

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Sixth
Legislature*

OF THE

STATE OF MAINE

Volume III

June 6, 1973 to July 3, 1973

Index

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Tuesday, June 19, 1973

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

Prayer by Elder John T. Williamson of Freeport.

The journal of yesterday was read and approved.

**Papers from the Senate
Report of Committees
Leave to Withdraw**

Committee on Marine Resources on Bill "An Act Relating to Sale of Crawfish or Imitation Lobster" (S. P. 237) (L. D. 688) reporting Leave to Withdraw.

Came from the Senate with the Bill substituted for the Report and the Bill passed to be engrossed as amended by Senate Amendment "A" (S-244).

In the House, the Report was read.

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

Mr. GARSOE: Mr. Speaker, I move we substitute the bill for the report.

The SPEAKER: The gentleman from Cumberland, Mr. Garsoe, moves that the House substitute the Bill for the Report.

The Chair recognizes the gentleman from Gouldsboro, Mr. Bunker.

Mr. BUNKER: Mr. Speaker, I move we indefinitely postpone the Bill and all accompanying papers.

The SPEAKER: The gentleman from Gouldsboro, Mr. Bunker, moves the House indefinitely postpone this Report and Bill and all accompanying papers.

The Chair recognizes the gentleman from Cumberland, Mr. Garsoe.

Mr. GARSOE: Mr. Speaker and Ladies and Gentlemen of the House: I call your attention to L. D. 688 as it comes from the Senate whereby they did accept the bill or the report, amended it and have it here before us this morning. Maine is the only state in the union that has legislation of this type on the books.

I have here a letter from the Attorney General's office. In the first paragraph it very clearly

states, "For the reasons which follow, it is our opinion that this statute is constitutionally defective on its face." I am not going to give you the details of this opinion, but I would point out that in the event that we don't pass this legislation, this statute is obviously going to be challenged, and I would submit that with this opinion from the Attorney General, it very obviously will be found to be unconstitutional, therefore leaving the state of Maine without any protection.

Massachusetts is the only other state that has any type of legislation on the books that requires labeling of so-called crawfish species, and I think from the basis of logic and the Attorney General's opinion that we should give this legislation passage in order that they look at L. D. 688, that the sale of this species be allowed but that it also be required to be labeled. I would hope that you would not give your vote to the indefinite postponement of this legislation.

The SPEAKER: The Chair recognizes the gentleman from Stonington, Mr. Greenlaw.

Mr. GREENLAW: Mr. Speaker and Ladies and Gentlemen of the House: I very much support the motion of indefinite postponement made by the gentleman from Gouldsboro, Mr. Bunker, and I would like to say a few words about this matter. The Marine Resources Committee — I am sure the gentleman from Gouldsboro will agree with me as will other members of the committee — had agreed to give this a unanimous "ought not to pass." It was requested the bill be given a leave to withdraw, which we agreed to. Had I realized that the bill could have been substituted for the report, as it obviously has been done in the other body, I still think we never would have agreed to a leave to withdraw.

It is a very confusing issue. It is a confusing issue in the State of Maine because, as we all know, the lobster means so much to us. The opinion that Mr. Garsoe has referred to that he has received from the Attorney General is strictly an opinion and I do not

believe the committee or any member of this body has all the facts that are involved in this issue. If it is unconstitutional, if it is to be decided to be unconstitutional, I believe the courts are the place and I strongly urge you to support the indefinite postponement of this measure.

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

Mr. TRUMBULL: Mr. Speaker and Ladies and Gentlemen of the House: This bill should be passed today and the reason it should be passed is very simply this. If this isn't passed and it goes to court, what is going to happen is that there will be no laws regulating the labeling of crawfish and it will downgrade our product in the State of Maine where this product is very essential to the economy and, therefore, in order to protect the lobstermen, I feel it is very essential this bill be passed so that the name of the good Maine lobster won't be smudged.

The SPEAKER: The Chair recognizes the gentleman from Gouldsboro, Mr. Bunker.

Mr. BUNKER: Mr. Speaker and Ladies and Gentlemen of the House: May I have a roll call, please?

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

Mr. SHUTE: Mr. Speaker and Ladies and Gentlemen of the House: I would agree with the remarks of the gentleman from Stonington, Mr. Greenlaw, that the Marine Resources Committee had expected this bill would not be before the legislature again after we gave the sponsor the opportunity to withdraw it. Had I thought it would be, I would have signed it out "ought not to pass" instead of the leave to withdraw.

I think this bill is just an attempt by the Maine Restaurant Association to test the prohibition of the sale of crawfish in the state in the legislature here instead of the court system where it should be tested. I do not think it is the duty of the legislature to pass on the constitutionality of bills. That

is left up to the judiciary branch of our government.

If we pass this crawfish bill, it would be very easy for any restaurant owner to substitute crawfish for lobsters, and once the crawfish is out of the shell, it is rather hard to tell the difference between the two.

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

Mr. DAVIS: Mr. Speaker and Ladies and Gentlemen of the House: I wish to agree with the remarks of Mr. Shute and Mr. Greenlaw.

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

Mr. GARSOE: Mr. Speaker and Ladies and Gentlemen of the House: Opposition to this legislation is being put forth on the basis of protecting the lobster industry. There isn't a place in this country outside of the State of Maine where you can't buy rock lobster tails and we know the millions of tons of lobster, Maine lobster, that is being shipped out of this state every year. We know that in Miami the Maine lobster dinner commands a price of as much as \$20, right on the same menu where crawfish tails are sold in competition at \$5. So I don't believe that the lobster industry, given the situation today, needs this kind of protection.

I think that we should keep in mind that if we do refuse to bring this legislation in today, that we are throwing the lobster industry into the hands of challenging this law and if it is successful, there will be no need to label anything. I think this would be a detriment to the lobster industry.

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

Mr. MULKERN: Mr. Speaker and Ladies and Gentlemen of the House: I would like to concur with the remarks of the other members of the Marine Resources Committee. I think we should await for the decision of the court on this matter and I think this bill should be indefinitely postponed.

The SPEAKER: The Chair recognizes the gentleman from Bristol, Mr. Lewis.

Mr. LEWIS: Mr. Speaker and Ladies and Gentlemen of the House: As a member of the Marine Resources Committee, I certainly want to concur with our House chairman and others who support the indefinite postponement of this bill.

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 pending question is on the motion of the gentleman from Gouldsboro, Mr. Bunker, that this Bill and Report be indefinitely postponed in non-concurrence. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Ault, Baker, Berry, G. W.; Berube, Bither, Boudreau, Brawn, Briggs, Bunker, Bustin, Cameron, Carey, Carter, Chick, Chonko, Churchill, Clark, Connolly, Cooney, Cote, Cottrell, Crommett, Curtis, T. S., Jr.; Davis, Donaghy, Drigotas, Dyar, Emery, D. F.; Evans, Farnham, Farrington, Ferris, Finemore, Fraser, Gahagan, Genest, Goodwin, H.; Goodwin, K.; Greenlaw, Hancock, Hobbins, Hoffses, Hunter, Jackson, Jacques, Jalbert, Kelleher, Kelley, Kelley, R. P.; Keyte, Knight, LaCharite, LaPointe, LeBlanc, Lewis, E.; Lynch, MacLeod, Maddox, Mahany, Martin, Maxwell, McCormick, McHenry, McKernan, McMahon, McNally, McTeague, Merrill, Mills, Morton, Mulhern, Murchison, Murray, Najarian, Norris, O'Brien, Palmer, Pontbriand, Ricker, Rolde, Rollins, Ross, Santoro, Shaw, Shute, Silverman, Smith, D. M.; Smith, S.; Snowe, Soulas, Sprout, Stillings, Susi, Talbot, Tanguay, Theriault, Tierney, Trask, Tyndale, Walker, Webber, White, Whitzell, Willard, Wood, M. E.

NAY—Binnette, Bragdon, Brown, Carrier, Dow, Dunleavy, Dunn, Fecteau, Flynn, Garsoe, Gauthier, Good, Hamblen, Haskell, Henley, Immonen, Kauffman, Lewis, J.; Morin, L.; Morin, V.; Parks, Perkins, Peterson, Pratt, Sheltra, Simpson, L. E.; Trumbull.

ABSENT — Berry, P. P.; Cressey, Curran, Dam, Dudley, Farley, Faucher, Herrick, Huber, Kilroy, Lawry, Littlefield, Strout, Wheeler.

Yes, 106; No, 28; Absent, 16.

The SPEAKER: One hundred and six having voted in the affirmative and twenty-eight in the negative, with sixteen being absent, the motion does prevail.

The Chair recognizes the gentleman from Addison, Mr. Davis.

Mr. DAVIS: Mr. Speaker, would it be in order to reconsider?

The SPEAKER: The gentleman from Addison, Mr. Davis, moves the House reconsider its action whereby it indefinitely postponed this Bill and Report. All in favor of reconsideration will say yes; those opposed will say no.

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

Sent up for concurrence.

Ought to Pass in New Draft Later Today Assigned

Committee on State Government on Bill "An Act Relating to the Maine Industrial Building Authority" (S. P. 558) (L. D. 1722) reporting "Ought to pass" in New Draft (S. P. 667) (L. D. 2033) under New Title "An Act to Create the Maine Guarantee Authority and to Amend the Maine Industrial Building Authority and Maine Recreation Authority Statutes."

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Senate Amendment "A" (S-242).

In the House, the Report was read.

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

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: I am diametrically opposed to this bill. However, I am willing to let it have its first reading because I have an amendment which I hope

to present at the second reading. And I would tip the House off ahead, I hope to take very drastic action concerning the MIBA and MRA.

Thereupon, the Report was accepted in concurrence and the New Draft read once. Senate Amendment "A" (S-242) was read by the Clerk.

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

Mr. SIMPSON: Mr. Speaker, through the Chair, may I pose a question to the gentleman from Bath, Mr. Ross. Is it his intention to amend the bill or to amend the Senate amendment?

The SPEAKER: The gentleman from Standish, Mr. Simpson, poses a question through the Chair to the gentleman from Bath, Mr. Ross, who may answer if he wishes.

The Chair recognizes that gentleman.

Mr. ROSS: Mr. Speaker, it is my intention to amend them both.

Thereupon, on motion of Mr. Simpson of Standish, tabled pending the adoption of Senate Amendment "A" and later today assigned.

Order Out of Order

Mr. Willard of Bethel presented the following Order and moved its passage:

ORDERED, that Jeff Hastings, Chuck Hurd, Tony Butters and John Feeney of Bethel be appointed Honorary Pages for today.

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

Non-Concurrent Matter

Bill "An Act Establishing the Office of Constituent Services" (H. P. 427) (L. D. 576) which the House passed to be engrossed on June 15.

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

In the House: On motion of Mr. Rollins of Dixfield, the House voted to insist and ask for a Committee of Conference.

Non-Concurrent Matter

Bill "An Act Authorizing Plus New England Service of Maine, Inc. to Confer Associate Degrees" (H. P. 907) (L. D. 1195) which

the House passed to be engrossed on June 8.

Came from the Senate with the Bill passed to be engrossed as amended by Senate Amendment "A" (S-240) in non-concurrence.

In the House: On motion of Mr. Murray of Bangor, the House voted to recede and concur.

Non-Concurrent Matter

Resolution Proposing an Amendment to the Constitution Changing the Tenure of Office of Senators to Four-year Terms (S. P. 492) (L. D. 1557) which the House indefinitely postponed on June 15.

Came from the Senate with that Body adhering to their action whereby they passed the Bill to be engrossed.

In the House: On motion of Mr. Simpson of Standish, the House voted to adhere.

Orders

On the disagreeing action of the two branches of the legislature on Bill "An Act Relating to Psychotherapists and Patient Privilege" (H. P. 1226) (L. D. 1601) the Speaker appointed the following Conferees on the part of the House:

McTEAGUE of Brunswick
NORRIS of Brewer
PERKINS
of South Portland

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

Mr. SMITH: Mr. Speaker, is the House in possession of Senate Paper 664, L. D. 2020?

The SPEAKER: The Chair would answer in the affirmative. The House is in possession of L. D. 2020, Bill "An Act Making Capital Construction and Improvement Appropriations from the General Fund for the Fiscal Year Ending June 30, 1974," which failed of final enactment yesterday.

Mr. SMITH: Mr. Speaker, I would move we reconsider our action whereby this legislative document failed of enactment yesterday.

The SPEAKER: The gentleman from Dover-Foxcroft, Mr. Smith, having voted on the prevailing side, moves that the House reconsider its action whereby this Bill failed of passage to be enacted yesterday.

The Chair recognizes the same gentleman.

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: I think there were numerous reasons why many of the individuals in this House voted against this measure yesterday. I know that there was one very large group that was interested primarily in getting an overview of what the financing of the state was going to look like before the end of this legislature. They wanted that overview because they wanted to be assured that there would be money enough left over for property tax reform. I was one of those who were confused. Even though I sit on the Appropriations Committee, I did not have a firm idea until yesterday afternoon of exactly where we were financially. But now I am convinced that if it is the will of the legislature, that we can pass this capital construction budget. And even taking the most conservative revenue estimates over the next biennium can find the money for property tax reform. I firmly believe that. I worked all last weekend and all yesterday afternoon to make that determination.

Secondly, I would like to point out that this is an excellent capital construction program. One of the reasons why we are funding it in this particular way is to save the state a considerable amount of money on interest.

The final point that I want to make is that we are going to pass it anyway, because if we don't pass it in the House with the emergency preamble on in, it is going to the Senate, the emergency preamble is coming off and it is going to come back here to the House and there are the votes to pass it with a majority. That would put much of the construction off and we would not have the capital construction program going in the summer months. To

me, that would be an unsensible kind of move.

So I hope this morning that you will go along with me and allow this capital construction budget, on the assurance there will be money for the property tax reform to go to final enactment.

