

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

**LEGISLATIVE RECORD**

OF THE

***One Hundred and Eleventh  
Legislature***

OF THE

**STATE OF MAINE**

**Volume I**

**FIRST REGULAR SESSION**

**December 1, 1982 to May 13, 1983**

**HOUSE**

Tuesday, March 22, 1983

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

Prayer by Father Frederick A. Carrigan of St. Matthew's Church, Hampden, and St. Gabriel's Church, Winterport.

The journal of yesterday was read and approved.

**Papers from the Senate**

Bill "An Act Concerning Representation of Small Businesses Appearing in Small Claims Court" (S. P. 398) (L. D. 1215)

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

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

**Non-Concurrent Matter**

Joint Order relative to amending the Joint Rules (H. P. 622) which was read and passed in the House on February 16, 1983.

Came from the Senate read and indefinitely postponed in non-concurrence.

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

**Non-Concurrent Matter**

Bill "An Act to Prohibit Skiing in Out-of-bounds Areas" (H. P. 524) (L. D. 649) on which the House insisted on its former action whereby the Bill was passed to be engrossed as amended by Committee Amendment "A" (H-45) in the House on March 15, 1983.

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" (H-45) as amended by Senate Amendment "A" (S-33) thereto in non-concurrence.

In the House: On motion of Mr. Cox of Brewer, the House voted to recede and concur.

**Non-Concurrent Matter**

Bill "An Act to Provide a Class A Lounge Liquor License" (H. P. 614) (L. D. 762) on which the Minority "Ought Not to Pass" Report of the Committee on Legal Affairs was read and accepted in the House on March 17, 1983.

Came from the Senate with the Majority "Ought to Pass" Report of the Committee on Legal Affairs read and accepted and the Bill passed to be engrossed in non-concurrence.

In the House

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

Mr. COX: Mr. Speaker, I move that the House recede and concur.

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

Mr. STOVER: Mr. Speaker, Ladies and Gentlemen of the House: This is a bill that we decisively defeated last week. I hope you will go along with our previous action. I would ask for you to vote no on the pending motion and would ask for a division.

The SPEAKER: The pending question is on the motion of the gentleman from Brewer, Mr. Cox, that the House recede and concur. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

14 having voted in the affirmative and 93 having voted in the negative, the motion did not prevail.

Thereupon, the House voted to adhere.

**Petitions, Bills and Resolves Requiring Reference**

The following Bills were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

**Education**

Bill "An Act Relating to the Appointment of the Board of Visitors of the Governor Baxter School for the Deaf" (Emergency) (H. P. 975)

(Presented by Representative Ketover of Portland) (Cosponsors: Senator Hichens of York, Hayes of Penobscot, and Representative Thompson of South Portland) (Submitted by the Department of Educational and Cultural Services pursuant to Joint Rule 24)

(Ordered Printed)

Sent up for concurrence.

**Energy and Natural Resources**

Bill "An Act Relating to Camps on Leasehold Land Owned by the State" (H. P. 976) (Presented by Representative Dexter of Kingfield) (Cosponsors: Representative Rolde of York, Senators McBrearty of Aroostook, and Pray of Penobscot)

(Ordered Printed)

Sent up for concurrence.

**Health and Institutional Services**

Bill "An Act to Authorize the Department of Human Services to Operate a Grant Diversion Program for Recipients of Aid to Families with Dependent Children" (Emergency) (H. P. 977)

(Presented by Representative Joseph of Waterville) (Cosponsors: Senator Bustin of Kennebec and Representative Brodeur of Auburn) (Submitted by the Department of Human Services pursuant to Joint Rule 24)

Bill "An Act Relating to Meritorious Good Time" (H. P. 978) (Presented by Representative Connolly of Portland) (Cosponsor: Senator Brown of Washington)

(Ordered Printed)

Sent up for concurrence.

