one or two weeks. Well, this was not so. So right now we are in a position that if we are going to accept either one of these reports, and as I stated before, either report is bad as far as I am concerned; only Report B is probably not as bad as Report A.

The SPEAKER: The Chair recognizes the gentleman from Lubec, Mr. Donaghy.

Mr. DONAGHY: Mr. Speaker and Ladies and Gentlemen of the House: I will be very brief. I know by precedent, as a freshman I should be chained to my chair, but I don't want to brag about the economic condition of my area; I can't. But the latest figures that I have shows that the gross income in Washington County per individual is \$2952. The average for the State of Maine is \$4790.

Now, the Majority Leader twice has gotten up and cried for the poor areas. I would like to point out that in my district, if the present law stayed as it is, in the first year of the biennium, 1969, the schools in my district would get \$50,339.54. If we would take Report A, they get \$48,249.33. If we take the Minority Party's figure, we get \$29,768.28. Please stop crying for us.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I seem to sense in this House this morning

that for some reason we are going to accept one of these reports. I still think it's wrong, but that's going to be neither here nor there, but I do think that in all fairness to the newer members of the House, that the people that know, and they must know, they propose a drastic change in something, that some member of this House must be able to tell us how they propose paying for this. I have been involved in many deals, both large and small, and one of the first things that I consider as a businessman is how am I going to pay for this thing in private life, and so it is so hard for me to sit here idle today and see us buy an expensive piece of so-called legislation—it's just legislation in place of merchandise, so it's the only word I have to change in my vocabulary—without any discussion on how we are going to pay for it, because I feel so solid and sincere about when I buy anything, whether it be small or large, how am I going to pay for this. Before I make the purchase, I always know this prior to purchasing.

Now, I have heard it said in the papers and I have heard it in the halls of this House, that this takes from the property the burden of education to some degree. Let's analyze that; let's really look into this. I say everybody who lives that has a roof over his head is a property taxpayer whether he owns the property or whether he rents it. Inevitably the landlord has to add the price of his taxes to the building along with repairs in order to maintain the apartment. So we are not in a sense taking from the rich and giving to the poor as some people would have you believe. They'd have you believe that we are actually taking this tax away from real estate and putting it somewhere else.

What I am trying to point out is that if you have a roof over your head, you are subject to real estate tax, whether you know it or not, and I had just one question I'd like to ask of some member of the Appropriations Committee that must know, how they propose to pay for this in the second bien-

nium, and does this really involve an income tax? Isn't this a case where they force us into a corner? Like they are saying this morning, "This is a must." Okay, if this is a must this morning, they are going to tell you not two years from now like the Legislature generally meets, but a year from now they are going to tell you, "Well, this is a must. You now have to have an income tax." So my question this morning to any member of the Appropriations Committee — someone must know — at the end of one year, doesn't this put us in a position where we have got to have an income tax, and if this being the case, we may as well vote for it this morning to save being called back in a special session.

Let's face up to our duties. We have been sent here by these people to make these decisions, however painful, if it's got to be done. I don't think it has, but if you people think it has, you might as well do it this morning as do it a year from now. As I say, I would like to have this explained by some member of the Appropriations that know. I certainly don't but it would seem that way to me.

The SPEAKER: The Chair recognizes the gentleman from Turner, Mr. Gilbert.

Mr. GILBERT: I'm not going to take too much of your time. I just want the House to know what an awful good fellow I am.

I represent two districts, so I can't go wrong. I represent 36, which the Majority Report uses very well. I represent District 52. I also live in District 52, and they see fit to give us nothing because we need nothing, and I'll accept that. District 36 needs it worse because up there they cut their budget, I believe almost \$80,000. District 52, we didn't cut our budget. We gave them what they asked for, but I just want to tell you what we gave them. 1968 valuations were increased almost two million. If it was exactly two million, it would mean we'd have to raise, using a 20-mill rate, an extra \$40,000. However, if the figure comes out \$38,000, so it isn't quite two million, but we take our new valuation — that I

have just given you was a 20-mill rate — if you use a 23½ mill rate, we then have to raise, before we can get any state aid, \$224,425 for operational purposes. On top of that we have to raise what we need for buildings and so forth and so on.

Now, I just told you that we had to raise \$224,425 using our new valuations and using our 23½ mill rate. We have already raised \$332,761 and our taxpayers, whether they like it or not, are going to have to find the money.

The SPEAKER: The Chair recognizes the gentleman from Eastport, Mr. Mills.

Mr. MILLS: Mr. Speaker, and Members of the House: I am not a very good mathematician, but in going over these reports, I'm somewhat confused with them.

I find in the Majority Report that the Town of Alexander is down by almost 1,500 below '68 and below '69, and carrying it across there it ends up in the Minority Report below the '68 reading valuation. Vanceboro is down, Grand Lake Stream is down, Waite is down, Alexander is down, Perry is down in the new SAD by 3,000, Eastport is down by 10,000. The only report that I can see here that is going to favor my district at all will be the Majority Report.