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

Mr. SUSI: Mr. Speaker, Ladies and Gentlemen of the House: The gentleman from Dover-Foxcroft, Mr. Smith, is a member of the Appropriations Committee, and I think it is quite clear to us that this morning Mr. Smith is speaking in behalf of the Appropriations Committee, and he has made a plea for passage of its capital construction budget and has given us the reasons why in his mind and in the minds of the members of the Appropriations Committee we should take that action and pass that capital construction budget this morning. They are convincing reasons and I buy them. But as a part of his presentation as a member of the Appropriations Committee and speaking in their behalf, he has made an assurance that there is funding for property tax reform in this session, and that is a commitment so far as I am concerned, in behalf of the Appropriations Committee for funding for property tax reform now in this session. Those facts were stated clearly to us just a moment ago. If anything is different from that I would like to hear it explained.

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

Mr. JALBERT: Mr. Speaker and Members of the House: The gentleman from Dover - Foxcroft, Mr. Smith, is a member of the Appropriations Committee. He voted against this measure yesterday. I have not talked to him about it since yesterday. I have not discussed anything concerning finances of the State of Maine since he voted in this way in the past as he did yesterday.

I am a member of the Appropriations Committee. I am speaking on this bill. I am not speaking on

tax reform, I am making no commitment on tax reform. When this bill came before the Appropriations Committee, I was against it for several reasons. The two big reasons were the garage and the office building. When it was shown to me that the garage would pay for itself, they would change, where it was pointed out to me that the building would be housed by dedicated revenue agencies and would pay for themselves, that changed my mind considerably because those two items added a great deal to the thinking that I had.

Added to these reasons, I think the gentleman from Dover - Foxcroft stated practically what I stated yesterday, although probably more in detail. This thing here would come back without an emergency preamble. It would mean a whole summer without any advantage of the present costs which would be higher later on and also the materials, which would leap almost 30 percent.

Insofar as I am concerned, however, referring myself to the remarks of the gentleman from Pittsfield, Mr. Susi, I am voting for this thing. I am making no commitment whatever as far as tax reform is concerned. I will have my remarks to make when the tax reform bill, or whatever the title is, is before us. Presently we have before us L. D. 2020; that is what I am speaking of and that is what I am going to vote on.

The SPEAKER: The Chair recognizes the gentleman from Sabattus, Mr. Cooney.

Mr. COONEY: Mr. Speaker, Ladies and Gentlemen of the House: I am fairly confident that the reconsideration motion will pass, and I have been told that some of those who have been opposing the capital construction budget have switched their votes. I sincerely hope that is not the case today. It is my belief that until property tax reform is passed and on the Governor's desk, this measure should lay on the table or not receive final enactment.

Yesterday, in the joint caucus, the chairman of the Appropriations Committee distributed to us some informational sheets, and I be-

lieve they are on all of your desks if you didn't get them yesterday, and using his estimates or the Legislative Finance Office estimates, if we pass a capital construction budget, it is very possible that there are only ten to fourteen million dollars left in the till for reform.

Now, the gentleman from Dover-Foxcroft has assured us the money is there. Well, the chairman of the Appropriations Committee indicated to us yesterday that it probably wasn't there, even though he said he is for property tax reform. So I guess I would have to ask what is the rush? Why are two or three days so important on this capital construction budget? I, frankly, have a couple of reservations about the budget, I am sure all of you do, but I am willing to vote for it but after I see that property tax reform is taken care of.

Something really kind of disturbs me about the comments of the Appropriations chairman and its membership. And they say to us, if we don't pass this today, it is going down to the Senate, and they are taking the emergency off, and they are going to hammer this thing through here whether we like it or not. I suppose maybe that is true, maybe there are a majority of us who feel that there is a project in our area that we just can't vote against. But I think the people at home are smart enough to realize that those of you who oppose this budget today may not be opposing it tomorrow, that you know the only way that you can talk to leadership or one of the only ways is through holding up things like this until you get the priority reform that is so important.

Now, I see that to be the facts. Nobody has shown me that there is \$27 million in the treasury, and even if they did, I wouldn't trust them, because I can see from the information they pass out to us that it may not be so, and I don't want to find myself here next week finding out that the money just isn't there, capital construction has been passed, but property tax reform just can't get funded. So I say let's get our priorities

straight, let's pass tax reform first and then pass capital construction. That is where the priorities are.

So I hope very much that you maintain your stand of yesterday, that you do not yield to the threats of the chairman of the Appropriations Committee or to the other members, that you answer the needs of your constituents, and let's pass property tax reform first.

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

Mr. JALBERT: Mr. Speaker, Members of the House: I do not know what stops me from reaching into my pocket and reading a letter that is two years old that is burning a hole in my pocket when we talk of trust. Some track records about trust are not as high as others.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I never thought that when I voted favorably on the amendment that was offered by the gentleman from Sabattus the other day dealing with a garage, that I would end up his feeling perhaps that he now reached the point where those supplied necessary votes to pass or kill anything. That is an issue which I voted for, that I thought we could probably postpone. I lost and he lost, we have to view the battleground as somewhat different, as that being part of the bill, and that is where it ought to stay. I have always believed that the majority ought to have the right of determination of their own course, even though I may not agree with it. As long as my rights are protected, I am going to abide by the will of the majority.

I am concerned about the remarks in terms of talking to leadership. I have never ever thought that I was closed and wanting to listen to individuals. I feel strongly on the issue of property tax reform — and I think if you take a look at my voting record, you will find that I view property tax reform as one of the most important things this legislature can do, and it ought to be done now, and it ought not to be postponed. As

a matter of fact, one of the recommendations that I made to the Governor was that if this legislature should go home without it, then maybe what he ought to do was to reconsider bringing us back by a call and asking us to deal with one single issue, property tax reform. That is how strongly I believe in it, that is how strongly I believe we have the money to do it, and that is how strongly I believe that it can and it ought to be done this time.

Now, in reference to money, we talk about money. We are bound to get ourselves involved in the estimates of the various departments, whether it is the budget office or anyone else, and I can assure you, that taking the most conservative estimates — never mind taking the most liberal — but if you take the most conservative estimates that were given to us, that the money is there.

It is possible that we may need to fund some of the school construction that we originally had intended to fund from surplus, we may have to do what we have done for the past seven or eight years and put that out to bonding. But this is a procedure that we have used over the last nine or ten years that I have been here. If we were to use the worst estimates, the most conservative estimates, and use the funds that presently are in the budget to be taken out of surplus dealing with school construction, then the money is there and it is all there for property tax reform without any other problem at all.

I want to assure you that if people want property tax reform, that the issue that is going to kill property tax reform is not the lack of money, because the money is there if we want to do it, and that, basically, is the issue.

Now, as to what do we gain by postponing our action by supposedly hanging a club over leadership, by supposedly attempting to intimidate me or anyone else. That won't bother me, because my feelings don't get hurt very easily now, but I can assure you that my commitment is strong and my commitment is there, that whatever I can do for property tax

reform I intend to do. If the majority of this body feels strongly about it, then we are going to do it, it can be done.

The chairman of the Appropriations Committee of the other body has indeed indicated that the money is there. The point that he has made, though, is a valid one; that if we enact it, whatever plan we enact, we have to be sure that at some point it is going to cost money and we shouldn't kid ourselves, and that is the realization that he wants us to face.

The capital expenditure program as we have outlined here today is an approach which we can take. It is true that we can bond such a thing as a parking garage, and we can bond such a thing as a state office building. But also keep in mind that a state office building has gone twice to the people, and they are concerned about what we are doing with it. Unfortunately, we have never been able to bring to the public the true facts. The true facts for example, that we are paying between half and three quarters of a million dollars in rent, and if the public were to know that, and they would understand that, they would say very simply, yes, that building has got to be constructed. But do you realize that the amount of rent that we pay and the cost of this building could very quickly pay for the cost of the building, regardless of what self-dedicated revenues are going to do in terms of having to pay the rent of it. That is the fault of, I suppose in part, ourselves for not informing the public the way we ought to. I don't know how we would ever resolve that unless we had our own press agent, then we would all be running for governor.

I think seriously when you look at this program and you take a look at what is in it, you take a look at what has to be done in this state, that this is a step in the right direction.

Now, some people say, well, all right, we can pass it without the emergency. No one should get disturbed that this is done, if it is done, because this is nothing new around here. It is always done when you haven't got the votes,

when a majority of the people want something, then it is done in that fashion. As far as I am concerned, I want you to feel that my commitment remains the same on property tax reform, that it is not going to change. I can assure you the money is there, and if the votes are here to pass property tax reform, it can be enacted this session.

The SPEAKER: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker and Members of the House: I want to say in the beginning that I agree with the original remarks of the gentleman from Dover-Foxcroft, Mr. Smith, that the smart procedure would be to reconsider, and vote again on this capital construction budget. If it makes sense to pass it, it makes sense to pass it as an emergency measure so that construction can get underway this session. I agree with him that if we don't pass it as an emergency measure, in all probability we will pass it as without the emergency. I hope we will not have to do that.

The real reason that I got up here was to make very clear my position with regards to the implications that the gentleman from Pittsfield, Mr. Susi, extracted from Mr. Smith's remarks. So far as I know, it never has been discussed within the Appropriations Committee as to whether or not there was money outside of this area for tax reform one way or another, and I do not profess to have any knowledge.

The gentleman from Eagle Lake has assured you that he knows of other areas where money can be found. I know nothing about that either, but as far as I am concerned, I don't want the gentleman from Pittsfield, Mr. Susi, to imply that I, as a member of the Appropriations Committee, have made any commitment whatsoever with regard to there being other monies available outside of this. I know nothing about it, and when the time comes, I will vote my convictions on that just the same as I am today going to vote what I think is a sensible solution of

this problem, and I will handle the other one as it comes along.

I am making no commitments along the ground — I have made none and am making none along the ground that Mr. Susi's remarks imply.

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

Mr. HASKELL: Mr. Speaker, Ladies and Gentlemen of the House: I simply want to reinforce the remarks just made by Representative Bragdon. Certainly, I think it is not the case that Representative Susi can imply that because figures have been supplied that are the best estimates available of what the situation might be if and when we have to fund the property tax reform, that implicit in this is a commitment on the part of the Appropriations Committee to fund it.

The information that was given at the caucus yesterday are sound figures in my judgment, and I would concur with Representative Smith that it seems to me that it is within the area of reasonable conjecture that we can fund one of these property tax relief bills with available money in this biennium.

I think that we also have to recognize that when we move in to the next biennium, that the increase in costs that are involved here and in other areas of state government, that it is almost a foregone conclusion that we are going to have to have a substantial tax increase either in income tax, sales tax or some combination. I think this is the point that was made very strongly at the caucus yesterday, and I think that those of us who attended it are aware of the financial implications if we do move ahead with property tax reform.

Now, I think it is unfortunate that at every session in the closing days we get involved in this game-playing with budgets. The Appropriations Committee, very naturally, would like to see the capital budget passed, passed as an emergency measure. The alternatives that are open to us I think are well known to all of you.

An amendment has been offered on the budget. The amendment was defeated. The other factors that have influenced people to vote against it are concerned with this game-playing that I have described. We are shortly going to be coming out with a supplemental budget which I suppose will again be subject to the same amount of game-playing.

So, I guess it really boils down to how much time you want to spend here. Certainly, nobody on the Appropriations Committee is anymore feverish to get out of here than any of you, and if you want to play games here for two or three weeks, I suppose we can play it. On the other hand if you want to quit tossing this capital budget around, vote for it this morning, get this out of the way and into the other body where they may or may not play games with it, that is a decision really that you have to make. In my judgment, I think we have kicked this one around long enough.

I hope you do vote to reconsider. I hope you do give votes enough to pass it on an emergency basis this morning, and then we can get ready, I suppose, for another round of the supplemental budget.

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

Mr. COTE: Mr. Speaker, Ladies and Gentlemen of the House: Yesterday I voted against 2020, and today I am going to vote for reconsideration, and I am going to vote for the bill.

The reason I voted against it yesterday, because a few years back when we voted a new state office building, I asked one question at that time, and it was this: If in the future we should need more office space, could we add a few stories to our present building, and I was told yes. And for some reason or other since that time, it seems that the way that the building was built, that the structural steel will not take two or three more stories, so we need a new building.

So I am going to vote for this bill today. I think we need a new building. I think we need especial-

ly the parking space around here. So I think this should be passed as an emergency.

Now, somebody brought out here about the tax reform package, which we have three bills still alive, I imagine. But I resent very much using another bill trying to bend somebody's arm in order to restrain him from passing a bill or not passing a bill. It seems that every time we talk about something, someone pounces upon another issue. I think this is very wrong. I don't think that we should condone these things. I think it is very wrong to use one issue to try to push another issue through.

So I hope this morning that everyone will vote for reconsideration of this bill and that we pass this as an emergency.

The SPEAKER: The Chair recognizes the gentleman from Sabattus, Mr. Cooney.

Mr. COONEY: Mr. Speaker, Ladies and Gentlemen of the House: Mr. Cote has said he doesn't like using this bill to threaten another bill, but if this bill is where the money is that might be necessary for property tax reform, then we have to do something with it.

The chairman of the Appropriations Committee has said, "well, if you don't pass this today, we could be around here for another two or three weeks." I don't believe that and I don't think you do. It is possible, but I don't think we have to be here around two or three weeks to get this bill and property tax reform passed.

Here is where I see the problem coming. They say to us this morning that we can pass property tax reform in this session. And Mr. Haskell just said that he felt that property tax reform would take new taxation. And Mr. Bragdon told you that he didn't know where the money was to fund property tax reform in this session. I think what they are telling you is that we are going to pay for capital construction out of the money we have got right now, and then we are going to have to come up with some more taxes to pay for reform. I don't know how else to interpret it, and I don't want to risk that course of action. I say, we take

property tax reform out of the money we have in the till, then if we have money left over, and I am assured by Mr. Smith that we do, then let's fund capital construction. That is the order we ought to take these things in. I am sure that if you went home and asked the people in your district, that is what they would tell you.

One question has not been answered by those who have spoken and that is why can't the capital construction budget sit on the table from day to day until we have taken care of property tax reform?

