

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred and Sixth

Legislature

OF THE

STATE OF MAINE

1973

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Tuesday, April 17, 1973

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

Prayer by the Rev. Mr. Michael Orwiler of Gardiner.

The members stood at attention during the singing of the National Anthem by the Young and Free representing the youth of the Nazarene Church.

The journal of the previous session was read and approved.

Orders Out of Order

Mr. Finemore of Bridgewater presented the following Order and moved its passage:

ORDERED, that Bim and Helena Finemore of Bridgewater be appointed Honorary Pages for today.

The Order was received out of order by unanimous consent, read and passed.

Mr. Goodwin of South Berwick presented the following Order and moved its passage:

ORDERED, that Rebecca Berry and Sandra Harmon of Buxton be appointed Honorary Pages for today.

The Order was received out of order by unanimous consent, read and passed.

Mr. Jackson of Yarmouth presented the following Order and moved its passage:

ORDERED, that Larry Johansen and Goff Stanford of Bath, Dan Cramer of Caribou and Frank Lowe of Oxford be appointed Honorary Pages for today.

The Order was received out of order by unanimous consent, read and passed.

Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Reimbursing Teachers for Professional Credits" (H. P. 838) (L. D. 1112) reporting that the House recede from its action whereby it accepted the Minority "Ought Not to Pass" Report; Accept the Majority "Ought to Pass" Report; Adopt

Conference Committee Amendment "A" (H-220) submitted herewith; and pass the Bill to be engrossed, as amended by Conference Committee Amendment "A" (H-220)

and that the Senate recede and concur with the House.

Signed:

MURRAY of Bangor

BITHER of Houlton

GARSOE of Cumberland

— Committee on the part of the House.

KATZ of Kennebec

MINKOWSKY

of Androscoggin

OLFENE of Androscoggin

— Committee on the part of the Senate.

Report was read and accepted. The House voted to recede from its former action whereby the Minority "Ought not to pass" Report was accepted and accepted the Majority "Ought to pass" Report.

Conference Committee Amendment "A" (H-220) was read by the Clerk and adopted and the Bill passed to be engrossed as amended by Conference Committee Amendment "A" and sent to the Senate.

Papers from the Senate

From the Senate:

Bill "An Act Relating to Legislative Ethics and the Disclosure of Certain Information by Lobbyists and Legislators" (S. P. 565) (L. D. 1798)

Came from the Senate referred to the Committee on State Government.

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

**Reports of Committees
Ought to Pass in New Draft**

Report of the Committee on Business Legislation on Bill "An Act Relating to Dealers in Antiques" (S. P. 192) (L. D. 537) reporting "Ought to pass" in New Draft (S. P. 578) (L. D. 1769)

Report of same Committee on Bill "An Act Relating to Investment of Trust Assets" (S. P. 360) (L. D. 1065) reporting "Ought to pass" in New Draft (S. P. 576) (L. D. 1767).

Came from the Senate with the Reports read and accepted and the New Drafts passed to be engrossed.

In the House, the Reports were read and accepted in concurrence, the New Drafts read once and assigned for second reading tomorrow.

Divided Report

Majority Report of the Committee on Natural Resources reporting "Ought not to pass" on Bill "An Act Providing for Legislative Purpose and Intent in Regulating Wetlands" (S. P. 324) (L. D. 1028)

Report was signed by the following members:

Messrs. MARCOTTE of York
SCHULTEN of Sagadahoc
Mrs. CUMMINGS of Penobscot
— of the Senate.
Messrs. CURRAN of Bangor
ROLDE of York
MacLEOD of Bar Harbor
HUBER of Falmouth
PALMER Jr.

— of Nobleboro
Mrs. BERUBE of Lewiston

Messrs. HERRICK of Harmony
PETERSON of Windham
— of the House.

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

Report was signed by the following members:

Messrs. SMITH of Exeter
BRIGGS of Caribou
— of the House.

Came from the Senate with the Majority Report accepted.

In the House: Reports were read.

On motion of Mr. Palmer of Nobleboro, the Majority "Ought not to pass" Report was accepted in concurrence.

Divided Report

Majority Report of the Committee on Legal Affairs reporting "Ought to pass" as amended by Committee Amendment ("A" S-67) on Bill "An Act Relating to License Fees and Penalties for Non-residents in the Private Detective Business" (S. P. 320) (L. D. 987)

Report was signed by the following members:

Messrs. JOLY of Kennebec
ALDRICH of Oxford
ROBERTS of York
— of the Senate.

Messrs. CAREY of Waterville
SHAW of Chelsea
BRAWN of Oakland
SHUTE

— of Stockton Springs
EMERY of Rockland
DUDLEY of Enfield
COTE of Lewiston
FECTEAU of Biddeford
FAUCHER of Solon

— of the House.

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

Report was signed by the following member:

Mr. CONNOLLY of Portland
— of the House.

Came from the Senate with the Majority Report accepted.

In the House: Reports were read.

On motion of Mr. Emery of Rockland, the Majority "Ought to pass" Report was accepted in concurrence and the Bill read once.

Committee Amendment "A" (S-67) was read by the Clerk and adopted in concurrence and the Bill assigned for second reading tomorrow.

Non-Concurrent Matter Tabled and Assigned

Bill "An Act Relating to Penalty for Recklessly Causing Death by Operation of a Motor Vehicle" (H. P. 202) (L. D. 275) which was passed to be engrossed as amended by Committee "A" (H-167) in the House on April 11.

Came from the Senate with the Majority Report "Ought not to pass" read and accepted in non-concurrence.

In the House: On motion of Mr. Farley of Biddeford, tabled pending further consideration and tomorrow assigned.

Non-Concurrent Matter

Bill "An Act Relating to Stop-sale Orders under Maine Economic Poisons Law" (H. P. 668) (L. D. 873) which was enacted in the House on April 9.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" (S-76) in non-concurrence.

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

Non-Concurrent Matter Tabled and Assigned

Bill "An Act to Include Operators of Industrial Wastewater Treatment Plants in the Operator Certification Program" (S. P. 478) (L. D. 1534) which was enacted in the House on April 2.

Came from the Senate indefinitely postponed in non-concurrence.

In the House: On motion of Mr. Martin of Eagle Lake, tabled pending further consideration and tomorrow assigned.

Orders

The SPEAKER: The Chair would at this time announce that Mr. Gahagan of Caribou will be taken off the Committee on Education and fill the vacancy on the Committee on State Government.

The gentleman from Wayne, Mr. Ault, will be placed on the Committee on Education.

House Reports of Committees Ought Not to Pass

Mr. Smith from the Committee on Appropriations and Financial Affairs on Resolve to Provide Funds for Purchase of Aerial Ladder Fire Truck for State Buildings in Augusta (H. P. 416) (L. D. 565) reporting "Ought not to pass"

Mr. Haskell from the same Committee reporting same on Resolve Reimbursing the City of Calais for Housing and Detaining Certain Prisoners (H. P. 1230) (L. D. 1603)

Mrs. Lewis from the Committee on Education reporting same on Bill "An Act Relating to Costs for Students from Geographically Isolated Administrative School Units Attending Regional Technical Vocational Centers" (H. P. 595) (L. D. 786)

Mr. Emery from the Committee on Legal Affairs reporting same on Bill "An Act to Incorporate the Town of Frye Island, Cumberland County" (H. P. 724) (L. D. 930)

Mr. Finemore from the Committee on Taxation reporting same on Bill "An Act Relating to Taxation of Insurance Premiums Paid by Political Subdivisions" (H. P. 1132) (L. D. 1467)

Mrs. Berry from the Committee on Transportation reporting same on Bill "An Act Relating to Weight Regulation for Trucks Conveying Agricultural Products" (H. P. 447) (L. D. 596)

In accordance with Joint Rule 17-A, were placed in the legislative files and sent to the Senate.

Leave to Withdraw

Mrs. McCormick from the Committee on Transportation on Bill "An Act Relating to Issuance of Motor Vehicle Registrations by Municipal Tax Officers" (H. P. 656) (L. D. 870) reporting Leave to Withdraw.

Mr. Keyte from the same Committee reporting same on Bill "An Act to Provide for Evaluation of Traffic Control on Drawbridges" (H. P. 1049) (L. D. 1368)

Mr. Cooney from the Committee on State Government reporting same on Resolve Creating the Maine Committee on the Metric System (H. P. 1065) (L. D. 1389) (Emergency)

Reports were read and accepted and sent up for concurrence.

Leave to Withdraw Covered by Other Legislation

Mr. Smith from the Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Funds for Drug Rehabilitation in York County" (H. P. 649) (L. D. 865) reporting Leave to Withdraw as covered by other legislation.

Report was read and accepted and sent up for concurrence.

Referred to Committee on Education

Mr. Fraser from the Committee on Transportation on Bill "An Act Relating to Motorcycle Operators' Licenses" (H. P. 1097) (L. D. 1434) reporting it be referred to the Committee on Education.

The Report was read and accepted, the Bill referred to the Committee on Education and sent up for concurrence.

Referred to 107th Legislature

Mr. Emery from the Committee on Legal Affairs on Bill "An Act to Provide for Municipal Tax Maps" (H. P. 528) (L. D. 710)

reporting it be referred to the 107th Legislature.

The Report was read.

The SPEAKER: The Chair recognizes the gentleman from Rockland, Mr. Emery.

Mr. EMERY: Mr. Speaker, Ladies and Gentlemen of the House. Very briefly, I would like to explain the report of the Legal Affairs Committee on item 12 on page 4. Most of the committee is very much in favor of the use of municipal tax maps for various reasons, which I won't get into at this particular point.

We had representatives from one of the two companies that do business in the state of Maine in surveying and mapping for tax purposes. And it came to our attention that all these companies are presently engaged in mapping and remapping the state's municipalities to such an extent that it would be impossible for many municipalities that would be covered under this act to comply with the law if it were passed.

This is a good situation because it shows that many municipalities realize that modern property tax reform and modern property tax administration requires the use of modern approaches and techniques such as tax maps, and they are being involved in remapping at quite a substantial rate. Therefore, the Committee on Legal Affairs decided that they would refer this bill to the 107th Legislature where it could act at that time if the present trend of tax mapping in the municipalities does not continue. That is the reason for the report being referred to the 107th Legislature.

Thereupon, the Report was accepted and sent up for concurrence.

Divided Report

Majority Report of the Committee on County Government reporting "Ought not to pass" on Bill "An Act Relating to the Marking of County-Owned Vehicles" (H. P. 874) (L. D. 1162)

Report was signed by the following members:

Messrs. ROBERTS of York
PEABODY of Aroostook
CLIFFORD

of Androscoggin
— of the Senate.

Messrs. FARRINGTON of China
CHURCHILL of Orland
SHELTRA of Biddeford
DYAR of Strong
DAM of Skowhegan
TANGUAY of Lewiston
PONTBRIAND of Auburn

— of the House.

Minority Report of the same Committee reporting "Ought to pass" as amended by Committee Amendment "A" (H-219) on same Bill.

Report was signed by the following members:

Messrs. McMAHON of Kennebunk
WHITZELL of Gardiner
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Gardiner, Mr. Whitzell.

Mr. WHITZELL: Mr. Speaker, I move that we accept the Minority Report on this bill.

The SPEAKER: The gentleman from Gardiner, Mr. Whitzell, moves that the House accept the Minority "Ought to pass" Report.

The Chair recognizes that gentleman.

Mr. WHITZELL: Mr. Speaker, Ladies and Gentlemen of the House: This bill deals with marking of county-owned vehicles, such as sheriff cars. Presently there are many counties that do have marked cars, but in some counties you have LEAA cars that were given through federal grants. These cars are not being marked. This legislation will actually ask that these special vehicles that are used contain safety lighting and indicate what their use is, for instance, county sheriffs.

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

Mr. DYAR: Mr. Speaker, I would request a division on the motion and hope we accept the majority "ought not to pass" report.

The SPEAKER: A vote has been requested. The pending question is on the motion of the gentleman from Gardiner, Mr. Whitzell, that the House accept the Minority

"Ought to pass" Report. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

23 having voted in the affirmative and 96 having voted in the negative, the motion did not prevail.