I find in going over these lists here, and I studied them last night myself, but in checking this over, I will draw the attention of the members of this House to the fact that the Minority Report is placing large sums of money in all the big cities, and it is being shaved off in the small outlying areas. That's all I have to say, thank you.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I would like to make a point clear that I left out in the times that I got up before. The manner of debate that is going on in these two bills this morning was brought before the Democratic caucus yesterday for general discussion and debate, and to make it clear to every member of the

House, both of the Majority Party and of the loyal opposition party, that we have taken not a position in caucus in either one of these reports, so that I thought I would make this clear to every member of the House here. I am not speaking as a representative of the opposition party by action of the Minority party. I am talking here as an observation as a member of this House and not by action of the party. Thank you.

Mr. Dudley of Enfield was granted permission to speak a third time.

Mr. DUDLEY: I don't really want to speak a third time, I just want to ask a question for the second time, and it seems as though some member—I would direct at this time to a man that I think could answer my question, Mr. Jalbert from Lewiston, he's been a long time on Appropriations, and I wish he would answer the question I asked to make it a little clearer. Doesn't this eventually make us have an income tax or some other new method of taxation that I haven't heard of yet?

The SPEAKER: The gentleman from Enfield, Mr. Dudley, at this point makes a direct question to the gentleman from Lewiston, Mr. Jalbert, who may answer if he chooses, and the Chair recognizes that gentleman.

Mr. JALBERT: Mr. Speaker and Members of the House: I knew I was going to be made the pigeon before Jim sat down, the gentleman from Enfield, Mr. Dudley sat down, so that's why I raised my mike ahead of time. Unless we use wampum all these programs mean additional taxes, whether it is a six percent or an income tax.

The SPEAKER: Is the House ready for the question? The pending question is on the motion of the gentleman from Stonington, Mr. Richardson, that the House accept the Majority "Ought to pass" Report. The yeas and nays have been requested. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All of those 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. More than one fifth of the members present having expressed the desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is on the motion of the gentleman from Stonington, Mr. Richardson, that the House accept the Majority "Ought to pass" Report in concurrence on Bill "An Act Providing for Payment of the 1969 Education Subsidies to Municipalities." Senate Paper 414, L. D. 1379. If you are in favor of accepting the Majority "Ought to pass" Report you will vote yes; if you are opposed you will vote no. The Chair opens the vote.

ROLL CALL

YEA — Allen, Barnes, Benson, Berman, Binnette, Birt, Bragdon, Brown, Buckley, Bunker, Burnham, Chandler, Chick, Clark, C. H.; Clark, H. G.; Corson, Cote, Cottrell, Croteau, Cummings, Curtis, Cushing, Dam, Dennett, Donaghy, Drigotas, Durgin, Dyar, Erickson, Evans, Finemore, Foster, Good, Hall, Hanson, Hardy, Haskell, Hawkens, H e s e l t o n, Hichens, Hunter, Immonen, Jalbert, Johnston, Kelley, K. F.; Kelley, R. P.; Keyte, Lee, LePage, Lewin, Lewis, Lincoln, Lund, MacPhail, Marquis, Marsteller, Martin, McKinnon, Meisner, Millett, Mills, Moreshead, Norris, Noyes, Ouellette, Page, Payson, Pratt, Quimby, Rand, Richardson, G. A.; Richardson, H. L.; Rideout, Ross, Sahagian, Scott, C. F.; Shaw, Snow, Stillings, Susi, Thompson, Tyndale, Watson, White, Wood.

NAY — Baker, Bedard, Bernier, Boudreau, Bourgoin, Brennan, Carey, Carrier, Carter, Casey, Crommett, Crosby, D'Alfonso, Dudley, Emery, Eustis, Farnham, Fecteau, Fortier, M.; Fraser, Giroux, Hewes, Huber, Jameson, Jutras, Kelleher, Kilroy, Laberge, Lawry, Lebel, Levesque, McNally, McTeague, Mitchell, Morgan, Mosher, Nadeau, Porter, Rocheleau, Scott, G. W.; Soulas, Starbird, Tanguay, Temple, Trask, Vincent, Waxman, Wheeler, Wight, Williams.

ABSENT — Coffey, Couture, Cox, Curran, Danton, Faucher, Fortier, A. J.; Gaudreau, Gauthier, Gil-

bert, Harriman, Henley, Leibowitz, Santoro, Sheltra.

Yes, 85; No, 50; No, 15.

The SPEAKER: The Chair will announce the vote. Eighty-five having voted in the affirmative and fifty in the negative, the motion does prevail.

Thereupon, the Bill was given its two several readings.

Senate Amendment "A" (S-47) was read by the Clerk and adopted in concurrence.

On motion of Mr. Richardson of Stonington, under suspension of the rules, the Bill was given its third reading and passed to be engrossed as amended and sent to the Senate.

The SPEAKER: Is there objection to considering a serious matter out of order, and I would call your attention to Supplement number 1. The Chair hears no objection and for the benefit of the members this is a pressing matter, that the laying of the county taxes bill should be passed as soon as possible.