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

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: I would like to reiterate a couple of things I said earlier. The gentleman from Perham, Mr. Bragdon, indicated that he really didn't have a very firm handle on exactly where all the money was, the state treasury and what was going to happen over the next two years. Well, that was exactly the condition and state that I was in Thursday afternoon, Friday and Friday afternoon, and actually up until yesterday afternoon. But ever since last week I have been making a very determined effort to understand for the first time exactly what the finances of the state did look like. And I wanted to determine in my own mind that if we took the most conservative approach as far as revenue estimates go, as far as surplus goes, as far as all the other things that go into the pot to determine the overall financial state of this state, could we then fund property tax reform, school finance reform in the second year of the next biennium? I have determined in my own heart, my own mind that it is possible. It may take a little juggling; it is all right. The money is there.

We have done some extraordinary things already this year. For instance we have taken \$10 million for school construction which we ordinarily bond, and we are paying for it out of cash on hand. We may have to go back and pick up a little bit of that and bond part of it with the most conservative revenue estimates. I think that the

money is available without doing that.

I know that if the will of this legislature is to pass property tax reform that it can be done. I am standing here talking on that subject, that being the most important thing to me personally in my short legislative career. I am sure that some of you remember some of the things that I said two years ago. I am sure you realize how important it is to me.

There is no question in my mind, also, that this is a good capital construction program. It meets the minimum requirements of the state. This is the time to do it the cheapest, and by doing it now we are going to be doing future generations of taxpayers a favor.

I think we can pass property tax reform, I think we can keep face on this capital construction budget, and I think we can do it now. I certainly hope that you will go along with my motion for reconsideration and pass it for enactment.

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

Mr. JALBERT: Mr. Speaker and Members of the House: This morning, because I am a member of the Appropriations Committee, because this is not my bill, I asked several people who voted one way to change their minds today. I did not mention to any one of them that I was involving this with property tax reform, and I want them to know that right now. When the property tax reform measure comes up I will have my say on it at length, in detail, work that I have done for weeks on it. I did not make one comment as to whether we have money or do not have any money. I just spoke for the reasons that I stated to you before.

Now as far as saving, however, this money here, in using this money out of surplus, to apply it to something else of a recurring nature is about the worst type of government that I could ever see in my life. Because if you did that, what would you do to pick up the twenty-two or twenty-three million dollars two years from now? You would find yourself with a surplus

gone and you would find yourself having voted the money for recurring items out of surplus, which is just not done.

I like to go into figures. The remark was made just a few minutes ago by a learned member of the House in the back concerning itself with tax on the interest on this program. So I took this figure of \$22 million at 5 percent—over the 20-year period, the first year's interest alone would be \$1,100,000. It goes on to ten of \$600,000 and down to the year twenty of \$55,000 for a total of \$11,550,000 and that is another reason for my voting for this measure.

But as far as any property tax reform is concerned, whether we do or we do not have the money I want to make it clear that I did not speak nor am I speaking now in that area at all. I will speak about that when I get to it. I had my reservations on this measure; my reservations were cleared up. I was convinced this was the proper course to take. I gave my reasons why I took that course. I will give my reasons why I am taking the course as far as other bills are concerned when they come up. I concur with the remarks in that area of the gentleman from Lewiston, Mr. Cote.

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

Mr. SUSI: Mr. Speaker, I move this item be tabled until later in today's session and I request 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 pending question is on the motion of the gentleman from Pittsfield, Mr. Susi, that this matter be tabled until later in today's session pending reconsideration. All in favor

will vote yes; those opposed will vote no.

ROLL CALL

YEA—Ault, Berry, G. W.; Berry, P. P.; Berube, Bither, Briggs, Bustin, Connolly, Cooney, Donaghy, Dow, Evans, Ferris, Gahagan, Gauthier, Goodwin, H.; Goodwin, K.; Hancock, Hobbins, Kelleher, LaPointe, McHenry, McKernan, McMahon, Parks, Peterson, Pratt, Smith, S.; Susi, Tanguay, Whitzell.

NAY—Albert, Baker, Binnette, Birt, Boudreau, Bragdon, Brawn, Brown, Bunker, Cameron, Carey, Carter, Chick, Chonko, Churchill, Clark, Cote, Cottrell, Crommett, Curtis, T. S., Jr.; Dam, Drigotas, Dudley, Dumleavy, Dunn, Dyar, Emery, D. F.; Farnham, Farrington, Faucher, Fecteau, Finemore, Flynn, Fraser, Garsoe, Genest, Good, Greenlaw, Hamblen, Haskell, Henley, Hoffses, Hunter, Immonen, Jackson, Jacques, Jalbert, Kauffman, Kelley, Kelley, R. P.; Keyte, Knight, LaCharite, Lawry, LeBlanc, Lewis, E.; Lewis, J.; Littlefield, Lynch, MacLeod, Maddox, Mahany, Martin, Maxwell, McCormick, McNally, McTeague, Merrill, Mills, Morin, L.; Morin, V.; Morton, Mulkern, Murchison, Murray, Najarian, Norris, O'Brien, Palmer, Perkins, Pontbriand, Ricker, Rolde, Rollins, Ross, Santoro, Shaw, Shute, Silverman, Simpson, L. E.; Smith, D. M.; Snowe, Soulas, Sproul, Stillings, Talbot, Theriault, Tierney, Trask, Trumbull, Tyndale, Walker, Webber, Wheeler, White, Willard, Wood, M. E.

ABSENT—Carrier, Conley, Cressey, Curran, Davis, Deshaies, Farley, Herrick, Huber, Kilroy, Shelta, Strout.

Yes, 31; No, 107; Absent, 12.

The SPEAKER: Thirty-one having voted in the affirmative and one hundred seven in the negative, with twelve being absent, the motion does not prevail.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I suspect that by some of you I am considered one of the conservative members of the House which probably would be the right estimate.

Yesterday I didn't vote on this measure, I felt like a little boy lost in the forest. This morning I had a chance to sleep on it and give it some thought. I feel like a little boy now standing by the sea and watching the incoming tide.

I see it this way. I have sat here and voted against many measures that employed new personnel for the state and they passed. Obviously that is the wish of the majority, and now I am old enough to realize, been in business long enough to realize that if you want to hire these people you can't put them to work on the street, therefore, we are going to have to house them. With this in mind I know that we can't send this out in a bond issue to the people because they will vote it down, they have before. So that is not an alternative. So I find myself in a position this morning, as conservative as I may feel and against these monstrosities being built around us as I feel, there is nothing I feel stronger about, I feel that this morning I do have to go along with this building this capital construction, because it seems to me at this point there is no alternative.

If you people insist in hiring all of these people and expanding government, centralized government so to speak, I know the people of the State of Maine in general are not for centralized government, they are not for more government, but if you people are and you are going to hire these people, there are some awful rainy days they can't sit on the street, you will have to build a building for them. And so for some of these reasons I feel compelled this morning, like I would if I were standing by the sea coming in, you got to run or swim or something, this is the position I find myself in. This morning I feel as though that I am compelled by the votes you have taken in the past to hire these people. I now feel that I am compelled to go along with you and find a roof to put over their head, and they will have to have typewriters, automobiles when it comes time and all these other

things, and probably I will be forced in some way to go along with these subjects.

So this morning I do think you would be showing good judgment in view of what you have already done. You have got yourself in this position where you have almost no other alternative. If there was one I would have it; I thought about it all night. I didn't even vote yesterday, so I hope you reconsider this morning and I think it is the best move for even people that are a little bit conservative minded, even those people who don't want to centralize government, and I do feel strongly about tax reform. I will deal with that matter when it comes along. But I think this morning the best move is to go along and reconsider and pass this capital construction bill.

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

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: We in Maine now enjoy a triple-A financial rating. The main reason for this is, prior to 1955 we always used our surplus monies to build buildings and had almost no bonded indebtedness. Since then, we have built everything out of bonds. We have approximately \$163 million worth of bonds outstanding, not counting the highway bonds. We pay an interest on these of approximately \$10 million per year. I don't know but we may be on the verge of losing our excellent financial rating. But now this year I was delighted to see us go back to building buildings out of surplus. This is a one-shot payment. It is not repetitive, and it certainly is a logical way to spend surplus.

Thereupon, Mr. Martin of Eagle Lake requested a roll call vote on the motion for reconsideration.

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

Mr. SIMPSON: Mr. Speaker, Ladies and Gentlemen of the House: I am sure the gentleman from Sabattus is well aware now of the political process around here and I hope that all of you are aware that we, I hope, are in our last

week or very easily could be. If we start delaying the process just to take and play games with a few bills around here, I would assure you as one member of leadership that we will put a vote on everything that comes up and whether it passes or whether it doesn't we will go out of here.

Now if we want to start talking about property tax reform and we want to start to use a measure like this to do it, I would suggest that a long time ago he brought his amendment in to try to put this out for a bond issue and then we could have taken care of it. Evidently the people who would like to use this as a method of funding property tax reform felt that the votes weren't there to put it to a bond issue. Therefore, we have got it right here in the enactment stage and I think it is time that you make a real good, firm decision right now whether you want to start putting the votes on the board to get us out of here or not get us out of here. And that is just where we stand with this bill right at the present time.

Now do we want to use this money and put it into property tax reform? Let's face the facts. You are using money that you have got one time around, maybe they will use it for the first year and after that you are faced with a major tax increase. This thing was pretty well borne out yesterday. If he wants to go back to the people and the rest of you want to go back to the people and say, "You know, it wasn't good judgment to use this money to build the buildings and make the repairs that we have in the state while we have got it, it was better to put it in property tax reform while we have got it," but make sure when you do that that you go back and tell them what they are going to be faced with and what they got coming to pick up that bill and that tax reform measure for the rest of the years before you.

It just doesn't make good, sound, financial sense in my opinion to start to operate that way. Therefore, we have got the funds right here, it is necessary that we get involved in these buildings and the building of them and the repairs

of them and right now is when you might just as well make up the facts to put the votes on the board.

We are coming back this afternoon, we are going into two sessions the rest of the week, 9 a.m. and 2 o'clock every day. Now make up your minds, ladies and gentlemen, how we are going to go and let's take them one at a time and we have got them right here. We have got the horses right here today, every bill is right here, we have got to start making the decisions and now is the time to make it with this one.

The SPEAKER: The Chair recognizes the gentleman from Old Town, Mr. Binnette.

Mr. BINNETTE: Mr. Speaker, Ladies and Gentlemen of the House: I have been considered as one of the most conservative members there are in the Democrat party. Yesterday, I voted no on this thing. But after a lot of consideration and hearing my good friend from Dover-Foxcroft plead for reconsideration, which I think is no more than right, I have also been thinking about the fact that I think many of you have the same feeling I do in regard to so many of these offices that are scattered all over Augusta, that when anyone comes down here they don't know where in the name of heaven to go to find a department. If we could house these buildings all, these various departments in one building, I think it would be a benefit to the state and to our citizens who are looking for services. We wouldn't have to pay any rental. That would be one great thing. And if we could get some consideration from various dedicated departments, I think that would be another.

So I think this morning — I am not like my friend from Enfield who didn't know what to do, whether to run, jump or swim. I am going to float with the tide this morning, I am going to go along with the majority, and I think we should accept this measure.

The SPEAKER: The Chair recognizes the gentleman from Skowhegan, Mr. Dam.

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: I am not going to vote for reconsider-

ation because there is one part of this L. D. 2020 that I do not like and that is the state office building.

Now we have heard this morning that we are playing games with this bill. I don't think we are playing any more games with this bill than we have played with a lot of bills in this session or in previous sessions.

I will say there has been a lot of work done to gain the vote for the passage of the bill, and like my good friend, the Representative from Sabattus, Mr. Cooney, I think we are standing on the losing side this morning. But we have heard this morning where the rent is coming back from dedicated revenue, the Highway Department being one, and the only way they get their revenue is for us to keep increasing the gas tax, so as they need more money the next session, we will be back increasing the gas tax again.

We get into the Fish and Game Department, and we can always the next session come back and give them the money to pay their rent when the building is finished and increase the license fees. This is where the dedicated revenue come from, it come right out of the people's pockets.

Now, Mr. Martin said that if the public knew how much money we were paying in rent for the buildings, then they would say build the buildings. I disagree with Mr. Martin. I think the people are very unhappy with the way we are expanding state government.

We still have today approximately a million people in the State of Maine, and every year we are hiring more and more people to come to Augusta to work. I think the people in the State of Maine would be very happy if we would declare a moratorium on hiring and get this down to a businesslike basis. State government and federal government are pretty nearly in the same category, because when the federal government or the state become involved in anything, it is not like private industry, it is not operated on a businesslike basis. It is operated on the basis of hiring and hiring, and the more people put in the agencies, the stronger

the agencies become and the more secure the department and the heads become.

I don't think that it is going to hurt to hold this bill up a while. I do know the people have talked about property tax reform. Many people campaigned on that issue — I did not — but I would like to see something done in that area. And if holding this bill back would give any leverage to getting property tax reform through, then I am all in favor of holding the bill back.

I don't think this is playing games. We have done it with many bills and we will be doing it again in the next session and the sessions thereafter. This is part of the political machinery. But when some people want a special bill passed, of course they can always come up with this playing games business and make it look as though it is something dirty or underhanded and you are playing under the table. This I do not feel is so, and I would hope that you people today would vote against reconsideration so that we can hold this back until we get something through for property tax reform.

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

Mr. GAUTHIER: Mr. Speaker and Members of the House: We have heard quite a few speakers say here this morning that we have been playing games. I agree that we have been playing games, but I think that the people we have been playing games with are the taxpayers of this state who have got their fill and have been promised for years that we would do something for them. For that reason alone, I am going to hold onto that promise that I made, and I am going to vote against reconsideration.

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

Mr. SUSI: Mr. Speaker, Ladies and Gentlemen of the House: I think that all of you understand, and if not, I will make it clear to you now that I certainly have no argument with the merits of this capital construction budget and I

certainly will support it. I believe in it and everything it provides for.

Today we have on our calendar, I believe there are three, probably, tax reform bills. At the beginning of this discussion, one member of the Appropriations Committee showed us that there was money to finance property tax reform. When focus was made on this point, immediately there was denial from several other members of the Appropriations Committee on this point and to me it is a prelude to arguments that will be made against the funding of property tax reform in this session later.

