

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fifth
Legislature*

OF THE

STATE OF MAINE

Volume II

May 5, 1971 to June 15, 1971

KENNEBEC JOURNAL
AUGUSTA, MAINE

acted and, having been signed by the President, were by the Secretary presented to the Governor for his approval.

On the matter previously set aside at the request of Mr. Hichens of York on An Act Relating to Pari-mutuel Pools in Harness and Running Horse Racing, (H. P. 1332) (L. D. 1746), the same Senator then moved that the Bill and all accompanying papers be indefinitely postponed.

On motion by Mr. Marcotte of York, a division was had. Six Senators having voted in the affirmative, and twenty-four Senators having voted in the negative, the motion to Indefinitely Postpone did not prevail.

Thereupon, the Bill was Passed to be Enacted and, having been signed by the President, was by the Secretary presented to the Governor for his approval.

Resolve, Authorizing Conveyance of Ministerial and School Lands by Trustees of Town of Mattawamkeag to the State. (H. P. 1350) (L. D. 1772)

Which was Finally Passed and, having been signed by the President, was by the Secretary presented to the Governor for his approval.

Orders of the Day

The President laid before the Senate the first tabled and specially assigned matter:

RESOLUTION, Proposing an Amendment to the Constitution Classifying Certain Bailable Offenses. (H. P. 852) (L. D. 1165)

Tabled — June 7, 1971 by Senator Tanous of Penobscot.

Pending — Passage to be Engrossed.

The PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Tanous.

Mr. TANOUS of Penobscot: Mr. President, I am still waiting for an opinion from the Attorney General's Office, and I wonder if someone might table this for a day.

The PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Clifford.

Thereupon, on motion by Mr. Clifford of Androscoggin, tabled

and Tomorrow Assigned, pending Passage to be Engrossed.

The President laid before the Senate the second tabled and specially assigned matter:

Bill, "An Act Relating to Use of Previous Convictions under the Implied Consent Law." (S. P. 391) (L. D. 1144)

Tabled — June 7, 1971, by Senator Tanous of Penobscot.

Pending — Passage to be Engrossed.

The PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Tanous.

Mr. TANOUS of Penobscot: Mr. President, we have another bill that covers this legislation and it is still in committee. It would conflict with this particular bill, and I would appreciate it if someone might table this for a few days.

The PRESIDENT: The Chair recognizes the Senator from Franklin, Senator Shute.

Thereupon, on motion by Mr. Shute of Franklin, retabled and specially assigned for June 11, 1971, pending Passage to be Engrossed.

The President laid before the Senate the third tabled and specially assigned matter:

SENATE REPORTS — from the Committee on Transportation on Bill, "An Act Relating to the Maine Turnpike Authority." (S. P. 507) (L. D. 1489) Majority Report, Ought to Pass; Minority Report, Ought Not to Pass.

Tabled — June 7, 1971 by Senator Berry of Cumberland.

Pending — Acceptance of Either Report.

Mr. Berry of Cumberland moved that the Senate Accept the Minority Ought Not to Pass Report of the Committee.

The PRESIDENT: The Senator from Cumberland, Senator Berry, moves that the Senate accept the Minority Ought Not to Pass Report of the Committee.

The Chair recognizes the Senator from Cumberland, Senator Kellam.

Mr. KELLAM of Cumberland: Mr. President and Members of the Senate: I obviously oppose the motion of the good Senator from Cumberland, Senator Berry, to

accept the Minority Ought Not to Pass Report, and hope that this body will go along with accepting the Majority Report of the committee relative to this bill.

I think we should have some explanation of the matter. I know that you have heard at least rumors or read about aspects of the Maine Turnpike during this session. What this bill does, it pure and simple is designed to have the state do away with the duplicate highway system managed by a different group from the rest of the highway system in the State of Maine. The Maine Turnpike comes under the province of an authority which was established thirty years ago just to run this particular piece of road. At that time it was envisioned the road would be a great deal longer than it has been and, possibly due to that fact, it may have seemed wise to set up a separate authority. Certainly after the passage of thirty years it is no longer a wise method.