**Labor**

Bill "An Act Relating to Overtime Pay" (H. P. 979) (Presented by Representative Michael of Auburn) (Cosponsors: Representative Beaulieu of Portland and Senator Pray of Kennebec)

(Ordered Printed)

Sent up for concurrence.

**Public Utilities**

Bill "An Act to Authorize the Public Utilities Commission to Hold Joint Hearings with Federal Public Utility Regulatory Bodies" (H. P. 980) (Presented by Representative Matthews of Winslow) (Cosponsors: Representative Weymouth of West Gardiner and Senator Baldacci of Penobscot) (Submitted by the Public Utilities Commission pursuant to Joint Rule 24)

Bill "An Act to Remove the Jurisdiction of the Public Utilities Commission over Certain Dealers of Gas in Liquid Form" (H. P. 981) (Presented by Representative Ridley of Shapleigh) (Cosponsors: Representatives Paradis of Old Town, McGowan of Pittsfield, and Senator Emerson of Penobscot) (Submitted by the Public Utilities Commission pursuant to Joint Rule 24)

(Ordered Printed)

Sent up for concurrence.

**Transportation**

Bill "An Act Relating to the Replacement of Existing Buildings within 33 feet of the Center Line of a State or State Aid Highway" (H. P. 982) (Presented by Representative Theriault of Fort Kent) (Cosponsors: Representatives Callahan of Mechanic Falls, Macomber of South Portland, and McPherson of Eliot) (Submitted by the Department of Transportation pursuant to Joint Rule 24)

(Ordered Printed)

Sent up for concurrence.

**Orders**

On motion of Representative McSweeney of Old Orchard Beach, it was

ORDERED, that Representative Richard McCollister of Canton be excused March 23rd through March 25th for personal reasons.

AND BE IT FURTHER ORDERED, that Representative John Tuttle of Sanford be ex-

cused March 23rd through March 28th for personal reasons.

AND BE IT FURTHER ORDERED, that Representative E. Christopher Livesay of Brunswick be excused March 24th through March 29th for personal reasons.

**House Reports of Committees Unanimous Leave to Withdraw**

Representative Vose from the Committee on Marine Resources on Bill "An Act to Limit Scallop Dragging" (H. P. 418) (L. D. 501) reporting "Leave to Withdraw"

Representative Ainsworth from the Committee on Marine Resources on Bill "An Act to Change the Season during which Scallops may be Taken" (H. P. 561) (L. D. 711) reporting "Leave to Withdraw"

Representative Mitchell from the Committee on Marine Resources on Bill "An Act Concerning the Taking of Scallops" (H. P. 581) (L. D. 729) reporting "Leave to Withdraw"

Representative Holloway from the Committee on Marine Resources on Bill "An Act to Enforce Closed Periods of Lobster Fishing" (H. P. 673) (L. D. 856) reporting "Leave to Withdraw"

Representative Vose from the Committee on Public Utilities on Bill "An Act to Clarify the Procedure for Filing a Rate Case under the Public Utility Law" (H. P. 136) (L. D. 142) reporting "Leave to Withdraw"

Representative Weymouth from the Committee on Public Utilities on Bill "An Act to Provide for the Funding of Consumer Intervention Before the Public Utilities Commission" (H. P. 674) (L. D. 857) reporting "Leave to Withdraw"

Were placed in the Legislative Files without further action pursuant to Joint Rule 15 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:

(H. P. 420) (L. D. 503) RESOLVE, Directing the Department of Marine Resources to Erect a Fishway on the Orange River in Whiting, Washington County — Committee on Marine Resources reporting "Ought to Pass"

(S. P. 147) (L. D. 438) Bill "An Act Substituting the Board of Overseers of the Bar as the Keeper of the Records of Members of the Bar in Place of Administrative Assistant to the Chief Justice" — Committee on Judiciary reporting "Ought to Pass"

(S. P. 179) (L. D. 546) Bill "An Act to Require Participation in Good Faith in Fact Finding" — Committee on Labor reporting "Ought to Pass"

(H. P. 520) (L. D. 645) Bill "An Act to Amend Special Education Statutes Related to Complaint Procedures" — Committee on Education reporting "Ought to Pass"

No objections being noted, the above items were ordered to appear on the Consent Calendar of March 23, under the listing of Second Day.