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

Divided Report

Majority Report of the Committee on Fisheries and Wildlife reporting "Ought not to pass" on Bill "An Act Relating to Non-resident Big Game Hunting in Maine" (H. P. 1186) (L. D. 1526)

Report was signed by the following members:

Messrs. ANDERSON of Hancock
ALDRICH of Oxford
GRAFFAM

of Cumberland
— of the Senate.

Messrs. GOOD of Westfield
PARKS of Presque Isle
CHURCHILL of Orland
CAMERON of Lincoln
WALKER of Island Falls
MILLS of Eastport
MORIN of Fort Kent
KELLEY of Southport

— of the House.

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

Report was signed by the following member:

Mr. DOW of West Gardiner
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Westfield, Mr. Good.

Mr. GOOD: Mr. Speaker, I move the acceptance of the Majority "Ought not to pass" Report.

The SPEAKER: The gentleman from Westfield, Mr. Good, moves the House accept the Majority "Ought not to pass" Report.

The Chair recognizes the gentleman from Winslow, Mr. Carter.

Mr. CARTER: Mr. Speaker, Ladies and Gentlemen of the House: I wish at this point to take the opportunity to thank my seatmate, Representative Dow from Gardiner, for signing the minority

report, thereby giving me an opportunity to explain my views on this subject just for the record.

Originally, I had no intention of doing this, nor did I have any intention of making any motion on this bill, and I don't now. But as some of you know, I, along with several other colleagues in the 106th were viciously attacked by the writer of the "Outdoors" column, Mr. Leavitt from the Bangor Daily News. I had intentions of writing a letter to that particular gentleman in an attempt to explain my position, knowing full well, however, that it not only wouldn't make a bit of difference, as it appeared his mind was closed on the subject to begin with, but at least I could get it off my chest. Then several days later came another attack. This time it was in the form of an editorial. It was then that I decided that both of these gentlemen were living too high up in the clouds and were not worthy of the cost of the postage stamps needed for my replies.

It has always been my understanding and belief that anyone in this country is entitled to his opinion, right or wrong. If one disagrees with such an opinion, one will, if one is candid or honest with himself, make no attempt to cloud the issue or issues by the use of labels. His criticism should be, as every good reporter knows and abides by, constructive. Labels have never and will never solve problems.

Now let me tell you why I sponsored this piece of legislation. Obviously there is a problem, or I feel there is, and I think that many people on the streets agree with me. It is a problem that appears very simple at first; yet, it is very perplexing to the department involved. Most of you have heard of the law of "supply and demand." You know the one I refer to, the shorter the supply the greater the demand, which means higher prices such as we just experienced with the meat boycott.

Well, in the area that I am concerned with, this appears to operate just in the opposite direction. This area deals, of course,

with the deer herd, a resource which belongs, by the way, to all the people of the State of Maine. You all know that the Fish and Game Department depends greatly on the sales of licenses for its revenues to operate and to conserve our deer herd. Anything that affects the deer herd affects the sales of licenses or the revenues the department receives.

A good example of this occurred the year following the closing of the deer season prematurely for the sake of conserving the deer herd by the commissioner. This was followed in turn by nearly a 20 percent drop in the sales of licenses to nonresidents and an equal drop in revenues.

The greatest help that the Fish and Game Department can provide to assist the herd in such a situation is to provide game management areas, but this requires money. When the money is needed to conserve the herd, it simply is not there. The cause that creates the need, a sudden drop in the size of the herd, also creates a corresponding drop in the loss of revenue due to a drop in the sales of licenses. Actually, the law of supply and demand is operating in reverse here.

The only sensible solution to this problem would be, of course, to have the fish and game department get its funds out of the General Fund and to operate as they are required, without loss of much needed revenue. This was attempted under the reorganization bills during the last session. But as those of you who were here know, such a cry went up about loss of rights that this effort was scuttled. I am sure that these very same gentlemen were in there pitching and doing their bit with the label pinning. What they were really saying was, don't make anybody pay for the game now. No! No! Let our children pay for it later — yes, later — when there won't be any reasons to buy a license because there won't be any game left, such as now exists in some parts of Canada, which is the result of poor management or lack of money.

My mail and telephone calls have been running in favor of an increase and for restricted sales of licenses — nonresident. The verbiage barrage that emanated from these two gentlemen has, however, succeeded in getting several other sick persons from out of the State of Maine to pick up their cue and lash out at me. One of them went as far as to label me a Communist. He was also careful not to provide me with a return address. These people don't seem to realize that someone has to pay if we are to continue to enjoy this sport. Those who were sincere in their objections made sure they signed their letter and who provided me with a return address so they can hear my views on this subject.

I don't relish the idea of increasing the nonresident fees for big game, but it is inevitable. If you don't do it now, it is just a matter of time. Others in positions of authority have bit the bullet and did what they had to do if they were to continue to have big game for themselves and for future generations to come. Newfoundland is an excellent example of this. They don't have any deer but have caribou and moose. You need a guide and sales of licenses are restricted. Cost of a caribou license was \$100 and a moose license was \$75, before the first of March 1973. On that date the costs went up \$50, making the moose license \$125. Actually, at the current rate of exchange, it is \$128.50. And the real sportsmen in my area, guys working in the mills, are already scrambling to get their licenses to hunt in the fall. The costs are high but it hasn't changed their views on the sport. They know someone has to pay.

Since I appeared before the Fish and Game Committee, I have received some more information on this subject. The State of Utah has passed a law which increases the big game license fees from \$50 to \$75 and limited the number of licenses for nonresidents to 20,000.

I have been labeled as an alarmist and of provincial jealousy by one of these gentlemen. Funny though, I never heard this label pinned on the coastal communities

for restricting the clam flats to local residents only, nor have they applied it to our neighbors to the north in Newfoundland or to other states in the Union that have also been forced to raise the fees for nonresidents.

I would urge these gentlemen to come down off their pedestals up in the clouds and to speak constructively on the problem rather than try to falsely promote their cause by pinning labels. I thought label pinning went out of fashion after the Senator McCarthy era. Perhaps I was mistaken.

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

Divided Report

Majority Report of the Committee on Legal Affairs reporting "Ought not to pass" on Resolve to Reimburse Berkshire Mutual Insurance Company for Damage to Property of Leonard Smith by Highway Construction (H. P. 353) (L. D. 468)

Report was signed by the following members:

Messrs. BRAWN of Oakland
SHAW of Chelsea
COTE of Lewiston
CAREY of Waterville
FECTEAU of Biddeford
FAUCHER of Solon
CONNOLLY of Portland
— of the House.

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

Report was signed by the following members:

Messrs. JOLY of Kennebec
ROBERTS of York
ALDRICH of Oxford
— of the Senate.
Messrs. EMERY of Rockland
SHUTE
— of Stockton Springs
DUDLEY of Enfield
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Rockland, Mr. Emery.

Mr. EMERY: Mr. Speaker, I move acceptance of the Minority "Ought to pass" Report.

The SPEAKER: The gentleman from Rockland, Mr. Emery, moves

the acceptance of the Minority "Ought to pass" Report.

The Chair recognizes the gentleman from Lewiston, Mr. Cote.

Mr. COTE: Mr. Speaker, Ladies and Gentlemen of the House: I rise today in opposition to the "ought to pass" report of this committee. At the hearing we heard that the state is not liable for this. It was the water company of the town involved that did not move fast enough to close off the waters, and that is what caused all the damages.

Now, I notice in this report that the attorneys all voted in favor of the "ought to pass" report. They are always looking for litigation of some type. The insurance companies, they want to get their money. They should not be getting it from the state but should be getting it from the water company from the town involved. Therefore, I ask for a division and I hope you don't accept the "ought to pass" report so that we can accept the "ought not to pass" report.

The SPEAKER: The Chair recognizes the gentleman from Rockland, Mr. Emery.

Mr. EMERY: Mr. Speaker, Ladies and Gentlemen of the House: As one who is not an attorney that happened to sign the "ought to pass" report, I would like to explain to the committee my reasons for doing so.

This, as Mr. Cote said, is a case where an individual who was driving a piece of construction equipment for a road that was being repaired accidentally — probably accidentally — drove over a man's water main and broke it. Now he was working for the state, working on a state road when this accident occurred. Well, there was a little bit of a problem getting to the shut-off at that particular time. No one happened to know exactly where it was or how to get to it, and during the half hour that it took to shut off the water, there was quite a bit of damage that occurred. But the fact that remains was that the individual who was driving the vehicle was an employee of the state at the time, it was a state vehicle, and if the State of Maine hadn't been reconstructing a piece of road in

front of this man's house, the accident wouldn't have occurred in the first place.

We have quite a few matters before the Legal Affairs Committee it seems every session where someone working for the Department of Transportation ruins someone's well, breaks a water main, dams up a man's pond or some such activity, and generally — it is not always true — but generally we find the case of the poor individual involved is pretty good.

It seems that the question here is, what is the responsibility of the state? I think the state's honor is at stake here somewhat, because it doesn't make any difference to me whether the payment comes from the state to the individual who owns the property that was damaged or whether it goes to the insurance company that paid, the state is still liable. I feel that the state ought to reimburse the insurance company for exactly the amount the insurance company reimbursed the individual. This is all we are asking. The state was still liable because it was a state vehicle on a state project that did the damage.

It was the feeling of six members of the committee that the state ought to be willing to admit its liability in this case, and this is why we signed the "ought to pass" report. Now I would hope that you would support the "ought to pass" report.

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

Mr. COTE: Mr. Speaker, Ladies and Gentlemen of the House: Sometimes I wonder why we pay insurance premiums. If the individual who didn't have any money was responsible for this, well I would say probably the state is liable. But the individual paid his insurance premiums, he paid the insurance company, and the insurance company paid him back, as they should.

Now, it seems that we have laws in this state, special laws for insurance companies. In other words, if you have an accident, if the insurance company pays

your bill, then your insurance premiums go up for the next three years. I don't think that is right. I think it is about time that the insurance companies pay their liabilities and pay them off without turning around and trying to collect back again from somebody else.

In this case, it is the insurance company trying to collect from the state. The insurance company was paid their premiums. It is their liability to pay the individuals and I think it should remain that way. If they want to collect the money, they can always turn around and sue the water company who is responsible for not having turned off this main at the right time.

The SPEAKER: The Chair recognizes the gentleman from Oakland, Mr. Brawn.

Mr. BRAWN: Mr. Speaker, Ladies and Gentlemen of the House: As I was one of them who signed the opposite report, seven, I signed along with Mr. Cote, after listening to this, you people want to remember one thing. You pay insurance to protect yourselves. If you are to pass this bill right here and the insurance company has paid this claim, they are going to raise his premium fee. You are opening up such a kettle of fish here that you are going to have every insurance company suing everyone after they have paid a claim.

In other words, if I have a car out here and I go out and I hit Mr. Cote — I use him as an example — they pay my claim, then they can turn around and sue me after I have already paid this. They raised mine. This is just what we are doing. This is why many of us felt that we should not let the insurance company collect the premium, raise the premium, and then turn around and sue the guy and collect from him all over again. I hope you go along with Mr. Cote.

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

Mr. LYNCH: Mr. Speaker, I would like to ask a question. It has been referred to as a state project. Was this state-owned equipment or was it equipment

owned by a contractor doing the job?

The SPEAKER: The gentleman from Livermore Falls, Mr. Lynch, poses a question through the Chair to anyone who may answer if he or she wishes.

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

Mr. CAREY: Mr. Speaker and Members of the House: I am on that committee and unfortunately I do not recall, Mr. Lynch, if it was state-owned equipment or under contract to the state. We believe it was contracted to the state.

However, the big problem that comes up here is that when the line was ruptured and it was operating under 150 pounds pressure, which is somewhat extreme, the water company was notified immediately to come down and shut the water off. Unfortunately, the one person who does it was too busy to come at the time. He said he would be around in about half an hour and he did come around shortly after half an hour. It certainly shows that there was no responsible action shown by the water company employees themselves. Unfortunately, we do not believe that the state should bear the burden for this and that the insurance company should be going after the water company.

The SPEAKER: The pending question is on the motion of the gentleman from Rockland, Mr. Emery, that the House accept the Minority "Ought to pass" Report. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

13 having voted in the affirmative and 97 having voted in the negative, the motion did not prevail.

