

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

**OF THE**

***One Hundred and Ninth***

***Legislature***

**OF THE**

**STATE OF MAINE**

**SECOND REGULAR SESSION**

**January 2 to April 3, 1980**

**THIRD SPECIAL SESSION**

**May 22, 1980**

**THIRD CONFIRMATION SESSION**

**July 17, 1980**

**FOURTH CONFIRMATION SESSION**

**July 24, 1980**

**FIFTH CONFIRMATION SESSION**

**September 12, 1980**

**REPORT, HEARING TRANSCRIPT AND  
RELATED MEMORANDA OF THE JOINT  
SELECT COMMITTEE ON INDIAN LAND  
CLAIMS**

## HOUSE

Tuesday, February 5, 1980

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

Prayer by the Reverend Richard Barr of the Lovell United Church of Christ.

Rev. BARR: Let us pray! Our Father, which art in heaven, hear our prayer. We begin with you because you have begun with us; you have chosen us to represent the people of Maine, but you are the governor of the universe, the legislator of all morality. We hallow your name because your name is sacred; help us to see your sacred name in all names and in all name calling. Your kingdom come bring your government to us, a government ruled by mutuality and consensus rather than egotistical revolts. Your administration is decisive on earth as it is in heaven. We can avoid you, forget you and even vote against you, but we cannot avoid your ultimate decisions upon us.

So give us this day our daily bread, give us fresh nourishment today not canned speeches nor stale prejudices nor moldy arguments, and forgive us our debts, forgive us for the promises that we cannot keep, forgive us for the deals we never intended to keep as we forgive those who sold us down the river and those who made a deal with us but were incredibly silent when the vote was taken.

Lead us not into the temptation of easy grace and of easy votes, of easy notoriety, but deliver us from the evil of idolizing our own cause, for yours is the only government that matters, for yours is the only power that matters, for yours is the only glory that matters forever, not just today, not just this session, but forever. So be it. Amen.

The journal of yesterday was read and approved.

Bill "An Act to Appropriate Funds to the Health Facilities Cost Board" (Emergency) (S. P. 736) (L. D. 1915)

Came from the Senate referred to the Committee on Appropriations and Financial Affairs and ordered printed.

In the House, was referred to the Committee on Appropriations and Financial Affairs in concurrence.

Bill "An Act to Align Mortgage Loan Authority for Maine Thrift Institutions with Federal Regulation and to Provide Temporary Authority to Adjust Interest Rate Ceilings in Certain Consumer Credit Transactions" (S. P. 739) (L. D. 1917)

Came from the Senate referred to the Committee on Business Legislation and ordered printed.

In the House, was referred to the Committee on Business Legislation in concurrence.

Bill "An Act to Authorize a Bond Issue in the Amount of \$4,500,000 for Energy Conservation Improvement for Public School Buildings and the University of Maine" (S. P. 734) (L. D. 1913)

Came from the Senate referred to the Committee on Energy and Natural Resources and ordered printed.

In the House, was referred to the Committee on Energy and Natural Resources in concurrence.

Bill "An Act to Amend the Health Facilities Information Disclosure Act" (Emergency) (S. P. 732) (L. D. 1912)

Came from the Senate referred to the Committee on Health and Institutional Services and ordered printed.

In the House, was referred to the Committee on Health and Institutional Services in concurrence.

Bill "An Act to Adjust the Administration of

the Abandoned Property Law" (S. P. 735) (L. D. 1914)

Came from the Senate referred to the Committee on State Government and ordered printed.

In the House, was referred to the Committee on State Government in concurrence.

Bill "An Act Relating to the Licensing of School Bus Operators within 60 days of Examination and the Timing of Inspections of School Buses by the State Police" (S. P. 737) (L. D. 1916)

Came from the Senate referred to the Committee on Transportation and ordered printed.

In the House, was referred to the Committee on Transportation in concurrence.

The following Joint Orders, Expressions of Legislative Sentiment recognizing that:

Mr. and Mrs. Henry N. Hodsdon, of Brewer, who will celebrate their 50th wedding anniversary on February 8, 1980 (S. P. 738)

Mr. and Mrs. Clayton L. Witham, Sr. of Augusta who celebrated their 50th wedding anniversary on January 11, 1980 (S. P. 740)

Mr. and Mrs. Napoleon St. Hilaire of Augusta who celebrated their 50th wedding anniversary on December 30, 1979 (S. P. 741)

Came from the Senate read and passed. In the House, were read and passed in concurrence.

#### Reports of Committees Leave to Withdraw Tabled and Assigned

Report of the Committee on Energy and Natural Resources reporting "Leave to Withdraw" on Bill "An Act Relating to Authority of the Town of Crawford to Sell Lots Within its Public Reserved Lands" (S. P. 681) (L. D. 1797)

Came from the Senate with the Report read and accepted.

In the House, the Report was read. On motion of Mr. Blodgett of Waldoboro, tabled pending acceptance in concurrence and tomorrow assigned.

#### Messages and Documents

The Following Communication: (S. P. 742) February 1, 1980

Honorable Samuel W. Collins, Jr.  
Honorable Barry J. Hobbins  
Chairmen, Committee on Judiciary  
State House  
Augusta, Maine 04333

Please be advised that Governor Joseph E. Brennan is nominating Donald G. Alexander of Mount Vernon to the Superior Court.

Pursuant to Title 4 MRSA Section 152, this nomination will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate.

Sincerely,  
S/JOSEPH SEWALL  
President of the Senate  
S/JOHN L. MARTIN  
Speaker of the House

Came from the Senate read and referred to the Committee on Judiciary.

In the House, was read and referred to the Committee on Judiciary in concurrence.

#### Petitions, Bills and Resolves Requiring Reference

The following Bills and Resolution were received and referred to the following Committees:

#### Legal Affairs

Bill "An Act Relating to Games of Chance at Agricultural Fairs" (H. P. 1797) (Presented by Mr. Kelleher of Bangor) (Approved for introduction by the Legislative Council pursuant to Joint Rule 26.)

(Ordered Printed)  
Sent up for concurrence.