**Passed to Be Engrossed**

Bill "An Act Raising the Limit on Speeding Violations which can be Processed by the District Court Traffic Violations Bureau" (S. P. 151) (L. D. 442)

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

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mr. Livesay.

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

The SPEAKER: The gentleman from Brunswick, Mr. Livesay, moves that this Bill and all its accompanying papers be indefinitely postponed.

The gentleman may proceed.

Mr. LIVESAY: Mr. Speaker and Members of the House: The end of last week, Representative Foster briefly discussed this particular item and I think I ought to refresh your me-

mory now.

The purpose of this piece of legislation is to raise the level of violations of speeding that can be handled administratively by the clerks of our various district courts. Presently, a violation of 15 miles an hour or less may be handled administratively without the violator having to confront the judge. The purpose of this legislation is to raise that limit from 15 to 29. That means quite simply that an individual could be speeding 84 miles an hour in a 55 mile an hour zone and simply proceed to the district court building and pay his fine, or one could be going 54 miles an hour in a 25 mile an hour zone and do the same thing. I think those sorts of speeding violations are of significant magnitude and they are the type of violation that I think ought to be handled in many instances by the judge himself.

I think as legislators we also ought to be concerned not only with what legislation does but what legislation says. This particular piece of legislation says that the State of Maine is not particularly concerned about those individuals who exceed the speed limit by 29 miles an hour and in fact those sorts of violations are the kind of things that we choose to handle administratively. I think that is the sort of message that we shouldn't be sending to the citizens of this state.

I would hope that you would support my motion to indefinitely postpone, and I would request a roll call.

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

Mr. JOYCE: Mr. Speaker, Ladies and Gentlemen of the House: This bill received a Majority "Ought to Pass" out of our Judiciary Committee. I took the liberty of contacting some of the courts. I received notice in this morning's mail from the district court at Portland. I called and explained the bill. They were surprised that there had to be a bill because they had been doing this practice statewide, and nobody could remember the number of years.

When I talked to the court officer in Portland who has held that position for perhaps 12 to 14 years, he told me that the district courts of Maine have been handling this matter ever since traffic violations were made infractions rather than crimes. He forwarded to me a list that he said is posted in the district courts for speeding 55 miles and under — and this says if they go over, this could be school zones and reduced zones — it goes on, one to 10 miles over, \$30; 11 to 15, \$40; 21 to 25, \$60; 26 to 29 miles over the speed limit, if the speed limit is under 55, it costs \$70. Then they have a short list that says, speeding over 55 miles per hour. If you are one to 10 miles over, you pay \$40, and it is a sliding scale. The last one is 26 to 29 miles over the speed limit, and that is \$80.

When we have had other debates this year, I am sure most of you recall some of the figures on the number of cases that get to court. To look at the statistics, one would think that a judge would handle 15,000 cases a year. The Judges Association recommends a good workload for a judge is 1,000 to 1,100 a year.

What this bill will do, it really won't change anything, it will only make legal what the courts have been doing for 10 years. If somebody gets into court and they turn their summons or ticket over to the court officer, and if it is within these bounds, say 26 to 29 miles over the speed limit, the court officer will point out the clerk's office and the person would go there and pay the \$80. If this person has been in there four or five times in a six months' period, these are processed through the computer, he would get a notice for a hearing on his license from the Secretary of State's Office, and that is where the protection is; it is a built-in thing.

All this bill will do today is put a sentence in the law that will permit the district courts to do now what they have been doing for the past. I don't know when, and I couldn't find anybody whose memory would run back to when this

started, but that is what is in my court and I am sure that is what is in your court.