Thereupon, on motion of Mr. Cote of Lewiston, the Majority "Ought not to pass" Report was accepted and sent up for concurrence.

Orders Out of Order

Mr. Morton of Farmington presented the following Joint Order and moved its passage:

WHEREAS, Warren H. and Faye Voter have owned and operated the Voter Hill Farm, overlooking Sandy River Valley at Farmington, for many years; and

WHEREAS, Voter Hill Farm is recognized nationally for its fine show herds of registered milking Shorthorn cattle and purebred Romney sheep flocks; and

WHEREAS, Warren Voter has worked tirelessly in his efforts to improve farming techniques and to promote the use of new and modern ideas and machinery; and

WHEREAS, his success in farming, complemented with the aid of a devoted wife and active involvement in the affairs of the community, county and State, has earned for him the Maine Extension Association's title of Outstanding Farmer of 1973; now, therefore, be it

ORDERED, the Senate concurring, that We, the Members of the Senate and House of Representatives of the One-Hundred and Sixth Legislature now assembled, join a host of friends and admirers throughout the State in extending congratulations to Warren H. Voter, the Outstanding Farmer for 1973 and wish this outstanding citizen continued success for the years to come; and be it further

ORDERED, that a suitable copy of this Order be transmitted forthwith to Mr. and Mrs. Voter in honor of the occasion. (H. P. 1441)

The Order was received out of order by unanimous consent, read and passed.

By unanimous consent, ordered sent forthwith to the Senate.

Mr. Birt of East Millinocket presented the following Order and moved its passage:

ORDERED that Katherine and Leslie Ault of Wayne be appointed Honorary Pages for today.

The Order was received out of order by unanimous consent, read and passed.

Mr. Brown of Augusta presented the following Joint Resolution and moved its adoption:

WHEREAS, on April 12, 1973 this State lost a trusted friend and valued public servant in the death

of the Honorable L. Smith Dunnack of Augusta; and

WHEREAS, the Members and staff of the Legislature feel a special sorrow because, among other important callings in life, he served as Revisor of Statutes with loyalty, devotion and conscientious effort from 1931 to 1944; and

WHEREAS, it was he who introduced the present system of striking out and inserting new words in bold type to show the exact changes made in the public laws; and

WHEREAS, those who work with the law have come to know and appreciate the innovative designs of his cumulative index and cross reference tables listing all changes made to date; and

WHEREAS, in recognizing our sorrow and sense of loss on his passing we include the sentiments of all who knew and admired him throughout the Legislature and its several departments; now, therefore, be it

RESOLVED: By the One Hundred and Sixth Legislature of the State of Maine that its Members join countless state officers and employees, all members of the judiciary and the people of the State of Maine in this expression of heartfelt sympathy for Mrs. Dunnack and her family; and be it further

RESOLVED: That a suitable copy of this resolution be sent to Mrs. Dunnack as a token of our esteem. (H. P. 1442)

The Joint Resolution was read and adopted and sent up for concurrence.

Divided Report Tabled and Assigned

Majority Report of the Committee on State Government reporting "Ought not to pass" on Resolution Proposing an Amendment to the Constitution Providing for Early Inauguration of the Governor (H. P. 1001) (L. D. 1326)

Report was signed by the following members:

Mr. SPEERS of Kennebec
— of the Senate.
Messrs. SILVERMAN of Calais
FARNHAM of Hampden

CROMMETT

— of Millinocket
CURTIS, Jr. of Orono
STILLINGS of Berwick
COONEY of Sabattus
GOODWIN of Bath

— of the House.

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

Report was signed by the following members:

Messrs. CLIFFORD

— of Androscoggin
WYMAN of Washington

— of the Senate.

Mrs. NAJARIAN of Portland

— of the House.

Reports were read.

(On motion of Mr. Birt of East Millinocket, tabled pending acceptance of either Report and tomorrow assigned.)

Divided Report Tabled and Assigned

Majority Report of the same Committee on Bill "An Act Designating Remembrance of Martin Luther King a Legal Holiday" (H. P. 168) (L. D. 210) reporting "ought to pass" in New Draft with new title. "An Act Designating a Commemorative Day in Remembrance of Martin Luther King, Jr." (H. P. 1440) (L. D. 1810)

Report was signed by the following members:

Mr. CLIFFORD

— of Androscoggin
— of the Senate.

Mr. FARNHAM of Hampden

Mrs. GOODWIN of Bath

Mrs. NAJARIAN of Portland

Messrs. CROMMETT

— of Millinocket
COONEY of Sabattus

— of the House.

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

Report was signed by the following members:

Messrs. SPEERS of Kennebec

WYMAN of Washington

— of the Senate.

Messrs. SILVERMAN of Calais

STILLINGS of Berwick

CURTIS, Jr. of Orono

— of the House.

Reports were read.

(On motion of Mr. Martin of Eagle Lake, tabled pending acceptance of either Report and specially assigned for Thursday, April 19.)

Order Out of Order

Mr. Hamblen of Gorham presented the following Order and moved its passage:

ORDERED, that Laurie Proulx and Karen Hamblen of Gorham be appointed Honorary Pages for today.

The Order was received out of order by unanimous consent, read and passed.

Divided Report

Majority Report of the Committee on Taxation on Bill "An Act to Repeal the Law Requiring Publication of a List of Delinquent Taxpayers in the Municipal Annual Report" (H. P. 112) (L. D. 1448) reporting "Ought not to pass"

Report was signed by the following members:

Mr. FORTIER of Oxford
— of the Senate.
Messrs. MORTON of Farmington
DRIGOTAS of Auburn
DOW of West Gardiner
SUSI of Pittsfield
FINEMORE
— of Bridgewater
IMMONEN of West Paris
MERRILL of Bowdoinham
DAM of Skowhegan
COTTRELL of Portland
— of the House.

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

Report was signed by the following members:

Messrs. WYMAN of Washington
COX of Penobscot
— of the Senate.
Mr. MAXWELL of Jay
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. Susi.

Mr. SUSI: Mr. Speaker, I move the acceptance of the "ought not to pass" report and would speak to my motion.

The SPEAKER: The gentleman from Pittsfield, Mr. Susi, moves

the acceptance of the Majority "Ought not to pass" Report.

The gentleman may proceed.

Mr. SUSI: Mr. Speaker, Ladies and Gentlemen of the House: The title of this bill explains its purpose. On the Taxation Committee there are several who have had experience as municipal tax assessors. It was the testimony of these gentlemen on the committee that in their opinion this is an indispensable device to assure the prompt collection of property taxes. They voted to have the delinquent taxpayers posted in the annual report and this is the reason for the "ought not to pass" report.

The SPEAKER: The Chair recognizes the gentleman from Standish, Mr. Simpson.

Mr. SIMPSON: Mr. Speaker, Ladies and Gentlemen of the House: I don't know as I can totally agree with the gentleman from Pittsfield, seeing as this is my bill. You know, I was given this bill by one of my town managers. At the time I did not think too much of it. Then as I got looking at it, got working with it, I started to enjoy the bill.

You know, we have already done away with the poll tax. I believe that probably before we leave here we will do away with the property tax — personal property tax — like to do away with property tax too. That is going to leave us with just the property tax at the local level.

Now, I contend that this is not an instrument that really pushes people to pay their taxes. This is just another opportunity for us to give people back the local municipality Home Rule, because all this is permissive legislation. Right at the present time, the state law says that they shall publish this and if we allow this to go back to the local level, it is at their discretion whether they feel as municipal officers, whether they want to have the cost and expense of publishing all the names of the people in the town report.

My feeling is that by the time January comes and February comes that the people in this state want to pay their taxes and they would have paid their taxes in lieu

of paying interest to the towns, which they do at the present time. I do not believe that this gives them any more clout to collect taxes. Therefore, I would urge you not to accept the majority report, that we accept the minority report and allow the townspeople to make up their own mind.

The SPEAKER: The Chair recognizes the Gentleman from Bridgewater, Mr. Finemore.

Mr. FINEMORE: Mr. Speaker and Ladies and Gentlemen of the House: I admire the gentleman from Standish, but I will say one thing, he never had any experience in tax collecting. On our committee we have the Senator from Oxford, Mr. Fortier, and we have the Representative from Bowdoinham, Mr. Merrill, and myself, who have all been town managers and tax collectors. And I think our experience includes a lot of covering delinquent taxes. I believe in our town alone, which only has a commitment of around \$100,000 a year, I believe that just prior to the printing of the town report, we also put a notice in the local newspaper the dates the books were closed. The date was February 23 or something to that effect, and I believe at that time we were collecting at least 40 percent of our taxes. And I would say that maybe 20 or 25 percent of these taxes would go in the report.

I also enjoy hearing someone mention interest. You know, our town's interest, most of us are 6 percent or 8 percent. Well, a lot of people would much rather leave the taxes unpaid and pay the interest than borrow money at a higher rate of interest to pay the taxes, if it wasn't for the town report. But we have a lot of proud people in Aroostook County and especially in my town who will do anything in their power — they will sell a cow, they will sell most of the pigs, they will do most anything to pay their taxes rather than see them in the town report. I think we would be doing the small communities, as well as the cities, an injustice to change this law at this time.

It has been brought up in our committee, by the gentleman from

Standish, Mr. Simpson, the cost of printing. It is only \$4.50 a page to print the town report, so I do not think it is too expensive to print the delinquent taxes and I hope this morning you will go along with the report "ought not to pass."

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

Mr. ROLLINS: Mr. Speaker and Ladies and Gentlemen of the House: I would like to go on record this morning as supporting my majority leader, the gentleman from Standish, Mr. Simpson. I do not believe that this publishing delinquent taxpayers in the town report does one bit of good. I think that anyone that can possibly pay does pay in order not to have a lien put on. And I believe that we should support our majority leader.

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

Mr. GAUTHIER: Mr. Speaker and Ladies and Gentlemen of the House: I would like to reply to Mr. Rollins. As a Representative in Sanford, I know of two cases. Not many years ago, I think last year, or four years ago, we had two selectmen who were not paying their taxes and they were in the town report. I am very much in favor, like Mr. Simpson, of Home Rule. But I fear that if you put Home Rule in this case here, that these selectmen, if their names don't appear in the paper we are going to be in trouble. There will be a couple who will not pay their taxes.

The SPEAKER: The Chair recognizes the gentleman from Bridgewater, Mr. Finemore.

Mr. FINEMORE: Mr. Speaker and Ladies and Gentlemen of the House: Just in answer to Mr. Rollins. Liens have nothing to do with this. Liens would go in the town report anyway because they cannot be put on until 8 months after the commitment of taxes or 12 months. Not before 8 nor after 12. And then, after once on there, they stay 18 months unless they are paid before they become town property. So they have no bearing on this whatsoever.

The SPEAKER: The Chair recognizes the gentleman from Oakland, Mr. Brawn.

Mr. BRAWN: Mr. Speaker and Ladies and Gentlemen of the House: I think we should realize that anticipation of taxes — we pay a lot of interest. Now I have been on for six years as chairman, I have been a town manager, just the same as Mr. Finemore, so I think I am familiar with taxation. In my communities, I know that if their names were not posted they would not pay their taxes. We would have to borrow more money, which would be more expense to these people who do pay their taxes. And when you do not get it and you appropriate in town meeting a sum of money, that money must be paid for those who do pay it. So I hope that you do go along with Mr. Finemore.

The SPEAKER: The pending question is on the motion of the gentleman from Pittsfield, Mr. Susi, that the House accept the Majority "Ought not to pass" Report. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

103 having voted in the affirmative and 20 having voted in the negative, the motion did prevail.

Sent up for concurrence.

Divided Report

Majority Report of the Committee on Transportation on Resolve Designating Part of Route 219 as a State Highway (H. P. 543) (L. D. 725) reporting "Ought not to pass"

Report was signed by the following members:

Messrs. GREELEY of Waldo
CIANCHETTE

of Somerset

— of the Senate.

Messrs. WOOD of Brooks
McNALLY of Ellsworth
DUNN of Poland

Mrs. McCORMICK of Union

Mrs. BERRY of Madison

Messrs. STROUT of Corinth

KEYTE of Dexter

— of the House.