## Public Utilities

Bill "An Act to Constitute and Validate the Establishment of the Monson Utilities District" (Emergency) (H. P. 1798) (Presented by Mr. Hall of Sangerville) (Approved for introduction by a Majority of the Legislative Council pursuant to Joint Rule 27.)

(Ordered Printed)  
Sent up for concurrence.

## Later Today Assigned

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Undedicate the Highway Fund (H. P. 1799) (Presented by Mr. Doukas of Portland) (Approved for introduction by a Majority of the Legislative Council pursuant to Joint Rule 27.)

Committee on Transportation was suggested.

The SPEAKER: The Chair recognizes the gentlewoman from Owl's Head, Mrs. Post.

Mrs. POST: Mr. Speaker, Men and Women of the House: I move that this Bill be sent to the Committee on Taxation, ordered printed and sent over for concurrence. Since the House Chairman of the Transportation Committee is not here, I ask that it be tabled until later in today's session.

On motion of Mr. Dow of West Gardiner, tabled pending the motion of Mrs. Post of Owl's Head to refer to the Committee on Taxation and later today assigned.

The following Joint Order, An Expression of Legislative Sentiment recognizing that:

Clyde and Verna Mailman of Saco who will celebrate their 60th wedding anniversary on February 5, 1980 (H. P. 1801)

Presented by Mr. Hobbins of Saco.  
Was read and passed and sent up for concurrence.

The Following Joint Order, An Expression of Legislative Sentiment, recognizing that:

Mina Rines, of Warren, who celebrated her 100th Birthday on February 3, 1980 (H. P. 1800)  
Presented by Mr. Gray of Thomaston. (Cosponsor: Senator Collins of Knox.)

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

By unanimous consent, ordered sent forthwith to the Senate.

#### House Reports of Committees Ought Not to Pass

Mr. McKean from the Committee on Transportation on Bill "An Act to Provide the Issuance of a Nonconformance Sticker under the Motor Vehicle Laws" (H. P. 1615) (L. D. 1725) reporting "Ought Not to Pass"

Was placed in the Legislative Files without further action pursuant to Joint Rule 22, and sent up for concurrence.

## Divided Report

Majority Report of the Committee on Aging, Retirement and Veterans reporting "Ought to Pass" on Bill "An Act to Permit Participating Local Districts of the Maine State Retirement System to Amend Retirement Benefits for Policemen and Fire Fighters Prospectively" (H. P. 1665) (L. D. 1774)

Report was signed by the following members:

Messrs. LOVELL of York  
TEAGUE of Somerset  
— of the Senate.

Mr. DELLERT of Gardiner  
Mrs. NELSON of Portland  
Messrs. THERIAULT of Rumford  
STUDLEY of Berwick  
REEVES of Newport  
HANSON of Kennebunkport  
LOWE of Winterport  
HICKEY of Augusta

— of the House.

Minority Report of the same Committee reporting "Ought Not to Pass" on same Bill.  
Report was signed by the following mem-

bers:

Mr. SILVERMAN of Washington  
— of the Senate.

Messrs. CHURCHILL of Orland  
PAUL of Sanford  
— of the House.

Reports were read.

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

Mr. THERIAULT: Mr. Speaker, I move that the Majority "Ought to Pass" Report be accepted.

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

Mr. PAUL: Mr. Speaker, Members of the House: I hope I am not going to be accused by the good Reverend this morning of delivering a stale speech or moldy arguments; however, at that risk, I would like to make a few comments on this bill. As a signer of the Minority Report, "Ought not to pass," I would like to give you my reasons why.

I think if we allow this bill to go through, we will create a situation where we will have two standards of benefits for employees within fire departments and police departments, and I think that is very, very wrong. This bill would allow changes to be made in retirement benefits for new employees and you have got to create a situation where existing employees are going to have one set of benefits and then the new employees are going to be under an entirely different plan. I believe that is grossly unfair. I think this will contribute substantially to morale problems within departments, and I hope you will consider this bill and vote against acceptance of the majority report.

The SPEAKER: The Chair recognizes the gentleman from Orland, Mr. Churchill.

Mr. CHURCHILL: Mr. Speaker, Ladies and Gentlemen of the House: I didn't have any real strong objection. My main objection was that this involves other fire departments and police departments, I felt, that weren't represented here. It is permissive legislation, Mr. Theriault explained at the hearing. There are other ones, particularly the Bar Harbor one that is in Hancock County, and I felt that they might be willing to go along with this. It isn't binding on them but I felt that there were members of that fire department that have vested rights or retirement benefits that the municipality would very readily jump at this piece of legislation because they are going to limit them to half pay at 20 years rather than two-thirds pay at 25, whatever their retirement years are.

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

Mr. THERIAULT: Mr. Speaker and Members of the House: In reference to Mr. Paul's statement of two standards of employment, I agree, there would be two standards of employment. But the reason why Rumford is not under that present plan is the fact that they were left out of L. D. 470, presented by Mr. Morton during the last session. It is just an accident of fate that it isn't a matter of fact now, and this would include all the others that would have come in under that plan, such as Bar Harbor that Mr. Churchill said.

There is an alternative to this. If we don't accept the "ought to pass" report and we don't pass this bill, the only alternative for these towns that are under this system then would be to lay off their help instead of starting other people at a lower rate of pay.

I hope you go with the "ought to pass" report.

The SPEAKER: The Chair will order a vote. The pending question is on the motion of the gentleman from Rumford, Mr. Theriault, that the Majority "Ought to Pass" Report be accepted. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

79 having voted in the affirmative and 23 having voted in the negative, the motion did prevail.

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

#### Divided Report

Majority Report of the Committee on Education reporting "Ought to Pass" on Bill "An Act Relating to Publication of School Records Under the Education Laws" (H. P. 1595) (L. D. 1706)

Report was signed by the following members:

Mr. MINKOWSKY of Androscoggin  
— of the Senate.

Mr. CONNOLLY of Portland  
Mrs. BEAULIEU of Portland  
Mr. LEIGHTON of Harrison  
Mrs. LOCKE of Sebec  
Mr. ROLDE of York  
Mrs. LEWIS of Auburn

— of the House.

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

Report was signed by the following members:

Mrs. GILL of Cumberland  
Mr. TROTZKY of Penobscot

— of the Senate.