Mr. Wight from the Committee on Towns and Counties reported "Ought to pass" on Resolve for Laying of the County Taxes for the Years Nineteen Hundred and Sixty-nine and Nineteen Hundred and Seventy (H. P. 1092) (L. D. 1393)

Report was read and accepted and the Resolve read once. Under suspension of the rules, the Resolve was given its second reading, passed to be engrossed and sent to the Senate.

By unanimous consent was ordered sent forthwith.

Divided Report

Majority Report of the Committee on Labor reporting "Ought not to pass" on Bill "An Act Providing Notice or Severance Pay by Employers" (S. P. 156) (L. D. 474)

Report was signed by the following members:

Messrs. TANOUS of Penobscot
PEABODY of Aroostook
—of the Senate.

Messrs. HUBER of Rockland
DURGIN of Raymond
HASKELL of Houlton
GOOD of Westfield

BEDARD of Saco
CASEY of Baileyville

—of the House.

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

Report was signed by the following members:

Mr. BELIVEAU of Oxford
—of the Senate.
Mr. McTEAGUE of Brunswick
—of the House.

Came from the Senate with the Reports and Bill recommitted to the Committee on Labor.

In the House: Reports were read.

On motion of Mr. McTeague of Brunswick, the Reports and Bill were recommitted to the Committee on Labor in concurrence.

Order out of Order

On motion of Mr. Bedard of Saco, it was

ORDERED that Jill Chalbourne, Laura Vittorioso and Sandra Reny of Thornton Academy be appointed to serve as Honorary Pages for today.

Non-Concurrent Matter

Bill "An Act Permitting Employment of State Prison and Reformatory Inmates on County and Municipal Public Works Projects" (H. P. 497) (L. D. 651) which was passed to be engrossed in the House on March 21.

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

In the House:

The SPEAKER: The Chair recognizes the gentleman from Owls Head, Mr. MacPhail.

Mr. MacPHAIL: Mr. Speaker and Members of the House: This bill has to do with certain citizens who are now residents in our certain penal institutions for correction. They are in these institutions because they have committed knowingly and willfully some illegal act. They are there to atone for the offended law.

The language of the sentence when they are sent there is usually to the effect they serve a certain number of months or years in this institution at hard labor. Hard labor may have an unpleasant

connotation, but I can assure you that they do not labor any harder there than the rest of us do at our usual vocations. These residents, or inmates as they are called, are permitted, provided they have a record of good behavior, to participate in work, certain work, outside of the institution, such as state projects, parks and so forth.

This bill would simply extend that privilege of working on county and certain municipal projects. Now, while they are not working outside, while they are working in the prison or institution, they are working in certain shops, on the farm, at various types of work. Obviously they are not paid for this; they are not sent there to be paid a salary.

We have before us Senate Amendment S-50, which would require if passed that they be paid the regular wages for comparable work. It seems rather silly to me to do this, and in view of this I would move that this Senate Amendment 50 be indefinitely postponed.

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

Mr. BRENNAN: Mr. Speaker and Ladies and Gentlemen of the House: I think that this bill without the amendment would encourage the chain-gang type concept which clearly would not be good for the image of the State of Maine. If we paid the inmates we could get trustees and there would be no need for armed guards. Also I think it might be a step in regard to rehabilitation. It also might help the state financially. Many of these inmates have dependents which they cannot afford to take care of while in jail. If they were getting some income from jobs, they could help take care of their bills at home and the state would not have to pick up the tab.

Consequently, I oppose the motion of the gentleman from Owls Head, Mr. MacPhail, and ask that we adopt Senate Amendment A and that we recede and concur.

The SPEAKER: The Chair would advise the gentleman and the House that the only motions that

can be entertained at this time on a non-concurrent matter is to recede and concur, insist on our former action, or adhere to our former action.

The Chair recognizes the gentleman from Owls Head, Mr. MacPhail.

Mr. MacPHAIL: I move we adhere to our former action.

The SPEAKER: The gentleman from Owls Head moves that the House adhere to its former action.

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

Mr. BRENNAN: I move that we recede and concur with the Senate.

The SPEAKER: The gentleman from Portland, Mr. Brennan moves that we recede and concur, which is a motion of priority.

Mr. Shaw of Chelsea then asked for a division.

The SPEAKER: Is the House ready for the question? The pending motion is the motion of the gentleman from Portland, Mr. Brennan, that the House recede from its former action and concur with the Senate in the adoption of Senate Amendment "A".

All those in favor of receding and concurring will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken. 57 having voted in the affirmative and 52 having voted in the negative, the motion did prevail.

Non-Concurrent Matter

Bill "An Act relating to Reasonable Counsel Fees under Uniform Act on Paternity" (H. P. 635) (L. D. 823) which was passed to be engrossed as amended by Committee Amendment "A" in the House on March 18.

Came from the Senate indefinitely postponed in non-concurrence.

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

Non-Concurrent Matter

Bill "An Act Providing for a Statutory Agent for Foreign Domiciled Carriers Purchasing Six-year Trailer Plates" (H. P. 1085) (L. D. 1330) which was passed to be en-

grossed in the House on March 21.