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

Report was signed by the following members:

Messrs. JACQUES of Lewiston

FRASER of Mexico

WEBBER of Belfast

— of the House.

Reports were read.

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

Mr. WOOD: Mr. Speaker, I move we accept the Majority "Ought not to pass" Report.

The SPEAKER: The gentleman from Brooks, Mr. Wood, moves that the House accept the Majority "Ought not to pass" Report.

The Chair recognizes the gentleman from Dixfield, Mr. Rollins.

Mr. ROLLINS: Mr. Speaker and Ladies and Gentlemen of the House: This is my bill again, 219, that I put it in two years ago. It went through the House and Senate. It was killed on the Appropriations Table. I am going to try it once more because I do not believe that most of the people in this House feel that we should let a department make policy and carry it out. And that is what we are doing here and have been doing for about the last 20 years.

In 1955, there was 152 miles of road similar to the one that I have here that was given the State Highway consensus. Some of this road was in Washington County and some in Piscataquis County, Aroostook County and Kennebec County. total of 152 miles. Since that date we have abdicated our rights to make policy in this department and we have allowed them to make policy and carry it out.

This morning I would hope that you would go along with me on this "ought to pass" minority report and I would ask for a division.

The SPEAKER: The Chair recognizes the gentleman from Ellsworth, Mr. McNally.

Mr. McNALLY: Mr. Speaker and Ladies and Gentlemen of the House: I have set my signature on the "ought not to pass" report. You have approximately 2500 miles that is just as worthy of being maintained as a state highway as this 34 miles of route 219. I have 20 miles that runs from Ellsworth up to Aurora that is just as worthy

for it as the 34 miles of 219. That is the reason that I voted that it "ought not to pass." If you cannot have it go all over the state like it ought to, I see no reason for picking out one little spot and make it a state highway.

The SPEAKER: The pending question is on the motion of the gentleman from Brooks, Mr. Wood, to accept the Majority "Ought not to pass" Report. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

73 having voted in the affirmative and 41 having voted in the negative, the motion did prevail.

Sent up for concurrence.

Order Out of Order

Mr. Whitzell of Gardiner presented the following Order and moved its passage:

ORDERED, that Lynn Hatch, Lisa Hatch, Lowanda French and Catherine Emerson of Gardiner be appointed Honorary Pages for today.

The Order was received out of order by unanimous consent, read and passed.

Consent Calendar

First Day

(H. P. 426) (L. D. 575) Bill "An Act to Exempt Sales to Institutionalized Persons from the Sales Tax" — Committee on Taxation reporting "Ought to pass"

(H. P. 515) (L. D. 681) Bill "An Act to Create Hospital Administrative District No. 1 in Piscataquis, Somerset and Penobscot Counties" — Committee on Legal Affairs reporting "Ought to pass" as amended by Committee Amendment "A" (H-222)

(H. P. 552) (L. D. 733) Bill "An Act Repealing the Distribution of the Railroad Tax" — Committee on Taxation reporting "Ought to pass"

(H. P. 705) (L. D. 910) Bill "An Act to Prohibit Interference with Signalling or Safety Devices Used for Work on Public Ways" — Committee on Transportation reporting "Ought to pass"

(S. P. 389) (L. D. 1135) Bill "An Act Relating to Membership on the Advisory Board of the Department of Commerce and Industry" —

Committee on State Government reporting "Ought to pass" as amended by Committee Amendment "A" (S-70)

(H. P. 941) (L. D. 1237) Resolve Authorizing Conveyance of State Land and Easements to City of South Portland for Sewage Collection and Treatment Project — Committee on Legal Affairs reporting "Ought to pass"

No objection having been noted, were assigned to the Consent Calendar's Second Day list.

(H. P. 949) (L. D. 1246) Bill "An Act Relating to Motorcycle or Motor Driven Cycle Learner's Permit" — Committee on Transportation reporting "Ought to pass" as amended by Committee Amendment "A" (H-223)

On the request of Mr. Jacques of Lewiston, was removed from the Consent Calendar.

Thereupon, the Report was accepted and the Bill read once.

Committee Amendment "A" (H-223) was read by the Clerk and adopted and the Bill assigned for second reading tomorrow.

(H. P. 989) (L. D. 1309) Bill "An Act Designating Columbus Day a Legal Holiday" — Committee on Legal Affairs reporting "Ought to pass"

(H. P. 993) (L. D. 1313) Bill "An Act Relating to Organization of Unincorporated Townships" — Committee on Legal Affairs reporting "Ought to pass"

(H. P. 1019) (L. D. 1342) Bill "An Act Increasing License Fee for Nurserymen" — Committee on Agriculture reporting "Ought to pass" as amended by Committee Amendment "A" (H-224)

(H. P. 1024) (L. D. 1346) Bill "An Act Relating to Wild Animals in Captivity" — Committee on Fisheries and Wildlife reporting "Ought to pass"

(H. P. 1036) (L. D. 1361) Resolve to Reimburse Bass Shoe Employees Federal Credit Union for Damage to Property by Escapees of Women's Correctional Center — Committee on Legal Affairs reporting "Ought to pass"

(H. P. 1072) (L. D. 1397) Bill "An Act Relating to Allocations

from the General Highway Fund for the Repair of Certain Bridges in Baxter State Park" — Committee on Transportation reporting "Ought to pass"

No objection having been noted, were assigned to the Consent Calendar's Second Day list.

Tabled and Assigned

(H. P. 1073) (L. D. 1411) Bill "An Act Amending the Maine Tree Growth Tax Law" — Committee on Taxation reporting "Ought to pass"

On the request of Mr. Martin of Eagle Lake, was removed from the Consent Calendar.

(On motion of the same gentleman, tabled pending acceptance of the Committee Report and specially assigned for Thursday, April 19.)

(H. P. 1131) (L. D. 1466) Bill "An Act Providing for Group Insurance for National Guardsmen Called up to State Active Duty" — Committee on State Government reporting "Ought to pass" as amended by Committee Amendment "A" (H-225)

(H. P. 1141) (L. D. 1476) Bill "An Act Relating to Additional Roads on Indian Reservations at Pleasant Point and Indian Township" (Emergency) — Committee on Transportation reporting "Ought to pass"

H. P. 1193) (L. D. 1544) Bill "An Act Providing Funds for Fishway on the Kennebec River" — Committee on Appropriations and Financial Affairs reporting "Ought to pass"

(H. P. 1208) (L. D. 1560) Bill "An Act Relating to Delinquent Dog Taxes" — Committee on Agriculture reporting "Ought to pass"

(H. P. 1214) (L. D. 1565) Resolve to Reimburse Mrs. Wellington E. Fifield of Patten for Payment of Malt Liquor License — Committee on Legal Affairs reporting "Ought to pass"

No objection having been noted, were assigned to the Consent Calendar's Second Day list.

Consent Calendar

Second Day

(H. P. 654) (L. D. 868) Bill "An Act to Provide for Nomination of the Commissioner of Educational and Cultural Services by the State Board of Education" (C. "A" H-214)

(H. P. 811) (L. D. 1074) Bill "An Act Relating to Advertising Costs in Processing Wetland Applications"

(H. P. 815) (L. D. 1082) Bill "An Act Relating to Railroad Crossings"

(H. P. 1047) (L. D. 1366) Bill "An Act Exempting Blind Property Owners from Real Property Tax" (C. "A" H-215)

No objection having been noted, were passed to be engrossed and sent to the Senate.

Passed to Be Engrossed

Bill "An Act Increasing Reimbursement to Secondary School Students from Coastal Islands for Room and Board" (H. P. 1434) (L. D. 1792)

Bill "An Act to Validate Land Title in the Wildlands" (H. P. 1436) (L. D. 1794)

Bill "An Act Relating to Board of Trustees of Bath Water District" (H. P. 1431) (L. D. 1789)

Bill "An Act Relating to Municipal Tax Base Sharing" (H. P. 1433) (L. D. 1791)

Bill "An Act Relating to Extending Open Season on Bear and Hunting Bear with Dogs" (H. P. 1432) (L. D. 1790)

Bill "An Act Prohibiting Hunting, Trapping and Fishing on Passamaquoddy Indian Land by Non-Indians" (H. P. 1435) (L. D. 1793)

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

Second Reader

Tabled and Assigned

Bill "An Act Relating to the Redemption Value of Trading Stamps" (H. P. 810) (L. D. 1056) (C. "A" H-213)

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

(On motion of Mr. Simpson of Standish, tabled pending passage to be engrossed and specially assigned for Thursday, April 19.)

Bill "An Act Increasing Nonresident Hunting License Fee" (H. P. 188) (L. D. 265) (C. "A" H-201)

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

Bill "An Act to Create a Commission to Prepare a Revision of the Probate Laws and the Administration Thereof" (H. P. 1045) (L. D. 1373)

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

Mrs. Baker of Orrington offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-217) was read by the Clerk and adopted.

The Bill was passed to be engrossed as amended and sent to the Senate.

Passed to Be Enacted Emergency Measure

An Act Creating the Maine Veterans Small Business Loan Authority Board and Establishing a Mortgage Insurance Fund (S. P. 164) (L. D. 419) (C. "A" S-60)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 114 voted in favor of same and one against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act Relating to Bilingual Education (S. P. 62) (L. D. 165) (H "B" H-161)

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

An Act to Designate One Dollar of Income Tax Refunds or Tax

Liability to Political Parties (H. P. 321) (L. D. 439) (H "B" H-180)

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

The SPEAKER: The Chair recognizes the gentleman from Chelsea, Mr. Shaw.

Mr. SHAW: Mr. Speaker, Ladies and Gentlemen of the House: A couple of weeks ago we killed a bill practically the same as this. I don't think this one is any better than the one we killed. I doubt if one of my reports yesterday or the day before, that the federal bill which is similar to this, would be rejected by 97 percent of the people involved, I don't think this is good legislation. I move the indefinite postponement of the bill and all its papers.

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

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: I agree with the gentleman from Chelsea, Mr. Shaw, as far as the federal tax returns go. I am sure that all of you have made out your returns by now and you realize that this is a separate page on the back of the return. Many have just overlooked it or when they came to that point they said the dickens with it. We would propose that on our returns it be listed in a separate item in the middle of the return where it should be.

At first I was not too impressed with either of these bills, because some of them covered one segment of our population and some covered the other. Now they have been amended so that everybody would have the opportunity to contribute to the party of his choice. The reason for this, of course, is that many smaller people said they would like to do something but have no chance. This way would cost the state no money whatsoever. It would give the little person a chance to become part of our political process. I have no doubt, if written properly into our tax form itself, it would bring in quite a lot of money and I am sure that both political parties need a little bit more of this.

I hope that you vote against indefinite postponement.

The SPEAKER: The Chair recognizes the gentleman from Camden, Mr. Hoffses.

Mr. HOFFSES: Mr. Speaker, Ladies and Gentlemen of the House: I object to this piece of legislation in that I believe that it will never accomplish the purpose for which it is designed. I do not believe that enough people are going to participate in this program. As has been pointed out by the gentleman from Chelsea, Mr. Shaw, 97 percent of the people on the federal level are not participating in it, and I believe that that same percentage would be borne out within the State of Maine as far as this piece of legislation is concerned.

Now, I would take exception to my very good friend, the gentleman from Bath, Mr. Ross, who is the chairman of the Committee on Election Laws, of which I am a member, that this would give the little person an opportunity to take advantage of becoming a part of the political process.

Down my way it seems that everyone has an opportunity to become a part of the political process, because it seems that both political parties down in my area are out beating the brush constantly for any donations, large or small, to the party of their choice. So I believe that as of right now the little person, so called, has ample opportunity to make a contribution to the political party of his choice.

I do not believe this is the type of legislation that this legislature should be involved in at this time. I would wholeheartedly agree with the gentleman from Chelsea, and I would ask for a roll call when the vote is taken.

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

Mr. DUDLEY: Mr. Speaker, Members of the House: I support the motion to indefinitely postpone. I was a member of this committee and you note that I properly signed this bill "ought to pass." I was told that it would be amended in the House so that this donation, if there were any, would go to the people running for governor, running for the Congress and

running for the United States Senate.