Messrs. DAVIS of Monmouth  
FENLASON of Danforth  
BIRT of East Millinocket  
Mrs. GOWEN of Standish

— of the House.

Reports were read.

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

Mr. CONNOLLY: Mr. Speaker, I move acceptance of the Majority "Ought to Pass" Report.

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

Mr. DAVIS: Mr. Speaker, Ladies and Gentlemen of the House: You will note that I signed the "ought not to pass" report and I want to tell you why.

I think in this day and age when we have many working parents, both of whom, for instance, in a small community such as mine have to travel 15 miles to work and I think it is removing the parents one more step from the schools when they are unable to get the phone number of a teacher they might speak with at night and solve a problem that might cause a child a great deal of grief for weeks. I think we are making a mistake in doing something like this. The sooner we can resolve problems between parents and children, the better off we are. If a phone call in the evening will do it, I don't think we should prohibit the teacher's number from being given to the parent.

The SPEAKER: The Chair recognizes the gentleman from York, Mr. Rolde.

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: First of all, let me explain this bill a little bit. What the bill does, in every school administrative unit there is a record of directory information pertaining to every employee within that school district. A bill that we passed in the last session stated what information had to be put into that record. Among those items of information, which were basically about the teachers' backgrounds, what their school record was, what courses they have taught and so forth, we also included the residence, their address, and also the date and place of birth. This bill would remove from that record, which is kept at the school, the address of the teacher and the date and place of birth.

The reason that I voted for this bill is, I am now convinced there could be some potential danger in having the address and the date of birth a mandatory requirement in this school record. For example, I asked at the hearing if, for example, someone had a record as a sex offender, could he go into the school, get that record, seek out the address, and also he would know the ages of young female teachers? The answer to that was 'yes.' I am not saying that

this would happen. We have no indication that it has happened in the State of Maine, but several weeks before we heard this bill, there was an item in the paper in another state where a student went to the home of a teacher and shot him to death.

The argument that Mr. Davis has given, that it would be difficult for people who have to work to find a teacher, I don't think holds water because this record is kept at the school. So if they were not able to get to the school during working hours, it would be the same thing.

I know that I have never had any trouble finding the time to make a phone call to the school to find out from the teacher of my children how they were doing. I think having the address and the date of birth as a mandatory requirement in this record that is kept at the school could potentially pose a hardship to teachers. Therefore, I hope you will support this bill.

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

Mr. McMAHON: Mr. Speaker, Ladies and Gentlemen of the House: I concur with Mr. Rolde's comments and feel that the bill, on the face of it, does have merit. However, I wish to pose a question to Mr. Rolde or any other member on the Education Committee. In our haste to repeal these present requirements, I wonder if we will be leaving somewhere else in the statutes a requirement that a person who applies for a teacher's job must give his birth date and address. In other words, what I do not want to see happen is by repeal of this we will have teachers refusing to give the school department their addresses and dates of birth.

I agree that this does not say that, but what I would like the Education Committee to do is to point out to me where else in the statutes the school committee has that power so that we will be sure that they will not lose it by repeal of this language.

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

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

Mrs. KANY: Mr. Speaker and Members of the House: I rise as the sponsor of this measure. To answer Mr. McMahon's very good question, there would be no prohibition against asking that question, just as there would be no prohibition against any other public employer asking that same information of someone who is applying for a job.

While I am on my feet, I would like to point out that this particular legislation which we have mandated that this personal information about people must be made part of a public record applies only to school administrative unit employees and not other public employees. There is no portion of the law which addresses records dealing with other employees that mandates something like this.

Also, it applies not only to teachers but to custodians, to dietitians, to workers in the lunch room, and the objection has been not so much harassment because this personal, private information is mandated to be made available to the public, but just that it is personal, private information, and why should we as a state government mandate that this personal information about individuals be made public?

There is a second part of the bill that I would like to draw your attention to, and that is that the only prohibition would be that social security numbers would not be allowed to be disclosed to the public. I wanted to bring that to your attention. I think that also is personal information which should not be allowed to be made public.

The SPEAKER: The Chair recognizes the gentleman from Brooklin, Mr. Bowden.

Mr. BOWDEN: Mr. Speaker, Ladies and Gentlemen of the House: I don't want to belabor the issue, but it seems to me this is just another attempt to chip away a little bit at the

public's right of access to public information.

But I would pose a question to Mrs. Kany or anybody else that would answer. As I understand it, this deals with a directory of information that is maintained by the school departments. Does this also mean that this information, which I understand is a part of each person's personnel records, would be excluded as far as public access to those personnel records is concerned and the people would no longer have a right to see that information?

The SPEAKER: The gentleman from Brooklyn, Mr. Bowden, has posed a question through the Chair to anyone who may care to answer. The Chair recognizes the gentlewoman from Waterville, Mrs. Kany.

Mrs. KANY: Mr. Speaker, this information could be disclosed under the public "Right-to-Know" law, so it would not be prohibited. The only thing that we would be prohibiting from disclosure under the "Right-to-Know" law under this bill would be the individual's social security number.

The SPEAKER: The Chair recognizes the gentleman from Danforth, Mr. Fenlason.

Mr. FENLASON: Mr. Speaker, Ladies and Gentlemen of the House: I really hadn't intended to say anything on this bill. As a matter of fact, I may be breaking a promise—I said I wouldn't, but I guess I will have to clarify it a little bit.

Anybody who has been in the teaching business for any length of time has filled out a form for the superintendent to put in a file that contains all this information—he has done it hundreds and hundreds of times. If you have been a superintendent of schools, you have seen stacks and stacks of these records. I never heard of anybody rushing in there to get somebody's age or their address to molest them or harass them or anything of this sort. I can't conceive that it ever would happen.

There is another angle that I think ought to be brought out, and that is the fact that this is another "city bill." If the cities want to pass something like this, that is fine, but you go up in the country and every kid and every parent and every guy on the street knows all the teachers, where they live, how old they are, how good they are, how bad they are, where they go to church and the whole works; there is nothing secret in the country.

The SPEAKER: The Chair recognizes the gentlewoman from Vassalboro, Mrs. Mitchell.