I was hoping, by tabling until later in today's session, to be able to actually see the reaction of these people on the subject of financing property tax reform during that discussion later in today's session prior to voting on this capital construction budget which should be passed and will be passed without a doubt and with an emergency on it. It would be ridiculous to put it through without an emergency. We will have a chance to see how it develops, how the performance actually shapes up today on this topic and then we aren't out of cards because we have several more appropriation bills coming before us. We have to, I believe, keep the force on to get the property tax reform in this session.

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

Mr. NORRIS: Mr. Speaker and Ladies and Gentlemen of the House: The Appropriations Committee has been battered around quite a bit this morning, so I feel I should get to my feet and say that we did as has been mentioned before, try to follow a system of priorities and bring a proper bill down, but I do want it understood that I am in no way going to be intimidated by Mr. Cooney or my good friend from Pittsfield as far as voting for property tax reform. If I do see a bill that comes along for property tax relief for people, I might consider it. But education equalization bills and such trivia

as that that we are going to hear a little later, I may hold my reservations on it, but I may eventually end up voting for it. But in no way will I be intimidated into saying I am going to vote for something when I don't even know what is coming along.

I know what is coming along. There are three or four bills, but I think it is improper and as far as the capital improvement budget goes, I, as one member of the Appropriations Committee, we have worked hard and long on it, but if this House decides it doesn't want it, it is all right with me. I will go home just as happy as I was before.

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

Mr. JALBERT: Mr. Speaker and Ladies and Gentlemen of the House: The gentleman from Brewer, Mr. Norris, has put his finger right on it. If this is a hammer, the shoe is on the other foot now. Usually, you know, it is the Appropriations Committee that is supposed to threaten, well I won't threaten, I'll just promise that if there is anybody in this House that has an idea that I am going to cast my vote for 1994, as the gentleman is waiting to see the final enactment or final say where that gem is concerned, if he has any idea that I am trying to influence anybody to vote for this measure and then I am going to turn around and vote for 1994, let's forget it right here and now. Let us not vote for this piece of legislation here. I will go home completely happy; it is perfectly all right with me.

I will have my say on property tax reform, so-called, when the bill is before us, I guarantee you.

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: One very brief comment in reference to both the remarks of the gentleman from Lewiston and the gentleman from Brewer. The issue and the concern that people have about whether or not we can pass property tax is whether or not we have the funds. Those

funds are there. That is point one.

Point two, the gentleman from Lewiston has been forever and will probably be forever opposed to property tax reform. The views of the individual involved are not going to change, the issue involved here, as far as the gentleman is concerned, is not going to change. The facts should not be used as the basis for threats or anything else.

The point is, the point was made yesterday by the people who voted against enactment of this legislation that they were concerned that we were using the money that we could be using for property tax reform. I shared that concern. I have made the commitment in my own mind that the funds are there if we want to use them. If this legislature wants to enact property tax reform, it can be done. If the legislature chooses not to, then it won't, but the money is there and no one should have to worry about that problem.

As to whether or not you vote for it when that bill comes before us, that is a decision that you will have to make as an individual. That is a decision that you will make which will affect how you feel what your people want. The bill will pass or not pass and we will all suffer the consequences as a result.

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

Mr. WHITZELL: Mr. Speaker and Ladies and Gentlemen of the House: I have been sitting and waiting to make a few remarks, and in answer to Mr. Dudley of Enfield, I would like to question a remark that he made. He said that if the capital construction program were put out to the people, it would be defeated. Are we not here representing those same people? If it would not be the people's wish, then why should it be our wish? If it went to the voters and it was turned down, what would the voters say then on the question of, shall property tax reform or at least one of the forms that are before us be enacted? I am sure then that the people would vote overwhelmingly in support of some type of property tax or re-

form. So if it is a question of — we keep mentioning what the people want. We are not talking here at least on the question of what the people want, we are talking about what this legislature wants.

I spoke to a group of senior citizens last Tuesday and you could hear a pin drop in that hall because the fact was that property tax reform to them is very near and dear; capital improvements aren't. I don't equate the two together. I think Mr. Susi made a reasonable request, let's deal with the issue of property tax reform today. It is on the calendar and I am sure this item of the capital improvement question will be settled in a day or so. I see no reason why under suspension of the rules that if we pass it here, it can go to the other body and come back to be enacted all in the same day. So I don't see any real rush for the capital construction program.

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

Mr. DYAR: Mr. Speaker and Ladies and Gentlemen of the House: It seems to me that the meat of the conversation this morning that has taken place in the last ten minutes rather than the last two hours.

I got home last night a little early and I had my ears burned for about two hours by the people I represent and they are a little bit smarter than we give them credit for being. They realize that tax reform is not tax relief, and they are looking for tax relief.

This morning you hear where we have a surplus where we can give people tax relief this session, but these people back home realize we can give them tax relief this session with surplus. Two years from now, we give these people tax reform because we go right back and jab them with new taxes.

I voted against this package yesterday and I shall vote for it today rather reluctantly. I spoke to many members of the committee about my views, some of the things I have seen, and one gentleman this morning said that we needed toilet seats in an institu-

tion. Well, in my mind, toilet seats is a Part I budget priority and not in capital construction.

I think if we listen to the people that we represent rather than some of the back pounders, shoulder breakers and arm twisters, we can do a lot for the people of the State of Maine. Well, let me tell you here and now, I realize the people I represent know the difference between tax relief and tax reform.

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 pending question is on the motion of the gentleman from Dover-Foxcroft, Mr. Smith, that the House reconsider its action whereby L. D. 2020 failed of passage to be enacted. All in favor of reconsideration will vote yes; those opposed will vote no.

ROLL CALL

YEA—Albert, Ault, Baker, Berry, G. W.; Binnette, Birt, Bither, Boudreau, Bragdon, Briggs, Brown, Bunker, Bustin, Cameron, Carey, Carrier, Carter, Churchill, Clark, Connolly, Cooney, Cote, Cottrell, Crommett, Curtis, T. S., Jr.; Davis, Donaghy, Dow, Drigotas, Dudley, Dunleavy, Dunn, Dyar, Emery, D. F.; Evans, Farnham, Farrington, Fecteau, Fine-more, Flynn, Fraser, Gahagan, Garsoe, Genest, Good, Goodwin, H.; Greenlaw, Hamblen, Hancock, Haskell, Henley, Hoffses, Hunter, Immonen, Jackson, Jacques, Jalbert, Kauffman, Kelleher, Kelley, Kelley, R. P.; Keyte, Kilroy, Knight, LaCharite, LaPointe, Lawry, LeBlanc, Lewis, E.; Littlefield, Lynch, MacLeod, Maddox, Mahany, Martin, Maxwell, McCormick, McHenry, McKernan, McMahon, McNally, Merrill, Morin, V.; Morton, Mulhern, Murchison, Murray, Najarian, Norris, O'Brien, Palmer, Parks, Perkins,

Pontbriand, Pratt, Rolde, Rollins, Ross, Santoro, Shaw, Shute, Silverman, Simpson, L. E.; Smith, D. M.; Smith, S.; Snowe, Soulas, Sproul, Stillings, Susi, Talbot, Theriault, Trask, Trumbull, Tynedale, Walker, Webber, Wheeler, White, Willard, Wood, M. E.; The Speaker.

NAY—Berry, P. P.; Berube, Brawn, Chick, Chonko, Dam, Faucher, Ferris, Gauthier, Goodwin, K.; Hobbins, Lewis, J.; McTeague, Morin, L.; Peterson, Ricker, Tanguay, Tierney, Whitzell.

ABSENT—Conley, Cressey, Curran, Deshaies, Farley, Herrick, Huber, Mills, Sheltra, Strout.

Yes, 122; No, 19, Absent, 10.

The SPEAKER: One hundred twenty-two having voted in the affirmative and nineteen in the negative, with ten being absent, the motion to reconsider does prevail.

Thereupon, Mr. Martin of Eagle Lake requested a roll call vote on passage to be enacted.

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

Mr. McTEAGUE: Mr. Speaker and Members of the House: I guess at this time even the slow among us know the way the ball bounces.

I have been opposed up until this point to the measure before us, not primarily for the reason that I doubted the integrity of the gentleman from Eagle Lake, Mr. Martin, or anyone else regarding their representations and adequate funds being available for tax reform and relief, they are. It would take a real sleight of hand to hide them and say they are not here at this time.

I have been opposed to also using surplus for capital investments because I think it is bad business sense on the grounds that when you can borrow money at 5 percent, at the rate of inflation it is 6 percent, a prudent businessman would borrow every nickel he could lay his hands on. On the other hand, that issue is not before us at this time. It seems the only issue before us now is whether we act now or at the beginning of next year. And

the arguments made by a number of people, there is an advantage of acting now in regard to dealing with lower costs on buildings due to inflation and the fact that we have the summer season before us and, incidentally, the fact that our people can very greatly use employment in this season would cause me ultimately to vote that the bill be passed now.

I agree with the intention of the gentleman from Pittsfield, Mr. Susi, that even if a person opposes this package or parts of it and the means of financing, we are going to have it either this summer or next January, and it makes a lot more sense to have it in the summer.

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 pending question is passage to be enacted. This being an emergency measure, it requires a two-thirds affirmative vote of all the members elected to the House. All in favor of passage to be enacted as an emergency measure will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Ault, Baker, Berry, G. W.; Binnette, Birt, Bither, Boudreau, Bragdon, Briggs, Brown, Bunker, Bustin, Cameron, Carey, Carter, Churchill, Clark, Connolly, Cote, Cottrell, Crommett, Curtis, T. S., Jr.; Dam, Davis, Donaghy, Dow, Drigotas, Dudley, Dunleavy, Dunn, Dyar, Evans, Farnham, Farrington, Fecteau, Finemore, Flynn, Fraser, Garsoe, Genest, Good, Goodwin, H.; Goodwin, K.; Greenlaw, Hamblen, Hancock, Haskell, Henley, Hoffses, Hunter, Immonen, Jackson, Jacques, Jalbert, Kauffman, Kelley, Kelley, R. P.; Keyte, Kilroy, Knight, LaCharite, LaPointe, Lawry, LeBlanc, Lewis, E.; Littlefield, Lynch, MacLeod, Maddox,

Mahany, Martin, Maxwell, McCormick, McHenry, McKernan, McMahon, McNally, McTeague, Merrill, Morin, V.; Morton, Mulkern, Murchison, Murray, Najarian, Norris, O'Brien, Palmer, Parks, Perkins, Pontbriand, Pratt, Rolde, Rollins, Ross, Santoro, Shaw, Shute, Silverman, Simpson, L. E.; Smith, D. M.; Smith, S.; Snowe, Soulas, Sproul, Stillings, Talbot, Theriault, Trask, Trumbull, Tynedale, Walker, Webber, Wheeler, White, Willard, Wood, M. E.; The Speaker

NAY — Berry, P. P.; Berube, Brawn, Chick, Chonko, Cooney, Emery, D. F.; Faucher, Ferris, Gahagan, Gauthier, Hobbins, Kelleher, Lewis, J.; Morin, L.; Peterson, Ricker, Susi, Tanguay, Tierney, Whitzell

ABSENT — Carrier, Conley, Cressey, Curran, Deshaies, Farley, Herrick, Huber, Mills, Sheltra, Strout

Yes, 119, No, 21; Absent, 11

The SPEAKER: One hundred nineteen having voted in the affirmative and twenty-one in the negative, with eleven being absent, the motion does prevail.

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

On motion of Mr. Sproul of Augusta, it was

ORDERED, that Melinda Caldwell of Augusta be appointed Honorary Page for today.

Mr. Webber of Belfast presented the following Joint Order and moved its passage:

ORDERED, the Senate concurring, that the Joint Standing Committee of the 106th Legislature on Transportation report out a bill empowering the Governor, the Commissioner of Transportation or upon decision of both, to reduce speed limits in order to conserve fuel should it become warranted by an energy crisis. (H. P. 1623)

The Order was read.

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

Mr. WEBBER: Mr. Speaker, Ladies and Gentlemen of the House: I would like to explain a little bit why I presented this order. As

you are probably all well aware, we are faced with a gasoline shortage here in Maine as well as the rest of the United States.

I have been in the gasoline business for over 30 years, 22 years as a distributor of gasoline. Right now I am on a month to month allocation, and I am fortunate because I am getting a hundred percent of what I had last year for the month. Some other companies are not getting that, and I am sure all of you people have seen stations closed here and there and maybe you have driven into a station and ordered 10 gallons and you have gotten 5, or something to that effect.

Last week I had a call from a couple of motels in my area that said they had cancellations on some reservations, and the reason given was the gasoline shortage. People from out of state were afraid they would get up here and they might not be able to get home.

The thing that concerns me is there have been so many conflicting stories in the press on this thing. The people who run these motels have talked with me and they are afraid this thing will snowball and if it does it would affect all of us, and a lot of us depend on our summer business.

I don't think anybody is going to be short of gas if they come to Maine. It just makes common sense. The reason I am doing this, I just want to assure the people that they can come here and have gas while they are here and they will have gas to get home.

The Shell petroleum industry says that if we can make 96 or 97 gallons of gas go where we would normally use a hundred we will be all right.

A few weeks ago — as you know, I travel between here and Belfast, a round trip is around a hundred miles. I was reading in all the papers and national magazines the suggestions from all the major oil companies on what they could do to save gas, and one of them was to reduce the speed. So I told my wife one day, I said, I am going to experiment and see what it does. Normally I drive 70 most of the time. So on one trip I did, I drove that and I checked my

mileage and I got 14.8 miles per gallon. I drive a '71 car which doesn't have so many of the emission controls on it, so it was a little better. So a couple of days later I drove a round trip at 50 miles an hour and I got 18.8, four miles a gallon more. I figured out the gasoline difference, and the difference I saved by driving 50 miles an hour was about a 20 percent savings.

After this I kept thinking about it, so I talked with the Governor's office and I talked with Roger Mallar over in the Department of Transportation and I talked with Deputy Chief Nichols about this thing. And it was pointed out to me that there was no provision that anybody can reduce the speed limit, so this is the reason I introduced this order.

