

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Eleventh
Legislature***

OF THE

STATE OF MAINE

SECOND REGULAR SESSION

January 4, 1984 to April 25, 1984

INDEX

FOURTH CONFIRMATION SESSION

(FIRST CONFIRMATION SESSION – SECOND REGULAR SESSION)

May 31, 1984

INDEX

FIFTH CONFIRMATION SESSION

(SECOND CONFIRMATION SESSION – SECOND REGULAR SESSION)

July 11, 1984

INDEX

THIRD SPECIAL SESSION

September 4, 1984 to September 11, 1984

INDEX

HOUSE

Monday, September 10, 1984

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

Prayer by Father Mark Ouellette of St. Augustine's Catholic Church, Augusta.

The members stood for the Pledge of Allegiance.

The Journal of Friday, September 7, 1984, was read and approved.

The following papers were taken up out of order by unanimous consent:

**Passed to Be Enacted
Emergency Measure**

An Act to Make Corrections of Errors and Inconsistencies in the Laws of Maine (S. P. 931) (L. D. 2489) (S. "B" S-444).

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

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

Mr. HIGGINS: Mr. Speaker, Ladies and Gentlemen of the House: The other night I attempted to make a statement on the Record to place into the Record what I presumed that the committee was trying to say relative to pay raises or the pay plan for constitutional officers. In an attempt to do so, I made one small error and I would like to correct that on the Record today. I said the other evening that the Attorney General would be at Step E of the pay scale—excuse me, I said that the Attorney General would start at Step G of the pay scale. What I meant to say was the Attorney General would start at Step E of the scale and would proceed up through Step G, but no higher. I say that today to correct that so that we don't end up in another state of confusion when the next Legislature convenes.

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 104 voted in favor of the same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

By unanimous consent, ordered sent forthwith.

**Finally Passed
Emergency Measure**

RESOLVE, to Address Training and Employment Opportunities for Handicapped Persons Beyond School Age (H. P. 1882) (L. D. 2484) (C. "A" H-749).

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 102 voted in favor of the same and none against and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

Finally Passed

RESOLVE, Authorizing the Exchange or Sale of Certain Public Reserved Lands (H. P. 1881) (L. D. 2483) (C. "A" H-747).

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

**Passed to Be Enacted
Emergency Measure**

An Act to Allow the Establishment of Generation and Transmission Cooperatives for the Purpose of Reducing Borrowing Costs for Ratepayers (H. P. 1891) (L. D. 2488) (C. "A" H-750).

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 105 voted in favor of the same and none against, and accordingly the Bill was passed to be enacted,

signed by the Speaker and sent to the Senate.

**Passed to Be Enacted
Emergency Measure**

An Act to Create the Downeast Correctional Facility within the Department of Corrections (H. P. 1889) (L. D. 2487) (C. "A" H-748)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 110 voted in favor of the same and 3 against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

On motion of Representative Vose of Eastport, the following Joint Order: (H. P. 1896)

ORDERED, the Senate concurring, that the Joint Standing Committee on Taxation report out a bill "AN ACT to Ensure the Payment of Taxes Due on Watercraft" to the House.

Was read and passed and sent up for concurrence.

By unanimous consent, all matters acted upon were ordered sent forthwith to the Senate.

House at Ease

Called to Order by the Speaker.

Ought to Pass in New Draft

Representative Locke from the Committee on Education on Bill "An Act to Implement the Recommendations of the Commission on the Status of Education in Maine" (H. P. 1879) (L. D. 2482) reporting "Ought to Pass" in New Draft (H. P. 1895) (L. D. 2492)

Report was read and accepted and the New Draft read once. Under suspension of the rules the New Draft was read the second time.

Representative Murphy of Kennebunk offered House Amendment "E" and moved its adoption.

House Amendment "E" (H-757) was read by the Clerk.

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

Mr. MURPHY: Mr. Speaker, Men and Women of the House: House Amendment "E" is purely a technical amendment. During the joint caucus it was explained that when the School Finance Act is rewritten, it has a one-year grandfather that no unit would receive less than it did the previous year in terms of no unit becoming a loser. It was the committee's intention, unanimous intention, that that grandfather be extended to a second year. In the drafting, the second year was omitted. This technical amendment extends the grandfather from the one year to the two years and has the unanimous support of the committee members.

Thereupon, House Amendment "E" was adopted.

Representative Michaud of East Millinocket offered House Amendment "G" and moved its adoption.

House Amendment "G" (H-759) was read by the Clerk.

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

Mr. MICHAUD: Mr. Speaker, Ladies and Gentlemen of the House: The reason why I offered House Amendment "G" is, I think the only way you are going to get the teachers' salaries up there is to loosen up the collective bargaining agreement.

This bill deals with binding arbitration. The reason why I offered this one first is because I feel strongly that for binding arbitration, when you deal item by item, it is the best process, and the reason why is, when management and the union gets together to deal with the negotiations, if they deal with the last best offer I think it is going to bring both sides closer together to some type of an agreement.

The last best offer refers only to economic issues, which is wages, pensions and insurance, and I'll briefly explain what the last best offer means.

If management says that teachers are going to get a \$5 raise and the union says no, they want \$10 and they can't come to an agreement, then the arbitrator can come in after fact finding and look at both sides and he will either have to choose the five or the ten, he can't have in between. That's why I feel strongly that the last best offer is going to bring both sides closer together to come to some type of agreement.

I'm not against teachers getting a raise, but I am against them getting a bonus. I don't think you should give a bonus to all teachers. Granted, some deserve it; then again, some don't. To give you an example of where I'm coming from, I represent three schools in my district. Two of them have one of the highest paid teachers in the state; the other, their average is a little below. That one that was averaged a little below Katahdin High School was recognized as one of the top schools in the county and I am proud of that. So I don't feel that necessarily that \$2,000 bonus is going to give any better education for the students. I think if the Governor's Office is real concerned with increasing the teachers' salaries, they should have proposed this last best offer.

Mr. Speaker, when the vote is taken, I ask for the yeas and nays.

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

Mr. WILLEY: Mr. Speaker and Members of the House: I strongly recommend that you vote against this amendment because we have talked about binding arbitration in each of the two years that I have been here to a great extent both in the Labor Committee and on the floor of this House. We defeated a bill, I think it was last year, where binding arbitration was considered for our municipal employees. The same rules apply to this that does to municipal employees.

What it amounts to, if the people that you have hired, your school board and those people in the school district, cannot come to an agreement with the teachers, then you hire somebody completely removed from the local issues altogether and hand it to them and ask them to make the decision. That doesn't seem to be a fair way to go about it. You have already hired these people to represent you in the school district, and it even reflects to a greater extent on your pocketbook than it does to municipal employees, since a larger portion of the property taxes go to schools, and you're abrogating that part of the authority of the school district to somebody coming in from outside to decide the issue, which I thoroughly believe should be decided locally and not by somebody who is completely removed from the problem.

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

Mrs. LOCKE: Mr. Speaker, I move indefinite postponement of this amendment.

The SPEAKER: The gentlewoman from Sebec, Mrs. Locke, moves the indefinite postponement of House Amendment "G".

The gentlewoman may proceed.

Mrs. LOCKE: Mr. Speaker, Men and Women of the House: Although the idea of binding arbitration may be acceptable to many people in the House, it was not a part of our process with this bill. We did not have a public hearing that it was included in. It was never mentioned, and I feel that it is an item that should be really dealt with separately. For that reason, I do move indefinite postponement and hope you will vote for it.

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

Mrs. BEAULIEU: Mr. Speaker, I would like to pose a question through the Chair. Is this amendment rightfully before us at this time?

The SPEAKER: Would the gentlewoman state why?

Mrs. BEAULIEU: First of all, if you look at the amendment it rejects all—we're talking about amending the main body of the bill at this point in time, and it does reject Part J altogether, which is the centerpiece of the bill before us.

Secondarily, I would like to pick up on what Representative Locke said, and that is, I don't believe this issue was raised at any point in time, entertained by anybody at any of the public hearings. Therefore, it makes it a new issue, a new perspective to the bill and it does involve collective bargaining and not educational matters. It wasn't even part of the Commission's entertainment of any bargaining processes to take place. It does not address in any way, shape or manner raising the base because binding arbitration is not going to accomplish that for our educators.

The SPEAKER: The Chair would ask a question to the gentlewoman from Portland, Mrs. Beaulieu.

Was this matter before the Labor Committee during the regular session?

Mrs. BEAULIEU: Yes, it was.

The SPEAKER: The Chair would inquire of the gentlewoman from Portland, Mrs. Beaulieu, whether this item before this body at this time is identical to the matter that was at the last, first or second session?

Mrs. BEAULIEU: I don't believe it could be identical because we never dealt with binding arbitration for teachers only. The binding arbitration bills before us were for public safety employees and all municipal employees, never for teachers only.

The SPEAKER: The Chair would rule that the amendment is properly before the body at this time. The gentlewoman from Portland, Mrs. Beaulieu, has the floor.