I could see where there would be a lot of confusion. First of all, there would be only a few dollars in the jackpot, and there would be a lot of competitive people for it. In other words, I couldn't see where, if everybody got into the act, there would be enough money worthwhile. If the House candidates and county commissioners and everybody else was to get their fingers out for this money, every little bit would count.

I find that people who I have talked with have no trouble contributing now to either political party. They can contribute 50 cents, one dollar or as much as they wish. So I could not see the need for this bill to begin with. However, my reason for signing it was I was told emphatically that if I signed this report "ought to pass," that this would be amended for just these three major candidates. It was not, it hasn't been amended. So at this point, I support the motion to indefinitely postpone. I think it would only add confusion to everything.

The SPEAKER: The Chair recognizes the gentleman from Casco, Mr. Hancock.

Mr. HANCOCK: Mr. Speaker and Ladies and Gentlemen of the House: This figure of 97 percent participation that a couple of the speakers have used is perfectly correct. But I would like to call to the attention of the House that this is the first time around for this and as time goes on, hopefully there will be more people participating.

As the gentleman from Bath, Mr. Ross, pointed out, it will be simpler under our proposed suggestion to the Tax Department for people to contribute under the Maine form than it is on their separate paper for the federal. Now this is just another attempt to get the ordinary guy involved and interested in politics. If we are to condemn the large contributors to either the party or to the given candidate, we have to substitute something else. I do not think the first year in Maine it is going to produce a great deal of revenue. But over

a period of years, I am hopeful that it will and for both parties.

I hope that the motion to indefinitely postpone does not prevail.

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

Mr. COTE: Mr. Speaker and Ladies and Gentlemen of the House: I rise to support the pending motion. I am not concerned about giving the little people a chance to donate to the parties of their choice. They may do so at this time if they so wish. What my concern is is how is this money going to be spent? Is it going to be spent for a candidate in a party who has opposition from another candidate who is not as well liked as the dominant candidate, probably the most popular of the two. Is it going to be spent just at the higher level, or is it going to be spent for members of the legislature or under the legislature, who needs just as much money as the fellow who is running for the \$50,000 a year job?

This is my concern with this bill and if I was assured by anyone that everybody who is a candidate would participate in the distribution of this fund, I might be tempted to go along with it. I do not think it would be done that way, so therefore, I support the motion for indefinite postponement.

The SPEAKER: The Chair recognizes the gentleman from Ellsworth, Mr. McNally.

Mr. McNALLY: Mr. Speaker and Ladies and Gentlemen of the House: I guess this is my day to be against things, but the reason that I am going along with this motion is that I am afraid that if somebody does contribute the one dollar, whether he is able to contribute one or one hundred dollars, is that he is going to say, well, I paid my fund in. Both parties are going to suffer or any third party that might be coming in. I think you are even cutting your own throat with this one dollar donation because you may be losing ten, fifteen, twenty or one hundred in it.

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

Mr. MURRAY: Mr. Speaker and Ladies and Gentlemen of the House: I was the sponsor of the bill that has already been defeated and relative to this subject. I think, though, that the bill we have before us today is a good compromise measure. I wholeheartedly endorse it and I think that it is a moderate approach to try and get a number of people in the State of Maine, whether they are rich or poor or whatever, to participate in the funding of political campaigns.

This bill, the way it is amended by the amendments Mr. Ross has offered, would not cost the state any money. The bill is written so that people are checking off a dollar from their return or they are adding a dollar to their tax, whichever the situation may be. So we are not going to cost the State of Maine any money.

What we are doing is providing a vehicle for people to donate to their political party, that is all. Right now both political parties will admit that it is not feasible to go out and collect a dollar from individual citizens. By the time they hire someone or get campaign committees activated to go out and collect a dollar, they have practically spent the dollar in all the collection process. This is a method where the state parties will benefit by the one dollar donations.

I think we should also point out that this isn't the same as the federal program. First of all, the federal program hasn't been in existence long enough to make an honest judgment. Secondly, the way the federal forms were printed, that in itself discourages people from participating. You have to look to the last page and find it, fill it out, tear it out and put it in the envelope with your return. So I don't think that that is a good argument to kill this bill.

I just want to point out one more time that we are trying to encourage people besides the wealthy to get into the process of financing campaigns and this to me is the best way of doing it, with a broad base.

So, I wholeheartedly support this measure as a good compromise

measure and one that probably would work.

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

Mr. FARLEY: Mr. Speaker and Ladies and Gentlemen of the House: In response to the gentleman from Lewiston, under pending legislation here, L. D. 1533, the state—the federal representatives, our representatives in Congress and the U. S. Senate, would come under federal offices instead of state offices which, I imagine, would eliminate them from these funds.

Secondly, I would like to add that the federal bill as it is now was a substitute measure that had broad support in both houses of Congress on a direct appropriation to both parties in regard to elections. In this area, the federal rule now as they are subject to facing and only so because it was facing a Presidential veto.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Chelsea, Mr. Shaw, that L. D. 439, An Act to Designate One Dollar of Income Tax Refunds or Tax Liability to Political Parties and all accompanying papers be indefinitely postponed. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Brawn, Connolly, Cote, Cressey, Davis, Donaghy, Dudley, Dunn, Dyar, Evans, Farrington, Genest, Hoffses, Hunter, Kelleher, Kelley, R. P.; Lewis, E.; Littlefield, Maddox, Mahany, McCormick, McNally, Merrill, Norris, Parks, Rollins, Shaw, Shute, Sproul, Strout, Tanguay, Theriault, Trumbull, Walker, Wheeler, Wood, M. E.

NAY — Albert, Ault, Baker, Berry, G. W.; Berry, P. P.; Berube, Binnette, Birt, Bither, Boudreau, Bragdon, Briggs, Brown, Bunker, Bustin, Cameron, Carey, Carter, Chick, Chonko, Churchill, Clark, Conley, Cottrell, Curran, Curtis, T. S., Jr.; Dam, Dow, Drigotas, Dunleavy, Emery, D. F.; Farley, Farnham, Fecteau, Ferris, Finemore, Flynn, Fraser, Gahagan, Garsoe, Gauthier, Good, Goodwin, H.; Goodwin, K.; Greenlaw, Hamblen, Hancock, Haskell, Henley, Huber, Immonen, Jackson, Jacques, Jalbert, Kelley, Keyte, Kilroy, Knight, LaPointe, LeBlanc, Lewis, J.; Lynch, MacLeod, Martin, Maxwell, McHenry, McKernan, McTeague, Mills, Morin, L.; Morin, V.; Morton, Mulkern, Murchison, Murray, Najarian, O'Brien, Palmer, Perkins, Peterson, Pratt, Ricker, Rolde, Ross, Sheltra, Simpson, L. E.; Smith, D. M.; Soulas, Susi, Tierney, Tyndale, Webber, White, Whitzell, Willard.

ABSENT — Carrier, Cooney, Crommett, Deshaies, Faucher, Herrick, Hobbins, Hodgdon, LaCharite, Lawry, McMahon, Pontbriand, Santoro, Silverman, Smith, S.; Stillings, Talbot, Trask. Yes, 36; No, 95; Absent, 18.

The SPEAKER: Thirty-six having voted in the affirmative and ninety-five having voted in the negative, with eighteen being absent, the motion does not prevail.

Thereupon, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

An Act Relating to Fees of Bail Commissioners (S. P. 300) (L. D. 949)

An Act to Create a Committee to Study the Needs for a Traffic Court System (S. P. 316) (L. D. 982) (C "A" S-61)

An Act Authorizing File of Abstracts in Registry of Deeds in Guardianship, Conservatorship and Intestate Estates (S. P. 352) (L. D. 1017)

An Act Increasing Certain Fees of Registers of Deeds (S. P. 354) (L. D. 1018)

An Act Authorizing Legislature to Change Specific Line Categories

in the County Estimates (H. P. 1166) (L. D. 1501) (S "A" S-64)

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

Orders of the Day

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

Bill "An Act Relating to the Rights of a Person under Guardianship to Vote" (H. P. 723) (L. D. 929)

Tabled — April 11, by Mr. Finemore of Bridgewater.

Pending — Motion of Mr. Hoffses of Camden that House Recede and Concur.

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

Mr. CONNOLLY: Mr. Speaker and Ladies and Gentlemen of the House: We have had this bill before us for almost three weeks now and I do not want to belabor the issue. But I would like to point out, when it first came up for a vote, we passed it by three votes. When it was in its second reading, we passed an amendment overwhelmingly that clearly spelled out that it was the responsibility of the ward under guardianship to have an examination by a psychiatrist before he could vote. That passed overwhelmingly. It did receive the support of the House Chairman of the Election Laws Committee who originally was opposed to the bill.

I only ask now that you defeat the motion to recede and concur so that we might make a motion to insist and ask for a Committee of Conference so that we can deal with any objections that might still exist in the other body.

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

A vote of the House was taken.

Mr. Simpson of Standish requested a roll call.

The SPEAKER: A roll call has been requested. For the Chair to

order a roll call, it must have the expressed desire of one fifth of the members present and voting. All those desiring a roll call vote will vote yes; those opposed will vote no.

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

The SPEAKER: The Chair recognizes the gentleman from Standish, Mr. Simpson.

Mr. SIMPSON: Mr. Speaker and Ladies and Gentlemen of the House: I believe that we are talking about something here that is quite serious and I would urge that you support the motion to recede and concur. That is relating to people under guardianship being given the right to vote and I believe that the key issue here is the word "guardianship." We have heard a lot of debate on the issue but I wish you would key yourselves up and gear yourselves into one word, the word "guardianship" as it pertains to an individual's right to vote and I would urge that you recede and concur.

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

Mr. CONNOLLY: Mr. Speaker, Ladies and Gentlemen of the House: Again, briefly, Mr. Simpson mentions the word "guardianship" but he doesn't go into detail and explain what that means. I would just like to point out, as I did before, that most of the people we are talking about are placed under guardianship because they have an inability on most occasions to handle their finances. They are not people who are in mental institutions but they are people who are out on the streets.

This bill would not allow all of those folks to vote, but would first require them to submit to a psychiatric examination and if the psychiatrist no more than ten days before the election felt that that person had the capacity, the mental competence to cast his vote as intelligently as any one of us, then he would be allowed to vote on that one occasion and that one occasion only. If he wanted to vote

in another election, he would have to go back through the same process again.

I would only point out that this bill costs the state nothing and it is safeguarded by the fact that there would be a psychiatric examination required.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I pose a question to the Chairman of the Election Laws Committee, the gentleman from Bath, Mr. Ross. Am I wrong in assuming that when this amendment was prepared that it was prepared with your blessing or at least with your approval?

The SPEAKER: The gentleman from Eagle Lake, Mr. Martin, poses a question through the Chair to anyone who may answer if he desires.

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

Mr. ROSS: Mr. Speaker and Members of the House: Well, certainly when the amendment was prepared, I thought it was a great deal better than the original bill, yes.

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

ROLL CALL

YEA — Ault, Baker, Berry, G. W.; Binnette, Birt, Bither, Bragdon, Brawn, Briggs, Brown, Bunker, Cameron, Chick, Churchill, Cote, Cressey, Curtis, T. S., Jr.; Davis, Donaghy, Dudley, Dunn, Emery, D. F.; Evans, Farnham, Farrington, Ferris, Finemore, Flynn, Gahagan, Gauthier, Good, Hamblen, Hancock, Haskell, Henley, Hoffses, Huber, Hunter, Immonen, Kelley, Kelley, R. P.; Knight, Lewis, E.; Lewis, J.; Littlefield, MacLeod, Maddox, Mahany, McCormick, McNally, Merrill, Morton, Murchison, Palmer, Parks, Pratt, Rollins, Ross, Shaw, Shute, Simpson, L. E.; Sproul, Stillings, Strout, Trumbull, Tyndale, Walker, Webber, Willard, Wood, M. E.; The Speaker.