We are discussing here this session many aspects of reorganizing state government and doing away with the surplusage and duplicity and, of course, this is a perfect example. The turnpike, as it turned out, was only built for the hundred miles or so from Kittery to Augusta, and by the time that that was accomplished a new method of financing super highways was put forth by the federal government, and the rest of the continuation of that roadway, or what would have been a continuation of the roadway, was taken over and designated as Interstate Highway and built on a ninety percent - ten percent matching basis. If this, of course, had been in effect some fifteen or twenty years sooner undoubtedly the entire roadway would have been built the same way.

What I have proposed is that the State Highway Commission is in a better position to run this piece of road between York now and Augusta. We are going to have something like a hundred miles now, and I suppose we will cut down to about ninety miles or so if the interstate is built between Brunswick and West Gardiner. Basically all this bill would do is

have the Turnpike Authority discontinued and the Highway Commission continue to collect the tolls that they are now collecting, and run the road the way it is being run now insofar as cost goes, and make some savings in the administration of the turnpike, because obviously it would be less duplication, and make some savings in the snow removal and that type of thing. I think all and all it would be an advantageous step for the state to recognize that after thirty years we are not in the same position that we were in 1941, and that this piece of roadway is nowhere near the length it was anticipated it would be, and that there is no need for a separate authority just to take care of this one short piece of road.

The bill does not envision, I should make it clear, that it does not envision that the road will become free immediately. Obviously the thought has occurred that the road should become free as soon as possible, and that would be done and it should be done in either case. We have had some testimony or publication of prospective activities of the Turnpike Authority in rebuilding the roadway from Scarborough down to York. This is something that I object to, but aside from that, whether it is rebuilt or not, I feel that it should come under the interstate system and should come under the Maine Highway Commission. The Maine Highway Commission certainly is in a much better position to try to negotiate with the federal government to effectively secure the funding that might be available for rebuilding. We know that if the road does need reconstruction that this can be done on a ninety percent-ten percent basis eventually when the bonds are paid off.

The Turnpike Authority has put forth some projected figures, and the bonds would probably be able to be paid off around 1976. During the next four or five years income will be sufficient to pay off all the turnpike bonds. Unfortunately, the Turnpike Authority has also put forth the thought that they will not use the revenues to pay off the bonds, but rather to build a new roadway on the existing right-of-

way. And this, I feel, is something that should be looked into very carefully, whether the State of Maine needs an eight lane highway, for one thing, or whether it is good business practice to tear down all the existing overpasses and bridges on the turnpike and build new ones. I think it is something that should receive very serious study and it has not received it to date. If the turnpike remains in the hands of the Authority, of course, it will not receive it in the future.

Therefore, I certainly hope that you will keep this bill alive today and have a chance to discuss it and see what the actual background and merit of it is. Therefore, I oppose the acceptance of the Minority Report, and would ask for a division when the vote is taken.

The PRESIDENT: A division has been requested.

The Chair recognizes the Senator from Kennebec, Senator Levine.

Mr. LEVINE of Kennebec: Mr. President and Members of the Senate: I saw a while ago in the paper where the federal government took over the same kind of highway in the State of Oklahoma. By going along with this legislation and turning over the interstate under the jurisdiction of the State Highway Department, they can then negotiate with the federal government, and the federal government will take it over on a ninety to ten percent basis, and the tolls will be taken over then. It has been done in Oklahoma and it can be done the same way in the State of Maine. But the federal government does not negotiate with private enterprise. They will do it through the State Highway Department, but they will never do it with the Turnpike Authority.

The PRESIDENT: The Chair recognizes the Senator from Waldo, Senator Greeley.

Mr. GREELEY of Waldo: Mr. President and Members of the Senate: As a signer of the Minority Ought Not to Pass Report, I will try and give a little explanation why I signed that. In fact, I signed the Majority Ought Not to Pass Report when I first signed it, but there has been a few changes in the signatures and now we have

a Minority Ought Not to Pass Report.

As I understand it, the idea is to do away with the tolls and spend nine-ten money for reconstruction. Now, I think, to be honest about the situation, the Turnpike Authority is talking about spending \$61,000,000 in new construction. They can do that and still retire the bonds in 1983 or 84. I am not in favor of upsetting the growing concern that is doing a good job. There have been engineers advise the Turnpike Authority that something has got to be done on account of the increase in the traffic. Now, when this bill was set up years ago, and I think it was sponsored by a former President of this body, I don't believe that they ever dreamed that it would have the traffic and be so successful as it is today.