Mrs. BEAULIEU: Thank you, Mr. Speaker. I appreciate the fact that you have ruled on this issue. I find myself in an awkward position of probably once in my life agreeing with Representative Willey on the issue of binding arbitration. But even despite my being a strong proponent of binding arbitration, I really feel that this is an issue that should not be tied into this package whatsoever. I feel that binding arbitration is an issue that needs to be extended to all public employees, not to isolate one group against another.

As has been properly pointed out, we did deal with binding arbitration issues for almost all of our public employees in the last session, and those were defeated. I feel that at this point in time, understanding fully that the intentions of Representative Michaud, while they may be honorable, just don't fit into the premise of the package that we are entertaining now.

Even I feel uncomfortable with the bonus approach, but this takes it all out and tries to substitute a collective bargaining process that in my opinion is not going to do a single thing to enhance teachers' salaries, especially when it comes to setting a minimum base. Our beginning teachers are the most poorly paid in our state. I've had the privilege of doing fact finding and I know what the general minimum starting salary is for teachers, and that is very poor, and I don't see where this amendment is going to do a single thing to take care of that issue.

I support the motion made by Representative Locke for the indefinite postponement of this amendment, and we will deal with it if we have the good graces to come back here in the next session.

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

Mr. MICHAUD: Mr. Speaker, I would ask for a roll call.

If anything, I am glad that this bill has brought Representative Beaulieu and Representative Willey together. However, I disagree with Representative Beaulieu. I don't believe by throwing that \$2,000 it's going to do anything. The only way you're going to be able to get the teachers' salaries up there is to give them some

type of binding arbitration. I feel strongly that this is the mechanism to do so. It deals with item by item. The arbitrator does not have to—there's a couple types of binding arbitration methods, and one of them is to agree with the whole package, but this one deals with item by item. And I think by loosening up the collective bargaining agreement, you are going to get the teachers' salaries up there. That \$2,000 is not going to do anything.

Representative Michaud of East Millinocket requested a roll call vote on the motion to indefinitely postpone House Amendment "G".

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

ROLL CALL NO. 511

YEA—Ainsworth, Anderson, Andrews, Armstrong, Beaulieu, Bell, Benoit, Bonney, Bost, Bott, Brannigan, Brodeur, Brown, A.K.; Brown, D.N.; Cahill, Callahan, Carroll, D.P.; Carroll, G.A.; Carter, Cashman, Chonko, Conary, Connolly, Cooper, Cote, Cox, Crouse, Crowley, Daggett, Davis, Day, Diamond, Dillenback, Drinkwater, Dudley, Erwin, Foster, Greenlaw, Hall, Handy, Hayden, Hickey, Higgins, H.C.; Higgins, L.M.; Holloway, Ingraham, Jackson, Joseph, Kane, Kelleher, Kelly, Ketover, Kiesman, Kilcoyne, LaPlante, Lebowitz, Lehoux, Lisnik, Livesay, Locke, MacBride, MacEachern, Macomber, Mahany, Manning, Martin, A.C.; Martin, H.C.; Masterman, Masterton, Matthews, K.L.; Matthews, Z.E.; Maybury, Mayo, McGowan, McSweeney, Melendy, Michael, Mills, Mitchell, E.H.; Mitchell, J.; Moholland, Murphy, E.M.; Murphy, T.W.; Murray, Nelson, Norton, Paradis, E.J.; Parent, Perkins, Perry, Pines, Pouliot, Racine, Randall, Reeves, J.W.; Richard, Ridley, Roberts, Robinson, Roderick, Rotondi, Salsbury, Scarpino, Seavey, Sherburne, Small, Smith, C.B.; Smith, C.W.; Soucy, Sproul, Stevens, Stevenson, Stover, Strout, Swazey, Telow, Theriault, Thompson, Tuttle, Walker, Webster, Wentworth, Weymouth, Willey, Zirkilton.

NAYS—Allen, Carrier, Clark, Dexter, Gauvreau, Jacques, Jalbert, McCollister, McHenry, Michaud, Paul, Tammaro, Vose.

ABSENT—Baker, Connors, Curtis, Gwadodsky, Hobbins, Joyce, McPherson, Nadeau, Paradis, P.E.; Reeves, P.; Rolde, Soule, Mr. Speaker.

125 having voted in the affirmative and 13 having voted in the negative, with 13 being absent, the motion to indefinitely postpone did prevail.

Representative Brown of Livermore Falls offered House Amendment "F" and moved its adoption.

House Amendment "F" (H-758) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Livermore Falls, Mr. Brown.

Mr. BROWN: Mr. Speaker, Ladies and Gentlemen of the House: As quite often we hear in this body, this is a simple amendment. It is simple in text; obviously, it does a lot that we're all concerned about. In simplistic terms, this amendment does one thing and one thing only, it removes from the bill before us the \$2,000 stipend that is proposed to be paid to teachers.

I would like to let you know just briefly why I decided to introduce this amendment. Tomorrow evening, I've been invited with a couple other people from this body and other areas of the State to participate in a forum to be held in Portland on education. And when the lady called to ask me if I would attend, she said one of the questions she would be asking participants is, do you consider education to be a national concern or a state concern. And you know, that kind of hit me, because that person didn't even apparently consider that education anymore is a local concern. I think this is what has happened. I think this is what the \$2,000 stipend will tend to do, and that will be to lessen the degree to which local people can affect educational issues in their communities.

It seems already, as we attend district meetings and school meetings around our various

districts, that all of a sudden there doesn't seem to be the kind of interest in education that there should be. There's a very good reason for that, and that is inch by inch, bit by bit, year by year we've taken away from the local people the control of their schools, and so now they feel frustrated. Perhaps that is what the vast majority of people want, perhaps they do want more state control of education. Perhaps they do want more control by the state of what is going to happen in their school system. But as I talk to people back home, I don't believe that, I honestly don't believe that. The people want more control and they don't like the idea of us taking it away from them bit by bit.

What's really wrong with the \$2,000 bonus? The thing that hits me right off the bat is that there is no recognition whatsoever for worthiness. We're giving a \$2,000 bonus if this bill passes in its present form to every single teacher in the state regardless of whether they are a good teacher, a bad teacher, mediocre teacher, or even if they are on the chopping block for next year's contract. That doesn't make any sense to me at all.

Secondly, future Legislatures certainly are not bound by what this Legislature does, and it has been glossed over to us in this bill that the bill in its present form provides for the \$2,000 bonus only in the first year and we are going to have a commission study the situation and make recommendations after that. But does any single person in this body think for a moment that we are going to give a \$2,000 bonus to teachers this year and take it away next year? Certainly not.

I haven't been satisfied with the questions that I have on the effect that this bill and the \$2,000 stipend would have on local bargaining efforts, and I understand that, that has tried to be taken care of in the bill, but the fact of the matter is, when those people are bargaining back home, they know that there's an extra two thousand bucks coming right straight out of the State Treasury. That can't help but have an impact.

Finally, and I guess most importantly, I still believe that teacher's salaries should be a local decision and the state should stay out of it.

Ladies and gentlemen, the \$2,000 stipend is the most controversial part of this package. There are many parts of this package which are good, which are sensible, and I commend the Governor and I commend the Education Committee for spending so much time and so much effort on this issue, but the people that I've talked to back home don't want it. Many of the teachers that I've talked with don't think it's necessary. It won't improve the quality of education in the state. It does nothing for the quality of education of the students, it certainly does nothing for the students, and the Maine taxpayers can't afford another \$27 million price tag each year to pay for this program.

I urge you to support this amendment, to vote for it, and, Mr. Speaker, when the vote is taken I request the yeas and nays.

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

Mrs. LOCKE: Mr. Speaker, I move indefinite postponement of House Amendment "F".

The SPEAKER: The gentleman from Sebec, Mrs. Locke, moves that House Amendment "F" be indefinitely postponed.

The gentleman may proceed.

Mrs. LOCKE: Mr. Speaker, Men and Women of the House: I hope that you will vote to indefinitely postpone this amendment. Although this particular part of the bill is controversial, I want you to remember a few things. Number one, the committee worked together and limited that stipend to one year. The reason that this method of recognizing teachers monetarily was chosen was because it will not impact on the property tax, which is a problem for a lot of people in this state.

Now, I think that the state has a responsibility to each child in the state to see that it has

access to a good education. I think many of us are aware that fewer and fewer people are choosing to enter the teacher field. I've asked my children if they ever had any feelings for going into education, and it was one of the last things that they wanted to do.

After a teacher is in their position for a few years or has gained further education, they find that their reimbursement is very poor compared to other professionals in the state and they leave the profession. After gaining experience in the classroom, they leave the profession to get other jobs in other fields.

Now as far as local control goes, that's true, this bill will provide a stipend or a bonus or a teacher recognition grant for one year to all the teachers in the state. But we have a system of local control to get rid of, in plain language, bad teachers. I realize that people will groan and say, well, how can we do that, it's so difficult. Well, that may be, but I was part of a board where we got rid of a teacher who was a fine man, he had a good education but could not get the subjects across. It hurt very much to have to vote to have that man leave, but we did that and you can do that.