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

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

Messages and Documents

The following Communications:

THE SENATE OF MAINE AUGUSTA

March 26, 1969

Honorable Bertha W. Johnson
Clerk of the House of
Representatives 104th Legislature
State House
Augusta

Dear Madam Clerk:

The Senate today voted to Adhere to its former action whereby it Indefinitely Postponed Bill, "An Act Relating to taking Smelts for Bait Purposes" (H. P. 235) (L. D. 291).

Sincerely,
(Signed) JERROLD B. SPEERS
Secretary of the Senate

THE SENATE OF MAINE AUGUSTA

March 26, 1969

Honorable Bertha W. Johnson
Clerk of the House of
Representatives 104th Legislature
State House
Augusta

Dear Madam Clerk:

The President today appointed the following members of the Senate to the Committee of Conference on the Bill, "An Act Providing for Full-time District Attorneys" (S. P. 384) (L. D. 1291):

Senators: MILLS of Franklin
VIOLETTE
of Aroostook
QUINN of Penobscot

Sincerely,
(Signed) JERROLD B. SPEERS
Secretary of the Senate

THE SENATE OF MAINE AUGUSTA

March 26, 1969

Honorable Bertha W. Johnson
Clerk of the House of
Representatives
104th Legislature
State House
Augusta

Dear Madam Clerk:

The Senate today voted to Insist and join in a Committee of Conference on Bill, "An Act Concerning the Riding of Bicycles" (H. P. 789) (L. D. 1022). The President appointed the following members of the Senate to the Committee:

Senators: STUART
of Cumberland
GORDON
of Cumberland
BARNES of Aroostook

Sincerely,
(Signed) JERROLD B. SPEERS
Secretary of the Senate

The Communications were read and ordered placed on file.

On the disagreeing action of the two branches of the Legislature on Bill "An Act Concerning the Riding of Bicycles" (H. P. 789) (L. D. 1022), the Speaker appointed the following Conferees on the part of the House:

Messrs. CAREY of Waterville
IMMONEN of West Paris
LEBEL of Van Buren

Petitions, Bills and Resolves Requiring Reference

The following Bills, approved by a majority of the Committee on Reference of Bills for appearance on House Calendar, were received and referred to the following Committees:

Education

Bill "An Act relating to the Pownal School Administrative District" (H. P. 1094) (Presented by Mr. Marstaller of Freeport)

(Ordered Printed)

Sent up for concurrence.

Public Utilities

Bill "An Act Creating a Sewer District in the Town of Jackman" (H. P. 1095) (Presented by Mr. Faucher of Solon)

(Ordered Printed)

Sent up for concurrence.

Sea and Shore Fisheries

Bill "An Act relating to Taking of Alewives in Georges River" (H. P. 1093) (Presented by Mr. Erickson of Warren)

(Ordered Printed)

Sent up for concurrence.

Orders

The Chair recognizes the gentleman from Strong, Mr. Dyar.

Mr. DYAR: Mr. Speaker, does the Clerk have in her possession House Paper 1064, L. D. 1233, Bill "An Act relating to Delivery of Absentee Ballots"?

The SPEAKER: The Chair would advise the gentleman in the affirmative, that the paper is in the possession of the House.

Mr. DYAR: I move that we reconsider our action of yesterday whereby the bill was indefinitely postponed.

Whereupon, on motion of Mr. Ross of Bath, tabled pending the motion of Mr. Dyar of Strong to reconsider and specially assigned for tomorrow.

The SPEAKER: The House will be at ease for a moment. Will the Floorleader please approach the rostrum?

House at Ease

Called to order by the Speaker.
**House Reports of Committees
Ought Not to Pass
Recommended**

Mrs. Giroux from the Committee on Election Laws reported "Ought not to pass" on Bill "An Act to Revise Ballot Inspection and Recount Procedures under the Maine Election Laws" (H. P. 806) (L. D. 1045)

Report was read.

On motion of Mr. Chandler of Orono, recommitted to the Committee on Election Laws and sent up for concurrence.

Ought to Pass with Committee Amendment

Mrs. Baker from the Committee on Legal Affairs on Bill "An Act to Grant a Charter to the Town of South Berwick" (H. P. 66) (L. D. 85) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice, Committee Amendment "A" (H-122) was read by the Clerk and adopted and tomorrow assigned for third reading of the Bill.

Tabled and Assigned

Mr. Cote from the Committee on Legal Affairs on Bill "An Act Repealing an Act Setting Off Lands from Hartland to Pittsfield" (H. P. 239) (L. D. 294) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read.

The SPEAKER: The Chair recognizes the gentleman from Cambridge, Mr. Quimby.

Mr. QUIMBY: Mr. Speaker and Members of the House: I move indefinite postponement of this bill and all its accompanying papers, and would speak briefly to my motion.

The SPEAKER: The gentleman from Cambridge, Mr. Quimby, now moves that item 3, L. D. 294, be indefinitely postponed. The gentleman may proceed.

Mr. QUIMBY: Mr. Speaker and Members of the House: Apparently some 115 years ago, a gentleman from Hartland decided to move to Pittsfield and take his land, and this plot of land was transferred from Hartland to Pittsfield, and evidently this was okay with Pittsfield until now. A family has moved onto this land, with a child in school, and now they want to give it back. The Town of Hartland has contacted me and apparently they don't want the gift. Thank you.