NAY — Albert, Berry, P. P.; Berube, Boudreau, Bustin, Carey, Carrier, Carter, Chonko, Clark, Conley, Connolly, Cottrell, Curran, Dam, Deshaies, Dow, Drigotas, Dunleavy, Farley, Fecteau, Fraser, Garsoe, Genest, Goodwin, H.; Goodwin, K.; Greenlaw, Jackson, Jacques, Jalbert, Kelleher, Keyte, Kilroy, LaPointe, LeBlanc, Lynch, Martin, McHenry, McKernan, McTeague, Mills, Morin, L.; Morin, V.; Mulkern, Murray, Najarian, Norris, O'Brien, Perkins, Peterson, Ricker, Rolde, Sheltra, Smith, D. M.; Soulas, Susi, Tanguay, Theriault, Tierney, Wheeler, White, Whitzell.

ABSENT — Cooney, Crommett, Dyar, Faucher, Herrick, Hobbins, Hodgdon, LaCharite, Lawry, Maxwell, McMahon, Pontbriand, Santoro, Silverman, Smith, S.; Talbot, Trask.

Yes, 71; No, 62; Absent, 17.

The SPEAKER: Seventy-one having voted in the affirmative and sixty-two having voted in the negative, with seventeen being absent, the motion does prevail.

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

Mr. BIRT: Mr. Speaker, I move we reconsider our action on item 1 and hope you all vote against me.

The SPEAKER: The gentleman from East Millinocket, Mr. Birt, having voted on the prevailing side moves that the House reconsider its action whereby it voted to recede and concur with the Senate.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I guess I am a little bit dumbfounded and perhaps that is not unusual. But I would pose a question to the gentleman from East Millinocket or to the gentleman from Standish, Mr. Simpson or to the Speaker whom I know cannot respond as to why this was made a party issue.

The SPEAKER: The gentleman from Eagle Lake, Mr. Martin, poses a question through the Chair to anyone who may care to answer if he desires.

The Chair recognizes the gentleman from Standish, Mr. Simpson.

Mr. SIMPSON: Mr. Speaker, Members of the House: In answer to the gentleman, I guess if anybody made it a party issue, he did.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I rise, I guess, to respond, to say that that is not exactly what I thought he was going to say and I guess I am not surprised.

I did not take a look at the breakdown of the votes and I did not participate in the debate prior to the time that the roll call was requested. As I recall, and unless the record proves me wrong, it was the gentleman from Standish, Mr. Simpson, who requested the roll call. It was my impression throughout all the debate and what had transpired in this hall and at the other end was that the Chairman of the Elections Laws Committee, the Attorney General's Office has worked this out and that everyone was satisfied to the extent that they could possibly be satisfied.

It bothers me, and if for no other reason, I just feel a little bit chagrined to be a part of something like this. I have no intentions of fighting the motion to reconsider. I have no intentions of making a hassle out of this, but I do want to point out that if we are going to request roll calls on some of these issues, it obviously is going to end up looking like something and when the assistant majority floor leader ends up reconsidering right before, people are going to ask questions and I guess that is what I am doing.

The SPEAKER: The Chair recognizes the gentleman from Oakland, Mr. Brawn.

Mr. BRAWN: Mr. Speaker, Ladies and Gentlemen of the House: I am in the Republican party. No one ever said a word to me how to vote on this and if you notice how I voted both times, I voted exactly the same.

The SPEAKER: The Chair recognizes the gentleman from Camden, Mr. Hoffses.

Mr. HOFFSES: Mr. Speaker, Ladies and Gentlemen of the House: Perhaps in answer to the gentleman from Eagle Lake, Mr. Martin, the reason that the assistant majority floor leader asked for reconsideration is because he got onto his feet faster than I could.

I am a member of the Election Laws Committee. I heard all of the discussion of this particular matter and as far as I am concerned, it has not in the past, is not at this time a party issue. This particular bill pertains to one individual. From my observation I felt that the party concerned has every legal right to apply to the courts to have his guardianship removed or at least permitted to vote.

If we are going to pass this bill, we are opening the door for a great many people in this particular category and I do not believe that we want to open the door that wide. If this bill, which applies specifically to this one individual, wants to have his case reviewed, I believe that we have the proper channels today for him to do it and I firmly believe that if he does, that he will be given very favorable consideration because I, and I know that the rest of the members of the committee, were very much impressed with this gentleman and I believe that he could have consideration by the courts.

This is not a bill that I believe that we should be opening the door wide open and I do not believe that we should consider this a party issue. And I would reiterate what the majority floor leader has said, that if this has become a party issue, it has originated in the left-hand corner.

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

Mr. CONNOLLY: Mr. Speaker, Ladies and Gentlemen of the House: This is the very first bill that I have had that has come before the floor for a vote. I cannot quite understand the reasons that people have for voting against it

and when I get the roll call vote, I think my inclination is going to be to grab ahold of a few people who voted against the bill and to ask them why they voted against it. I don't understand it.

The gentleman from Camden said that this would only affect one person. Well, in debate if he was listening or if he had read the "Horseblanket", we pointed out that there were at least 475 veterans in the State of Maine who were not at Togus but out who would be eligible under this act. I just cannot conceive of the reason people have for voting against this bill.

Mr. Speaker, I would like to request a division on the motion to reconsider.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. O'Brien.

Mr. O'BRIEN: Mr. Speaker, I ask this be tabled for one legislative day.

The SPEAKER: The gentleman from Portland, Mr. O'Brien, requests that this matter lie on the table one legislative day.

Mr. Simpson of Standish requested a vote.

The SPEAKER: The pending question is on the motion of the gentleman from Portland, Mr. O'Brien, that this matter lie on the table one legislative day, pending reconsideration. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

65 having voted in the affirmative and 67 having voted in the negative, the motion did not prevail.

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

Mr. COTE: Mr. Speaker and Ladies and Gentlemen of the House: Maybe I don't understand this bill, but I heard Mr. Connolly, the gentleman from Portland, say that every time a person would want to vote they would have to go to see a psychiatrist to get permission, to get a paper signed by him. I know that psychiatrists you don't find on every corner and I felt it would disenfranchise people from voting. Maybe I don't

understand the bill and if this isn't the story, well, I am going to change my vote. I would like somebody to explain to me just what this bill does now without the amendment.

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

Mr. CONNOLLY: Mr. Speaker and Members of the House: In response to the question Mr. Cote posed, I would only say yes, this could turn out to be an expensive proposition for somebody who had to go to a psychiatrist several times. I would also like to point out that there are clinics that are available, mental health clinics that are available to people that need psychiatric help and a person in this position who wanted an examination to be able to vote would be able to go there if he was of low income or not able to afford it and be able to have the examination done free of charge and then would be able to vote.

The SPEAKER: The pending question is on the motion of the gentleman from East Millinocket, Mr. Birt, that the House reconsider its action whereby the House voted to recede and concur with the Senate. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

64 having voted in the affirmative and 70 having voted in the negative, the motion did not prevail.

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

Resolve Designating Lewiston-Auburn Bridge as "Louis Jalbort Bridge" (H. P. 366) (L. D. 481) (C "A" H-196)

Tabled — April 11, by Mr. Ault of Wayne.

Pending — Passage to be engrossed.

On motion of Mrs. Berube of Lewiston, retabled pending passage to be engrossed and tomorrow assigned.

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

Bill "An Act Authorizing City of Portland to Levy Local Assessments for Snow Removal on Sidewalks (H. P. 738) (L. D. 941)

Tabled — April 11, by Mr. Martin of Eagle Lake.

Pending — Motion of Mr. Emery of Rockland to accept Majority Report "Ought not to pass."

On motion of Mr. Emery of Rockland, retabled pending his motion to accept the Majority Report and specially assigned for Thursday, April 19.

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

Bill "An Act to Authorize Eleven New Regions and Central Aroostook County Region for Vocational Education." (Emergency) (S. P. 110) (L. D. 255) (S-56)

Tabled — April 11, by Mr. Simpson of Standish.

Pending — Passage to be engrossed.

On motion of Mr. Simpson of Standish, retabled pending passage to be engrossed and specially assigned for Thursday, April 19.

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

Bill "An Act Excluding Log Rafts from Carrying Life Preservers" (H. P. 1422) (L. D. 1746)

Tabled — April 11, by Mr. Briggs of Caribou.

Pending — Acceptance of Either Report.

The SPEAKER: The Chair recognizes the gentleman from Westfield, Mr. Good.

Mr. GOOD: Mr. Speaker, I move we accept the "ought not to pass" report.

The SPEAKER: The gentleman from Westfield, Mr. Good, moves that the House accept the Majority "Ought not to pass" Report.

The Chair recognizes the gentleman from Caribou, Mr. Briggs.

Mr. BRIGGS: Mr. Speaker and Ladies and Gentlemen of the House: I had not intended to speak on this bill. I was asked by one of my seatmates if I would take an interest in this and it is so sad to relate that he is no longer

here. I am proceeding to take a small interest in the bill.

What the bill attempts to do is to exempt log rafts from the urgency of having to carry coast guard approved life preserver devices on board.

Now, log rafts are ordinarily used for two generally specific purposes, both of them recreational. The first one I am sure most of you are familiar with. They are customarily enjoyed by ten-year old boys who pole the rafts along the front of the cottage that their parents reside in during the summer months. What young boy do you know who has not thrilled to the adventure of poling and navigating successfully a log raft along the shoreline or up some small wood's brook.

I wonder what we will be coming to ultimately in this instance. Will we be requiring them, for example, to carry on board ship-to-shore radio equipment and auxiliary power, oars and oarlocks, fire extinguisher or other silly superfluous items? Or will we allow this young romantic to be able to continue his pleasure of negotiating a log raft without these silly encumbrances?

The other use for which the log raft is customarily put is that of some fishing nut and I presume there are a lot of them among you. We find them almost everywhere and they walk into a wilderness pond and enjoy the use of a log raft for the purpose of angling for the wily speckled beauty so much prized here in Maine.

Now, it goes without saying, I am sure, that it is possible to fall off a log raft and drown, become drowned. As you are all aware it is possible to become drowned in various other ways, among them by filling a bathtub full of water, lying in it face down or standing in a ten-quart pail of water until you become drowned.

Most young navigators that I am familiar with have been swimming very capably for a number of years and I just hate to see them have to be encumbered by a United States Coast Guard approved life preserver on their log raft and I

can't help but wonder at who on earth is ever going to make the arrest of this ten - year - old youngster and what judge will prosecute him after the arrest is made.

It seems to me like a type of legislation that is entirely warranted and I hope the motion to accept the majority report will not prevail.

The SPEAKER: The Chair recognizes the gentleman from Southport, Mr. Kelley.

Mr. KELLEY: Mr. Speaker and Ladies and Gentlemen of the House: This bill to exempt log rafts would be in complete opposition to the federal regulations and our present state law and the reason for it is that many people use these log rafts fishing early in the season where your survival in water when it is cold is less than three minutes. You can't push a log raft ashore too easily or if you get out on it, you are in a rough spot.

The requirements for equipment is for a vest or a jacket that weighs less than one pound so it isn't really too bad a deal for somebody to lug it in and it could very well save their lives.

I am aware of the problem that people don't like to be encumbered with these things but to keep our laws uniform with the rest of the country and to protect the fishermen and some of the kids and so forth and so on, it is a good time to teach safety to the kids, and I hope that you will go along with the committee in accepting the majority "ought not to pass" report. Maybe the state is trying to be a little bit too much of a daddy to everybody but this is in thinking with national thinking and the thinking of many people in the state who are interested in boating safety, the power squadron, the coast guard auxiliary, everybody who has the information on this and anybody that has any doubt I suggest you go down to the watercraft registry and the safety department and get the figures on the number of drownings and the kind of craft that they were drowned from in the last few years.

The SPEAKER: The Chair recognizes the gentleman from Gardiner, Mr. Whitzell.

Mr. WHITZELL: Mr. Speaker and Members of the House: The item in question of carrying life preservers, I think for anybody that is reasonable, if you don't swim, that is a decision that is best left up to the individuals.

During the recent summer, on several occasions many of my friends and families wanted to take canoes down the North Branch River up in the Eustis area. Because of the fact that you could rent the canoe and the paddle and you couldn't find life preservers, we were considerably disconcerted with the matter that we would be breaking the law if we even attempted to take the canoes down the river.

Next we spoke to a game warden who told us, "Well, if I happen to see you and you happen to tip that canoe over, I can't do anything about it because, in fact, you would be considered swimming, not canoeing" This legislation is almost completely without serious guidelines in that the warden cannot possibly enforce it to the letter. He can pull up alongside of a power boat, true; but if in a canoe and some of these smaller items, for instance a raft where you could use it as a swimming platform, we would look rather silly in our swimming areas if we all had to wear a life jacket out to the raft away from the floats.