Mrs. MITCHELL: Mr. Speaker, Men and Women of the House: I would like to thank Mr. Fenlason for making Vassalboro a city because I am the cosponsor of this bill.

I would like to also, if I could, very briefly put this bill in perspective. This bill in no way keeps anybody with a legitimate interest in knowing the address of a teacher from getting it. A parent can get that address. Most of the time you can look it up in the phone book and get the phone number and the address. This bill says you cannot publish a directory and make it available to every special interest group on the block so that the teachers can become a victim of all these mailing from Right to Life, Right to Work, right to this, that and the other, Republicans and Democrats alike. It protects the teachers in a way from that and I think this is the main thing. At least they should have the option of whether or not they want to be on everybody's mailing list. Now, we as legislators enjoy that kind of publicity, but I am not sure it should be mandated on a school person simply because they happen to be in the business of teaching our young people.

I think there is one other thing that is very important. Most of the people I talked to on the Education Committee felt this wasn't very important because no one is going to live or die because of this—that is probably true, but I think if a person wants to list—for example, a single woman often lists in the phone book "L. Mitchell" because they don't want to list that they are living alone. At least they should have

that right. But I don't know of any teacher who has ever tried to keep his address a secret from the parents of his student. The bill does not do that. It simply says you cannot publish a directory so that businesses can have a field day with those names.

The SPEAKER: The Chair will order a vote. The pending question is on the motion of the gentleman from Portland, Mr. Connolly, that the Majority "Ought to Pass" Report be accepted. All those in favor will vote yes; those opposed will vote no.

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

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

#### Divided Report

Majority Report of the Committee on Energy and Natural Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (H-754) on Bill "An Act to Authorize Cutting of Trees on State Park Lands" (H. P. 1623) (L. D. 1733)

Report was signed by the following members:

Messrs. O'LEARY of Oxford  
TROTZKY of Penobscot

—of the Senate.

Messrs. HALL of Sangerville  
BLODGETT of Waldoboro  
DOUKAS of Portland  
MICHAEL of Auburn  
Mrs. HUBER of Falmouth

—of the House.

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

Report was signed by the following members:

Mr. MCBREAIRTY of Aroostook

—of the Senate.

Messrs. DEXTER of Kingfield  
KIESMAN of Fryeburg  
AUSTIN of Bingham  
PELTIER of Houlton

—of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Waldoboro, Mr. Blodgett.

Mr. BLODGETT: Mr. Speaker, I move the House accept the Majority "Ought to Pass" Report on L. D. 1733 as amended.

The SPEAKER: The Chair recognizes the gentleman from Fryeburg, Mr. Kiesman.

Mr. KIESMAN: Mr. Speaker, Ladies and Gentlemen of the House: I hope you don't accept the Majority "Ought to Pass" Report, and I would like to tell you a little bit about this bill so we can put it into perspective.

Number one, and I don't think this is just my opinion, this is a bad and dangerous bill. It proposes the cutting of wood and timber, primarily firewood, on the park lands.

The bill itself is almost a mother's milk bill, you can't argue against it. The way it is written, it says that the wood can be cut so long as it does not unreasonably impair the recreational use and value of the land. The amendment pretty well says the same thing.

The idea is very pure—don't waste a resource at a time when we have an energy problem, use that resource. But I think what we are going to have to do is make a decision here—which, at this point in time is most valuable to us, the park or the wood, because I maintain that this is uncontrollable bill that we would be passing.

It is not proposed that this would allow an individual to go into state land and cut his five cords of wood that he might need for the winter. It has been proposed, through the intent of the Parks and Recreation, that instead they would hire an operator to go into the woods and take out x-number cords of wood and then what they were going to do with it afterward is still somewhat in doubt. It is the intent that the gen-

eral public would not be allowed to do any cutting for their own use.

I submit to you that there is a perception amongst the general public that the state lands belong to one as much as to another. I can just visualize the newspaper headline that will come out and say, "The state proposes to allow cutting firewood on the state lands or in the park lands." I submit to you that come the next Sunday morning, you will have 500 pickup trucks driving into every state park and they will have a chainsaw in the back of the truck.

Parks and Recreation people are very scarce. Most of their manpower is seasonal manpower in the summer months only. During the time that this cutting would go on, in the fall of the year when people are getting worried about staying warm, they don't have people. Furthermore, there are public roads that go through most of our park lands and there are no gates there where you could restrict access into the parks. So what I visualize on this is, very shortly after this newspaper headline would come out, we will have some nice 500 foot right of ways on every road going through our parks because every tree that can be reached with a pickup truck will be taken out.

I submit that there is no means of controlling the cutting that would take place once it is made publicly known that the state is going to allow cutting on state park lands, and I don't care, all the good intentions stated in either the bill or the amendment, we could not control it and you make your own decision whether we would impair the primary use of the park. I hope when you do, you will vote against this bill.

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

Mr. HALL: Mr. Speaker, Ladies and Gentlemen of the House: A little bit of a background on this might be important.

Three years ago, we were using up to 350,000 cords of cord wood for fire in the state. Last year, we were up to 750,000 cords. Next year, the projected figure from the Forestry Department is that we will be up over 1,100,000 cords used for firewood.

Firewood can be many, many different varieties of wood. Primarily, what we would like people to use is secondary wood. Secondary wood is something that has no value as far as boat wood or anything of that nature and this is the type of wood that the Forestry Department hopes we can all use rather than the good wood that puts people out of business, the mills and companies that use birch, rock maple and so forth.

In regard to this bill, it seems to me that we would have little faith in Parks and Recreation if we didn't believe that they could come up with some rules and regulations so we could utilize that type of wood. I listened to this in committee and I was appalled at the excuses that they made that this could become very cumbersome. I would submit to you that this is being done in Massachusetts, Rhode Island and done by the federal government already. They have never had any big problems. When we are talking about a type of wood that has no aesthetic value to the parks, the type of wood that we are talking about can be of some value as far as energy, I think we should consider that very strongly.

The SPEAKER: The Chair recognizes the gentleman from Houlton, Mr. Peltier.