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

Mr. CAREY: Mr. Speaker and Members of the House: I notice the absence of the gentleman from Pittsfield, Mr. Susi, in the House this morning, and I would ask somebody to postpone this until later in this morning's session.

Whereupon, on motion of Mr. Cote of Lewiston, tabled pending the motion of Mr. Quimby of Cambridge to indefinitely postpone and specially assign for Tuesday, April 1.

Mrs. Brown from the Committee on Natural Resources on Bill "An Act to Prevent the Pollution of the Waters of China Lake" (H. P. 704) (L. D. 904) reported "Ought to pass" as amended by

Committee Amendment "A" (H-124) submitted therewith.

Mrs. Coffey from same Committee on Bill "An Act Concerning the Administration and Program of the New England Interstate Water Pollution Control Commission" (H. P. 906) (L. D. 1167) reported "Ought to pass" as amended by Committee Amendment "A" (H-125) submitted therewith.

Mr. Dennett from the Committee on State Government on Bill "An Act relating to Special Offices for Indian Tribes" (H. P. 395) (L. D. 505) reported "Ought to pass" as amended by Committee Amendment "A" (H-126) submitted therewith.

Same gentleman from same Committee on Bill "An Act relating to Naming the Bridge Between Cousins Island and Yarmouth Mainland" (H. P. 870) (L. D. 1113) reported "Ought to pass" as amended by Committee Amendment "A" (H-127) submitted therewith.

Reports were read and accepted and the Bills read twice. Committee Amendment "A" to each was read by the Clerk and adopted and tomorrow assigned for third reading of the Bills.

Miss Watson from the Committee on Senate Government on Bill "An Act relating to Biennial Elections of Penobscot Indians" (H. P. 415) (L. D. 526) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice. Committee Amendment "A" (H-128) was read by the Clerk and adopted.

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

Mr. STARBIRD: Mr. Speaker, I am still slightly confused. I move this lie on the table until Tuesday next.

The SPEAKER: Does the gentleman object to this being assigned for third reading tomorrow?

The motion prevailed.

The following Resolve, appearing on Supplement number 2, was taken up out of order by unanimous consent:

**Finally Passed
Emergency Measure**

Resolve for Laying of the County Taxes for the Years Nineteen Hundred and Sixty-nine and Nineteen Hundred and Seventy (H. P. 1092) (L. D. 1393)

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 5 against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

Divided Report

Majority Report of the Committee on Election Laws reporting "Ought not to pass" on Bill "An Act to Hold the Primary Election on the Second Tuesday after Labor Day" (H. P. 723) (L. D. 941)

Report was signed by the following members:

Messrs. ANDERSON of Hancock
KATZ of Kennebec
LETOURNEAU of York
—of the Senate.

Messrs. VINCENT of Portland
CARTER of Winslow
HENLEY of Norway
MacPHAIL of Owls Head
Mrs. GIROUX of Waterville
Mr. PORTER of Lincoln
—of the House.

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

Report was signed by the following member:

Mrs. BOUDREAU of Portland
—of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Cape Elizabeth, Mr. Hewes.

Mr. HEWES: Mr. Speaker and Ladies and Gentlemen of the House: I sponsored this bill, and I appreciate that it cannot pass at this time, but as an old Red Sox fan, I'll wait until next time. But I think that the date of the general election, which was changed backwards about two months, two

years ago, from the second Monday in September to the first Tuesday after the first Monday in November, has lengthened the time of the campaign for approximately two months in time.

This particular bill would cut down the various periods of time; for example, the time between filing of nomination papers and the time of primary election; secondly, the time between the primary election and the general election; and thirdly, the time in which a party, apparently losing a primary election, could ask for a recount.

It seems to me that the general public is bored with the length of time of campaigns, particularly when under the present law, we have to file nomination papers by April 1 of a year to be elected January 1 the following year, some nine months later. I think that although the politicians apparently prefer the longer campaign, that we should express the views of the general public, and shorten the period of time of the campaign, if we can. Further, the shorter the campaign, the more time that the existing elected officials could spend in doing their jobs to which they were elected, rather than campaigning.

As a practical matter, I appreciate the bill cannot pass at this time, and I therefore do not oppose the motion.

Thereupon, the Majority "Ought not to pass" Report was accepted and sent up for concurrence.

Divided Report

Report "A" of the Committee on Election Laws on Bill "An Act relating to Form and Arrangement of Ballots in General Elections" (H. P. 724) (L. D. 942) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. KATZ of Kennebec
ANDERSON of Hancock
—of the Senate.

Messrs. PORTER of Lincoln
MacPHAIL of Owls Head
HENLEY of Norway
—of the House.

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

Report was signed by the following members:

Mr. LETOURNEAU of York
—of the Senate.
Messrs. VINCENT of Portland
CARTER of Winslow
Mrs. GIROUX of Waterville
Mrs. BOUDREAU of Portland
—of the House.

Reports were read.

Mr. Porter of Lincoln moved that the House accept Report "A".

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

Mr. ROSS: Mr. Speaker, I move that this item lie upon the table until Wednesday, April 2.