I would move indefinite postponement at this time for L. D. 1539 and all its accompanying papers.

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

Mr. MORTON: Mr. Speaker and Members of the House: I hope you will not vote to indefinitely postpone this bill because this bill changes the current law on the books and exempts logs, log rafts from the requirement of a life-preserver.

It seems to me that today in this day and age we are attempting to be too protective. We are attempting to create a vacuum that everybody is going to live in and we will suffer no risk. Now, I certainly think that the laws to

provide and require life preservers on sophisticated water craft that go offshore, high-powered boats, are very good and I think that they should be supported.

We are talking about log rafts here and I think the majority that use log rafts are the same people that Representative Briggs was talking about, the ten - year - old boys. I know that when I was a youngster, I can't r e m e m b e r whether it was five, ten, or twelve, a chap that I had been friendly with all my life and I built a log raft and he spent hours on that thing floating around on the pond and he enjoyed it a great deal and he never had a life preserver. He did know how to swim and this is one of the things I think we need to address ourselves to. People should use their heads. If somebody is going to take a log raft down into the surf or the water is just above freezing in the spring of the year and he doesn't have sense enough to take a life preserver aboard, then I think he probably should have his head examined. I don't think that the law is addressing itself to that.

Can't you just picture Tom Sawyer and Huck Finn out there on the Mississippi River and some long-armed minion of the law coming out and grabbing them because they didn't have a life preserver on their log raft?

Now, ladies and gentlemen, I think this is good legislation. Let's not indefinitely postpone it. Let's get it on to the books in the State of Maine.

Mr. SPEAKER: The Chair recognizes the gentleman from Southport, Mr. Kelley.

Mr. KELLEY: Mr. Speaker and Ladies and Gentlemen of the House: I would like to point out to Mr. Whitzell, the gentleman from Gardiner, that in his attempt to rent watercraft, it would be illegal for the owner of the watercraft to rent them without the proper life saving equipment and I do hope that we will go along and kill this bill because the requirements to carry life preservers are necessary.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: Having run a considerable amount of saw mills in my time and having many of these rafts and having fallen off them a few times myself and seeing how the children use these rafts around the pond in the neighborhood, I feel as though that I agree that this bill should be kept. I fell a few times off these and then when I returned to the surface the log raft was still there and I climbed back on it.

I think there is a difference between this and a boat. A boat tends to move away from you when you fall in, but a raft is so awkward it stays there. If you fall in, when you come back up it is still there and the chances of getting drowned from one—and I can see myself—I have walked into many distant ponds as much as eight or ten miles and I wound my fish line up and put it in my pocket. I didn't even lug a pole in there, I lugged a small can of worms and a small piece of line wound up and put in my pocket. I can't conceive of lugging way back into these far off remote ponds even a fish pole, let alone this life preserving equipment, and I do hope that we will beat this piece of legislation.

The SPEAKER: The Chair recognizes the gentleman from Gardiner, Mr. Whitzell.

Mr. WHITZELL: Mr. Speaker and Members of the House: Under a deluge of notes I found that my motion would seek to oppose that which I support, therefore I would withdraw my indefinite postponement motion.

Thereupon, Mr. Whitzell was granted permission to withdraw his motion to indefinitely postpone.

The SPEAKER: The pending question now before the House is on the motion of the gentleman from Westfield, Mr. Good, that the House accept the Majority "Ought not to pass" Report. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

31 having voted in the affirmative and 94 having voted in the negative, the motion did not prevail.

Thereupon, on motion of Mr. Briggs of Caribou, the Minority

"Ought to pass" Report was accepted.

The New Draft was read once and assigned for second reading tomorrow.

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

Bill "An Act to Increase the Authorized Bonding Limit of the Maine State Housing Authority" (Emergency) (S. P. 434) (L. D. 1339)

Tabled — April 11, by Mr. Finemore of Bridgewater.

Pending — Motion of Mr. Martin of Eagle Lake for roll call vote on emergency Enactment.

On motion of Mr. Kelleher of Bangor, under suspension of the rules, the House reconsidered its action whereby the Bill was passed to be engrossed.

The same gentleman then offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-207) was read by the Clerk.

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

Mr. KELLEHER: Mr. Speaker and Ladies and Gentlemen of the House: I offer this amendment to the L. D. that is before you this afternoon to increase the spending authority of the Maine Housing and Building Authority, by a hundred percent from \$20 million to \$40 million.

There has been a considerable amount of debate on this bill. There has been a considerable amount of work by various individuals concerning the bill and passage of it and against, to some extent, the proposal of this amendment.

I was here in the 104th when we created the Maine Housing Authority. We offered \$20 million then, which was about three years before they exhausted this amount of money. I feel that the request for \$80 million or the authorization to allow them to pick up bonds to the tune of \$80 million is too much. I believe that my amendment is reasonably sound. It is giving them a hundred percent increase over what they had four years ago and I would appreciate

the House if they would support my amendment this morning.

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

Mr. CAREY: Mr. Speaker and Members of the House: I have been toying with which way to go on this thing so this morning I slipped down to the library and checked on the report that was prepared in May of 1972, the Eagleton Institute out of Rutgers University for the Legislative Research Committee. And I found several things in that report which I know may be helpful to the members of the House in trying to make up their minds. I know that many of them are about in the same boat that I am.

But one of the things that was pointed out in that report said that the established agencies have found that it takes two to three years to be able to finance from three to five thousand units of housing per year. And this 5,000 at \$20,000 would come to the \$100 million that you are seeking.

The report continues and says that the Housing Authority has now marketed \$20 million in bonds at a relatively favorable interest rate of 5½ percent and can get directly into the housing market. They did have some comments to make on a demonstration project which used industrialized housing techniques, 16 houses that were built here in Augusta, and you will recall, those of you who were in the 105th, we had some questions about the sanitation facilities that came out of that housing. I don't know if those have been corrected at this time or not.

But this report did delve into the problems that were facing the Housing Authority. You recall, now they do have a new director which I personally feel is probably in the best interest of the Housing Authority. But there were several charges that were made that these people tried to answer. One was that the Maine Housing Authority had failed to build any low income housing at all. In checking that out, they found that this first charge is clearly true. There had been almost no low cost standard housing built anywhere in the

United States for that matter and given the rate of inflation and land and building materials and labor and everything it was impossible to build decent conventional standard housing anywhere in the country inexpensively.

They did have a charge that the Maine Housing Authority had squandered its resources on the illusive dream of modular housing. They make no big comments on that, except that it was something to try out. The Maine Housing Authority has no clear sense of overall goals and they made comment on this third point in regard to planning, it does not seem that the Maine Housing Authority has made either long-range coordinated planning or short-range program. They did say the Maine Housing Authority management has been timid and unaggressive and they did agree that this, in fact, was true.

The Maine Housing Authority is run by an empire builder and their comments on the charges four through six, which deal with three closely related issues, lack of aggressiveness, empire building and fragmentation of services are partially true.

So these are some of the things that I think you are going to have to take into account when you vote. In defense, they did say here in defense, Maine Housing Authority says that success in building housing depends on two factors, money from HUD and community acceptance of low, moderate, income housing which may or may not be reality. And some of you who live in smaller communities have rejected this type of housing. We do have it in the City of Waterville.

One of the problems that they obviously have is in the financing field. They did say that 5½ percent was a very favorable interest rate. However, they tack on a half percent for interest to builders in order to sustain itself. This is the Housing Authority, so that the lowest possible loan it can make is for 6 percent interest. But it goes even beyond this in that if they buy mortgages from the bank, they are paying one percent for the service of these mortgages and

they are already paying 5½ percent on the interest, then the lowest amount they can rent for is 6½ percent and the banks now are currently making conventional loans, 7 percent. It says FHA mortgages run at a total of 7½ percent.

This thing is full of information and it pretty much substantiates the fact that the Housing Authority should be allowed to grow at the rate Mr. Kelleher from Bangor is pointing out. Let it double itself now. There will be a special session as we all know, our regular special annual special session. They may have problems spending all of that \$20 million, but in the meantime I would certainly support the amendment as offered by Mr. Kelleher.

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

Mr. HASKELL: Mr. Speaker and Ladies and Gentlemen of the House: I would be in opposition to the amendment that is offered by my seatmate for one reason, that I feel the additional \$20 million probably would not carry through the next biennium and I think it would be unfortunate to have the Housing Authority in a situation where projects that are planned and are subject to funding by means of this vehicle would have to be held in abeyance for action at a special session.

I think what has happened here is that the pace with which the funding authority of this agency has been using is accelerating. I attempted to gather some figures that would substantiate this and I have been provided this morning with some figures on the growth of mortgages owed to the savings banks in the state which would be an indication perhaps of mortgage activity in the state.

It is interesting to note that from 1968 to 1971, the rate of increase was roughly somewhere in the area of \$50 million a year but from 1971 to 1972, we went from \$735 million to \$845 million. I think that people do recognize there is a very strong demand for housing in the state. I think we have here an agency that is starting to provide a very

valuable function to the state; namely, they are multiplying the mortgage money that is available for housing in the state by means of this Housing Authority.

Now in the hearing that we had on the bill, there was no testimony presented in opposition to it. The committee did investigate very thoroughly whether there was any involvement of state credit and we found there was none. We did look very carefully into the extension of lending authority and we found that at \$100 million lending authority, we would still be in the lowest of any of the states that do have housing authorities.

One third of the states that have these authorities have no limit whatever on the amount of bonds that they can issue. I would be against the amendment for the reason that I do not feel that the amount suggested is sufficient to carry it for the biennium. I think we would be in the position of inhibiting the growth of a very valuable agency and I hope that you will vote against it.

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

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: As a member of the Natural Resources Committee, I have often heard speakers before our committee who complain that the environmentalists and their environmental laws have stifled all economic growth in our state. We have even heard such statements made on the floor of this house. I am sure we will hear such arguments again and again coupled with the desperate and accurate plea that the people of Maine need jobs. The people of Maine do need jobs. We all know that.

The original measure before us today would help to provide far more jobs than probably any other measure that would be before us this session. The Maine Housing Authority has estimated that for every \$20 million they are given in loaning ability for stimulating new housing, 1,000 jobs will be created. This is based on the estimate that it takes one man-year of work to create one unit of

housing, a unit that can be assigned a value of \$20,000.

This bill calls for adding \$80 million in loan capability to the \$20 million that the authority now possesses. This could mean an additional 4,000 jobs.

To put this figure in perspective, testimony before our committee on the proposed Pittston Oil Refinery in Eastport indicates that some 300 permanent jobs would be created by the project and some 1,200 temporary construction jobs. No doubt, we will spend thousands of dollars debating the merits of the Pittston Oil Refinery and expressing the fears of its potential impact on our environment.

Yet, here today we have a bill that to my mind can have a far greater impact on our economy than any oil refinery that is not a threat to our environment, that means jobs to our people. There will certainly be an even more hollow ring to the claim that environmentalists are stifling the economy in Maine if we do not pass this bill in its original form and give the housing authority the full amount that it feels it can handle. I hope you will defeat the amendment and pass the original measure.

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

Mr. ROSS: Mr. Speaker and Members of the House: Raising the bond limit of the Maine State Housing Authority from \$20 million to \$100 million, as I said the other day, here in the State of Maine is rather an unbelievable figure. One hundred million dollars frightens me. Now I could say it is just like the MIBA or the MRA, although I realize they are not the same. Perhaps we don't guarantee loans; but if anything should happen, we in the state of Maine most certainly are morally responsible.

Now I asked people who are knowledgeable about this as to exactly where the money was going. I have a long list, it is very confusing. It shows that 19 banks are participating to the amount of \$19 million but I cannot find anywhere total projects totaling anywhere near this amount. I am still

hesitant to go from 20 to 100 in one jump. I certainly would think they would be satisfied to double their amount at this time and go to \$40 million.