Mr. PELTIER: Mr. Speaker, Ladies and Gentlemen of the House: I am in the minority report and I would like to speak in favor of the preservation of the forests. I can't quarrel with energy, I can't quarrel with how to run a forest, but I like to think that somewhere down the road you are going to have a forest, due to the pressure and demands for fiber, that is primarily softwood. It is going to be planted, it is going to be harvested, it is going to be planted, it is going to be harvested, and if things get real tough, it is going to be harvested at the stage

where the size of it will be like a baseball bat, so I would like to see what state parks we have preserved.

Baxter Park is a long drive and a long walk. State parks, in some cases, are a little nearer home, so for the good of the forest and for generations to come, and this is a long ways down the road I realize, I think it would be nice to leave the state parks so that young people especially can go in and see a few big trees and have their picture taken.

The SPEAKER: The Chair recognizes the gentleman from Waldoboro, Mr. Blodgett.

Mr. BLODGETT: Mr. Speaker, Ladies and Gentlemen of the House: To start with, this in no way deals with the Baxter State Park; that is a different kettle of fish altogether. What we are talking about are many of the small state parks in the State of Maine which need from time to time to be trimmed out, some of the wood has gone bad, gone by, and it would to the advantage of everyone, the people of the State of Maine, to have this done for the aesthetic value and also for the people in the area who might like a little firewood.

To say this is a bad and dangerous bill, it is bad and dangerous, I suppose, if you are concerned about allowing people to go in or not allowing them to go in, but it is going to permit, for the first time, the citizens of the state to go into a park where it has been designated by the Director of Parks and Recreation to cut a little firewood in order to clean it out.

Under the present law, the Director of Parks and Recreation does not have that authority, he can't do it, and this is simply going to allow him to do what we normally would be considering common sense, to allow wood, blow-downs and one thing or another to be trimmed out.

As far as worrying about hundreds of thousands of people swarming into the parks, that is, I think, misleading the public to insinuate this. A thief is a thief, it doesn't make any difference whether the law allows him to do it or not. This is going to make it legal for a person to go into a park and in designated areas clean out wood which is marked by foresters saying it is good for the forest program to have this done.

I would urge you to vote in favor of this common sense, good bill.

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

Mr. D. DUTREMBLE: Mr. Speaker, I would like to pose a question through the Chair. Is it possible for somebody to go into the woods, cut this wood and bring it out and sell it to somebody else? Is there anything to prevent them from doing that?

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

The Chair recognizes the gentleman from Waldoboro, Mr. Blodgett.

Mr. BLODGETT: Mr. Speaker, Ladies and Gentlemen of the House: No, there would not be anything to prevent that but, again, it will be under the direction of the Director of Parks and Recreation as to the cutting programs.

I would add here that most of these cutting programs would be for very small amounts of wood, which a large contractor probably would not be interested in doing.

What brought this about was a situation down in Camden State Park, which is a tiny little park, really, and they wanted to be able to do that there in the community and they just couldn't do it.

The SPEAKER: The Chair recognizes the gentleman from Cape Elizabeth, Mrs. Masterton.

Mrs. MASTERTON: Mr. Speaker, I would like to pose another question through the Chair to the good chairman of the committee.

We have a couple of state parks in Cape Elizabeth and there is lots of wood there. However,

these parks are beach parks, coastal parks, and they are closed in the winter. Would the passage of this bill mean that there might be a change of policy and that these beaches would be opened in the future? If so, how would that decision be made? Would there be a public hearing and would the local community have some input into this decision?

The SPEAKER: The gentleman from Cape Elizabeth, Mrs. Masterton, has posed a question through the Chair to anyone who may care to answer.

The Chair recognizes the gentleman from Waldoboro, Mr. Blodgett.

Mr. BLODGETT: Mr. Speaker, Ladies and Gentlemen of the House: In response to the question, of course it would be purely speculation on my part, but it has been the history of the department in recent years to take into consideration the local needs and the concerns of a given community where such a park would exist. As far as them opening up a park during the winter months, I have no idea, really, on that, but they usually would hold some sort of a public hearing to allow people to express their views on something of this nature.

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

Mr. DOUKAS: Mr. Speaker, Ladies and Gentlemen of the House: From listening to this quick debate, I am not getting the impression that we had when we heard the bill.

I should point out that it is the department's intent not to open up most of the state parks for any type of cutting but only to have the ability to open up certain areas if they deem it feasible, necessary and helpful. Most of the people who would be doing the cutting would not be individuals coming in with pickup trucks, they would not tend to do that as a practice. The reason they would want to cut these things would be perhaps for non-profit groups who may be interested in cutting firewood for our low income families to use instead of fuel oil.

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

Mrs. HUTCHINGS: Mr. Speaker, Ladies and Gentlemen of the House: I would like to differ very much with Mr. Blodgett Camden Hills State Park may be small as compared to Baxter State Park, but there are 27 miles of roads and trails in that park. It is not closed during the winter. I did talk with the ranger about this bill and he is very much against it and said it would be almost impossible to control the number of people who come in there and to control the cutting.

I would urge you very much to vote against it. I call this a very dangerous bill.

The SPEAKER: The Chair recognizes the gentleman from Milo, Mr. Masterman.

Mr. MASTERMAN: Mr. Speaker, Men and Women of the House: As I listened to the debate, I haven't heard anyone mention the problem of destruction. But as I watched the scene develop, I saw Mr. Blodgett get up and let's think about Mr. Blodgett as someone who is going after a tree in one of these parks. He pulled up his microphone and we got a lot of noise out of it. It was the dead tree that he was after but he rapidly moved over to a live tree, to a live microphone, and I am afraid that this could happen when you allow anyone to go in for a dead tree. We have seen this happen on wood lots. If we don't police it carefully, they could tend to take out good wood.

When you vote, I would like to have you think of this.

The SPEAKER: The Chair will order a vote. The pending question is on the motion of the gentleman from Waldoboro, Mr. Blodgett, that the House accept the Majority "Ought to Pass" Report. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

Mr. Hall of Sangerville requested a roll call vote.

The SPEAKER: For the Chair to order a roll call, it must have the expressed desire of one-fifth of the members present and voting. Those in favor will vote yes; those opposed will vote no.