We also, as far as local control goes, you do have the collective bargaining system where locals bargain for the salaries of teachers. This bill and this stipend does not affect that, it doesn't affect it at all. It's a one-year teacher recognition to send a message to the teachers of this state that says we recognize your importance. It will send a message to the young people of the state that we recognize the importance of the profession. Perhaps this bill, along with the certification bill that we passed last session, and if you remember all of the good things that will monitor the entry level of teachers and other things such as master teachers, you put this together, you will consider it a teacher recognition grant and not just a bonus.

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

Mrs. ROBINSON: Mr. Speaker, Ladies and Gentlemen of the House: I would urge you to vote against the pending motion and I would like to address specifically some of the questions that have been raised by Mrs. Locke.

First of all, let's talk a moment about the property tax problem. It seems to me that if we really want to improve education in this state, the thing to do would be to increase local levy so the state is paying for more of local education, however, allow our local communities to still make all of the decisions.

The bonus that does not take into account either a teacher's ability not a teacher's seniority does not seem to me the way to deal with the problem of teachers' salaries. The way to deal with that problem is to allow the local communities to have a little bit more money so that they can make those decisions about which teachers need bonuses or need increases, and perhaps all of them do.

Mrs. Locke also talked about the problem of local control and said that yes, indeed, what we should do is get rid of bad teachers. I would agree with her, that we should get rid of bad teachers if we have any in our state, but I would point out to all of you that it is very difficult with the present system of tenure to get rid of bad teachers. It is also difficult with the present unionization that we have in the public sector to get rid of poor employees, and so therefore this is not really a meaningful solution.

Mrs. Locke finally talked about the problem of recognizing our teachers, and I would agree that most of our teachers in this state are worthy of recognition. But I would also like to point out that most public employees in this state are doing a good job and perhaps worthy of recognition. If we're going to pass a special recognition for teachers, perhaps we should have a special recognition for the state police or for prison wardens. I'm sure that both of

these groups could make a very good case for being underpaid but hard working.

So, for these reasons I would ask you to vote against the pending motion and I would request a roll call.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: One of the principal arguments in support of the amendment being offered today is that old smoke screen that in fact we have some bad teachers in the State of Maine. Just the contrary, I think we've got some fine, fine men and women teaching in our school systems in this state.

We know as members of this House, at least I know, I'm amazed that you can find the men and women to stay in the teaching profession in this state simply because some of us who at times have difficulties dealing with education like to drop kick them once in a while, speaking in generalities of supposedly "bad teachers in the system."

I don't think there is anyone in this House that can refute the fact that the basic salaries for school teachers in this state are without question an embarrassment in terms of what dollars they are receiving from a base level. No one on the Education Committee, and I don't believe anyone in this House, can say that the education bill that we have here is the answer to all the problems that may or may not be with education, but one problem we do have in this state is what the base is for starting salaries for teachers. The amendment that Mr. Brown is offering, in my opinion, is, in fact, a way to attempt, in some way, to scuttle this bill. He's offering it in good faith, but I don't necessarily buy his argument on what we should do in terms of trying to find a reasonable answer, as he sees it to be, in relieving the salaries that these teachers are getting.

Two thousand dollars is a lot of money, but the faith that we put in the teachers in this state to deal with our youngsters, if you balance it off with the \$2,000 to improve that base is not a lot of money.

I support the motion to indefinitely postpone it, and if the yeas and nays haven't been requested, Mr. Speaker, I do so now.

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

Mr. DILLENBACK: Mr. Speaker, Ladies and Gentlemen of the House: I'm going to support this education bill, and I agree somewhat with what Representative Kelleher says. However, my intention is to do just what he wants to do, but support the amendment that has been presented.

I don't think the \$2,000 is going to do a thing. We have a study committee that is going to become effective on an emergency right away, I hope, and that study committee will perhaps be appointed and have the report in by April. We're not going to give the \$2,000 until 1986. Wouldn't it be better to have this study committee come in and recommend a pay increase that's reasonable and fair to the teachers, which will do just what you want to do, Mr. Kelleher, but will not do it with this \$2,000.

I think the amendment is a good one and I'm going to support it.

The SPEAKER: The Chair recognizes the gentleman from Livermore Falls, Mr. Brown.

Mr. BROWN: Mr. Speaker, Ladies and Gentlemen of the House: I'd like to comment just briefly on some of the issues that Representative Locke and Representative Kelleher have raised. I think I can speak sort of intelligently about the issue because I did used to be a classroom teacher and I can tell you right now that what the teachers need—I'll admit that many good teachers definitely deserve more money, but what the teachers really need most, really need most, is not a \$2,000 check from the State Treasury, what they need is the respect in the community that they deserve and what they need is some backup from the people of the

State of Maine via our statutes and via our presence to support them in many of the things that they try to do, particularly in the areas of discipline. They are not getting that. I can tell you because I was in the classroom and many of you were in the classroom and we have discussed this and we agree—we don't necessarily get the kind of support that we should get. Teachers don't receive, unfortunately, and I mean it, I really mean it, they don't receive the kind of respect that they should be receiving.

I have a great deal of concern and respect for the teachers in my district. I think by and large, as Mr. Kelleher pointed out, they are a fine group of individuals doing a fine service, but the \$2,000 stipend isn't going to make them better teachers. The thing that is going to make them better teachers is for us to get behind them a little bit, give them the kind of support that they deserve in the classroom and give them the kind of respect that they deserve. Good teachers are not going to be measured by the \$2,000 stipend. Quality of education in this state in years to come is not going to be affected, I don't believe, by the \$2,000 stipend.

Let's defeat the motion before us so we can go on and pass this amendment and deal with what I consider to be the most meaningful aspects of this education bill.

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

Mrs. MITCHELL: Mr. Speaker, Men and Women of the House: You know respect won't buy very much in the grocery store. Respect doesn't pay the mortgage and it doesn't pay for the trips to the doctors and the dentist for your kids. Teachers are men and women like you and me who are out struggling to earn a living and to do a good job for your kids and mine.

You know, when we give tax credits to industry, when we present program after program in this Legislature, we call it an investment, an investment in Maine's future. I can't think of a single more important investment than an investment in the education of our young people in this state.

Yes, Mr. Brown is right, this is a good package, there are many, many good things in this package and it is almost like a town meeting. At a town meeting, as you know, we often pass a big education budget without discussing it but we spend hours talking about the fire truck or the dog catcher.

We are going to look at the rest of this bill today because it does talk about graduation requirements, it talks about early education, to me where the heart of all this problem is going to be solved, it talks about assessment, knowing where our young people are, it talks about issue after issue for students, for teachers and for parents themselves to get back involved in that process, but you know, not one bit of it is going to work unless you have good teachers in the classroom. Ask any parent what happens to their children when they have a good teacher in the classroom, one who cares, one who is dedicated, that is where the learning takes place. That is what we are looking for, that is what our Education Commission found.

We started all this business it seems like a hundred years ago but it was just last session when a national commission came out called "A Nation at Risk" and in that report it said the condition of our schools was such that if this had been imposed upon us by a foreign power we would have called it an act of war. We all got serious then. All over this country commissions were created and everybody rolled up their sleeves and started to do what they could to take what we had that was good in our system and take what was weak and try to make it better. That is what this package is about.

The Commission that the Governor created was made up of men and women from all walks of life, a very devoted and dedicated group of men and women who gave months of their lives to travel around this state. One of the things that we found was that this rising tide of medi-

ocricity that was referred to in a "Nation at Risk" had to do with, what I think it is, what are we going to do to get young people, good young people, to come into this classroom and how are we going to get those good teachers to stay, the ones that you all insist we have and that I know we have as well.

I am going to tell you two stories and they are absolutely true and I learned them when I was on this Commission. I was in Lewiston High School and one young lady came up to our Commission—it took a lot of nerve for a high school student to testify before this Commission and she said, "I want to be a school teacher but I am ashamed to tell my friends." Now that is a pretty sad state of affairs, ladies and gentlemen.

I spoke to the Honor Society induction at Auburn High School and as I was talking about the importance of the studies that our education commission was making, I thought maybe I had better find out if I am just missing the boat and I said, "how many of you young people are going into teaching?" You know how many hands went up? Zero. That is the nation at risk if we don't care enough about our teachers to say that we respect you enough, yes, but we also tie that respect to some decent dollars so they can maintain their respect and dignity in the community, and stay in a profession that they have studied long and hard to do.