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

Mr. GAHAGAN: Mr. Speaker and Members of the House: In reply to the gentleman from Bath, can I just make three points. One, that the credit of the state is not obligated by this authorization. Second, the only moral obligation that the state has occurs only if the mortgage reserve fund, which equals one year's principal and interest payment on all mortgages bought, is depleted. That, in my opinion, is very unlikely, as 80 percent of the mortgages initiated are 100 percent insured by federal government programs. The other 20 percent are either insured by private insurance programs or have minimal risk attached to them.

Thirdly, because real estate values are continually rising, in most cases the equity of the property secured will increase with each payment.

The housing authority is certainly in the best interests of Maine citizens. The rural poor are in desperate need of housing. The Maine Housing Authority will answer that need. Many of the federal programs have been cut off and I believe it is time for this state to begin to take the responsibility for seeing to it that these people are properly housed. I would urge you to defeat the amendment and support the bill.

The SPEAKER: The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Smith.

Mr. SMITH: Mr. Speaker, Ladies and gentlemen of the House: One more response to the gentleman from Bath, Mr. Ross. I have a complete projects list here in a folder on my desk. I would be happy to supply him with that.

I don't know as I can add anything that is new to what has already been said by the proponents this morning. I would add simply that many states that are rurally oriented like ours have bonding limits of either an

unlimited nature or that are much higher than even the hundred million dollars we are talking about.

I have some statistics here which indicate, for instance, from West Virginia, which has housing needs comparable to ours, has a bonding limit of \$130 million. Overall, the posture this state would be in if this limit were lifted to \$100 million would still be among the most conservative in the nation.

Our experience with the first \$20 million has been very successful, no defaults. We have a very strong staff now administering the housing authority. And I hope that together with the assurance that all of these — most of these are federally insured and coupled with the almost desperate housing need that we have in the state, that you will vote down or vote against the motion of Mr. Kelleher to limit this to a \$20 million increase and then vote for the \$100 million limit.

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

Mr. CAREY: Mr. Speaker, Members of the House: There are two points that should be made out here, I think, as well as one or two answers. Mr. Mitchell appeared before a Democratic caucus down below. He was asked specifically if, in fact, the state did have a moral obligation on these loans, and he could not deny that at all. He did say that we did have a moral obligation. I have always taken a moral obligation to mean the very next thing to being dedicated as such, paying for the thing. Now if you want the state to become the biggest mortgage holder in the state, then you are in favor of this bill. If you want to do it gradually, then you are in favor of this amendment.

Primarily this is, I thought, a banker's bill, because all we are doing, in effect, we are not going to be putting up any new buildings to speak of. All we are doing is going around to the different banks and buying up those mortgages which the bank has which has brought it close to its limit of lending, so that they can get back into the business of lending. And for that privilege of buying the

mortgages from the bank, the state has to pay 1 percent. We have already borrowed the money at 5½ percent, so we are adding another percent for the bank to service these mortgages.

One of the things that the Eagleton Report came up with is, and I will quote here, "Thus from what Eagleton's staff has been able to learn about Maine Housing Authority operations, most of the problems facing the agency are caused by two factors: First, the unavoidable necessity to obtain federal funds for low income housing —" and I think you have heard here and we know it for a fact in Waterville that federal funds for housing have been curtailed. The second is the delay on HUD's part in granting those funds.

Secondly, a policy decision required by the nature of the legislature to run the operation in a fiscal year conservative fashion. And that is exactly what I think some of us try to do in this legislature is try not to outstrip our own means.

They did have a section in here that said, "The federal government is likely to fund the Maine Housing Authority at the level of perhaps 100 to 200 units of low income housing per year for the foreseeable future." So why are we talking anywheres from 3,500 to 5,000 housing units if the federal government itself will only be involved from 100 to 200. I certainly think that the \$20 million increase doubling the present capacity of the housing authority is more than sufficient.

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

Mr. MARTIN: Mr. Speaker and Members of the House: I would like to respond and comment briefly about the Eagleton Report, since I was to some degree involved in the report. Basically, the purpose of the report was to determine whether or not the allegations made against the director at that time were founded and secondly whether or not the charge that low income housing could be constructed under existing laws or existing statutes. We, after a great

deal of study and determination, some people of both parties who are members of that Eagleton Committee responded in the negative to both questions. There was a great deal of concern about the director and some of those obviously crop up in the Eagleton Report.

The purpose of the report was not to determine what level of funding we were going to have. As a matter of fact, based on the fact that we are talking about 100 units per year, there is no—obviously, today when we talk about those, we are not even sure since the federal government is withdrawing at various times or is putting back at various times levels of funding. So that is very difficult to ascertain as to what that figure is going to be. So we should not plan on that figure at all.

I do think that if we want an orderly growth, the proper way is to do it the way the Appropriations Committee did. This would allow, over a period of time, a more proper perspective of the entire operation by the legislature and by the Appropriations Committee and, for that matter, by the Maine Housing Authority.

The SPEAKER: The Chair recognizes the gentleman from Presque Isle Mr. Dunleavy.

Mr. DUNLEAVY: Mr. Speaker, Ladies and Gentlemen of the House: I have a small interest in housing bills, I have a small bill of my own in on the Housing Rehabilitation Loan Act.

I would like to state that I support L. D. 1339 in its original form and I oppose the motion, not only because of the economic benefits which I believe will accrue from a \$100 million business, but because of the other benefits it will bring. I did some checking and I find that it will bring an increase in total property value throughout our communities. At the present average weighted tax rate of 36.37 per thousand dollars of local valuation, this bill in its original form will mean \$3.6 million to local communities in additional property tax revenue yearly. It will mean \$2.5 million in sales tax revenue from the sale of construction material.

It will mean several million dollars in state income tax annually from the salaries and wages paid for the development of this housing. Now these are many programs which can benefit our state in many different ways.

I urge you to vote along with me on this measure, as I believe it benefits all of the people in the State of Maine, to oppose Mr. Kelleher's motion and to support the original bill.

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

Mr. DONAGHY: Mr. Speaker and Ladies and Gentlemen of the House: I have been waiting for someone else to bring this up because this is not my cup of tea, the bonded debt of the State of Maine. But I think if someone on the Appropriations Committee is going to tell us about this, I think we should be made aware of it.

They say that we only have a moral obligation. But this moral obligation goes to the point that our Treasury Department has been told that the credit of the State of Maine which we have enjoyed for a great many years, triple A rating on bonds, is now in danger of being reduced. As a matter of fact, they have been advised on some of the bonds that they were about to issue they better hold back because of the climate in the country and the position that we in the State of Maine have been putting ourselves in over the past few years.

The total bonded debt of the State of Maine in 1958 was \$32 million. As of last June it was \$219 million. That is quite an increase, from \$32 million to \$219 million. Then if you look at what happened at that time still in June, there was an authorization for additional bonded debt of \$107 million bringing that up to \$327 million; that is over ten times what it was in '58. We have not gained ten times the number of people, our incomes have not gone up ten times, and yet our debt has gone up ten times. And then, last November, the people saw fit to add another \$18 million. So we now have \$345 million of bonded or

authorized debt, in addition to those on highway bonds.

The University of Maine that does not come under these regular bonds — the School Building Authority I meant to say rather than the University of Maine — and all this goes against the credit of the State of Maine including our moral obligations. I think that this amendment is to an organization that has been admittedly just a conduit for the bankers to get money at a lower rate of interest by selling their mortgages to the housing authority and then turning around and issuing new mortgages or loaning money, not necessarily for mortgages, at higher rates of interest, plus a service charge on what they are handling for the State of Maine. I think that we have gone way overboard on this housing authority thing and I would go along with Mr. Kelleher but no further.

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

Mr. LYNCH: Mr. Speaker, Ladies and Gentlemen of the House: I think if you will look at the interest rates on the housing authority bonds, you see reflected there that it is not a legal obligation of the state. And that is why the interest rate is higher than the direct obligations of the state.

I agree that the housing authority ought to have additional financing. There is a question in my mind as to what extent, but it should have some; because if you get into another credit crunch like the '69-'70, the state should have some availability to build housing in the state. The savings type institutions in a recession and the periods of high interest rates are not going to have the savings available for housing. The commercial banks will find other sources that will give them a much greater return than housing.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Sproul.

Mr. SPROUL: Mr. Speaker and Members of the House. I would like to point out rather emphatically that I do not believe that the bonded indebtedness of the

housing authority has any connection or relationship with the bonding indebtedness of the State of Maine. So I fail to see why people are trying to connect this.

I would point out also, Mr. Carey made the comment that funds are pretty well frozen at the present time so why do we need this money. I don't think any of us have the wisdom to know when this may break and when money may be available. But recently at a meeting in the Governor's office of the New England Regional Council, they pointed out that the trend in the nation has been going more and more to the housing authorities in those states which had functional, operational housing authorities and they did recognize the one in the State of Maine and indicated that it was doing a good job; thought they would lean in that direction; that more would go through the housing authority and less through the HUD office when new housing was available in the State of Maine.

I would also point out that there are many advantages under the federal law operating through the housing authority rather than through HUD directly. One big point I could mention to you specifically is the fact that under HUD you must have prior approval of all plans, even to the land site before you can even start excavating. Under the Maine Housing Authority you can have a project completely built ready to turn the key and then put "236" HUD funds on to it. This could turn out to be very critical while these funds are frozen. I can conceive of projects being underway and still qualify for "236" funding upon completion if they are done through the housing authority.

I fail to see why the legislature is so concerned in trying to regulate the speed at which the housing authority moves. I don't see the hazard involved myself since this is all out-of-state money and it has been pointed out about 80 percent federally guaranteed, the rest of it as reserves. I believe the bonds are being sold on a "buyer beware" basis. And if there are any losses, the bond owners

are going to suffer those losses, not the State of Maine.

So for that reason — I have one other reason I would like to put into the record. I believe that the bond market and the rates of interest could become very important here. If the housing authority had the latitude, they would be able to go into the market on the sales of their bonds when the market is right for an interest rate so that it might be favorable to them. This authority is going to have to pay its own way. I believe the members of the legislature must be pretty well convinced of that. If they want to regulate the speed they are going, they certainly want them to pay their own way and not appropriate more money for them. So they must do this on the markup of their funds. If they had the borrowing capacity and could go into the market when it is attractive, they could even turn around and deposit those funds in CD's and Federal Treasury notes and make a profit on those to stand their overhead expenses.

Mr. Briggs of Caribou presented the following Order and moved its passage:

ORDERED, that Rose Kennedy, Mark Hackett, Gary Michaud and Richard Smart of Caribou be appointed Honorary Pages for today.

The Order was received out of order by unanimous consent, read and passed.

The SPEAKER: The pending question is on the motion of the gentleman from Bangor, Mr. Kelleher, to adopt House Amendment "A" to L. D. 1339, An Act to Increase the Authorized Bonding Limit of the Maine State Housing Authority. All those in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

50 having voted in the affirmative and 74 having voted in the negative, the motion did not prevail.

The SPEAKER: The pending question is passage to be engrossed.

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

Mr. JALBERT: Mr. Speaker and Members of the House. It is very obvious that this measure when it finally comes before us will not receive the necessary two-thirds votes, it has an emergency on it.

Also, this bill here — the argument of moral obligation has been raised. I spoke to Mr. Mitchell. I commended him for his honesty because he said we did have a moral obligation. He went so far as to say that if the funds depleted in the authority, that they would have to turn to the state for help, which means just how do you define what a moral obligation is. I think frankly that the Appropriations and Financial Affairs Committee should find out just what the situation is on this thing before we go any further.

I know that this is different than the MRA, it is different than the MIBA but I do know one thing and for those of you who were here before when we raised the funds of the MIBA because we thought we would get that big contract that went to Litton, that it

could very well have been that the loan might have been made to the Bath Iron Works if they would not have gotten the contract and we could have found ourselves in a position of having a substantial sum amounting to millions, upon millions, upon millions of dollars on our hands. And that I don't want to happen.

I just say this, this bill is obviously headed for trouble when it comes to its enactment. So I would say that before that happens, in that I dislike tabling motions or tabling bills, whether they concern me or do not concern me, I would suggest very strongly that before you go any further you find out just where you are on this measure and table it, and I am only making a suggestion.

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

(Off Record Remarks)

On motion of Mr. Birt of East Millinocket,

Adjourned until nine o'clock tomorrow morning.