This coming week the Governor assured me he is going to set up a conference with other people to discuss this thing, what we can do to assure the people that we will have gas here. If this thing should snowball, it could affect our personal business and it could affect our state revenue, our gas tax, our sales tax and our income tax. So all of your people, you ought to put columns in your local papers and some of you on radio, I would suggest to you and I would urge you to put a piece in your paper asking the people to slow down and explain why. I did in my local paper and it will be out tomorrow. At the same time, you are telling these people that it will save gasoline, it will save money and in the process you may save a life. So I would strongly urge passage of this order.

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

Mr. HOFFSES: Mr. Speaker and Members of the House: I would like to pose two questions through the Chair to the gentleman from Belfast, Mr. Webber. The first question is, does he travel between Belfast and Augusta by way of Route 3, and if the answer is in the affirmative, would he please tell me what the posted speed limit on Route 3 is?

The SPEAKER: The gentleman from Camden, Mr. Hoffses, poses

a question through the Chair to the gentleman from Belfast, Mr. Webber, who may answer if he wishes.

The Chair recognizes the gentleman from Bar Harbor, Mr. MacLeod.

Mr. MacLEOD: Mr. Speaker and Members of the House: I would like to concur with the remarks of the Representative from Belfast this morning, and I think that this is a very serious situation. I had taken it on myself about three weeks ago to contact the Governor to see if he had given any thought to the impending effect it might have on our tourists and resort travel this summer in Maine, and of course he was very much concerned.

I am speaking now as a Representative from a highly impacted tourist area as well as an officer in the Maine Innkeeper's Association which I am very much concerned with, and as you know, we are sitting here this morning concerning ourselves with tax relief for the elderly and also trying to keep the store open and pay the bills. We also have an economy based on two very fragile things, the sales tax and the existing gasoline taxes, and with the shortness of our season coming upon us — and I don't want to be a great alarmist here this morning because I think we are in great shape, I think there is gasoline. From what I have been able to find out, we are going to have some stations which are curtailing hours. Some of the smaller, lesser known companies have closed some stations. Mr. Webber's concern, living in Belfast with a lot of motels and hotels along the route coming along in Hancock County, he is very definitely concerned the same as I am. I am in hopes that there will be a meeting this week between the Governor, Mr. Webber and myself so that we can come out with some statement.

For your benefit, I would just like to let you know that I have been contacted over the weekend by the Wall Street Journal on behalf of the travel and resort industry, because they were concerned with what was happening in Maine.

Some remarks have been made that some of our folks have had cancellations. I understand we have had a few. I let them know that there was gasoline in Maine, that we are open for business with all our gift shops, motels, restaurants and so forth and there was gasoline.

So I would hope you would go along with the order, and if we have to get some of these points across to our people that a little slowdown, and little less driving maybe and a little more walking — our younger people are really showing us the way with the bicycles, maybe we will have to go back to them. But I would concur at this time with the order presented by this gentleman from Belfast.

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

Mr. FINEMORE: Mr. Speaker and Members of the House: I hate to differ with some of the gentlemen here, because most cars today, especially in your 429, 400 class, 450 class motors use less gasoline at 60 and 70 than they do at 40 and 50. I think this would be a real hurt to us people in the State of Maine to lower the speed limit.

We have a farm to market deal all over the state and we have a seashore to Boston deal all over the state. We have one where Canada crosses here, overnight deals, and to slow them down to 50 miles an hour or less would be ridiculous. At this time, I am going to move for indefinite postponement of this order because I don't think we need it.

The SPEAKER: The gentleman from Bridgewater, Mr. Finemore, moves the indefinite postponement of this order.

The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker and Members of the House: I just wanted to comment. I saw this order earlier this morning, and frankly, I disagree with the gentleman from Bridgewater, Mr. Finemore, to a great extent. I believe this is a sensible and a logical way of saving a heck of a lot of gas, and I think for the few minutes

that somebody loses because they can't travel 70 miles an hour all the time, I think they can make it up in saving a little bit of gas, and I believe this is a good method of doing it.

I am sure that this matter is true, because I tested it out. I have a new car this year, and I have been very interested in seeing how much gas it does consume, and I tested one trip between driving 70 miles an hour from Aroostook County to Augusta and the next trip confining myself to 60 miles an hour. As near as I could determine, I saved approximately three gallons of gas by this procedure. Now, I got here in just a little more time. I had that time anyway. If I hadn't gotten here quite so early — it didn't bother me, I think that Mr. Finemore could adjust his business operations so that cutting down on his speed a little bit would be a good thing.

I think, myself, this goes farther than that, a great deal farther than that. I have contended for years that if we had a 60 mile speed limit in the State of Maine, you would see a heck of a lot less of these terrifically bad accidents where two cars collide. You have got a lot more control at 60 than you have at 80, and if we cut our speed limit down, I think there could be a lot of very desirable things that could come out of it. I am completely for this order.

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

Mr. BRIGGS: Mr. Speaker, Ladies and Gentlemen of the House: I rise to support the order of the gentleman from Belfast, Mr. Weber, and this seems to be an excellent opportunity for me to just take a very brief chance to speak to you again about the seriousness of the energy problem.

I think that there are going to be a great many people who are going to have to fall into the hole before they realize the hole is there. There is definitely a shortage of the petroleum resource. This energy source supplies more than 75 percent of our energy requirements in the world, and in the United State of America, I doubt very much if we are pro-

ducing more than 12 to 15 percent of the petroleum requirements which we have in this country today from petroleum that is developed or extracted from the earth in this country. This leaves us obviously subjected to the serious potential threat of the far eastern and South American countries that do have the vast petroleum reserves except for Alaska.

There is a definite shortage of the petroleum resource. This very extremely modest approach to it is nothing but a beginning. I can assure you categorically that "you ain't seen nothin' yet," as the saying goes. We are going to see, ultimately, a national and a state energy policy that will come to grips with this problem, and it won't be based solely on the foolishness of just trying to extract more petroleum from the earth. It will be based on the catastrophic waste of petroleum which we have indulged in over these recent years.

I would like to assure the gentleman from Bar Harbor, my very dear friend, Mr. MacLeod, that the tourist season has already started in Maine, and it was refreshing to me to notice at the motel this morning a gentleman who said that he had just come up from some of the southern states, and he felt there was something wrong with the atmosphere here. As near as he could tell, he felt it must be caused by the strangeness of the clean air that we have in Maine. So I thought if I pointed that out, that it might be a little help. Of course, this clean air problem is very closely linked to the seriousness of the energy use, particularly from the use of petroleum in these gas guzzling monsters that we all seem to be so intrigued with.

The SPEAKER: The Chair recognizes the gentleman from Stonington, Mr. Greenlaw.

Mr. GREENLAW: Mr. Speaker, Ladies and Gentlemen of the House: I rise this morning to support very much the order before us which was introduced by Mr. Webber of Belfast.

I would like to very quickly relate an experience that happened back home in the early part of May. One Friday afternoon, as I was getting ready to leave the mo-

tel, an individual contacted me and asked if we could get together and I said, sure. He told me that one of the lobster dealers on Swans Island was about out of gas, and if they didn't get gas by the following morning, the lobster fishing wouldn't be able to be done. I called the Transportation Department, and they had been experiencing some problem that week with asphalt, and they didn't know what to do.

So I went down to Mr. Levesque's office, who is the Director of Civil Defense, and spent two hours with him and it took about eight or ten telephone calls. Finally, he had to call all the way to Oklahoma to get an emergency ration, if you will, of gasoline for this lobster dealer. Since then, I believe that Mr. Levesque has met with the oil dealers and has set up an emergency supply that can be tapped much like the oil situation we had last winter.

So I personally don't feel that we have a crisis. If we do, I feel that this order gives the Governor and the Commissioner of Transportation and any other state officials the necessary mechanism to work with, and I urge you to support that order.

The SPEAKER: The Chair recognizes the gentleman from China, Mr. Farrington.

Mr. FARRINGTON: Mr. Speaker, Members of the House: I rise this morning to ask a question of anyone who might answer whether this temporary position of controlling the speed would require all the signs to be changed in the state and how long they might anticipate it would last and the cost of changing them back, because this is a pretty expensive measure.

The SPEAKER: The gentleman from China, Mr. Farrington, poses a question through the Chair to anyone who may answer if he wishes.

The Chair recognizes the gentleman from Belfast, Mr. Webber.

Mr. WEBBER: Mr. Speaker and Ladies and Gentlemen of the House: I discussed that with Roger Mallar, and he assured me it would be quite a problem. But the thing I was thinking about

and I suggested when I was talking with Roger and the Governor was only on the high speed roads would it be reduced. Probably a normal country road with a 60 mile an hour limit wouldn't have to be, because the normal traffic can't go that fast.

As you notice the order, it says, "should it become warranted by an energy crisis?" and only if it really gets right down to the nitty-gritty that we have to have it, and then the Governor will have a chance and the method to do it, but otherwise it won't be. It doesn't call for a definite decrease in the speed limit. It just calls for—if we get in a real emergency situation, he can do something.

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

Mr. KELLEHER: Mr. Speaker, Members of the House: I would like to pose a question through the Chair to any member of the House: Who sets the speed limits now on Interstate 95 and the other road systems, the Department of Transportation? Who does?

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

The Chair recognizes the gentleman from Eastport, Mr. Mills.

Mr. MILLS: Mr. Speaker, Members of the House: To my knowledge, it has always been the state police and the Department of Transportation.

The SPEAKER: The Chair recognizes the gentleman from Kittery, Mr. Kauffman.

Mr. KAUFFMAN: Mr. Speaker, Members of the House: I will agree with my good friend from Eastport, they have a special commission and the State Highway Commission that will investigate any town that requires it and they will set the speed limits. However, after they set them, don't try to get them to change them.

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

Mr. MARTIN: Mr. Speaker, Members of the House: I also

want to comment on that special commission that is around, because I have done a little bit of checking. Under the law, the commission which consists, as I recall it, of the Chief of the Maine State Police, the Secretary of State, Motor Vehicles Division and someone in the Department of Transportation, that they cannot take into consideration such things as energy crises, et cetera, The only thing they can take into consideration is how fast the road conditions are so that if it were the case that they could take other things into consideration, this order would not be needed in order to report out a bill. I checked that out with the gentleman from Belfast, Mr. Webber, but under existing statute, that commission does not have the power to change it for the reasons of energy; and secondly, the Governor does not presently have the power to mandate that change either for such reasons. So that this, I think, might help to respond to some of the questions that have been posed.

The SPEAKER: The Chair recognizes the gentleman from Wayne, Mr. Ault.

Mr. AULT: Mr. Speaker, Ladies and Gentlemen of the House: I would just like to point out to you that if we do pass this order and as a result less gasoline is used in the State of Maine, then the state is going to realize less money from the present gas tax, and as a result, in order to make up the difference, it might be necessary for this legislature to increase the present gas tax.

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

Mr. COTE: Mr. Speaker, Members of the House: I would like to ask a question through the Chair. Who sets up the speed limits on the turnpike, which I pay my good money to ride over, because I am in a hurry to get somewhere?

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

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: The legislature by law sets the maximum speed limit. The commission can change the limit based from that point on down, but they cannot exceed the 70 miles an hour which the legislature has enacted. However, the commission, at the present time, could lower it. As a matter of fact, they do now for road conditions; as you remember in the wintertime when road conditions are bad, they will lower the speed limit of the Maine turnpike to 50 or 35 or whatever it might be, and that power they do have under existing statute.

While I am at it, you might all have noticed in the Bangor Daily this morning a picture of a gas filling station on the Maine turnpike which is now restricting individuals who stop for gas to 12 gallons per car, and this, I don't know when it started, but there is a picture on today's Bangor Daily which shows that this is now in effect in I believe it is Citgos on the pike, and those stations are now restricting people. This is going to affect, if it continues, the tourist business. I don't know how we are going to avoid and try to solve that problem.

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

Mr. COTE: Mr. Speaker, Members of the House: I have another question. How much is it going to cost some of these towns for extra police duty for the congestion of traffic only going 50 miles an hour that can't get out of their own way?

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

Mr. FINEMORE: Mr. Speaker, Members of the House: I would like to explain something to you. If you can drop these down to 50 or 60 we will say, on 95 from Howland north and drop it down to 60, I would like to mention this: Two years ago we came down here with a group from Aroostook County and tried to get a few things to

benefit Aroostook County on the Highway Commission, which we never expect. Mr. Good requested that we raise the speed on 95 north of Medway—at that time it was north of Alton I believe, I will take that back, from 60 to 65 miles an hour. We were over a year getting that passed, getting the state police or the Highway Commission to raise it. We had to go to the state police. Mr. Good did a lot of work, and he finally got it raised to 65 miles an hour, and I think 65 miles an hour on that road is little enough.

As far as accidents are concerned on 95, especially on the two-lane road — two-way traffic I should say, it isn't caused by speeding, it is caused by people not realizing that they are on a two-way traffic road. They forget, they pass cars.

I would dislike very much to see them lowered. I think we all can use our own judgment. I don't think you need to lower it. If a man feels he wants to go 50 miles an hour, I think he has a right to do it. If he wants to go 60 miles an hour or 65, he has a right to do it. I don't believe we need a law to control it. I know where it is dangerous, I go slow. Where it is the other, I follow the speed limit.

I do know the gas consumption of cars. I have three cars available to me at this time. They are all Oldsmobiles with big motors. We try to stay between 60 and 65. I suppose people think because I asked to indefinitely postpone it, I believe in exceeding the speed limit, which I don't. I try to stay within the law.

The SPEAKER: The pending question is on the motion of the gentleman from Bridgewater, Mr. Finemore, to indefinitely postpone the Joint Order relative to reducing speed limits in order to conserve fuel during the energy crisis. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

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

Thereupon, the Joint Order was passed and sent up for concurrence.

By unanimous consent, ordered sent forthwith.