I urge that you defeat the motion before us and then we can get on with the business of the day and pass this bill.

The SPEAKER: The Chair recognizes the gentleman from Newport, Mr. Reeves.

Mr. REEVES: Mr. Speaker, Ladies and Gentlemen of the House: I am glad that my good friend from Portland has admitted to you here this morning that the district courts in accepting these fines for 80 miles an hour and over are operating in violation of the law. The law states that these violations can be handled up to 15 miles over the speed limit; that is in the statutes today.

As he stated, this would correct a wrong that has been going on in the district courts.

I would also add that I discussed this matter with one judge, explained the bill to him, and he thought that it was a bad bill. He told me that his feeling was that anyone going 80 miles an hour should have their day in court; I must agree.

I would also tell you that I refer to this bill as cash-register justice. If you really want cash-register justice, then you will vote for this bill. Why do I call it cash-register justice? Because you can go out and drive 80 miles an hour, call the clerk of courts, write the clerk of courts, go to the clerk's office, inquire as to the penalty, write out a check, go off and so easily forget it. It isn't like your day in court, standing in front of that judge, for what I consider a serious violation.

I would urge you to support Representative Livesay's motion.

The SPEAKER: The Chair recognizes the gentleman from Belfast, Mr. Drinkwater.

Mr. DRINKWATER: Mr. Speaker, Ladies and Gentlemen of the House: I rise very briefly this morning to speak to this bill. First, I guess, I would like to concur with Representative Joyce from Portland. Both of us are former Deputy Chiefs of Police from our communities and I would like to support him. I realize it has been a few years since I have been a full-time police officer but we had some standards and if we caught a violator in a school zone when the children were out and it was plainly marked 15 miles per hour, he or she didn't get by with much more than that and they didn't get to see the clerk down at the courthouse except when they went by going into the courtroom, because they got busted and had to bail in most cases and then they were taken to court before the judge. If that same violation happened at eleven o'clock at night, in most cases they would have gotten a warning if they were going just a little over. If they were going any great amount over, maybe 25 or so over, if it warranted it in that certain district, under the present situation they would be able to go in and plead guilty to the clerk and pay whatever the fine might be.

I remember we had a case the very last of my being a full-time police officer that came in, one of the night officers had summonsed a speeder who was doing in excess of 80 miles an hour, it was three o'clock in the morning on Route 1 east of Belfast. The officer hadn't seen the car for some period of time when he busted this speeder. I think that is a different situation altogether than a speeder when there is a lot of traffic in the daytime in that same area where there are a lot of motels and businesses. I can see that and would go along with my friend from Newport who says this is the wrong thing to do. I think if you get to that point, that person should visit with the judge.

Today I rise to support this legislation and I support it because I think that our police officers are better trained today than they ever were and I think they know how to draw the line, those to give a summons to that can go in and pay the clerk in the district court and those who they are going to bust and cause to go before a judge.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call, it must have the expressed desire of one fifth of the members present and voting. All those desiring a roll call vote 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 Limerick, Mr. Carroll.

Mr. CARROLL: Mr. Speaker and Members of the House: I think in the discussion of this you have forgotten one thing, and that is that the Secretary of State will send you a nice letter. He informs you that you have so many points on your license. If you get a few more, he is going to be asking you to turn your license in, so you don't go scot free when you plead your case by mail, you get a nice letter from the Secretary of State informing you that if you get a few more points he is going to ask for your license; you don't even have to have a trail to lose your license, you can lose it by getting too many points.

The SPEAKER: The pending question is on the motion of the gentleman from Brunswick, Mr. Livesay, that this Bill and all its accompanying papers be indefinitely postponed in non-concurrence. All those in favor will vote yes; those opposed will vote no.