Let me share with you a few facts and I think they are very sobering and I think the stipend, whether you think this is the best thing or not, I think we all have to admit that teachers could use a little extra respect in the form of dollars, but listen to this—the average teacher's salary, K through 12 in Maine today, is \$17,328; 79 percent of the national average of \$22,000. This places Maine 48th among the states and in 1972 we were 31st. Even worst, the average starting salary in 1983-84 for a Maine teacher with a bachelors degree was \$11,100. Of course, you hear the argument, teachers get off in the summer, they have all this free time after class and I defy you to find an English teacher who could do that because they are always grading papers, data for the 1980 indicates otherwise. In 1980, 34 percent of Maine's elementary and secondary teachers earn less than the average income of all Maine workers.

We simply have to recognize that there is a problem out there, no one has ever suggested that the stipend is the answer to that problem but it is a start, ladies and gentlemen, to say to the teachers of this state that we respect you that we are willing as state legislators to come up with the money to pay for that increase so that you, too, can feel productive about the work that you do for our young people.

I call it an investment in Maine's future. I think a one time bill with a stipend serves our purposes until we can come up with a way that we prefer in the long run, but there is no reason to duck the issue because we don't like that one time approach. Maine teachers deserve better, we are here to do the job, look at the whole package and also think of the people that we are asking to carry out this entire package of recommendations.

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

Mr. WILLEY: Mr. Speaker, Ladies and Gentlemen of the House: I thought this bill was primarily to increase the quality of education, and my own personal thoughts are, how do you increase the quality of education by giving a bonus to those who are less than what you would like? There are many, many teachers out there who deserve vast increases, I believe. There are also certainly some, and every record indicates that this is true, that have less qualities than you desire, so what incentive is there for good teachers to come in if we are going to give bonuses to those who are not in that classification? This bill has an awful lot in it that I like, that part of it I don't like and I am afraid that I wouldn't be able to vote for it with that

particular part of it in there.

Maine has been throwing money at education for 25 years and our quality of education has gone steadily down hill to this point. I think this bill that is before us, except for this one issue, will tend to change that situation. I sincerely hope that it does and I am looking forward to it doing exactly that.

It seems to me that if we have a study commission coming to study numerous facets of this thing which haven't yet been resolved, that the proper thing to do with this very controversial issue is to refer it to them for resolution, because the first check wouldn't go out until a year from February, which certainly gives them time to adequately study the thing and make some proper resolution. I sincerely hope that you vote to defeat the motion.

The SPEAKER: The Chair recognizes the gentleman from South Portland, Ms. Benoit.

Ms. BENOIT: Mr. Speaker, Men and Women of the House: I want to particularly address a comment that Representative Willey just referred to and that is "bad teachers in the system" who also get this money. That is not our job to decide, who are good teachers and who are bad teachers, that is the job of the administrators in our school departments. We are not here to make that judgment and, as you say, it is a year or a year and a half until they will get this money, that gives administrators plenty of time to get rid of bad teachers, which, I might add, they should have been doing all along anyway if that is the case. There should not be bad teachers in our school systems. If administrators do their jobs, then there are not bad teachers in the systems. Now I am wise enough to know that there are administrators who do not do their jobs.

I would like to talk about Mr. Brown's commitment. Having been a teacher for nine years, no longer a teacher, having left the profession a year and a half ago, I will tell you that one of the reasons was the pay, there is no question about it. I would hate to tell you what the increase in salary was that I received when I left teaching. Believe me, it made a whole lot of difference in my life and in the future that I will have for myself and for my daughter. It is very difficult to live on a teacher's salary whether you are single or married.

I think what we do here today is a commitment. Teachers across the state have been listening to us talk about this commission that Representative Mitchell co-chaired. They have been listening to this—we are going to do something for teachers.

This says, whether you like the stipend or not, that yes, we do believe in you, we do want to make a commitment to you and we are going to do it with this \$2,000 stipend, then we are going to look at it. But others would say, let's look at it some more right now, another defeat, another blow to teachers and, believe me, there are a lot of teachers out there who are thinking about getting out. I know, I have friends who are teaching right now and I am sure you do, talk to them. Ask them how they feel about being in the classroom, and there are a lot of other things that make life unpleasant for teachers too, there is no question about it. They would absolutely agree with what you said—100 percent, you are absolutely right, that money is a big, big step. You are not going to get new teachers to come into the profession if you are not going to pay them a decent salary, nor are you going to have the good teachers, the fine teachers that we have now stay.

Look around at the teachers who are leaving after years and years of teaching. These aren't people who have only been there for one year or two years, some of them have been there for 15, 16 and even leave before they get their retirement. Ask them why they are leaving. It is for a lot of the reasons that you said, but believe me, money is a big part of it, and I think we ought to make a commitment to teachers and tell them, this way and with the other issues

that are addressed in the bill, that we do respect them. They spend more time with our children than most of us do and we need them. We need the best we can get, the best to stay and the best to come.

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

Mr. COX: Mr. Speaker, Ladies and Gentlemen of the House: I have been hearing a lot of talk around here the last few days about the rewarding of all teachers, good teachers, bad teachers, mediocre teachers, so while we were home in our little short recess here I spoke with a teacher in the Brewer school system that I consider to be the finest one in the school system. In talking with the Superintendent I was a little bit conservative and I said this teacher is one of the best teachers we have in the system and his words were that I was probably being too conservative when I said she was 'one' of the best teachers.

The lady is a little older than I am and started teaching in middle life. She is married and established in the city of Brewer so she is not going to leave the school system to go somewhere for higher pay because she and her husband are both established there and have the business. I told her about these objections that were being raised to the stipend because of the rewarding of poor teachers along with the good teachers, and her comment was that if there are bad teachers in the school system, if we don't do something to show the teachers that we are going to give them some more money, we will be getting a lot more bad teachers.

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

Mr. MCHENRY: Mr. Speaker, Ladies and Gentlemen of the House: I would like to respectfully submit to the good gentleman from Livermore Falls, Mr. Brown, that all the respect in the world will never buy a loaf of bread.

Representative Robinson requested a roll call on the motion to indefinitely postpone House Amendment "F."

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

The Chair recognizes the gentleman from Saco, Mr. Hobbins.

Mr. HOBBS: Mr. Speaker, I ask leave of the House to be excused pursuant to Joint Rule 10?

The SPEAKER: The Chair would advise the gentleman from Saco, Mr. Hobbins, that Joint Rule 10 does not apply, that the Attorney General has ruled that there is no conflict and the Chair will request the gentleman to vote.

The pending question before the House is the motion of the gentleman from Sebec, Mrs. Locke, that House Amendment "F" be indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 512

YEA—Ainsworth, Allen, Andrews, Beaulieu, Benoit, Bost, Bott, Brannigan, Brodeur, Carrier, Carroll, D.P.; Carroll, G.A.; Carter, Cashman, Chonko, Clark, Connolly, Cote, Cox, Crouse, Crowley, Daggett, Diamond, Erwin, Gauvreau, Hall, Handy, Hayden, Hickey, Higgins, H.C.; Hobbins, Ingraham, Jacques, Jalbert, Joseph, Kelleher, Kelly, Ketover, Kilcoyne, LaPlante, Lisnik, Locke, MacBride, MacEachern, Macomber, Mahany, Manning, Martin, A.C.; Martin, H.C.; Matthews, K.L.; Matthews, Z.E.; Mayo, McCollister, McHenry, McSweeney, Melendy, Michael, Mills, Mitchell, E.H.; Mitchell, J.; Moholland, Murphy, E.M.; Murphy, T.W.; Murray, Nelson, Norton, Paul, Perry, Pines, Pouliot, Randall, Reeves, P.; Richard, Roberts, Rolde, Rotondi, Small, Smith, C.B.; Smith, C.W.; Soucy, Stevens, Stevenson, Stover, Swazey, Tammara, Telow, Theriault, Tuttle, Vose, The Speaker.

NAY—Anderson, Armstrong, Bell, Bonney, Brown, D.N.; Cahill, Callahan, Conary, Cooper, Davis, Day, Dexter, Dillenback, Drinkwater, Dudley, Foster, Greenlaw, Higgins, L.M.; Holloway, Jackson, Kiesman, Lebowitz, Lehoux,

Livesay, Masterman, Masterton, Maybury, McGowan, Michaud, Paradis, E.J.; Parent, Perkins, Racine, Reeves, J.W.; Ridley, Robinson, Roderick, Salsbury, Scarpino, Seavey, Sherburne, Sproul, Strout, Walker, Webster, Wentworth, Willey, Zirkilton.

ABSENT—Baker, Brown, A.K.; Conners, Curtis, Gwadosky, Joyce, Kane, McPherson, Nadeau, Paradis, P.E.; Soule, Thompson, Weymouth.

90 having voted in the affirmative and 48 in the negative, with 13 being absent, the motion to indefinitely postpone House Amendment "F" prevailed.

The SPEAKER: The Chair recognizes the gentleman from Stockton Springs, Mr. Crowley.

Mr. CROWLEY: Mr. Speaker, I offer House Amendment "D" and move its adoption.

House Amendment "D" (H-755) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Stockton Springs, Mr. Crowley.