As far as spending ninety-ten money, I don't think there is too much extra ninety-ten money floating around. In fact, in this present biennium, the federal government gave us a little over \$52,000,000 two years ago for interstate construction. This year they have cut the program \$16,000,000, and brought it down to \$37,000,200. If we do have any extra money that we want to spend, I think we should be spending it above Bangor where the four lanes go into the two lanes. There already is construction going on up there, but we had a fatality there last night, and we have had fatalities there before.

I am certainly opposed to taking over the Turnpike at this time. I think, if I am correct, that there is a bill or resolve on the Legislative Research Table to have a study of this Turnpike Authority, and maybe it might be a good idea to wait and see what comes out of the Research Committee.

The PRESIDENT: The Chair recognizes the Senator from York, Senator Marcotte.

Mr. MARCOTTE of York: Mr. President and Members of the Senate: I view this piece of legislation as one progressive way of solving our traffic situation. In the York County, Androscoggin and Cumberland area we have a tremendous problem with paralleling highways, namely: Route One and the Maine Turnpike.

Now in my estimation this is an outmoded way of financing a state highway system or interstate highway system. I think this is evident by the act of 1954 by President Eisenhower where he entered on his program with the state and federal government to build these highways. One plan was from Florida to Fort Kent, or somewhere in Aroostook County, which was designated I-95, and at outset of the setting up of the Maine Turnpike Authority this was the plan. However, when this program came into being, we then went to the ninety-ten basis with the federal government rather than this outmoded plan.

Now, as was brought up by the Senator from Kennebec, Senator Levine, we have no way right now of receiving federal subsidies because it is in fact owned by a private authority. If we did release this, we are now in position to apply for the ninety-ten money, and, therefore, eventually eliminate the tolls. This would relieve the tension or the pressure on Route One because people would not be as reluctant to drive this highway in commuting back and forth to work when they didn't have to spend the five or six dollars a week, which they can't afford.

I would hope that the Majority Report would prevail here. As I said, it is a progressive piece of legislation, one that will lead to alleviating our traffic problems in the southern part of the state.

The PRESIDENT: The Chair recognizes the Senator from York, Senator Danton.

Mr. DANTON of York: Mr. President and Members of the Senate: I don't want to appear ungrateful to the ladies and gentlemen that had the wisdom many years ago to become bondholders and to build this road for us, but times have changed. Statistics prove that right now there is an automobile for every 2.3 persons, and within five years there will be an automobile for every 1.9 persons.

Now, in York County — and I am concerned about York County; that is my County, even though the problem exists from York all the way up to Lewiston in Andros-

coggin County — we have a very bad traffic situation on Route One. Now, we have two courses to take: we are either going to take over this road — and I believe that the people that are the bondholders should be given their profit, and I also believe that you can't go broke when you take a profit — or the state has to come in and start building roads running parallel with U.S. 1 and with the Maine Turnpike. Now, in the long run it will be a lot cheaper for the state to take over the Maine Turnpike than it will to go and start building roads running parallel. And they don't have the room to build these roads.

The day before Christmas in our county when we had that snow blizzard the Maine Turnpike closed up. We had bumper to bumper traffic from Portland to York. I am presently serving on the Police and Fire Commission, and if we had had any fire at that time, any great emergency, it was impossible for the fire apparatus to leave the Fire Department Station to go to a fire, due to the fact that the traffic was bumper to bumper. We need this road. I think we can save the state a lot of money in the long run, and it will do the job for us. Thank you very much.

The PRESIDENT: The Chair recognizes the Senator from York, Senator Hichens.

Mr. HICHENS of York: Mr. President and Members of the Senate: As the last of the York County Senators to speak on this this morning, I rise in support of the motion. I am one of three legislators who have to travel the full distance on the pike in order to reach my home each week. I have several toll receipts to show that I have gone back and forth. I am willing to pay that toll for the privilege of coming down without having to go through Biddeford and Portland and some of these congested areas in order to get here.