#### ROLL CALL

YEA—Allen, Anderson, Andrews, Armstrong, Beaulieu, Bell, Bost, Brown, K.L.; Cahill, Callahan, Carrier, Conary, Connors, Curtis, Davis, Dexter, Foster, Gauvreau, Greenlaw, Higgins, L.M.; Holloway, Ingraham, Jackson, LaPlante, Lebowitz, Lehoux, Lewis, Lisnik, Livesay, MacBride, Macomber, Masterman, Masterton, Matthews, K.L.; McPherson, McSweeney, Murphy, Paradis, E.J.; Parent, Pines, Randall, Reeves, J.W.; Roderick, Salsbury, Seavey, Smith, C.W.; Soucy, Sproul, Stevenson, Stover, Strout, Telow, Walker, Webster, Wentworth, Weymouth, Willey.

NAY—Ainsworth, Baker, Bonney, Bott, Branigan, Brodeur, Brown, A.K.; Brown D.N.; Carroll, D.P.; Carroll, G.A.; Carter, Cashman, Chonko, Clark, Connolly, Cooper, Cote, Crouse, Crowley, Daggett, Day, Diamond, Dillenback, Drinkwater, Dudley, Gwadodsky, Hall, Handy, Hayden, Hickey, Higgins, H.C.; Jalbirt, Joseph, Joyce, Kelleher, Kelly, Ketover, Kiesman, Kilcoyne, Locke, MacEachern, Manning, Martin, A.C.; Matthews, Z.E.; Mayo, McCollister, McGowan, McHenry, Melendy, Michaud, Mitchell, E.H.; Mitchell, J.; Moholland, Murray, Nadeau, Nelson, Norton, Paradis, P.E.; Paul, Perkins, Perry, Pouliot, Racine, Reeves, P.; Richard, Ridley, Roberts, Rotondi, Smith, C.B.; Stevens, Swazey, Tammara, Theriault, Thompson, Vose, Zirkilton.

ABSENT—Benoit, Hobbins, Jacques, Kane, Mahany, Martin, H.C.; Maybury, Michael, Rolde, Scarpino, Sherburne, Small, Soule, Studley, Tuttle, The Speaker.

Yes, 57; No, 78, Absent, 16.

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

Thereupon, The Bill was passed to be engrossed in concurrence.

#### Passed to Be Engrossed Amended Bill

Bill "An Act to Conform Maine Garnishment Laws to the United States Code, Title 15, Section 1673, the Federal Consumer Credit Protection Act" (S. P. 110) (L. D. 262) (C. "A" S-26 and S. "A" S-32)

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

#### Passed to Be Enacted

**Emergency Measure**

An Act to Amend and Supplement Certain Powers of Hospital Administrative District No. 1 (H. P. 898) (L. D. 1150) (S. "A" S-30) Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 120 voted in favor of same and 7 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Orders of the Day**

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

SENATE DIVIDED REPORT—Majority (10) "Ought to Pass" in New Draft (S. P. 361) (L. D. 1074) Minority (3) "Ought Not to Pass" — Committee on Education on Bill "An Act to Increase Reimbursement for Professional Credits for Teachers" (Emergency) (S. P. 141) (L. D. 433) — In Senate, Majority "Ought to Pass" in New Draft (S. P. 361) (L. D. 1074) Report read and accepted and the New Draft passed to be engrossed as amended by Senate Amendment "A" (S-29).

Tabled—March 18, 1983 by Representative Locke of Sebec.

Pending—Motion of same gentlewoman to accept the Majority "Ought to Pass" in New Draft Report in concurrence.

The SPEAKER: The Chair recognizes the gentlewoman from Sebec, Mrs. Locke.

Mrs. LOCKE: Mr. Speaker, Ladies and Gentlemen of the House: The state presently mandates a certified teacher to complete six credit hours of professional study every two years. Statute provides for a minimum reimbursement of \$100 per six credit hours. This was raised in 1967 from \$50, which had been in effect since 1954. Because tuition rates have risen above this minimum, this bill provides for payment of the actual tuition charge for any course taken at any campus of the University of Maine, or if the course is taken at another college or university, reimbursement cannot exceed the hourly tuition rate at the University of Maine at Orono.