Mr. CROWLEY: Mr. Speaker, Ladies and Gentlemen of the House: This amendment that I present has the purpose of establishing a department of post secondary vocational-technical education and having the post secondary VTI system taken from underneath the Board of Education and the Department of Education and moved over to another new department called the "Post Secondary Vocational-Technical Education Department" under a Board of Trustees. The reason for making this decision, the reasons are many. (1) the Department of Education and the Board of Education, as we struggle through this bill today, we can see that that Board of Education and the entire Department, have probably more than they can handle with some 230 units of SAD's and so forth, some 210,000 students, a \$400 million budget, 13,500 teachers and on and on.

The production of education is down and this is why we are meeting in this Special Session. I think if we take a little bit of the work away from the Department of Education and away from the Board of Education, they may be able to devote more time to K through 12. And, incidentally, this package you have in front of you today says nothing about the VTI instructors. This is one of the reasons I would like to move it over under the board of trustees.

Now the board of trustees that I have proposed here would be made up of three people from business and industry, one person from health service, two from education and one from labor. These people would be high level people throughout the State of Maine that would love to get on the board of trustees, like they do the University of Maine, and they could give 100 percent responsibility as opposed to the amount of time the Board of Education can devote to this.

The fiscal note on this bill will be \$35,000. This is an insignificant figure when compared with the \$50 million or whatever it is we are talking about today.

I called Maine Maritime Academy this morning and asked them what it cost to run their Board of Trustees and they told me they have a budget of \$3,900 and they make it just fine. I think maybe a lot of their trustees are paying their own expenses and not eating up that part of it.

This board of trustees would receive no compensation; they would just receive their travel expenses and so forth.

This would place this board of trustees under the Governor and that board of trustees would have a Commissioner. We already have a Deputy Commissioner of vocational-education who is a very capable person and it is very possible he would be the one that would be switched over, and underneath the commissioner there would be the six vocational-technical institute. The six presidents, and I am calling them presidents in this bill rather than directors because they are college level,

would form an administrative board underneath the commissioner. The reason that I am doing this is because L. D. 2492 has nothing to do with VTI's, their faculty, and I think someone should be interested in them.

At the hearing the other day in the Appropriations Committee, Representative Armstrong asked a question of the Deputy Commissioner of Vocational Education. He said, in Farmington and in Wilton we have a tremendous labor problem now that the shoe industries are folding in our area. He said, how long could the VTI's get a program—say we had someone come in, we need special training for our workers and retraining for their workers—how long would it take the VTI's to get a program together to serve this need? The answer was about three years. Well, I think in three years time we couldn't find the industry.

Eighteen years ago, Gorham State College, it was called then, and Farmington State College had approximately 2,000 students, but 16 years ago we put these two schools under the Board of Trustees at the University of Maine and today they don't have 2,000 students between the two of them, they have 10,000 students. I think the same thing might happen to the VTI's.

As you know, last year as we discussed the VTI's when our bond issue failed, we heard that 2300 students were accepted last year, 83-84, to the VTI's and 3100 applicants were denied. They didn't have any room in the inn. On the very first day of the academic year, there were still 750 people waiting, hoping to get into these schools. I think if we could stop this foot dragging and put them under a Board of Trustees, we might get more action.

The President of Bowdoin College, a Mr. Cole, back in 1966 I believe it was, had a Cole's Commission Report that has been referred to in the Status of Education Report, and it said that the VTI's should be put under a separate board of trustees. It also said that the state colleges should, but we did move at that time, or you did or someone did, move them over into the University of Maine system under a Board of Trustees. Now 18 years have gone by and nothing has been done to follow this up.

In 1973, the Longley Commission, the management and cost survey report, said that we should take the Vocational-Technical Institutes and put them in higher education underneath a president, underneath a Board of Trustees. This wasn't done.

In 1978, a legislator, I don't know who, put a bill in for this House to do the same thing that I am trying to do here, and that failed.

Now, the Status of Education Report has in there a sentence that goes something like this: The alternatives for the VTI's, one alternative for the VTI's, would be to put them under a separate board of trustees. I believe that, and I think that's exactly what we ought to do.

There is another line in there that says there is a need for better planning and management control of the VTI's. This amendment, 755, will do just that.

The Maine Development Foundation got a committee together and put out this publication on the technology strategy of Maine. I believe you all have received copies of this. This is some of the finest minds in the State of Maine, business, industry, law, engineering, etc., and in this report they refer to the importance of technical education. I'll just read one short paragraph here. Two critical themes characterize every element of the proposed technology strategy, the need to make a major commitment to strengthen Maine's public education institutions—that's one. Number two, the need to forge working partnerships among government, education, industry and labor. This bill is going to put someone from government, from legislatures, from business and industry and labor on a board of trustees to give them the push that they need and the support that they need. And you would be surprised at

what is happening in Massachusetts and Connecticut with these large corporations, the people that are overseeing these institutions, they are pouring all kinds of private money, they are pouring all kinds of technical equipment, computers, etc., into these schools and are saving the taxpayers a lot of money.

We talk about higher education in Maine here today—this was a report that you all received in the last couple of weeks, it said that Maine is 50th in the nation of high school grads going on to college. Last year's high school graduates, we landed 50th. Thank gosh the District of Columbia was considered in this, because they were 51. Otherwise, we would have been last. In Maine, we hit the 49th state in per thousand people going to college, so we are also on the bottom there. And this is probably the worst one, we were 48th in government funding out of general fund revenues to higher education.

For all these reasons, I would like to move the VTI's over under a separate board where they would get a lot more consideration.

The New England Board of Higher Education, I won't go through that Threat to Excellence Report, but all over New England they are saying the same thing. The New England Board of Higher Education is doing everything they can to help Maine and every other state adjust to this training and retraining of our work force and there is no place that it can be done better than the vocational-technical schools for both vocational and technical knowledge.

I guess I could sum up my whole statement here in that we have waited 18 years and we have procrastinated over something that is of vital importance. We can no longer afford to have only 3,500 kids eligible because of space, because of money and because of the system going on to the vocational-technical schools. I think it is high time we move this thing over where we will get some reactions and get something done for the VTI's, and I hope you will support me on this bill.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mrs. Beaulieu.

Mrs. BEAULIEU: Mr. Speaker, Ladies and Gentlemen of the House: With grave hesitation I rise to ask for the indefinite postponement of this amendment. As you can see, Representative Crowley has done an enormous amount of work in trying to achieve the goals that he is bringing forth to you today. Unfortunately, I can't support him at this point in time for the simple reason that I feel that what he is bringing forth to you should be addressed in another setting with a lot more deliberation.

Approximately eight years ago I served on a blue ribbon commission that did a survey and a major study on the VTI's and their needs. Out of that study we did make some substantial changes in the Governor's patterns of the VTI's, most of them for the better.

Some of the issues that he has raised about how we need to make more changes have never escaped the attention of those of us who care in education. They have been addressed in bits and pieces through special pieces of legislation. While I contend that there is more work to be done, I really feel that setting up a board of trustees similar to what we have at the University of Maine is inappropriate and is not going to do the job.

I base my opinions basically on the recent report from the Maine Advisory Council on Vocational Education. The Chair of that particular group is Carl Harpell. He's in management at Bath Iron Works. The people involved in putting together this report have done an outstanding job and have provided an alternative suggestion as to how we can improve the management end of our VTI's. On one of their recommendations, and I quote from this particular group, "There is no substantial support for changing the present VTI government system to one like the University of Maine or Maine Maritime Academy systems because the in-

creased costs involved in duplicating presently receives state personnel and other services are expected to be excessive." Now, I don't find \$35,000 excessive to put a board of trustees into place, but I would contend that is not the approach.

They offer the establishment of a Joint Public Policy Coordinating Committee and a VTI Development Foundation as an alternative. I like that approach better.

To further shore up by contention that we should not entertain the proposal today but to reserve Representative Crowley's bill and look at it with other alternatives in another session is the work and the information that was handed to me this morning at my request from the Department of Education. Number 22 of the Commission's recommendation has already been handed over to the Commission by the Governor for a look-see. If you remember, the Governor charged the Commissioner with different segments of the Commission's report to do it themselves rather than trying to do it legislatively. Here is a document of the blocking out already of the proposals that they are looking at on behalf of the VTIs, with the deadlines, as to what the job is, who is going to be responsible for the job, when they have to report to the Commission, and if legislation is to be demanded, what will be in the legislative package next session. I have a copy of the VTI management proposal planning, third draft, so they are already working trying to address the issues that are of serious concern to Representative Crowley, to myself, to anybody who cares about the VTIs.

I feel that between now and January we may have more than one approach. It may well be that Representative Crowley's approach is a logistical one, but I'm not prepared to deal with that right now, not when I know all this kind of effort is going on within the department under the mandate of the Governor to get it done. So I ask you to respect what the gentleman is trying to do but to support my motion for indefinite postponement at this point in time.

The SPEAKER: The Chair recognizes the gentleman from Stockton Springs, Mr. Crowley.