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

Mr. JALBERT: Mr. Speaker, I would move that this item lie on the table until Thursday, April 3.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, moves that this matter be tabled until Thursday, April the third, pending the same motion.

Whereupon, Mr. Ross of Bath requested a division on the tabling motion.

Mr. JALBERT: Mr. Speaker.

The SPEAKER: For what purpose does the gentleman rise?

Mr. JALBERT: I move for a roll call.

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

A vote of the House was taken.

More than one fifth of the members present having expressed the desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is on the motion of the gentleman from Lewiston, Mr. Jalbert, that item ten, L. D. 942, be tabled until Thursday, April 3, pending the motion of the gentleman from Lincoln, Mr. Porter, that the House accept Report "A"

"Ought to pass." All those in favor of the tabling motion will vote yes; those opposed will vote no. The Chair opens the vote.

ROLL CALL

YEA — Barnes, Bedard, Bernier, Binnette, Bourgoin, Bragdon, Brennan, Carey, Carter, Cote, Cottrell, Couture, Crommett, Croteau, Danton, Donaghy, Drigotas, Dudley, Emery, Eustis, Fecteau, Giroux, Hanson, Haskell, Hunter, Jalbert, Kelleher, Keyte, Laberge, Lawry, Lebel, LePage, Levesque, Marquis, Martin, McKinnon, Meisner, Mitchell, Morgan, Nadeau, Ouellette, Rand, Starbird, Tanguay, Temple, Vincent, Wheeler, Williams.

NAY — Allen, Baker, Benson, Birt, Boudreau, Brown, Buckley, Bunker, Burnham, Casey, Chandler, Chick, Clark, C. H.; Clark, H. G.; Corson, Cox, Crosby, Curtis, Cushing, Dennett, Durgin, Dyar, Erickson, Evans, Finemore, Fraser, Gilbert, Good, Hall, Hardy, Hawkens, Hewes, Huber, Immonen, Jameson, Johnston, Jutras, Kelley, K. F.; Kelley, R. P.; Lee, Lewin, Lewis, Lincoln, MacPhail, Marstaller, McNally, Moreshead, Mosher, Norris, Noyes, Page, Payson, Porter, Pratt, Quimby, Richardson, G. A.; Richardson, H. L.; Rocheleau, Ross, Sahagian, Scott, C. F.; Scott, G. W.; Shaw, Snow, Soulas, Stillings, Thompson, Trask, Tynedale, Watson, White, Wood.

ABSENT — Berman, Carrier, Coffey, Cummings, Curran, D'Alfonso, Dam, Farnham, Faucher, Fortier, A. J.; Fortier, M.; Foster, Gaudreau, Gauthier, Harriman, Henley, Heselton, Hichens, Kilroy, Leibowitz, Lund, McTeague, Millett, Mills, Rideout, Santoro, Shelta, Susi, Waxman, Wight.

Yes, 48; No, 72; Absent, 30.

The SPEAKER: The Chair will announce the vote. Forty-eight having voted in the affirmative and seventy-two having voted in the negative, the tabling motion does not prevail.

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

Mr. JALBERT: Mr. Speaker and Members of the House: It took me a long time to merely ask one question. I do not intend to de-

bate this, I merely wanted to ask, is this a party beef?

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

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

Mr. ROSS: Mr. Speaker: Without directly answering that question, because I feel it's a little bit loaded, I think perhaps we could vote on the main question now, without much debate.

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

Mr. JALBERT: Mr. Speaker: And without a doubt in my mind, there's still a four-letter word in the dictionary. That's why I did not want, Mr. Speaker and Members of the House, this thing debated. We debated it once before, and seriously, I feel that we ought to go on about either passing or not passing this measure now, and I'm sure that the gentleman from Bath, Mr. Ross, would agree to this.

Mr. Ross of Bath asked that the vote be taken by the yeas and nays.

The SPEAKER: A roll call has been requested on the motion of the gentleman from Lincoln, Mr. Porter, that the House accept Report "A". 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. The Chair opens the vote.

A vote of the House was taken.

More than one fifth of the members present having expressed the desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is on the motion of the gentleman from Lincoln, Mr. Porter, that the House accept Report "A" or "Ought to pass" Report on Bill "An Act relating to Form and Arrangement of Ballots in General Elections," House Paper 724, L. D. 492. If you are in favor of accepting Report "A" you will vote yes; if you are opposed you

will vote no. The Chair opens the vote.

ROLL CALL

YEA — Baker, Barnes, Benson, Birt, Bragdon, Brown, Buckley, Bunker, Chandler, Chick, Clark, C. H.; Clark, H. G.; Corson, Crosby, Curtis, Cushing, Dennett, Donaghy, Durgin, Dyar, Erickson, Eustis, Evans, Finemore, Foster, Good, Hall, Hanson, Hardy, Haskell, Hawkens, Hewes, Huber, Immonen, Jameson, Johnston, Kelley, K. F.; Kelley R. P.; Lee, Lewin, Lewis, Lincoln, Lund, MacPhail, Marstaller, McNally, Meisner, Moreshead, Mosher, Norris, Noyes, Page, Payson, Porter, Pratt, Quimby, Rand, Richardson, G. A.; Richardson, H. L.; Rideout, Ross, Sahagian, Scott, C. F.; Scott, G. W.; Shaw, Snow, Soulas, Stillings, Thompson, Trask, Tyndale, Watson, White, Wight, Williams, Wood.