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

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

Mr. WOOD: Mr. Speaker, Ladies and Gentlemen of the House: I will be very brief. We have a project in our area similar to this on federal land. The Massabesic Forest District has been running a program like this for years, to my knowledge, and I know of people who go in and cut there and it has been very successful. The forest people down there look at it as a good practice to prune their wood, it saves them some money in the long run and helps a lot of people in our area, and I have not seen or been aware of any of the problems that have been raised here. It seems to me that if we can do it on the federal level, with all the red tape usually involved with the federal government, that it would be a worthwhile project to at least try in some of the parks in Maine.

The SPEAKER: The Chair recognizes the gentleman from Falmouth, Mrs. Huber.

Mrs. HUBER: Mr. Speaker and Members of the House: I signed the "ought to pass" report on this bill because it started out and still is, I think, simply an authorization which the Department of Parks and Recreation felt it did not currently have unlike many other authorities that control other public lands in Maine, and I am speaking specifically now of the Public Lots where, in fact, there is some cutting going on under a pilot project and it would be in my hope that all these departments would be able to get their act together and set up a fairly consistent cutting practice in the future. In any case, I think the important thing to keep in mind here is that, as the amendment specifies, a management plan will be required, the department has control of the what the operation will work. My understanding is that the department would wish to have some work done would authorize a professional cutter, not just your average weekender, to go in and cut only those trees that are marked. Clearly, that person would bear the responsibility if there were any mistakes made or if there were poor practices used.

It seems to me that the authority is only being asked for in a legal sense and, in fact, as I say, much of this kind of work is being done on other state-owned land. So I think the danger is extremely minimal and I think if we would have faith in the Parks Department, we will let them proceed to develop a plan to utilize multiple use of our state parks without doing any harm to the recreational aspects.

I hope you will change your minds, many of you, and vote for the majority report.

The SPEAKER: The Chair recognizes the gentleman from Fryeburg, Mr. Kiesman.

Mr. KIESMAN: Mr. Speaker, Ladies and Gentlemen of the House: I think we can all agree that the Parks and Recreation Department may have wills of good intention, but I think we are talking a little bit about human nature here, and I submit to you that when the word goes out that we are going to allow cutting on state lands, the average individual that wants some firewood to keep his fireplace going is not going to read the cutting practices act, they are not going to read the management plan, they are going to throw their chainsaw in the back of the truck and go out there after what they perceive to be just as much their wood and their right to get it as to a commercial cutter that they are going to let in that park land. I think that is what you have to look at.

The SPEAKER: A roll call has been ordered. The pending question is on the motion of the



gentleman from Waldoboro, Mr. Blodgett, that the Majority "Ought to Pass" Report be accepted. All those in favor will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Baker, Benoit, Blodgett, Brenerman, Brodeur, Brown, K.C.; Carroll, Carter, D.; Chonko, Churchill, Cloutier, Connolly, Cox, Diamond, Doukas, Dow, Dutremble, D.; Fowlie, Gowen, Gray, Hall, Hickey, Hobbins, Howe, Huber, Jacques, E.; Jacques, P.; Kane, Kany, Kelleher, Leonard, Locke, MacEachern, Mahany, McMahon, Mitchell, Nadeau, Nelson, N.; Paradis, P.; Paul, Post, Reeves, P.; Rolde, Simon, Theriault, Tierney, Twitchell, Vincent, Wood, Wyman.

NAY — Aloupis, Austin, Bachrach, Beaulieu, Berube, Birt, Bordeaux, Boudreau, Bowden, Brown, A.; Brown, D.; Brown, K.L.; Bunker, Call, Carrier, Carter, F.; Conary, Cunningham, Curtis, Damren, Davis, Dellert, Dexter, Drinkwater, Dudley, Dutremble L.; Elias, Fenlason, Fillmore, Garsoe, Gavett, Gillis, Gwadousky, Hanson, Higgins, Hunter, Hutchings, Immonen, Jackson, Jalbert, Kiesman, Lancaster, LaPlante, Leighton, Lewis, Lizotte, Lougee, Lowe, Lund, MacBride, Martin, A.; Masterman, Masterton, Matthews, Maxwell, McHenry, McKean, McPherson, McSweeney, Morton, Nelson A.; Norris, Paradis, E.; Payne, Peltier, Peterson, Reeves, J.; Rollins, Roope, Sewall, Sherburne, Small, Smith, Sprowl, Stetson, Stover, Strout, Studley, Tarbell, Torrey, Tozier, Vose, Wentworth, Whittemore.

ABSENT — Barry, Berry, Brannigan, Davies, Hughes, Joyce, Laffin, Marshall, Michael, Nelson, M.; Pearson, Prescott, Silsby, Soulas, Tuttle, Violette.

Yes, 50; No, 84; Absent, 16.

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

Thereupon, the Minority "Ought Not to Pass" Report was accepted and sent up for concurrence.

#### Consent Calendar

##### First Day

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

(S. P. 659) (L. D. 1697) Bill, "An Act to Validate Proceedings Authorizing the Issuance of Bonds and Notes by School Administrative District No. 37" (Emergency)—Committee on Education reporting "Ought to Pass"

(S. P. 678) (L. D. 1785) Bill "An Act to Allow the City of Portland to Sell or Lease its Central Fire Station" (Emergency)—Committee on Judiciary reporting "Ought to Pass" as amended by Committee Amendment "A" (S-404)

(H. P. 1686) (L. D. 1794) Bill "An Act Relating to State Liability for Damages Suffered on Certain State and State Aid Highways"—Committee on Judiciary reporting "Ought to Pass"

(H. P. 1674) (L. D. 1781) Bill "An Act to Add the Commissioner of Educational and Cultural Services to the Energy Testing Laboratory of Maine and to Correct References to the Oil and Solid Fuel Burner Technicians Licensing Board" Committee on Business Legislation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-763)

(H. P. 1752) (L. D. 1868) Bill "An Act to Revise the Local Registration Program to Authorize the New Registration of Trucks Weighing more than 6,000 Pounds"—Committee on Transportation reporting "Ought to Pass"

(H. P. 1675) (L. D. 1782) Bill "An Act Relating to the Maximum Seating Capacity of School Buses Transporting a Combination of Students Attending Grades Kindergarten through 12"—Committee on Transportation reporting "Ought to Pass"

No objections being noted, the above items

were ordered to appear on the Consent Calendar of February 6, under listing of Second Day.