Mr. CROWLEY: Mr. Speaker, Ladies and Gentlemen of the House: I appreciate Representative Beaulieu's thoughts on this, but the Governors have been looking at the VTIs for 18 years, since the first Cole's Commission Report, and they have been planning and procrastinating for 18 years in the State of Maine with something that is of vital importance to us. There is nothing more important in the State of Maine than education and these VTIs.

As I said before, we put a \$6.2 million package together for the professors at the University; we now have a \$50 million something or other running here for K through 12, but we have done nothing salary-wise other than the collective bargaining and so forth that everyone else does, we have done nothing for the VTIs. They are the orphans of the system and I think it's time we take them out of that category.

One more thought. I did an extensive thing with this. I talked with every director of the VTIs, I talked with a great number of the board of education, although they feel we should wait a little bit, some of them do, most of them probably. But New Hampshire, Massachusetts and Connecticut all have done this. Connecticut calls their VTIs colleges. They are no different than ours. They are the vocational-technical colleges. New Hampshire, Massachusetts and Connecticut all have 4 percent unemployment. Maybe they know something we don't know, and this might be part of the answer.

Representative Beaulieu of Portland requested a roll call vote on the motion to indefinitely postpone House Amendment "D".

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

ROLL CALL NO. 513

YEA—Andrews, Armstrong, Beaulieu, Bell, Brodeur, Carter, Chonko, Connolly, Davis, Erwin, Foster, Gauvreau, Handy, Higgins, H.C.; Jalbert, Kane, Kelleher, LaPlante, Lebowitz, Lehoux, Livesay, MacBride, MacEachern, Manning, Martin, A.C.; Masterton, McCollister, McGowan, Mitchell, J.; Moholland, Murphy, T.W.; Parent, Pines, Randall, Reeves, J.W.; Reeves, P.; Richard, Robinson, Rolde, Rotondi, Smith, C.B.; Smith, C.W.; Sproul, Stevens, Walker, Webster.

NAY—Ainsworth, Allen, Anderson, Benoit, Bonney, Bott, Brannigan, Brown, A.K.; Brown, D.N.; Cahill, Callahan, Carrier, Carroll, D.P.; Carroll, G.A.; Cashman, Clark, Conary, Cooper, Cote, Cox, Crouse, Crowley, Daggett, Day, Dexter, Diamond, Dillenback, Drinkwater, Dudley, Greenlaw, Hall, Hayden, Hickey, Higgins, L.M.; Hobbins, Holloway, Ingraham, Jackson, Jacques, Joseph, Kelly, Ketover, Kiesman, Kilcoyne, Lisnik, Locke, Macomber, Mahany, Martin, H.C.; Masterman, Matthews, K.L.; Matthews, Z.E.; Maybury, Mayo, McHenry, McSweeney, Melendy, Michael, Michaud, Mills, Mitchell, E.H.; Murphy, E.M.; Murray, Nelson, Norton, Paradis, E.J.; Paul, Perkins, Perry, Pouliot, Racine, Ridley, Roberts, Roderick, Salsbury, Scarpino, Seavey, Sherburne, Small, Soucy, Stevenson, Stover, Strout, Swazey, Tammara, Telow, Theriault, Thompson, Tuttle, Vose, Wentworth, Weymouth, Willey, Zirnklinton.

ABSENT—Baker, Bost, Connors, Curtis, Gwadosky, Joyce, McPherson, Nadeau, Paradis, P.E.; Soule, The Speaker.

46 having voted in the affirmative and 94 in the negative, with 11 being absent, the motion did not prevail.

Thereupon, House Amendment "D" was adopted.

Representative Scarpino of St. George offered House Amendment "B" and moved its adoption.

House Amendment "B" (H-752) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from St. George, Mr. Scarpino.

Mr. SCARPINO: Mr. Speaker, Ladies and Gentlemen of the House: While I have no illusions about what is going to happen to this amendment, I feel that something, due to my experience in the past two days watching the work sessions, should be presented, because what I saw happening in the work sessions was a basic agreement on the concepts of this bill to improve the excellence of education in the state and to reward the teachers, but whenever it came down to specifics of who was going to get what, how much it was going to cost and who was going to pay, the negotiations in the committee seemed to break down and the unity that was there seemed to disappear because nowhere was it ever stated exactly what the teachers would get and exactly how the towns, the local municipalities, would be assisted in paying for their share. And when push came to shove, no one that I could see really had that amount of faith in the Commission to protect their interest.

What this amendment does, quite simply, is lay out what our long-term commitment, financial commitment, would be to both the teachers and to the municipalities, and because we are laying it out, because we are mandating it, that fiscal responsibility would be on the state, not on the municipalities.

What it would do for the teachers is in 1987-88 would increase their base salary to \$16,900 a year, and in the same year what it would do for the municipalities is increase their share of the state's subsidy to 60 percent to cover their increased costs for their curriculum, for the increased graduation requirements and for the increased school approval requirements. I can just see dollar signs clicking through people's eyes right now and saying, my gosh, that's one of the most fiscally conservative people up there advocating spending a lot of money, and I am. Where this money is going to come from I

can't say exactly. That would fall in the area of the Commission to decide how we should raise that money. If you ask me to give you an educated guess, I would say it would have to come from some broad-based tax and those funds would have to be dedicated to this area. Now, that's a hard thing for a lot of us to swallow, it's a hard thing for me to swallow. But, if we are committed to education and if we are committed to improving the quality of education to our young people, that's what we have to do.

If two hours ago someone had asked me, I would echo the words that the majority leader made, I would have said that we are starting to become a little foolish. But at this point I'm going to say what education is is an investment in this state, and I am going to carry it a little further, that it has been proven on the federal level anyway, I really don't know of any research that has been done on the secondary and primary level, but on the federal level, on the grants that are given to veterans on the Cold War Bill, there was a great question raised of, do we get our money back for this money spent? We are giving all this money to veterans to improve their educational quality and their educational standards and their abilities—does the federal get this back or do we give it away? So they did some research and what they found was that among the individuals that successfully completed those programs, of which I was a beneficiary of some and the feds invested somewhere around \$30,000 in my education, that over the lifetime of that individual, because of their increased earning potential, they returned in additional taxes more than the feds had invested in their education.

I submit to you that this amendment, while it is a large investment, will provide the basis that our system needs for the rest of the program to take its action and in the long term—by that I don't mean one year or five years, I mean 20 years or 30 years or 50 years—in the long term the individuals that go through our public school system will in their tax dollars, because of their increased earning capabilities, return more to this state than we point out at this point. For that reason, I would respectfully request that you support this amendment in order that we may make a firm, clear commitment to what we feel the quality of education should be in this state.

I request the yeas and nays.

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

Mrs. LOCKE: Mr. Speaker, I move indefinite postponement of House Amendment "B."

The SPEAKER: The gentlewoman from Sebec, Mrs. Locke, moves the indefinite postponement of House Amendment "B."

The gentlewoman may proceed.

Mrs. LOCKE: Mr. Speaker, Men and Women of the House: Representative Scarpino is right in that he did sit in with us for a long time and he did see us wrestle with this particular problem. His amendment is what I would hope would be on board, or something like that, probably several years down the line, but the point is, we don't have the money for it now; it's as simple as that. I don't believe anybody is prepared to pass and vote for a broad-based tax.

I think after our Commission—and I say our Commission, I hope it will be—does its study, it will come back with a recommendation to you either similar to this or something that is comparable in wages, but right now we can't afford it.

I hope you will vote for the indefinite postponement.

The SPEAKER: The Chair recognizes the gentleman from St. George, Mr. Scarpino.

Mr. SCARPINO: Mr. Speaker and Members of the House: One short word in response to what Representative Locke said. I agree, she is right, we do not have the money at this point.

Most of you know that I am a fairly out-

spoken person and I like to put, so to speak, my money where my mouth is. This is an election year and to say you support a broad-based tax is perhaps not a very popular thing to do when one has to go home. I, for one, on this particular issue, on education, am willing to say right here, right now, for the Record, for everybody back home, that I feel this issue is important enough and I will right now support, six weeks before an election, either the implementation or the concept of a broad-based tax to fund education, and I would request the yeas and nays on the motion.

A roll call has been requested on the motion to indefinitely postpone House Amendment "B."