As I see the thousands of tourists coming in from all parts of this country, traveling on this highway, and paying their share for the privilege of traveling it, realizing that the people up in north Aroostook don't have to pay for a road that they are never going to use

perhaps, that this has been going on for many years, and we have had very few protests in comparison to the number of people who are riding it. We have had very few traffic problems compared to what we would have had if they had had to go through the cities. And when we built the new approach at York, it was built because they were so afraid of everybody going on past the beach areas and they were losing that business. If we took the tolls off, there would be a lot more people who would go right by the beach areas and keep on going up into the other parts of Maine and over into Canada.

So, I feel that we should justifiably keep our tolls on the Maine Turnpike.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Kellam.

Mr. KELLAM of Cumberland: Mr. President and Members of the Senate: I want to explain just a couple of things that I believe have been brought up by others. The transfer of the turnpike itself does not mean that there is going to be a free road right away. Therefore, the good Senator from York, Senator Hichens, could probably continue to pay the tolls for at least another four or five years.

What this amounts to, the idea of transferring and having the tolls terminated, is a matter of keeping faith with the people who asked for this road in the beginning. The law sets forth the fact that the road will be built, they will charge tolls, pay off the bonds, and when the bonds are paid off it becomes a free road. This is a very simple procedure and this is done all the time. It does not say in the trust indentured agreement, the big thick book that the turnpike operates under, and the law, it does not say that when it looks as if the road is going to be paid off that the Turnpike Authority shall then tear the road down and start over again and build a new road. None of us would like to go in and have to, say, pay for a building, and when the building is finally paid for they are going to tear it all down and start over again. That is, in effect, what the

Turnpike Authority proposes to do. We have the figures from their reconstruction report, and they plan to use eight to ten million dollars a year during the next several years to effectuate this result. This is what I object to.

I think it is not keeping faith with the public and it is not keeping faith with the bondholders, because these bonds can be paid off right away. I say right away, relatively right away, right away in the next four years rather than waiting fifteen years. They have to go out of business in 1989 and, of course, what they are doing is stretching out repayment period.

As the good Senator from Waldo states, they could now retire the bonds by 1984. But before 1984 gets here we will have another stretch out, and they will retire the bonds eventually in 1989. Now this is what I object to insofar as the proposal put forth by the Turnpike Authority. I don't think it is fair.

When I say that the ninety-ten money is available, you believe me, gentlemen, it is available. It is available when the bonds are paid off. Right now the Maine Highway Commission is putting out cost estimates for the next, I believe, two to three years on the interstate system. We are all booked ahead on the use of the interstate money. The interstate money that is coming, that is going to be spent in the next few years, is going to go down here in the Brunswick to Augusta area. What I am talking about is that we have to start now to make the cost estimates for any reconstruction work that really is necessary, and put those in before the federal government so that they will be available when the funds are available, which will be in, I would guess, 1976-77, in that area. You see, the federal program is being stretched out also.

As far as any state money is concerned, this bill does not require any state money. It does require that if the transfer is made eventually, and if there is eventually going to be some rebuilding work done then, of course, it would be part of the system, just like in this area from Augusta to Waterville and Bangor is part of the interstate system.

I want to point out that on the rebuilding this \$61,000,000 that they are going to spend is only for thirty-five miles of roadway from the Scarborough-South Portland line down to York. To explain the availability of ninety-ten money, I would like to say that from the new toll house in York to Kittery, about five miles, has been rebuilt with the interstate money. All they did there was move the toll gate and transfer that section of the roadway. So it shows that these things can be done. I am personally not opposed to the financing of the road through the tolls, but like I say I think eventually we should get off the hook on this thing.

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Levine.

Mr. LEVINE of Kennebec: Mr. President and Members of the Senate: The good Senator from Cumberland just mentioned that the tolls would not be taken off, and I think he is correct. But we have to be in a good position right now and pass this legislation.

The good Senator Greeley said that we are only getting for the next biennium \$37,000,000 from the federal government for interstate highways. I want to assure the good Senator that President Nixon is a very good politician. He wants to get elected again, and two months ago it looked like the economy was picking up rapidly, and this week in Business Review it looks like it is slowing down again, so to get a fast pick-up for the economy they will have to come in and spend money fast and put people to work. The only place they can do it quick is through building highways. So, I predict that money will be available, a lot of money will be available, next year for interstate highways.