Mr. Talbot of Portland offered the following Joint Order and moved its passage:

WHEREAS, "A single man has not nearly the value he would have in a state of union. He is an incomplete animal. He resembles the odd half of a pair of scissors"; and

WHEREAS, inspired by such thoughts the Honorable Thomas J. Mulkern of Portland has made firm plans to leave the ranks of bachelorhood on June 30, 1973; and

WHEREAS, at that time, he will enter the solemn bonds of holy matrimony with none other than the attractive and personable Miss Judith Moseley of Portland; now, therefore, be it

ORDERED, the Senate concurring, that We, his friends and colleagues of the One Hundred and Sixth Legislature of the great and sovereign State of Maine extend to that courageous gentleman from Portland, Mr. Mulkern and his attractive bride-to-be, the most sincere best wishes of the Legislature for a long and happy life; and be it further

ORDERED, that a suitable copy of this Order be transmitted forthwith to the bride and groom in honor of this occasion. (H. P. 1624)

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

Mr. McTeague of Brunswick was granted unanimous consent to address the House.

Mr. McTEAGUE: Mr. Speaker, Members of the House: For those of you who have been kind enough and I think responsive enough to the wishes of your constituents to express concern about the standing of the homestead bill, it is still on the calendar unassigned. The sponsor is still of good heart and is still firmly behind the bill, and I think the condolences that some may have expressed are a bit early. I am confident the legislature will act on tax reform. I favor the homestead approach. I am not against equality of educational funding, but there have been no deals to kill this bill. It is here,

it is alive, and I know you will keep an open mind on it.

(Off Record Remarks)

Passed to Be Engrossed

Bill "An Act Relating to the Terms of the Commissioners of the Departments of Health and Welfare and Mental Health and Corrections and the Constitution of those Departments" (H. P. 1621) (L. D. 2039)

Bill "An Act Exempting "Trade-in" Property from the Stock in Trade Tax" (H. P. 679) (L. D. 886)

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 Reforming the Administration of the Property Tax and Replacing the Tax on Inventories with an Increased Corporate Income Tax" (H. P. 1384) (L. D. 1862) (C. "A" H-575)

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

The SPEAKER: The Chair recognizes the gentleman from Brewer Mr. Norris.

Mr. NORRIS: Mr. Speaker, Ladies and Gentlemen of the House: I have looked this bill over, and I agree with the concept, but in reading the committee amendment here, if I were to read the statement of fact, which I don't know if all of you have looked at it or not, but these amendments would increase the present real estate transfer tax from 11/100 of 1 percent to 1 percent. That means that anyone who transfers real property within the State of Maine will have to pay 1 percent, which would produce an estimated \$4 million. It would also increase the present individual income tax rates on taxable income in excess of \$15,000 as follows: on the formulas on that, if you have your amendments, from 15 to 20, it is from 4 percent to 5 percent; 20 to 25, 4 to 6 and so on up to 12 percent on 50.

Now this bill is building in an increase on your individual income tax. We had considerable talk this morning about property tax relief for individuals, and I think unequivocally, though all of us realize here that any one of these plans in the ensuing years is going to cost more money, and it is going to take a raise in the individual's income tax. Now, it does go on to say the amendments would increase the present corporate income tax by 1 percent from 4 percent to 5 percent.

In my opinion, with all of the things that are coming upon us, property tax relief or property tax reform, that certainly the Taxation Committee in their wisdom — and I am sure they had their reasons — but I certainly think that it has taken a good bite out of the individual to fund for these inventory taxes and this personal property, and I don't think it is right. I don't think it is fair. If you were using these measures in an honest manner on the property tax reform even or the property tax relief, I could understand it, but I can't understand the committee's idea of making the individual pay for this thing, the price tag on this bill.

As you read the title of the bill, anyone looks at it and you figure that the money is going to come from an increase in the corporate tax, which I think I would be very happy to go along with, but I am not going to jeopardize individual people.

So I move for the reconsideration of the adoption of Committee Amendment "A," Mr. Speaker, and when the vote is taken, I would ask that it be taken by the yeas and nays.

The SPEAKER: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker and Members of the House: I have presumably intended to go along with this bill, because it has been my understanding that it was something that everybody was in agreement with, and there was no opposition to it.

However, as I read this amendment, I share the same concern that the gentleman from Brewer does, and before I will go along

with the bill, at the present time I think I have got to have a lot of convincing. As of now, I completely concur with the remarks of the gentleman from Brewer, Mr. Norris, to postpone the amendment and when we get the proper explanation from the bill, I might go along with that, I am not sure.

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

Mr. SPEAKER: Mr. Speaker, Ladies and Gentlemen of the House: The previous two speakers, as far as I am concerned, have made completely valid observations concerning this bill. The financing for the bill does largely come from the general populace in support of a bill which would furnish tax relief largely to the business segment. This is an acceptable procedure to me as an individual, I am not attempting to speak for our entire committee. This is an acceptable procedure so far as I am concerned if we get substantial tax relief for the general population so that this becomes a minor consideration in the light of the extensive relief they will be getting under property tax relief or reform program that we enact.

If we should fail in enactment of that, then I, an individual, would find this procedure outlined in this specific bill as unacceptable to me.

The SPEAKER: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker and Members of the House: I meant to mention one other matter when I was up which did concern the bill more than the amendment, and if you will permit me to go that distance now, I would mention since Mr. Susi did bring it up.

I am not completely satisfied, as I read the bill, with regard to the method, perhaps, I think, of reimbursing the municipalities, and before I will go with the bill, I would have to have that thoroughly explained.

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

Mr. MORTON: Mr. Speaker, Ladies and Gentlemen of the House: This amendment which Mr. Norris has properly questioned, which Mr. Susi has pointed out that his observations were correct, this amendment goes to the funding of the bill. The bill itself is, I would say, a relatively minor tax reform. It is a tax reform measure, very definitely. I don't think it has the impact of L. D. 1994 that we have discussed previously and are going to discuss in much more detail later on. But this is a tax reform measure.

I am sure you are familiar with the history of property taxation, and it has been on our books ever since the state was a state. In fact, it used to include such things as money and effects, obligations for money, money in interest, public stocks and securities, shares, and managing other corporations and so forth. After 1954, and I didn't look for the year, that particular portion of it was amended out, because it was difficult to come to and difficult to assess. So you do have a precedent for removing property taxes at the local level.

Had you been at the hearing in the Taxation Committee, I am sure you would have agreed that this was one of the best attended hearings and a hearing which received a great deal of support for a bill, and that hearing determined pretty much to my satisfaction that there is no question that the property tax on inventories and the other items which are covered in this bill, which are stock in trade of retail establishments, stock in industrial corporations, that is movable stock, wood, lumber and logs, livestock, these items are absolutely inadequately assessed in the various communities of the state.

I would like to read you just a paragraph from a letter that we received, and this gentleman also was at the committee hearing and did testify. This letter is from the George C. Shaw Company, and it reads as follows; "The company general position is that we strongly favor abolition of the personal property tax on inventories and are willing to replace that tax dollar loss with a reasonable increase

in the corporate income tax." It goes on to say; "I would like to list Shaw's reason for favoring elimination of the inventory tax. The inventory tax is both inequitable and corrupting. In most cases, assessors are unqualified to place valuation on inventory. In those cases where assessors accept values reported by the taxpayer, the tax is only as equitable as the taxpayer is honest." This is one area where you do run into corruption.

"Maine is also," it goes on to say, "at a competitive disadvantage with other states in attracting wholesaling, warehousing, and distribution businesses because of the existence of the inventory tax. For example, Shaw's will soon have seven supermarkets operating in New Hampshire. Within the next few years, we will need a warehouse of approximately 300,000 square feet to service our Maine and New Hampshire supermarkets. The inventory tax put Maine at a serious disadvantage as compared with New Hampshire. This is just one of many possible examples.

The inventory tax discriminates in favor of businesses that may do large volumes and make substantial profits in Maine but don't have inventories. For example, the mail order operations, and I am sure you know who those are. Here is a big substantial business in the State of Maine which is very much in favor of this and tells you why, tells you that the inventory tax is very improperly assessed.

I have got other letters here in the book and a great deal of testimony at the hearings. So, I don't think there is any question but what we have determined that the tax on inventories, while it is legal, it is a part of the taxing authority of the community tax assessors, it is not assessed evenly throughout the state. It is a regressive type of taxation, and it should be removed.

Now, one says couldn't we take it right away from the towns without reimbursing them? Well, it represents about 7 percent on the average of the assessments in the various towns. In my community it happens to be about 10

percent; and whereas I think it probably could be absorbed, I agree that it would be a tremendous burden on the communities. Therefore, the funding of it, the necessity to fund it, has to be at the state's responsibility. Here is where I come into agreement to what Mr. Susi said: Removal of this inventory tax will be such an improvement to the State of Maine, the business community will create jobs in warehouses, will create new real estate properties which can be taxed, that even though you spread the burden out over the whole state and the taxpayers of the state rather than the local community property taxpayers, I think it is a very fair thing to do.

Now, the bill calls for, as Mr. Norris pointed out, four ways of funding. One of them is an increase in the corporate tax, a 1 percent increase all the way from dollar 0 up through. It includes an increase in the personal income tax. One of the areas that we are talking about here is the fact that at that hearing, there was unanimous willingness on the part of the people who were there who wanted the tax removed, was unanimous willingness to pay the tax in some other form. Naturally, you think of the corporate income tax, but unfortunately, not all the businesses in the state are incorporated. So, if you raise the corporate income tax and only raise the corporate income tax, you do not hit all the people who are affected by this bill.

It was felt, therefore, that the high income tax payers, people who are in business for themselves as individuals, could afford to pay some of this, and so the personal income tax was put on this bill as part of the funding raises approximately \$4 million, and it affects those with a taxable income—I am talking about taxable income now after deductions are made—\$15,000 if they are individuals and \$30,000 if they are signing a joint return. Just as an example, if you go from 15 to 20 as a single individual in your income, the increased tax will be a \$50 bill. As a married couple,

if you go from \$30,000 to \$50,000, the increase in your tax will be \$300. There are other examples, obviously.

Stock in trade tax, I agree; the real estate transfer tax, I agree bears little direct relationship to this type of a bill. However, surprisingly enough when it was suggested to the Taxation Committee, it was accepted as a ready means of acquiring approximately the last \$4 million that we were short to fund this bill.

To be sure it increases the real estate transfer tax nearly ten times, but I submit to you, ladies and gentlemen of the House, that this tax in the past has been not a revenue measure really but merely a nuisance tax. This time it does get to the point where it represents some reasonable revenue sources. It will generate a strong \$4 million. It was felt in the committee that this represented an opportunity to charge some of the people who are buying property, particularly those who are coming in from out of state, purchasing reasonably expensive resort properties, corporations that are buying Maine land and buildings for what purposes they desire, these people coming from out of state are used to transfer taxes, they have them in their own states, and some of them are at a higher level than this one. They are used to adding points for this, that, and the other thing when they come to financing property. So a transfer tax of 1 per cent would not be considered exorbitant by these people.

It will also hit people who speculate in land and make many transfers in their lifetimes. I submit to you that it will hit the average homeowner once or twice in his lifetime, and will not have a severe impact. This is the reason why the Taxation Committee felt strongly that this was a reasonable way to go.

I think I have explained the whole funding to you, the reasons why it was. The original funding was to place it all on the corporate income, and it was deemed neither equitable nor possible to pass it. For this reason, and be-

cause the bill itself, the removal of the inventory tax, the removal of this regressive type taxation and the transferring of it to more progressive type taxation, was so good for the State of Maine, this is why the Taxation Committee moved to this method of financing.

I hope I have answered your questions. I hope you consider it a good bill. I will listen to the debate and will try to answer any more that are raised,

The SPEAKER: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker and Members of the House: If I might, apparently we are discussing both bill and the amendment, and if I might, I failed to get the explanation I think that I was asking for, and I hope if I repeat it, I hope the gentleman, Mr. Morton, will answer my question.

My concern, I think, is more with on what basis will the municipalities who lose from the inventory tax, on what basis will they be reimbursed? Are they going to be reimbursed we will say, on the amount of tax they have lost because of the change, or who determines what the reimbursement is? I hope the gentleman will attempt to answer that question.

The SPEAKER: The gentleman from Perham, Mr. Bragdon poses a question through the Chair to the gentleman from Farmington, Mr. Morton, who may answer if he wishes.

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

Mr. MORTON: Mr. Speaker and Members of the House: Thank you, Mr. Bragdon, for making that clear, I should have picked that up the first time around.

In the bill you will note that the reimbursement to the towns is going back in two different ways, and the two ways are phased in over the five-year period. The first year, if the town gives up, let's give an example of \$100,000, it will be reimbursed by the state from these funds that we have talked about and how we have collected them \$80,000 directly. It gives up a hundred, it will be re-

imbursed eighty. The other \$20,000 will be reimbursed to the community on the basis of the present revenue sharing formula.

In the second year, the percentage of straight reimbursement will drop to 60 percent, and 40 percent will be reimbursed on the revenue sharing formula and so on for a five-year period when you will end up with all of the reimbursement based on the revenue sharing formula.

I am sure this raises questions in many people's minds, because they say how does my community — how is it affected by the revenue sharing formula? Well, I can't tell you how yours is, although I have the means here that you can have it computed rather quickly by your community if you would like to. I did compute it for my community. In the State of Maine, approximately 7 percent, as I said before, of the total tax commitment at the local level is from these inventory taxes that we propose by this bill to eliminate. My community happens to be a little over 10 percent, because we are a trading center and we have rather high inventories in the community. So I think when I apply it to my community, you are going to get a pretty conservative result. What happened was that I took the example of \$100,000 — and my community happens to be 107,000 — and I took the amount of the reimbursement that would be coming to us under the revenue sharing formula in the first year and also in the fifth year, and out of every million dollars — and I have got it here for every community and yours is here if you would like to have it — out of every million dollars that the town — that the State of Maine has to spend through revenue sharing, Farmington is going to get \$64,016.06. So what that meant was that at this \$107,000 figure of Farmington, which is 10 percent of our total commitment, at the end of the first year, we would receive back from the state about \$105,873 or \$2,000 short. And at the end of five years, we would come out about \$11,500 short.