#### Consent Calendar

##### Second Day

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

(S. P. 657) (L. D. 1696) Bill "An Act to Amend the Charter of the Lewiston-Auburn Water Pollution Control Authority" (Emergency) (C. "A" S-402)

(H. P. 1660) (L. D. 1769) Bill "An Act to Increase the Debt Limit of the Kingfield Water District from \$80,000 to \$350,000"

(H. P. 1618) (L. D. 1728) Bill "An Act to Establish \$10,000,000 as the Limit of the Maine Coastal Protection Fund" (C. "A" H-755)

(H. P. 1622) (L. D. 1732) Bill "An Act to Amend the Laws Relating to the Maine Student Incentive Scholarship Program" (C. "A" H-756)

(H. P. 1710) (L. D. 1815) Bill "An Act to Amend the Law Dealing with the Identity of Fish Produced by Aquaculture"

(H. P. 1593) (L. D. 1704) Bill "An Act to Clarify the Statutes Relating to Natural Gas Pipeline Companies" (C. "A" H-757)

(H. P. 1684) (L. D. 1793) Bill "An Act to Eliminate Restrictions on Grants Made by the Bureau of Mental Retardation" (Emergency)

(H. P. 1658) (L. D. 1767) Bill "An Act Concerning Mobile Barber Shops" (C. "A" H-758)

(H. P. 1714) (L. D. 1820) Bill "An Act Providing Release Benefits for Certain Persons Discharged from the Maine Correctional Center" (C. "A" H-759)

(H. P. 1669) (L. D. 1786) Bill "An Act to Amend the Capitol Planning Commission Law" (C. "A" H-760)

(H. P. 1627) (L. D. 1737) Bill "An Act Concerning the Brake Requirements on Farm Registered Vehicles under the Motor Vehicle Laws"

(H. P. 1625) (L. D. 1735) Bill "An Act to Limit the Activities Authorized by the Wholesale Seafood License" (C. "A" H-761)

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

#### Passed to Be Engrossed

Bill "An Act Concerning Recording, Comments and Notice Dates Under Administrative Procedure Laws" (H. P. 1643) (L. D. 1752)

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

Mr. McHenry of Madawaska offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-762) was read by the Clerk and adopted.

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

Bill "An Act Relating to the Vocational-technical Institutes" (Emergency) (H. P. 1788) (L. D. 1907)

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

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

Mr. MORTON: Mr. Speaker and Members of the House: I did attempt to read this bill. I find it to be a rather extensive change in the vo-tech institute law and I think it deserves some explanation. I would like to hear an explanation of what this bill does.

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

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: I will try to go through this bill and give you some background of it.

This bill is in somewhat the same form as we passed by the legislature during the last session and ended up on the Governor's desk. The

Governor had some reservations about it in two or three areas, and because of that it was recalled at the start of the session.

Much of the language that is in there, the changes that have been made were made in discussions with the Governor's Office. In fact, a good deal of the assistance we have had—I will have to give a good deal of credit to at least one member of the Governor's staff for having put a great deal of work into trying to put together a bill which would reorganize—wouldn't reorganize but actually organize, because there are presently no statutes relative to the VTI's—organize an area of the statutes to explain or discuss or indicate what are the activities, duties and responsibilities of the VTI's.

One of the areas of concern in the original bill was setting up a contingency fund. Eventually, we came out with a recommendation for a \$150,000 contingency fund to be established mostly from lapsed balances. That ran into some concern because it took away somewhat the Governor's office having any control of that.

The Commissioner of the Office of Finance and Administration recommended that an additional \$100,000 be added to the present Governor's contingent fund. Some of the committee members had objection to going up another \$100,000, so it was recommended that instead the Governor be authorized to allocate from the present contingent fund up to \$100,000 for emergency situations that might develop with the VTI's.

It has been found that as a general rule, in the last two or three years most of the contingent fund has not been used anyway, so there would be at least that amount available.

I think one of the interesting things that has been added to it is the statement of purpose, what is the purpose. It is a short statement that was drafted by some of the people in the Governor's office and I think it adds something to it; it establishes intent and definitions. I might add, if you take a look at the statutes today, at the present time there is really nothing in the statutes about the VTI's. They grew almost by legislation passed in an area wanting a VTI to be established and there are directions. This is the first time there has been any attempt made to pull this whole thing together and write up something similar to what is in there, for instance, for the University of Maine.

I think the major changes that have come into the thing from a bill that was passed last session is that it does put back in the personnel department somewhat more of the duties as far as job title and salary ranges are concerned so that the Department of Personnel and the Bureau of the Budget have more control over it. I think the Governor's office had that reservation that too much of the control of the appointment and salary ranges were taken away from his office or the Executive Department and put in the hands of the State Board. I think this has been moved back so that the Department of Personnel and the Bureau of Budget do have involvement in both the job title and the salary range and creating of positions. We were willing to go along with this.

At the time this bill was originally put together in the study committee, a great deal of time was spent on trying to develop an organization as to who would manage the VTI's. We covered a lot of area at that time and considered everything from a program of a board of directors similar to what the University of Maine has, putting the VTI's under the University of Maine and actually considered seven or eight different types of management organization but finally decided to leave them under the State Board and grant the State Board more authority in the operation and presentation of the budgets and advocacy of the VTI's.

Another problem that we run into a little bit is on the budget. The language originally called for the State Board to certify to the Governor prior to November 15. The budget is usually

started to be put together somewhere about September 1, and the budget office didn't feel that they would have sufficient time to adequately work on the budget if we didn't have it in at an earlier date. So the change from the bill that was passed last year does move it back from November 15 to September 1.

I think much of the rest of the language is very close to being the same as it was in the bill that was passed originally. There is one short section that was taken out, and that is boiler operators' licenses, because we found the language somewhat inconsistent with the rules and regulations drawn up for issuing these licenses, so that particular part was taken out.