The amended bill also changes the two-year period from two years to five years, as most teachers are now certified for five years. The effective date of the bill as amended is August 31, 1985, so that school units can plan accordingly. Since the state mandates teachers to complete this many hours of study, the majority of the Committee on Education felt that it is only fair to raise the reimbursement to better reflect the actual cost.

Thereupon, the Majority "Ought to Pass" Report was accepted in concurrence and the New Draft read once.

Senate Amendment "A" (S-29) was read by the Clerk.

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

Mr. MURPHY: Mr. Speaker, I move the indefinite postponement of Senate Amendment "A".

The SPEAKER: The gentleman from Kennebunk, Mr. Murphy, moves the indefinite postponement of Senate Amendment "A" in non-concurrence.

The gentleman may proceed.

Mr. MURPHY: Mr. Speaker, Ladies and Gentlemen of the House: Senate Amendment "A" by itself is a technical, non-controversial, clarifying amendment to the basic bill, new draft L.D. 1074. Tomorrow at second reading I will be offering an amendment to the bill itself which also includes all the technical provisions now contained within Senate Amendment "A".

I would ask for your support of the motion to indefinitely postpone so that this L. D. will be in the proper posture tomorrow to offer and then debate the House Amendment.

The SPEAKER: The Chair recognizes the gentlewoman from Sebec, Mrs. Locke.

Mrs. LOCKE: Mr. Speaker, Men and Women

of the House: I can't speak on an amendment that has not been presented, so I will ask you not to indefinitely postpone Senate Amendment "A" because I don't want the next amendment to be adopted.

The SPEAKER: The Chair recognizes the gentlewoman from Rockland, Mrs. Melendy.

Mrs. MELENDY: Mr. Speaker, Ladies and Gentlemen of the House: The bill before us is one which is causing some concerns. As I read it and looked at the amendment and think about what it is that we are really accomplishing with this legislation, I would like to lay out some of my concerns. It is my hope that someone from the Education Committee may be able to answer the questions which exist for me.

At present, the Maine statutes allow for partial reimbursement to teachers who continue their education. It is my understanding that some teachers receive more than the minimum reimbursement set forth in the statutes by virtue of their collective bargaining agreements. This bill would appear to give to those local teacher organizations which have not increased their reimbursement through a collective bargaining process a fringe benefit increase. Would it be possible to amend this bill that only those units which have already negotiated such provisions would be covered? Schools which have not granted an increase above that minimum set forth in the statutes may have given some other fringe benefits instead. If we pass this legislation, will we not in effect be punishing those school districts because they will be locked in the concessions already made, plus we will now have to pay the increases which are mandated by this bill?

I would like to know how it is decided what levels are going to be mandated into the state law and what decisions we are going to be willing to leave up to the local decision makers. How are we here in Augusta supposed to know if this reimbursement idea is important to all localities? Isn't it just as possible that in some districts this is not an issue of great concern to either the teachers or the school board? This bill appears to me to be an intrusion into the authority which locally elected school boards possess. How do we square with this our commitment to allowing flexibility at the local level?

As I said, this bill is of concern to me and I would hope that it would be of concern to all of us who were elected in order to represent the needs of those back home, those who pay the taxes as well as those who perform the services for us.

The SPEAKER: The Chair recognizes the gentlewoman from Sebec, Mrs. Locke.

Mrs. LOCKE: Mr. Speaker, Men and Women of the House: I would be glad to answer the questions of the good Representative.

First of all, as I mentioned before, this minimum has been raised twice before to better reflect the actual costs of tuition rates. Another thing is that collective bargaining can still go on because the cost of textbooks, registration fees, travel expenses, room and board, lost income can still be negotiated.

Also, if a person chooses to go to a higher priced college or institution either in or out of the State that costs more than the University of Maine at Orono, they can negotiate for those costs too.