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

ROLL CALL NO. 514

YEA—Ainsworth, Allen, Anderson, Andrews, Armstrong, Beaulieu, Benoit, Bonney, Bost, Bott, Brannigan, Brodeur, Brown, A.K.; Brown, D.N.; Cahill, Carroll, D.P.; Carroll, G.A.; Carter, Cashman, Chonko, Clark, Connolly, Cooper, Cote, Crouse, Crowley, Daggett, Davis, Day, Diamond, Dillenback, Dudley, Erwin, Foster, Gauvreau, Greenlaw, Handy, Hayden, Hickey, Higgins, H.C.; Hobbins, Holloway, Ingraham, Jacques, Jalbert, Joseph, Kelleher, Kelly, Ketover, Kilcoyne, LaPlante, Lebowitz, Lehoux, Lisnik, Locke, MacBride, MacEachern, Macomber, Mahany, Manning, Martin, A.C.; Martin, H.C.; Masterton, Matthews, K.L.; Matthews, Z.E.; Maybury, McGowan, McHenry, Melendy, Michael, Michaud, Mills, Mitchell, E.H.; Mitchell, J.; Moholland, Murphy, T.W.; Murray, Nelson, Norton, Paradis, E.J.; Paradis, P.E.; Paul, Perkins, Perry, Pines, Pouliot, Racine, Randall, Reeves, J.W.; Reeves, P.; Richard, Ridley, Roberts, Roderick, Rolde, Rotondi, Salsbury, Seavey, Small, Smith, C.B.; Smith, C.W.; Soucy, Stevens, Stover, Strout, Swazey, Tammaro, Telow, Theriault, Tuttle, Vose, Webster, Wentworth, Weymouth, Willey, Zirnklilton.

NAY—Bell, Callahan, Conary, Dexter, Drinkwater, Hall, Jackson, Kiesman, Livesay, Masterman, Mayo, McCollister, Murphy, E.M.; Parent, Scarpino, Sherburne, Sproul, Stevenson, Walker.

ABSENT—Baker, Carrier, Connors, Cox, Curtis, Gwadosky, Higgins, L.M.; Joyce, Kane, McPherson, McSweeney, Nadeau, Soule, Thompson, The Speaker.

117 having voted in the affirmative and 19 in the negative, with 15 being absent, the motion did prevail.

Representative Crouse of Washburn offered House Amendment "J" and moved its adoption.

House Amendment "J" (H-763) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Washburn, Mr. Crouse.

Mr. CROUSE: Mr. Speaker, Ladies and Gentlemen of the House: This amendment basically establishes in place the emergency bill that we as a committee had initially proposed. Now what this does is fold in the Commission idea, the Commission charge, of what we would like to have happen by April 1985.

There are a few more things I will go through here and try to give you a full idea of what this Committee idea means. By the way, before I even begin, the consensus on the committee was 11 to 1 in favor of this report.

The initial appropriation or intent shows what the legislative intent is as far as appropriations through the year 1988. This is only the intent of monies that will be available for appropriation.

Below that you have an actual mechanism that shows year by year how these monies will be appropriated, and it just sets up the mechanism, something that was not in the original bill.

Then it maps out for you what the Commission is established for, how it's made up, made up of a good number of legislators so that we

will have some control over what comes out in April 1985. And then it goes about outlining Commission duties, what we would like to see happen, and I would just touch upon those so that it will give you some idea of the direction that we would like to see the Commission head.

Under Section 13, 510, 2-a, it says, study the impact on local communities of the Education Finance Act and of implementing increased curriculum and graduation requirements and recommend ways to meet increased local needs. (b) Study and make recommendations on ways to permanently enhance teacher compensation, including examination of a statewide salary schedule, a minimum salary base, stipends and other options which may be submitted to the Commission for consideration.

There are several other recommendations that we would like to have the Commission study and come in with a final definition of classroom teacher, who this money is going to be going to, whether it be on a prorated basis for the part-time teacher, issues that we need to have a long-term discussion and some information on that we are not able to get in one day's time or two days' time. It is going to take a good amount of time to come up with that information.

This pretty much is what I am concerned about as a legislator and as a legislator sitting on the Education Committee. What I mentioned earlier is, what is in place in this bill is the stipend for one year, and this Commission that is established will come in with a long-term solution to what we feel is a problem with teacher compensation, and that is going to be mapped out by the Commission by 1985.

The interim reports will come in and make a recommendation as to how that money is going to be spent in the year '86-'87, and then the permanent recommendations will be established in the years '87-'88.

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

Mr. JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: The gentleman who presented this amendment, Mr. Crouse of Washburn, made the proper statement. If this amendment does not pass, it means that the teachers will get \$27 million for one year, and then it stops right there. If this amendment here doesn't pass, we might as well pack up and go home right now.

I certainly hope that you people realize that the passage of this amendment is imperative, it's the whole meat of the bill. It was 11 to 1, with 2 absent. That is the bill that the committee wanted. Whatever happened afterwards, I don't know, but that's the bill we must have. This is a perfect amendment and I hope it has passage. When the vote is taken, I move it be taken with the yeas and nays.

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

Mrs. MITCHELL: Mr. Speaker, Men and Women of the House: Earlier in the day I had been very concerned, had spoken with many of you about my concern for the third year out in terms of the monies to be set aside to carry out our intention to upgrade teachers' salaries in the State of Maine. In looking over this amendment that the committee has drafted and looking at the new draft as it feeds into the bill, I refer you to Section 4 on Page 72 of the New Draft and where a non-lapsing account is established by statute. In that section it says, monies allocated to fund this chapter shall be placed in the non-lapsing accounts to be used for teacher compensation. That is clearly the intent that I support, and therefore I will not be offering my amendment and I do support the amendment of the Education Committee.

Representative Jalbert of Lewiston requested a roll call on the motion to adopt House Amendment "J."

More than one-fifth of the members present, expressed a desire for a roll call which was

ordered.

ROLL CALL NO. 515

YEA—Ainsworth, Allen, Anderson, Andrews, Armstrong, Beaulieu, Bell, Benoit, Bonney, Bost, Bott, Brannigan, Brodeur, Brown, A.K.; Brown, D.N.; Cahill, Callahan, Carroll, D.P.; Carroll, G.A.; Carter, Cashman, Chonko, Clark, Conary, Connolly, Cooper, Cote, Cox, Crouse, Crowley, Davis, Day, Dexter, Diamond, Dillenback, Drinkwater, Dudley, Erwin, Foster, Gauvreau, Greenlaw, Hall, Handy, Hayden, Hickey, Higgins, H.C.; Higgins, L.M.; Hobbins, Holloway, Ingraham, Jackson, Jacques, Jalbert, Joseph, Kelleher, Kelly, Ketover, Kiesman, Kilcoyne, LaPlante, Lebowitz, Lehoux, Lisnik, Livesay, Locke, MacBride, MacEachern, Macomber, Mahany, Manning, Martin, H.C.; Masterton, Masterton, Matthews, K.L.; Matthews, Z.E.; Maybury, Mayo, McCollister, McGowan, McHenry, McSweeney, Melendy, Michael, Michaud, Mills, Mitchell, E.H.; Mitchell, J.; Moholland, Murphy, E.M.; Murphy, T.W.; Murray, Nelson, Norton, Paradis, E.J.; Paradis, P.E.; Parent, Paul, Perkins, Perry, Pines, Pouliot, Racine, Randall, Reeves, J.W.; Reeves, P.; Richard, Ridley, Roberts, Robinson, Roderick, Rolde, Rotondi, Salsbury, Scarpino, Seavey, Sherburne, Small, Smith, C.B.; Smith, C.W.; Soucy, Sproul, Stevens, Stevenson, Stover, Strout, Swazey, Tammaro, Telow, Theriault, Thompson, Tuttle, Vose, Walker, Webster, Wentworth, Willey, Zirnklilton, The Speaker.

NAY—None.

ABSENT—Baker, Carrier, Connors, Curtis, Daggett, Gwadosky, Joyce, Kane, Martin, A.C.; McPherson, Nadeau, Soule, Weymouth.

138 having voted in the affirmative and none having voted in the negative, with 13 being absent, House Amendment "J" was adopted.

Representative Zirnklilton of Mount Desert offered House Amendment "K" and moved its adoption.

House Amendment "K" (H-764) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Mount Desert, Mr. Zirnklilton.

Mr. ZIRNKILTON: Mr. Speaker, Ladies and Gentlemen of the House: I apologize for the delay and I'll thank you for just a few brief moments that I'll take up of your time if you will just bear with me.

What this amendment attempts to do is to, number one, recognize that there seems to be a tremendous amount of disagreement on the so-called \$2,000 stipend; yet, recognizes that we do in fact want to do something for the teachers. We recognize that they are what many would consider to be grossly underpaid. However, it also recognizes that in April of this next year we should be receiving a report from the Commission on Teacher Compensation.

This amendment would set the \$27 million aside for this purpose. It would wait until we received the recommendation from the Commission. If the Commission decides that the stipend is the way to go, it's no problem. We can then enact a bill on a simple majority that would have the stipend go out in February of '86, as originally planned, with no delay and not a dollar less than you are now asking for. It gives us the opportunity to hear the recommendations of the Commission, perhaps finding a more efficient way, a better way, for us to utilize these funds for the teachers. It gives us one more opportunity to find a better way.

I think we will all agree that we have been rushed through this whole process, which is unfortunate. I would hope that you would give this your consideration and, again, I emphasize the point that it does not take the stipend away, it gives us an opportunity to hear the report of the Commission. If they say that's the way to go, we can do it with no delay, no less money than we're now saying, and it just gives us that extra chance. I hope you will go along with me and vote for the amendment.