Don't underestimate, any of you, President Nixon. He is going to run again. He will try to get elected, and the only way he can get elected is to give people employment.

The money will be available next year, I am pretty sure, and if we pass this legislation then there is a chance that this portion of the highway can be paid ninety percent

by the federal government. If there is such a chance, I think it will pay for us to pass this legislation and be ready to grab it when the time arises. Thank you.

The PRESIDENT: The Chair recognizes the Senator from York, Senator Hichens.

Mr. HICHENS of York: Mr. President and Members of the Senate: I believe that I am right in my understanding that even if the state takes over and continues tolls that the ninety-ten rating will not be available to us. They have to take the tolls off in order to get this ninety-ten ratio.

The other day we had a bill before us to build a toll bridge between Winslow and Waterville. I believe that our action today, if we vote to take the tolls off the turnpike, or let the state take over, is contrary to our action the other day when we decided to build a bridge at a toll rate there.

Here we have people in that community using it all the time paying a toll to go between their work and their homes, and here we have a road where tourists are coming in from all over the country and paying the tolls for us, and yet we are voting in this inconsistent manner.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Kellam.

Mr. KELLAM of Cumberland: Mr. President and Members of the Senate: I just wanted to answer the question, if it was a question, relative to the tolls coming off before the ninety percent money is used. This, under the present statute, is correct and I thought. I covered that quite thoroughly. My seatmate thinks I cover things too thoroughly.

Basically, what I am saying is that the tolls will come off if the money that is taken in goes to pay off the bonds. The only way the tolls will not come off is if the money is not paid for the bonds. I just say that we should not set it aside in a separate kitty; we should pay off the bonds. But the tolls will come off long before the interstate highway system is phased out. If we wait until the rebuilding program is done by the turnpike, then it is very likely that the tolls would not come off until

after the interstate highway system is phased out and, of course, there will be no money available at that time.

Using the figures that they have furnished, the turnpike has furnished in its reconstruction report, it indicates to me that 1976 is when the bonds would be paid and the tolls would come off. We do have the prospect of some federal legislation to help us along on this thing, but I believe that legislation would require that the turnpike be owned and run by the state itself. I hope that answers the question.

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Chick.

Mr. CHICK of Kennebec: Mr. President and Members of the Senate: One point I don't think has been brought out. I am for keeping the tolls on the road until the bond issue is paid off, and then let's take it off at that time. One of the main reasons why I feel that way is that I come from a rural area and we would like to see more state monies spent on some of our roads.

Now, the point that hasn't been brought out is this: that when the state takes over the interstate highway from Augusta south, it is going to mean, as it has been estimated by someone from the Highway Department, that it is going to cost in the vicinity of \$6,000,000 a year for maintenance. So, I am just selfish enough to want to put the day off as long as possible before we shoulder the state with that amount of money, because I realize that if they are spending \$6,000,000 for maintenance on that road it is going to be less money somewhere else.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Conley.

Mr. CONLEY of Cumberland: Mr. President and Members of the Senate: I support the position of my very able and distinguished seatmate, the good Senator from Cumberland, Senator Kellam, and I really think he has made the feeling of the people down our way quite clear here this morning. I can't get upset when he starts challenging me as a seatmate and making statements like he said a few moments ago. One of the rea-

sons I sat up here during this session was to kind of contain him in his seat and, if I do have to say so, I have done a pretty good job up to now.

The PRESIDENT: The Chair recognizes the Senator from Washington, Senator Wyman.

Mr. WYMAN of Washington: Mr. President and Members of the Senate: This reminds me of an incident that occurred back during World War II. I was riding on the train from Portland to Bangor, and there was a GI who lived in Portland and had been assigned to Bangor. He began to ask me about Bangor, and he didn't know that there was any of Maine that existed east or north of Portland. While we are fussing about these tolls on the turnpike, which we seem to be doing, I think there are a lot of us who come from areas who would be glad to pay tolls if we could just have some better roads.

The PRESIDENT: The Chair recognizes the Senator from York, Senator Marcotte.

Mr. MARCOTTE of York: Mr. President, when the vote is taken, I would request that it be taken by the "Yeas" and "Nays".