Now, this represents the result in the town of Farmington, which is rather high, of 10.7 percent of inventory taxation, whereas the state is at 7 percent. I think in general it would come out pretty even, although I don't have any idea what revenue sharing formula does to your community for many of the reasons that it is in there. But the reimbursement is direct, 80 percent, 60 percent, 40 percent, and 20 percent over five years, at which time it becomes all on the revenue sharing fund.

I hope that answers your question, Mr. Bragdon.

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

Mr. BRAWN: Mr. Speaker, Ladies and Gentlemen of the House: I happen to come from a town this is really going to affect, and we are going to get clobbered if this is ever taken off.

Let's take for instance the Central Maine Power Company, which started in the Town of Oakland. If they was to take off all their equipment that they have at the dam, at the Cascade, Rice's Rips, Red Owl Thru; look at the thousands of dollars that we would lose in revenue to the Town of Oakland. All we would have is a few little buildings to tax them on.

Now, let's go to the Androscoggin chipper mill. If we were to take off their stock in trade, their machinery, we would have no tax. Let's take the Cascade Woolen Mill, which is a large mill. If we were to take theirs all off, what would we have? Let's go to the Diamond National, which is also right in my town, and we take of all their machinery, all their stock in trade, all their finished, and their unfinished products, all their office equipment, all their machinery which is up in the woods and other places which is taxed in the town of where they reside, not where it is located, this would mean the Town of Oakland would lose all of this tax. We cannot stand this.

Now, let's go over to the hardware store, which is a large hardware store. If we were to take his off, what would we have, just the

shell of a building. Let's take the gasoline stations; let's take the undertaking parlor. You say how can the undertaker pay, he has lot of caskets on hand. These are all taxable. Let's go to the antique shops in my town. Let's go to the lumber. Let's go up to the golf course, Waterville Country Club is all in the Town of Oakland. All that equipment is taxed in the Town of Oakland. Let's go to all the garages. Let's go to all the summer camps. Let's go to the bakeries that we have in the Town of Oakland. Let's go up to the grave stone place where they sell all these stones which we get a good revenue from.

Now, let's take the Superior Column which is also located in my town, which is a large wholesale place. Do you realize all the lumber, all the equipment all the plumbing fixtures we would lose.

All they have these people is shells of buildings. Let's go to the restaurants, and I could go on and on. If this were to happen here it would bankrupt my town. We would have to pick up the tab, and gentlemen, I hope you never go along with it.

The SPEAKER: The Chair recognizes the gentleman from South Berwick, Mr. Goodwin.

Mr. GOODWIN: Mr. Speaker, Ladies and Gentlemen of the House: I would like to call attention to the gentleman from Oakland the bill 1862 and look at section 2, reimbursement for revenue loss, first statement. The treasurer of the state shall reimburse each municipality on or before December 15 annually for any revenue loss due to personal property exempted under this bill.

We need this bill, for too long our state has been at a disadvantage in attempting to induce industry in Maine for many reasons. One of the major reasons has been our inventory tax. My area, southern York County, has felt this disadvantage tremendously. We constantly compete with New Hampshire areas for new industries that we have not won. All up and down the Maine border new industry has located in the past ten years. Many Maine residents in our area, almost everybody

who doesn't work at the Navy Yard works in these industries, and pays New Hampshire income tax.

Simplex Wire and Cable is a good example of how this tax can hurt an industry. Although Simplex did not close just because of the inventory tax, it was one of the major factors and Simplex high costs of operation. Now we have a chance for a new operation to go in there. However, if we do not pass this bill, that operation may consider going elsewhere where taxes are more favorable.

Ladies and gentlemen of the House, I urge you to support this measure to help bring new industry into the State of Maine, and I don't feel, at least according to this bill, as carried out under section 5056, the towns will lose any revenue.

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

Mr. McMAHON: Mr. Speaker, Ladies and Gentlemen of the House: I rise to support Mr. Norris in the indefinite postponement of the amendment. I feel the aims of the bill are good, but I am reminded of the fact that sometimes the cures are possibly more dangerous than the disease.

I spoke to my assessor in the town I represent to find out what effect this bill would have on our town. Our total assessed valuation is \$52 million. Of that, personal property accounts for 10.237 percent. Now of course not all of this is stock in trade, but most of it is because we have several small manufacturing plants in our town.

As I said, I feel the aims of the bill are good, but I don't feel that the remedy that is going to be offered to business should be offered at the expense of the individual. We have already had discussion on the increase in individual income tax, that would be increased. It would increase the real estate transfer tax to one percent.

Now, consider for a minute if a person bought a house for \$20,000, if my arithmetic is correct, they would have to pay a \$200 transfer tax. I would suggest this would be very difficult on the con-

sumer, especially on the young people starting out.

The third point that I object to is in the bill itself. Mr. Morton has attempted to answer the question, and in doing so I think showed the problem.

On page two of the bill under "A" in listing the repayment to the municipality, it says, "In 1974 each municipality shall be paid 80 percent of its revenue loss directly, and 20 percent of the aggregate loss to a municipality shall be added to and redistributed in accordance with Section 5055 providing for revenue sharing.

I would suggest that certain towns would probably receive added benefits and other towns would receive a loss under this. I don't think this is worked out well enough yet that we should pass it.

So I hope you will vote to indefinitely postpone the amendment and then take a serious look at the bill.

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

Mr. SIMPSON: Mr. Speaker, Ladies and Gentlemen of the House: I am going to vote to reconsider the amendment. I can see some real danger in here and I pointed out one thing to you yesterday and I know the gentleman from Eagle Lake is probably going to get up and say if I haven't got a conflict of interest here. Well, I probably have and I will take and put it right on and tell you about it. Because I listened to the gentleman from Farmington, Mr. Morton, and one statement he made that when we start taking the real estate transfer tax and we make in nine times what it is right now, people are going to pay, and they are not just going to pay once or twice in a lifetime or when they sell, they are going to pay when they buy. Because if you are going to kid yourself and say that a builder or a developer or anybody else is not going to take that \$200 on a \$20,000 house and add it into the cost of the house, you are wrong.

Now we were talking the other day in here at great length about low income housing. Right now some of the limitations on — we'll

take the farm home program, which still is in existence. We will say that twenty-two or twenty-three thousand is the top limit on a house. Buildings today are getting right down to the real nitty gritty, and many of them are refusing to build this type of house because there is no margin of profit in it. With the rise of building costs and everything else, the margin is very slim. When you start to add as much as \$200 onto the cost of that house, you are going to take houses off the market for the low income people.

Now I as a realtor I am not going to pay to this thing one way or another, it is not going to affect my business one way or another or anything else.

I am just pointing this thing out to you, that when you start to add that tax you are not adding it just to the person who is selling the house once or twice in a lifetime you are adding it onto every single house that is being built today, and you are going to add it into peoples rent also when they start paying, because somebody has got to pay and the guy that is building is just not going to pay that kind of money out of his pocketbook.

I happen to subscribe to the theory of this thing of doing away with the inventory tax. I think it is wonderful and I think we should do it. But I really am not too enthused about the amendment. I believe that it is dangerous, and I think we should really take a good strong look at it and reconsider it.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: The gentleman from Standish, Mr. Simpson, has said it, I am not going to repeat it. But I do want to make the point that the bill as it came out of committee does carry an amendment with it which was not on the bill when it went in. That is the provision that there be a tax based on the transfer of property. That is an issue which I think we have to fight and basically I suppose the issue of whether

or not we accept Committee Amendment "A" and the vote on reconsideration is how we are going to determine and in what direction we want to go.

The feeling of the Taxation Committee, as I understand it, part of the cost of changing over could be borne by this tax. I agree with the gentleman that in the long run the individual who has got the home is probably going to pay it. I do think though that the individuals who are going to pay it are those people who have the funds, and as I understand it, as I recall it, \$30,000 transfers and below are exempted from this thing. There are better ways of helping the poor people than trying to reconsider this amendment, in my mind, and I am sure the gentleman from Standish will have that opportunity to vote on a couple of issues where he can demonstrate his willingness to vote in that affirmative manner, and we will all be better off.

I do think though, if you take a look at what we are concerned with here, that even if you do vote to reconsider the amendment and that were to be killed, I certainly hope this would not influence how the House wants to go on the total package. I feel very, very strongly about the issue of inventories being removed, because they are a very, very unfair method of trying to determine taxation. Because what you have on hand may not be necessarily what you are going to be able to sell, and it certainly doesn't demonstrate the profit that you are making.

Now, you take a paper mill, for example, or a lumbering yard that has an awful lot of material on hand. If nothing is sold, they are not going to be able to make any money. And if they make no money, then they still have to pay the tax, which is really unfair if we believe that when you make money you ought to pay taxation on it.

Now in reference to the fears from the gentleman from Oakland, and I share his concern. The bill does provide for repayment to the municipalities so they do not get hit all at once. And as a matter of fact, what would happen is

that the revenue sharing money would take over the problem in five years and solve the fear that he has.

I do think that the issue before us is the issue of the committee amendment and how you vote on it I certainly hope will not influence your feelings of the whole bill. The Taxation Committee made some attempt to try to share and to spread the burden of how you are going to pay for the costs of changing over from the inventory tax to another approach. That is the decision which they made by, as I recall, a 10 to 3 report. And that, I think, demonstrates their willingness to go in that direction, and I suspect that demonstrates what they could arrive at in terms of a compromise.

I do know that the people who deal in real estate are going to be very concerned and very upset about it, but over the years I have found that many times they get upset for nothing, and this may be one of them, I am not sure.

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

Mr. BRAWN: Mr. Speaker, Ladies and Gentlemen of the House: The gentleman just said a few minutes ago that Mr. Brawn doesn't have to be very much worried because the State of Maine will reimburse him. I would like to ask that gentleman where he thinks the State of Maine gets their money from. I will tell him where they get it from, they get it from your county tax, so you have got to get it.

In response to the other gentleman here who said if they don't sell anything it is too bad to charge them. Well, listen, I have homes. If I don't let those homes and I don't make a dollar, they don't reduce my taxes, I have to pay those just the same, because if you don't feed a horse, that horse is not going to work for you.

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

Mr. McMAHON: Mr. Speaker and Members of the House: I wish to pose a question through the

Chair. I may be missing something and the gentleman from Eagle Lake said that he thought that homes of \$30,000 or less value were exempted, now I don't see that on the amendment. I would like to ask if that is a fact or if it was a supposition, untrue.

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

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

Mr. MARTIN: Mr. Speaker and Members of the House: I retract that. I was told by a member of the committee that it was. The committee member just informed me that the amendment does not carry that exemption.

I would be more than happy to put the exemption on. I am not sure whether the gentleman from Standish will be willing to buy the amendment once you put the amendment on, but that would be, I think a valid approach if he wishes to go along with me. Maybe we could all waltz down the aisle together on that one.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Would some member of the Taxation Committee kindly explain exactly how this measure is going to be financed?

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

The Chair recognizes the gentleman Bridgewater, Mr. Finemore.

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: If the amendment is killed, it isn't going to be financed, it is going to be left right up in the air. But our method of finance, if I am incorrect some member of the Taxation will stop me, it costs \$14,970,000 and it will be financed by \$4 million from the General Fund, \$4 million from this transfer of real estate tax we are talking about now, \$2 million from one percent on the corporation

tax, and another four to five million from the personal income tax beginning at \$15,000 on people filing single, and on \$30,000 on one percent on the first step, on \$30,000 on people filing jointly.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I have long bled for the Taxation Committee. I think it is a committee that does its work very well, and frankly I think if there is a committee that is ignored in this house and has been over the years, it has been the Taxation Committee. Somewhere along the line there is some conversation about overpowering within the committee. But the answer that the gentleman from Bridgewater, Mr. Finemore gave me is absolute proof that what needs to be done by the Taxation Committee is a full and thorough and absolute study of our entire tax structure in Maine. He just gave me the answer just now.

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

Mr. FINEMORE: Mr. Speaker and Members of the House: May I answer Mr. Jalbert to some extent on the remarks he just made? We had a tax study last summer, the Tax Structure Study Committee, and there was also an ESCO study, Doctor Waters made a study, and as far as I can see, ladies and gentlemen of this House, it was just a waste of money, because none of them—we had this bill in our committee, we had the education bill in our committee, we had tax relief to the communities in our committee, we made recommendations, ESCO made recommendations, Doctor Waters made recommendations on the Governor's report and they were never used. It was just a waste of time to have this done. And I am telling you, there was no committees, those four committees worked in the heat upstairs in these rooms where the sun was shining in and we thought we did a wonderful job. We were very pleased.

We had the gentleman from Bath, Mr. Ross, the gentleman from Portland, Mr. Cottrell, and myself, together with five or six people representing different groups, and we did a swell job, but they weren't used, they were just forgotten about, laid right out to one side. So I don't know what good a study committee does.

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

Mr. DYAR: Mr. Speaker and Members of the House: I spoke briefly on this amendment yesterday morning, I guess on deaf ears, and I haven't changed my opinion too much since.

I don't think any member of the Taxation Committee has been across the border to New Hampshire to talk to New Hampshire businessmen. I feel that possibly the inventory tax is a bad tax, it is not handled properly. I think the question here, and it is the definition again of tax relief and tax reform.

Now we are giving tax relief to the business and tax reform to the people. Now revenue sharing is going to take up to 20 percent in the first year, 40 in the second, 60, 80, and the fifth year takes up about 100 percent. My question is, what is revenue sharing, where does this come from? It comes out of the pockets of the people here in the State of Maine. If we don't have the money in the Treasurer's office to pay the bills, we are going to have to increase tax revenues from these people to pay the money back to the towns.

I feel for the grocery concern that was going to build a warehouse, was going to go to New Hampshire if they can't get their way here in Maine. We are going to take the tax off the inventory and increase their corporate tax. Well I submit that the building they build, the 300,000 foot building that has been mentioned here this morning will certainly be a deduction in their corporate tax. When they buy vehicles, when they hire people to work, these are all going to be deductions.