NAY — Bedard, Bernier, Binnette, Boudreau, Bourgoin, Brennan, Burnham, Carey, Carter, Casey, Cote, Cottrell, Couture, Cox, Crommett, Croteau, Dam, Danton, Drigotas, Dudley, Emery, Fecteau, Fortier, M.; Fraser, Gilbert, Giroux, Hunter, Jalbert, Jutras, Kelleher, Keyte, Laberge, Lawry, Lebel, LePage, Levesque, Marquis, Martin, McKinnon, McTeague, Mitchell, Morgan, Nadeau, Ouellette, Rocheleau, Starbird, Tanguay, Temple, Vincent, Wheeler.

ABSENT — Allen, Berman, Carrier, Coffey, Cummings, Curran, D'Alfonso, Farnham, Faucher, Fortier, A. J.; Gaudreau, Gauthier, Harriman, Henley, Heselton, Hichens, Kilroy, Leibowitz, Millett, Mills, Santoro, Sheltra, Susi, Waxman.

Yes, 76; No, 50; Absent, 24.

The SPEAKER: The Chair will announce the vote. Seventy-six having voted in the affirmative and fifty in the negative, the motion does prevail.

Thereupon, the Bill was given its two several readings.

Committee Amendment "A" (H-129) was read by the Clerk and adopted and the Bill assigned for third reading tomorrow.

Tabled and Assigned Divided Report

Report "A" of the Committee on Natural Resources reporting

“Ought to pass” on Bill “An Act to Prohibit the Sale or Use of the Chemical Compound Known as DDT” (H. P. 1) (L. D. 1)

Report was signed by the following members:

Messrs. BERRY of Cumberland
REED of Sagadahoc

— of the Senate.

Mr. JAMESON of Bangor

Mrs. COFFEY of Topsham

Mr. EUSTIS of Dixfield

— of the House.

Report “B” of same Committee reporting “Ought not to pass” on same Bill.

Report was signed by the following members:

Mr. SEWALL of Penobscot

— of the Senate

Mrs. BROWN of York

Messrs. SNOW of Caribou

HARDY of Hope

— of the House.

Reports were read.

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

Mr. JAMESON: Mr. Speaker and Members of the House: I move that we accept the Minority “Ought not to pass” Report, and I’d like to speak on it.

The SPEAKER: The gentleman from Bangor, Mr. Jameson, moves that the House accept the Minority “Ought not to pass” Report. The gentleman may proceed.

Mr. JAMESON: Mr. Speaker, to set the record straight, first, I’m on the wrong side of the fence here. I voted “Ought not to pass” but I see here that I’m listed as “Ought to pass.” I’m opposed to this bill right from the start to the finish on DDT, ladies and gentlemen. A lady since died a few years ago, may the Lord have mercy on her soul, Miss Rachael Carson wrote and published a book condemning DDT. That was only just a few short years ago, ladies and gentlemen, yet this chemical was used for over 25 years. Where were these chemists, where were these scientists, your entomologists, in all this time? They waited until Miss Carson published a book, then they all jumped on the bandwagon. If this material was so bad, and so dangerous, why did they take so long? Why for 75 years was another

poison used, and is still being used, arsenic of lead?

Now the big argument against DDT is it builds up in the system, it builds up everywhere. But as you people must know, arsenic builds up in your system, it does not pass through humans, animals, fish, or anything else.

Now we have fruit growers in our midst here; we have fruit growers of largs fruit, small fruit, we have lumbermen here with us, all have been using this material, timberland owners. There’s been no substitute to date for the control of the Spruce Bud Worm.

Now, I’m asking you people to think very seriously before you vote on this bill. Until they have thought up a substitute, I will still vote against it. When a substitute is as good as DDT in the control of insects, then I’ll go along with it.

Of course, the lumber industry is the largest in the state, and of course they oppose this bill one hundred percent. Of course there is a lot of people that think we have enough parasites to control these insect pests. Now, I studied entomology at Massachusetts University, and I was warned then of the dangers of arsenic of lead, but nothing was ever done about it. Then all of a sudden a few short years ago, more detail and facts, or supposed to be facts, about the dangers of using DDT. I have sprayed some of the largest estates down on the coast for the last ten years. I have yet to have one complaint that there was a dead bird found, a dead animal of any kind, a wild animal or a pet, and believe me if it was ever found in one of those estates I’d not only be told not to use DDT, they’d just tell me I was done, all done.

Now, what about these other insecticides? If this bill goes through, somebody has got their foot in the door. There are other insecticides here just an dangerous. Parathion, ladies and gentlemen, biggest skull and crossbone sign warning; Phos-Kill, another one; Lindane, another one; Malathion, Arsenic of Lead, Calcium of Arsenic. Must we do away with these too?