There is one other area down at the end of it where there might be some questions asked, and that is that the State Board of Education "may utilize the Office of State Employee Relations for the purpose of this chapter." When the legislation was passed to allow collective bargaining for the VTI's, the negotiations were to be handled by the Office of State Employees Relations. Two years ago, the negotiations broke down because of the inability of the State Board to negotiate because they found they were in the position where the Office of State Employee Relations was actually working between the Governor's Office and the State Board and it made an impasse that was almost impossible to resolve. The attorney general at that time did issue a ruling that if they wished to hire outside counsel, they could. So this word 'shall' was deleted and the word 'may' was put in.

I don't think that as a general rule, if negotiations proceed in a reasonable fashion, they will attempt to go outside and hire outside negotiators, but it does allow them, in case they run into the impasse situation that they had two years ago, to go out and hire outside agents to do this.

Basically, the general intent of the bill is a good deal the same as the bill that was passed last year. I think that most of the people involved in the vocational education field in the State of Maine figured this was a real worthwhile improvement to attempt to give the VTI's the recognition that they probably need if they are going to continue to be the vital educational function that they can be in the State of Maine, and I would hope that this bill would be given good consideration.

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

Mr. MORTON: Mr. Speaker, I want to thank the gentleman from East Millinocket for a very excellent explanation of this. He has certainly gone a long way to convince me that this is the right way to move. He did cover the two areas that I had questions raised, one was the contingent fund area and the other one was this area that the state board may be allowed to go outside of the state negotiating services for the purpose of negotiating. That has been well explained today and I am still reserving some judgment on this.

I hope you will all take a good look at it but I thank the gentleman very much for an excellent explanation.

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

Bill, "An Act Relating to the Budgetary Hardship in Maintaining Special Education Students" (H. P. 1789) (L. D. 1908)

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

#### Amended Bill Tabled and Assigned

Bill "An Act to Establish the Boundary between Rockport and Rockland" (S. P. 658) (L. D. 1698) (S. "A" S-403)

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

On motion of Mr. LaPlante of Sabattus, tabled pending passage to be engrossed in concurrence and tomorrow assigned.

The Chair laid before the House the following matter:

RESOLUTION Proposing an Amendment to the Constitution of Maine to Undedicate the Highway Fund (H. P. 1799) which was tabled earlier in the day and later today assigned pending the motion of the gentlewoman from Owl's Head, Mrs. Post, that this matter be referred to the Committee on Taxation.

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

Mr. STROUT: Mr. Speaker, I move that this be tabled for one legislative day.

Mrs. Post of Owl's Head requested a division.

The SPEAKER: The Chair will order a vote. The pending question is on the motion of the gentleman from Corinth, Mr. Strout, that this matter be tabled for one legislative day. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken. 42 having voted in the affirmative and 53 in the negative, the motion did not prevail.

The SPEAKER: The Chair recognizes the gentleman from Scarborough, Mr. Higgins.

Mr. HIGGINS: Mr. Speaker, Ladies and Gentlemen of the House: I would like to pose a question to the gentlelady from Owl's Head Mrs. Post, or any other member who would care to answer.

It has been past history that these bills referring to the changes in the Constitution go to State Government, and it would seem to me that this would be a little change in tradition. It really isn't a new tax or changing a tax, and I don't really see why it should go to Taxation. It would seem to me it should either go to Transportation or State Government and that would be the better place.

The SPEAKER: The Chair recognizes the gentlewoman from Owl's Head, Mrs. Post.

Mrs. POST: Mr. Speaker, Men and Women of the House: If you want to take a look at the recent history of this type of bill, other bills in the last ten years or at least in the 70's have gone either to State Government or Taxation. They have gone to both places in terms of undedicating the gas tax. They have not, during that time, gone to Transportation, at least none that I could find. Bills that either increase or decrease the gas tax to fund the Department of Transportation have gone to the Taxation Committee.

I think in our last session, if you will remember, there was an agreement worked out between State Government and other committees that were involved, that when we were dealing with substantive issues, they would go to those committees. For instance, the constitutional amendment on a tax limitation went to the committee on Taxation, and I think there were other such examples that went to other committees and then if they did, in fact, come out favorable, the State Government would take a look at them in terms of form and how they fit into the overall Constitution.

This is a matter of major tax policy and a major tax change within the state, and if you want to go with precedent, at least to keep with the most recent precedent of what the agreement was last year, it more appropriately goes to the Committee on Taxation.

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

Mr. JALBERT: Mr. Speaker, Members of the House: I would like to hear from the chairman of the Transportation Committee on this. I value his opinion and I would make one observation. I am certainly not trying to put the words into his mouth or anybody else's mouth because I could care less, other than this. If I were on the Transportation Committee, I don't

think I would want this bill.

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

Mrs. LEWIS: Mr. Speaker, Ladies and Gentlemen of the House: I would like to clarify one point that was made by the gentlelady from Owl's Head, Mrs. Post. I was the sponsor of a similar bill and it did go to the Committee on Transportation, not Taxation, so that this very bill undedicating the highway funds by me went to Transportation.

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

Mr. CARROLL: Mr. Speaker, Ladies and Gentlemen of the House: I believe we can form great service in regard to the creditability and integrity of the Transportation Committee, and I would urge all the members of the Transportation Committee to look at this from a little different perspective than we have in the past.

We have always tried to give a fair hearing on all bills that came before us and I am sure we would give one to this one but in the interests along with another committee to handle this bill, I have no objections because I believe we have creditability; I believe we have integrity and honesty. We have always given this bill a fair hearing and I am prepared to send this bill before the whole legislature for a hearing if necessary. I have no ghosts in my closet, I have nothing to hide and I am sure no one else does. We want a good hearing on this and if the Taxation Committee will give it a good hearing and invite three members of my committee to sit on there, I have no objections to them having it.

Thereupon, on motion of Mrs. Post of Owl's Head, the Bill was referred to the Committee on Taxation, ordered printed and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

#### (Off Record Remarks)

At this point, the Chair appointed Representative James Elias of Madison to serve as Speaker pro tem on Wednesday, February 6.

On motion of Mr. Morton of Farmington, adjourned until ten o'clock tomorrow morning.