The PRESIDENT: A roll call has been requested. Under the Constitution, in order for the Chair to order a roll call, it requires the affirmative vote of one-fifth of those Senators present and voting. Will all those Senators in favor of ordering a roll call please rise and remain standing until counted.

Obviously more than one-fifth having arisen, a roll call is ordered.

The pending question before the Senate is the motion of the Senator from Cumberland, Senator Berry, that the Senate accept the Minority Ought Not to Pass Report of the Committee on Bill, "An Act Relating to the Maine Turnpike Authority." A "Yes" vote will be in favor of accepting the Minority Ought Not to Pass Report; A "No" vote will be opposed.

The Secretary will call the roll.

ROLL CALL

YEAS: Senators Anderson, Berry, Chick, Dunn, Greeley, Hichens, Hoffses, Katz, Moore, Peabody, Quinn, Sewall, Shute,

Tanous, Wyman, and President MacLeod.

NAYS: Senators Bernard, Carswell, Clifford, Conley, Danton, Fortier, Graham, Harding, Johnson, Kellam, Levine, Marcotte, Martin, Minkowsky, Schulten, and Violette.

A roll call was had. Sixteen Senators having voted in the affirmative, and sixteen Senators having voted in the negative, the motion to Accept the Minority Ought Not to Pass Report of the Committee did not prevail.

The PRESIDENT: Is it now the pleasure of the Senate to accept the Majority Ought to Pass Report of the Committee?

The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY of Cumberland: Mr. President, I would request a roll call.

The PRESIDENT: A roll call has been requested.

The Chair recognizes the Senator from Cumberland, Senator Kellam.

Mr. KELLAM of Cumberland then moved that the Bill be tabled and Tomorrow Assigned, pending the Acceptance of the Majority Ought to Pass Report of the Committee.

Thereupon, on motion by Mr. Berry of Cumberland, a division was had. Fourteen Senators having voted in the affirmative, and seventeen Senators having voted in the negative, the tabling motion did not prevail.

The PRESIDENT: In order for the Chair to order a roll call, it requires the affirmative vote of one-fifth of those Senators present and voting. Will all those Senators in favor of ordering a roll call please rise and remain standing until counted. Obviously more than one-fifth having arisen, a roll call is ordered.

The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY of Cumberland: Mr. President, I request that the members of the Senate vote against the motion.

The PRESIDENT: The pending question before the Senate is whether or not the Senate will accept the Majority Ought to Pass Report of the Committee on Bill, "An Act Relating to the Maine

Turnpike Authority." A "Yes" vote will be in favor of accepting the Majority Ought to Pass Report; a "No" vote will be opposed.

The Secretary will call the roll.

ROLL CALL

YEAS: Senators Bernard, Carswell, Clifford, Conley, Danton, Fortier, Graham, Harding, Kellam, Levine, Marcotte, Martin, Minkowsky, and Violette.

NAYS: Senators Anderson, Berry, Chick, Dunn, Greeley, Hichens, Hoffses, Johnson, Katz, Moore, Peabody, Quinn, Schulten, Sewall, Shute, Tanous, Wyman, and President MacLeod.

A roll call was had. Fourteen Senators having voted in the affirmative, and eighteen Senators having voted in the negative, the motion to Accept the Majority Ought to Pass Report of the Committee did not prevail.

The PRESIDENT: Is it now the pleasure of the Senate to accept the Minority Ought Not to Pass Report of the Committee?

Thereupon, the Minority Ought Not to Pass Report of the Committee was Accepted.

Sent down for concurrence.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY of Cumberland: Mr. President, I move we reconsider our action, and I hope you vote against my motion.

The PRESIDENT: The Senator from Cumberland, Senator Berry, moves that the Senate reconsider its action whereby it accepted the Minority Ought Not to Pass Report of the Committee. As many Senators as are in favor of the motion to reconsider will please say "Yes"; those opposed "No".

A viva voce vote being taken, the motion to reconsider did not prevail.

The President laid before the Senate the fourth tabled and specially assigned matter:

Bill, "An Act Revising the Laws Relating to the Deposit of Oil, Forest Products Refuse and Potatoes in Waters of the State." (H. P. 1076) (L. D. 1468)

Tabled — June 7, 1971 by Senator Violette of Aroostook.