As far as the higher rates to taxpayers goes, teachers were required to complete six credit hours in two years. Under this bill, they would be required to complete six credit hours in five years, so the cost would be minimal. In fact, according to the department, it would cost the department one to two thousand dollars.

Representative Kelleher of Bangor 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. All those desiring a roll call vote 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 Bangor, Mr. Kelleher.

Mr. KELLEHER: Mr. Speaker, I would like to pose a question through the Chair to the gentlelady from Rockland, Mrs. Melendy. You asked a series of questions, I am not sure I heard all your answers. Did you get all the answers to the questions you asked?

The SPEAKER: The gentleman from Bangor, Mr. Kelleher, has posed a question through the Chair to the gentlewoman from Rockland, Mrs. Melendy, who may answer if she so desires.

The Chair recognizes that gentlewoman.

Mrs. MELENDY: Mr. Speaker, I felt as though I received enough of the answers to know how I was going to vote. I would like to see people vote no on the amendment and hopefully wait for another amendment tomorrow that may relate to what I think would be a fair way to handle this.

The SPEAKER: A roll call has been ordered. The pending question is on the motion of Representative Murphy of Kennebunk that Senate Amendment "A" (S-29) be indefinitely postponed in non-concurrence. All those in favor will vote yes; those opposed will vote no.

**ROLL CALL**

YEA—Anderson, Armstrong, Bell, Bonney, Bott, Brown, A.K.; Brown, D.N.; Brown, K.L.; Cahill, Callahan, Carrier, Carroll, G.A.; Conary, Connors, Cooper, Crowley, Curtis, Daggett, Davis, Day, Dillenback, Drinkwater, Dudley, Erwin, Foster, Greenlaw, Higgins, L.M.; Holloway, Ingraham, Jackson, Joyce, Kelly, Ketover, Kilcoyne, Lebowitz, Lehoux, Lewis, Livesay, MacBride, MacEachern, Manning, Martin, A.C.; Masterman, Masterton, McGowan, McPherson, McSweeney, Melendy, Michaud, Murphy, Murray, Nelson, Norton, Paradis, E.J.; Parent, Paul, Perkins, Pines, Pouliot, Racine, Reeves, J.W.; Ridley, Roderick, Rolde, Salsbury, Seavey, Small, Smith, C.B.; Smith, C.W.; Soucy, Sproul, Stevens, Stevenson, Stover, Strout, Swazey, Tammara, Telow, Thompson, Walker, Webster, Wentworth, Willey, Zirkilton.

NAY—Ainsworth, Allen, Andrews, Baker, Beaulieu, Bost, Brannigan, Brodeur, Carroll, D.P.; Carter, Cashman, Chonko, Clark, Connolly, Cote, Cox, Crouse, Dexter, Diamond, Gauvreau, Gwadosky, Hall, Handy, Hayden, Hickey, Higgins, H.C.; Hobbins, Jalbert, Joseph, Kelleher, Kiesman, LaPlante, Lisnik, Locke, Macomber, Matthews, K.L.; Matthews, Z.E.; Mayo, McCollister, McHenry, Mitchell, E.H.; Mitchell, J.; Moholland, Nadeau, Paradis, P.E.; Perry, Randall, Reeves, P.; Richard, Roberts, Rotondi, Theriault, Vose, Weymouth, The Speaker.

ABSENT—Benoit, Jacques, Kane, Mahany, Martin, H.C.; Maybury, Michael, Scarpino, Sherburne, Soule, Studley, Tuttle.

Yes, 84; No, 55; Absent, 12.

The SPEAKER: Eighty-four having voted in the affirmative and fifty-five in the negative, with twelve being absent, the motion does prevail.

The New Draft was assigned for second reading tomorrow.

**(Off Record Remarks)**

On motion of Mr. Carter of Winslow, Adjourned until nine o'clock tomorrow morning.