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

Mrs. LOCKE: Mr. Speaker, Men and Women of the House: I move the indefinite postponement of House Amendment "K."

One of the very good aspects of the teacher recognition grants that are contained in the bill is that we would be providing added compensation to teachers that does not impact on the property tax. There is another reason that I feel very strongly that we should retain these grants, and that is, we can be sure because we can't be sure about what the Commission will come back with, but with this we can be sure that we would be making a strong statement to the teachers of this state that we really do appreciate their profession and that we're committed to help make it an attractive profession to enter and for those who have a good amount of experience in the profession. After all, they're not only underpaid now, but we are requiring, we have required under the certification law, the new certification law, and if this bill passes we will be requiring higher standards for teachers. We will be requiring them to take entry level tests. So let's not change this bill now. Let's tell the teachers of this state that we really are going to do something starting today and indefinitely postpone this amendment.

The SPEAKER: The Chair recognizes the gentleman from Mount Desert, Mr. Zirnkilton.

Mr. ZIRNKILTON: Mr. Speaker, Ladies and Gentlemen of the House: While I appreciate the gentlelady's concerns, I believe that this amendment does in fact still give us all of the things that we are trying to accomplish. It certainly does recognize that we appreciate teachers. As far as her concern about any additional impact on the property tax, I would again say to you that this money will in fact be set aside to be used for the purpose that we are trying to use it for, to go for the teachers. We're not going to be posing any additional hardship on the property tax at this time.

As far as teachers, again, being sure that we appreciate them, I think they know we appreciate them. Perhaps they don't think we appreciate them as much as we do, but hopefully in the next year or so we will have time to demonstrate that.

We have the opportunity to hear the results of the Commission this coming April, and it is possible that they may just give us an idea that is better than the one that we have been forced to come up with in a reasonably short period of time. I see no reason why we shouldn't wait for that recommendation. I see nothing but the potential to gain greater accountability with our constituents for doing what is in the best interest and most efficient utilization of their tax dollars.

I will again point out one more time that if in fact the Commission finds that the \$2,000 stipend is the way to go at this time, and it very well may be, but what do we stand to lose by waiting to see what they have to say. If they say that's the way to do, fine. On a simple majority we pass a bill, we would go with it. The stipend goes out on schedule, February of '86, no time delay, no less money than you are asking for now. I really don't see what you have to lose by waiting to hear what the recommendations of the Commission will be.

Representative Locke of Sebec requested a roll call vote on the motion to indefinitely postpone House Amendment "K."

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

ROLL CALL NO. 516

YEA—Ainsworth, Allen, Andrews, Beaulieu, Benoit, Bost, Bott, Brannigan, Brodeur, Brown, A.K.; Carroll, D.P.; Carroll, G.A.; Carter, Cashman, Chonko, Clark, Connolly, Cote, Cox, Crouse, Diamond, Erwin, Gauvreau, Hall, Handy, Hayden, Hickey, Hobbins, Jacques, Joseph, Kelleher, Kelly, Ketover, Kilcoyne, LaPlante, Lisnik, Locke, MacBride, MacEachern, Macomber, Mahany, Manning, Martin, H.C.;

Masterton, Matthews, K.L.; Matthews, Z.E.; Maybury, Mayo, McColister, McGowan, McHenry, McSweeney, Melendy, Michaud, Mills, Mitchell, E.H.; Mitchell, J.; Moholland, Murphy, T.W.; Murray, Nelson, Norton, Paradis, P.E.; Paul, Perry, Pouliot, Randall, Reeves, J.W.; Richard, Ridley, Roberts, Rolde, Rotondi, Small, Smith, C.B.; Smith, C.W.; Soucy, Stevens, Stevenson, Stover, Swazey, Tammaro, Telow, Theriault, Tuttle, Vose, The Speaker.

NAY—Anderson, Armstrong, Bell, Bonney, Brown, D.N.; Cahill, Callahan, Conary, Cooper, Davis, Day, Dexter, Dillenback, Drinkwater, Dudley, Foster, Greenlaw, Higgins, L.M.; Holloway, Ingraham, Jackson, Kiesman, Lebowitz, Lehoux, Livesay, Masterman, Murphy, E.M.; Paradis, E.J.; Parent, Perkins, Pines, Racine, Robinson, Roderick, Salsbury, Scarpino, Seavey, Sherburne, Sproul, Strout, Walker, Webster, Wentworth, Weymouth, Willey, Zirnkilton.

ABSENT—Baker, Carrier, Connors, Crowley, Curtis, Daggett, Gwadosky, Higgins, H.C.; Jalbert, Joyce, Kane, Martin, A.C.; McPherson, Michael, Nadeau, Reeves, P.; Soule, Thompson.

87 having voted in the affirmative and 46 in the negative, with 18 being absent, the motion to indefinitely postpone House Amendment "K" did prevail.

Representative Brown of Livermore Falls requested a roll call vote on passage to be engrossed as amended by House Amendment "D," "E" and "J."

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

ROLL CALL NO. 517

YEA—Ainsworth, Allen, Andrews, Armstrong, Beaulieu, Benoit, Bost, Bott, Brannigan, Brodeur, Brown, A.K.; Carroll, D.P.; Carroll, G.A.; Carter, Cashman, Chonko, Clark, Conary, Connolly, Cooper, Cote, Cox, Crouse, Crowley, Davis, Diamond, Dillenback, Drinkwater, Erwin, Foster, Gauvreau, Greenlaw, Hall, Handy, Hayden, Hickey, Higgins, L.M.; Hobbins, Ingraham, Jacques, Joseph, Kelleher, Kelly, Ketover, Kilcoyne, LaPlante, Lebowitz, Lisnik, Livesay, Locke, MacBride, MacEachern, Macomber, Mahany, Manning, Martin, H.C.; Masterman, Masterton, Matthews, K.L.; Maybury, Mayo, McColister, McGowan, McHenry, McSweeney, Melendy, Michael, Mills, Mitchell, E.H.; Mitchell, J.; Moholland, Murphy, E.M.; Murphy, T.W.; Murray, Nelson, Norton, Paradis, E.J.; Paradis, P.E.; Parent, Paul, Perry, Pines, Pouliot, Randall, Richard, Ridley, Roberts, Roderick, Rotondi, Salsbury, Seavey, Sherburne, Small, Smith, C.B.; Smith, C.W.; Soucy, Sproul, Stevens, Stevenson, Stover, Swazey, Tammaro, Telow, Theriault, Tuttle, Vose, Wentworth, Weymouth, Zirnkilton, The Speaker.

NAY—Anderson, Bell, Bonney, Brown, D.N.; Cahill, Callahan, Day, Dexter, Dudley, Holloway, Jackson, Kiesman, Lehoux, Michaud, Perkins, Racine, Reeves, J.W.; Robinson, Scarpino, Strout, Walker, Webster, Willey.

ABSENT—Baker, Carrier, Connors, Curtis, Daggett, Gwadosky, Higgins, H.C.; Jalbert, Joyce, Kane, Martin, A.C.; Matthews, Z.E.; McPherson, Nadeau, Reeves, P.; Rolde, Soule, Thompson.

110 having voted in the affirmative and 23 in the negative, with 18 being absent, the motion did prevail.

Sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

Non-Concurrent Matter

Joint Order (H. P. 1896) relative to the Joint Standing Committee on Taxation reporting out a bill "An Act to Ensure the Payment of Taxes Due on Watercraft" which was read and passed in the House on September 10, 1984.

Came from the Senate indefinitely postponed in non-concurrence.

On motion of Representative Vose of Eastport, the House voted to insist.

By unanimous consent, ordered sent forth-

with to the Senate.

Divided Report

Majority Report of the Committee on Appropriations and Financial Affairs reporting "Ought to Pass" on Bill "An Act Making Appropriations and Changing Certain Provisions of the Law Necessary for the Proper Operation of State Government for the Fiscal Year Ending June 30, 1985." (Emergency) (S. P. 932) (L. D. 2490)

Signed:

Senators:

NAJARIAN of Cumberland

BROWN of Washington

Representatives:

MASTERTON of Cape Elizabeth

CONNOLLY of Portland

CHONKO of Topsham

JALBERT of Lewiston

KELLEHER of Bangor

LISNIK of Presque Isle

CARTER of Winslow

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

Signed:

Senator:

PERKINS of Hancock

Representatives:

BELL of Paris

SMITH of Mars Hill

ARMSTRONG of Wilton

Came from the Senate with the Majority "Ought to Pass" Report read and accepted and the Bill passed to be engrossed.

Reports were read.

On motion of Representative Carter of Winslow, the Majority "Ought to Pass" Report was accepted in concurrence and the Bill read once. Under suspension of the rules the Bill was read the second time and passed to be engrossed in concurrence.

By unanimous consent, ordered sent forthwith to Engrossing.

House at Ease

Called to order by the Speaker.

On motion of Representative Carroll of Limerick,

Adjourned until nine o'clock tomorrow morning.