I'd like to read the closing remarks of this gentleman, Secretary of the Maine Farm Bureau Association, Mr. Stetson Smith: "We hope this committee after weighing carefully the balance of debits and credits on this issue will agree with us that the use of DDT must be controlled, but that it is not in the public interest to prohibit the sale of this product."

I'd like to move they throw it right out the window, the whole bill. In other words — well, I will rephrase that. I don't think that would pass, would it? I'll move for indefinite postponement of this bill. Thank you.

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

Mr. EUSTIS: Mr. Speaker, I ask to address the House briefly on this bill. I base my opinion not upon any personal value, but this poison has been so thoroughly and completely documented that no argument as far as I am concerned is possible. I think it was very well phrased in the hearing when one man inquired, "How do you manage the unmanageable?" The after effects of this poison are entirely different from most of the other poisons in that it spreads indefinitely. There are cases on record where one pond twelve miles away, the fish were killed in it, and the nearest DDT spray was twelve miles away. It killed the fish and the birds and the whole business around it. I don't propose to debate this bill, but I really feel — I am against the indefinite postponement of this bill and I ask for a roll call.

The SPEAKER: The Chair recognizes the gentleman from Madison, Mr. Corson.

Mr. CORSON: Mr. Speaker, I move this matter be tabled until Tuesday, April 1.

The SPEAKER: The gentleman from Madison, Mr. Corson, now moves that this matter be tabled until Tuesday, April 1 pending the motion of the gentleman from Bangor, Mr. Jameson, that both reports and bill be indefinitely postponed.

Mr. Jameson of Bangor asked for a division on the tabling motion.

The SPEAKER: A vote has been requested on the tabling motion. All in favor of this matter being tabled will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

75 having voted in the affirmative and 40 having voted in the negative, the motion did prevail.

Passed to Be Engrossed

Bill "An Act relating to Administration of School Lunch Programs" (S. P. 202) (L. D. 611)

Bill "An Act Authorizing the Acceptance of Gifts by School Administrative Districts" (S. P. 247) (L. D. 756)

Bill "An Act Repealing the Porter's Landing Water District" (H. P. 1091) (L. D. 1383)

Resolve to Change the Name of Plantation 33, Hancock County, to Great Pond Plantation (S. P. 268) (L. D. 906)

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

Amended Bills

Bill "An Act relating to Length of Certain Motor Vehicles" (H. P. 398) (L. D. 508)

Resolve Proposing an Amendment to the Constitution Providing for Annual Legislative Sessions (S. P. 1) (L. D. 15)

Were reported by the Committee on Bills in the Third Reading, Bill read the third time, Resolve read the second time, both passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

Bill "An Act to Provide for the Expunging of Certain Records of Arrest" (S. P. 223) (L. D. 663)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed as amended by Committee Amendment "A" as amended by Senate Amendment "A" thereto and sent to the Senate.

Passed to Be Enacted Emergency Measure

An Act relating to the City Charter of the City of Caribou, Au-

thority of the City Council and Time of Elections in the City of Caribou (H. P. 568) (L. D. 749)

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 none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act Adding Airport Facilities to the Revenue Producing Municipal Facilities Act (H. P. 1080) (L. D. 1313)

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. 114 voted in favor of same and 2 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 Revising the Bedding and Upholstered Furniture Law (S. P. 145) (L. D. 426)

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.

Enactor Tabled and Assigned

An Act relating to the Protection of Rights of Employees of the Unified University of Maine (S. P. 260) (L. D. 864)

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

(On motion of Mr. Martin of Eagle Lake, tabled pending passage to be enacted and specially assigned for tomorrow.)

Enactor Tabled and Assigned

An Act relating to Licensing of Ambulance Service, Vehicles and Personnel (S. P. 263) (L. D. 867)

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

(On motion of Mr. Birt of East Millinocket, tabled pending passage to be enacted and specially assigned for Wednesday, April 2.)

An Act relating to Report of Insurance Companies of Fire Loss Adjustments to Insurance Commissioner (H. P. 315) (L. D. 402)

An Act relating to Definition of Agricultural Societies to Qualify for Stipend (H. P. 365) (L. D. 475)

An Act to Clarify the Barber Laws and Raise Certain Fees (H. P. 464) (L. D. 601)

An Act relating to Credit for Military Service under State Retirement Law (H. P. 576) (L. D. 762)

An Act relating to Septic Tank and Cesspool Cleaners (H. P. 685) (L. D. 884)

An Act relating to Blood or Tissue Transfer Services (H. P. 927) (L. D. 1188)

Finally Passed

Resolve Making a Retroactive Adjustment in the Retirement Pension of Charles Hulbert (H. P. 781) (L. D. 1014)

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

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

Bill "An Act relating to Annual Review of all Applications for Liquor Licenses" (H. P. 827) (L. D. 1066)

Tabled — March 26, by Mr. Cote of Lewiston.

Pending — Passage to be engrossed.

Thereupon the Bill was passed to be engrossed and sent to the Senate.

(Off Record Remarks)

On motion of Mr. D'Alfonso of Portland,

Adjourned until nine o'clock tomorrow morning.