Nobody has answered my question that I asked yesterday,

how are we going to pay for this? I don't believe the setup that is in this amendment at the present time will raise revenue from the sources they say it will raise it to fund this tax relief.

If I am going to vote for a bill like this, and I say tax relief for business and tax reform for the people of the State of Maine, I want to know how much is going to come out of the people's pockets, because revenue sharing in my mind can be a farce. We have the federal government at the present time, but there is no guarantee that we will have it in the future. We have it in the state at the present time, we have got a surplus this session, well what happens in the 107th and the 108th if we don't have a surplus? I maintain, and I am probably wrong, that the people who work for a living in this state are going to be paying the bill.

Now it has been said this morning that if a man can increase his salary from thirty to fifty thousand dollars, he is going to pay \$500 more in taxes. If I could increase my salary from thirty to fifty thousand dollars, I would be willing to pay \$5,000.

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

Mr. SIMPSON: Mr. Speaker, Ladies and Gentlemen of the House: I would like to pose a question through the Chair to any member of the Taxation Committee. It seems to me that when we first started in to discuss the removal of the inventory tax, the business community seemed to favor a gross profit tax to pay for it in lieu of the inventory tax. Could I have an explanation maybe as to why this approach wasn't used?

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

Mr. MORTON: Mr. Speaker, Ladies and Gentlemen of the House: I think I can answer the majority floor leader's question and some of the comments that Mr. Dyar raised at the same time. You are very correct, Mr. Simpson, that was mentioned. I think what you are referring to is what

New Hampshire presently does, what they call a business profit tax. We looked at that particular phase, and I am addressing these remarks also to Mr. Dyar because he brought in the State of New Hampshire and the problems they have had. We examined what they had been doing and our own Taxation Department worked that over very carefully.

It is very apparent that the State of New Hampshire is having problems with that so-called business profit tax. The reason they are having them is because it is impossible to put a salary on people who are in proprietorships and partnerships as you do in corporations. Corporations, it is a clean-cut operation, but in proprietorships and in partnerships, the salary is almost impossible to determine. The Federal IRS also agrees with this. Therefore, what is happening in New Hampshire is that the lawyer is saying his salary is \$95,000 out of \$100,000 that he makes and therefore it is all going into the business. So he is paying no individual income tax or else he is saying his salary is only \$50,000 when it should be nearer \$100,000. It has to be left up to them because there is no way the State of New Hampshire can assess these salaries. IRS again agrees with it.

We stayed away from that. We have got a very viable personal income tax law, a very viable corporate tax law. The administration for these is set up. The administration will not require any more money in this bill. The figures are all in the computer, and I would assure the gentleman from Strong, Mr. Dyar, that these figures and these estimates were not manufactured by me or by the Taxation Committee. They were passed through the Department of Taxation and these are in their estimates. I think you agree with me that their estimates are usually on the conservative side.

I hope I have answered your question, Mr. Simpson.

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

Mr. DONAGHY: Mr. Speaker, Ladies and Gentlemen of the

House: I don't know who they were manufactured by, but one of the estimates given was way, way off. Actually, when you say that the out-of-staters are going to pay for this real estate part of it, this is entirely wrong. The actual figures from a recent study show that 85 percent of the real estate transfers in the State of Maine are intra-state, they are with Maine people, not out-of-staters. So the Maine taxpayers will be paying this transfer tax.

I don't disagree with the point that perhaps we do need something to replace the property tax, but I think the approach that has been taken is off base, and I think we had better step back a couple of paces and have a conference on this and perhaps try to come up with something more equitable as far as the taxpayers of the State of Maine are concerned.

I don't like to see any young family or elderly person either where one of the main factors in their life today, their home, is being burdened by this real estate transfer tax.

The SPEAKER: The Chair recognizes the gentlewoman from Old Orchard Beach, Mrs. Morin.

Mrs. MORIN: Mr. Speaker and Members of the House: It was my understanding that the businesses were just asking for transfer in the method of taxation. They are willing to have fairer gross profit or higher corporate taxes. Now we find that they want both ends and the middle. They get tax relief and the middle income worker again gets it in the neck as usual. There is no reason why the corporate tax should not be increased to take care of the full cost, not put it onto the workingman in addition to what we already pay. We are trying to give these people tax relief, not more taxes.

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

Mr. SOULAS: Mr. Speaker, Ladies and Gentlemen of the House: I approve the concept of the bill, 575. However, after hearing all this debate, I think I feel this is what happened. When the bill was first introduced it was

intended to pick up \$14 million. However, after the Bureau of Taxation figured it all out, they came out \$4 million short.

Now, being so late in the session, I just assumed that the Taxation Committee took the easy way out and decided to move this tax through an amendment to another source. So I feel today our best avenue is to first reconsider, indefinitely postpone that bill and then come up with another amendment that will increase the corporate income tax to take care of this bill and enact it.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Drigotas.

Mr. DRIGOTAS: Mr. Speaker and Members of the House: I will just address myself to one phase of this package, and that is the real estate transfer tax. And it is because that within just six months or so there have been such transfers in my immediate family. I am sure that my son didn't go out and pay the \$50,000 that was asked for — sixty or forty or whatever it was — for that piece of property that he bought, no more than he got the full price for the piece of property that he sold his former home for. There is an area there where there is a meeting of the minds, and if there is a difference of three or four thousand dollars, I am sure that one didn't miss a sale one way or another.

This difference in the real estate tax will generate probably — or rather it will cost a buyer or a seller two to three hundred dollars. I am sure that these transactions would certainly have been not cast aside because of the increase in the tax.

Then again, the fact is that in most cases these things are amortized over a period of 30 years by a mortgage. So I don't think that would be a tremendous deterrent to real estate transfers.

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

Mr. MARTIN: Mr. Speaker and Members of the House: The gentlewoman from Old Orchard and the gentleman from Bangor have both

raised the issue in terms of this amendment. The original bill, 1862, carries with it that provision. If the inventory tax, et cetera is removed, the cost of that will be borne entirely by the individuals who would benefit, basically the corporations. The bill does call for a 2 percent increase on the corporate income tax.

The amendment that the committee put on was an attempt to change the method of funding that proposal, of funding 1862. And as I said earlier, they felt that they, by a 10 to 3 vote, I guess, had reached a consensus that they felt it ought to be funded in this fashion rather than the way that the original bill is funded. But the original bill itself is funded as it was presented by me by a 2 percent tax increase on the Maine corporate income tax.

Mr. BRAGDON of Perham was granted permission to speak a third time.

Mr. BRAGDON: Mr. Speaker and Members of the House: I wanted to comment that I thought that finally after all this debate that we have gone through, the lady from Old Orchard Beach hit the nail right on the head. The later remarks by the gentleman from Eagle Lake bore that out. I have come to the conclusion — I guess I said before that I assumed when we began to talk about this transfer, it was the corporate tax and the people who paid it were agreeable to trade the stock in trade tax for the corporate tax. Now this is not what has happened, obviously. We are financing this by the income tax and by other methods, and I think that the lady from Old Orchard Beach said it much better than I could. She certainly brought the matter out as it appears to be at the present time. I, as of now, feel that I shall vote against this amendment and not attempt to correct it, continue and vote against the bill.

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

Mr. JALBERT: Mr. Speaker and Members of the House: From the very first time that I came into

this House until just a few minutes ago, it was my understanding, up until yesterday, I mean, it was my understanding that this measure here of the replacing of the inventory tax was going to be financed by a hike of two points in the corporate income tax. Now I have got 15 different ways of financing it. That was my understanding when I first landed here.

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

Mr. KELLEHER: Mr. Speaker, I would like to pose a question to the original sponsor of the bill or any member of the Taxation Committee. On your original bill, Mr. Martin, was there sufficient money on the 2 percent increase in the corporate tax to cover this trade in.

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

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

Mr. MARTIN: Mr. Speaker and Members of the House: I am told that there was, as a matter of fact, there was some left over.

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

Mr. KELLEHER: Mr. Speaker and Members of the House: In the answer that Mr. Martin gave this House, I can see no reason why the House wouldn't reconsider, kill the amendment, go back to the original bill, if that is what the House wants. I think it would be ridiculous not to vote for reconsideration and put this bill back in the proper position.

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 pending question is on the motion of the gentleman from Brewer, Mr. Norris, that the House reconsider its action whereby Committee Amendment "A" (H-575) to L. D. 1862 was adopted. All in favor of reconsideration will vote yes; those opposed will vote no.

ROLL CALL

YEAS: Albert, Ault, Baker, Berry, G.W.; Berry, P.P.; Berube, Binnette, Birt, Bither, Boudreau, Bragdon, Brawn, Brown, Bunker, Bustin, Cameron, Carey, Carrier, Carter, Chick, Chonko, Churchill, Clark, Connolly, Cooney, Crommett, Curtis, T.S., Jr.; Dam, Davis, Donaghy, Dow, Dunleavy, Dyar, Emery, D. F.; Evans, Farnham, Farrington, Faucher, Fecteau, Ferris, Flynn, Fraser, Gahagan, Garsoe, Gauthier, Genest, Good, Goodwin, H.; Goodwin, K.; Greenlaw, Hamblen, Hancock, Haskell, Henley, Hobbins, Hoffses, Huber, Hunter, Immonen, Jackson, Jacques, Jalbert, Kauffman, Kelleher, Kelley, Kelley, R.P.; Keyte, Kilroy, Knight, LaCharite, Lawry, LeBlanc, Lewis, E.; Lewis, J.; Lynch, MacLeod, Maddox, Mahany, McCormick, McHenry, McKernan, McMahon, McNally, McTeague, Mills, Morin, L.; Morin, V.; Mulkern, Murchison, Murray, Najarian, Norris, Palmer, Parks, Perkins, Peterson, Pontbriand, Pratt, Rolde, Rollins, Ross, Shaw, Shute, Silverman, Simpson, L.E.; Snowe, Soulas, Sproul, Stillings, Talbot, Theriault, Trask, Tyndale, Walker, Webber, Wheeler, White, Whitzell, Willard, The Speaker.

NAYS: Cote, Cottrell, Drigotas, Dunn, Finemore, Martin, Maxwell, Merrill, Morton, Smith, D.M.; Smith, S.; Susi, Wood, M.E.

ABSENT: Briggs, Conley, Cressey, Curran, Deshaies, Dudley, Farley, Herrick, LaPointe, Littlefield, O'Brien, Ricker, Santoro, Sheltra, Strout, Tanguay, Tierney, Trumbull.

Yes, 120; No, 13; Absent, 18.

The **SPEAKER**: One hundred twenty having voted in the affirmative and thirteen in the negative, with eighteen being absent, the motion to reconsider does prevail.

Thereupon, on motion of Mr. Norris of Brewer, Committee

Amendment "A" was indefinitely postponed.

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

Mr. **SUSI**: Mr. Speaker, Ladies and Gentlemen of the House: This bill is now without funding, and I don't believe it is the intent of this body that we should grant some \$15 million a year in property tax exemptions and have the communities bear this. So I think it would be proper now, if you are still interested in pursuing this matter of inventory exemptions, to table this either until later in today's sessions or until tomorrow to review the matter and come to a decision whether you want to pursue it further and if so, how to finance it.

Thereupon, on motion of Mr. Simpson of Standish, tabled pending passage to be engrossed and tomorrow assigned.

Second Reader

Later Today Assigned

Bill "An Act to Provide Property Tax Reduction, Rent Relief and Equalization of Municipal Revenues" (H. P. 1620) (L. D. 2038)

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

(On motion of Mr. Martin of Eagle Lake, tabled pending passage to be engrossed and later today assigned.)

Second Reader

Later Today Assigned

Resolution, Proposing Amendments to the Constitution to Provide for Annual Sessions of the Legislature and to Limit the Matters Which May be Considered in the Second Regular Session; to Provide for Single Member Districts in the House of Representatives; to Provide for Reduction of the Number of Representatives and Reapportionment of the House of Representatives and the Senate in 1983; to Establish an Apportionment Commission to Plan for all Reapportionments of the House of Representatives and Senate; to Abolish the Executive Council and Reassign Certain Constitutional Powers to a Legislative Council; and to Provide that

Oaths and Subscriptions of Office of the Governor, Representatives and Senators Shall be Taken Before the Chief Justice of the Supreme Judicial Court (S. P. 673) (L. D. 2040).

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

(On motion of Mr. Birt of East Millinocket, tabled pending passage to be engrossed and later today assigned.)

(Off Record Remarks)

**Emergency Measure
Tabled and Assigned**

An Act Increasing the Gasoline Tax (H. P. 647) (L. D. 863)

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

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

Mr. SIMPSON: Mr. Speaker, I move this lie on the table one legislative day.

(Cries of No)

The SPEAKER: The Chair will order a vote. The pending question is on the motion of the gentleman from Standish, Mr. Simpson, that this matter lie on the table one legislative day pending passage to be enacted. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

74 having voted in the affirmative and 42 having voted in the negative, the motion did prevail.

**Passed to Be Enacted
Emergency Measure**

An Act Reestablishing the Capitol Planning Commission (S. P. 535) (L. D. 1688)

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. 104 voted in favor of same and 22 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act Relating to Salaries of Jury Commissioners and County

Officers in the Several Counties of the State and Court Messenger of Cumberland County and Payments to the County Law Libraries (H. P. 1565) (L. D. 1999)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 120 voted in favor of same and 6 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Make Allocations from the Department of Inland Fisheries the Game for the Fiscal Years Ending June 30, 1974 and June 30, 1975 (S. P. 666) (L. D. 2032)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 120 voted in favor of same and 3 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 to Correct Errors and Inconsistencies in the Executive Reorganization (S. P. 430) (L. D. 1302)

An Act Clarifying Certain Municipal Laws (H. P. 1118) (L. D. 1454)

An Act Prohibiting the Acceptance of Money for Enrollment of Voters (H. P. 1270) (L. D. 1645)

An Act to Allow Group Self-Insurance Under Maine's Workmen's Compensation Law (H. P. 1345) (L. D. 1779)

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.

An Act Repealing the Bank Stock Tax (H. P. 1491) (L. D. 1919)

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

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Sproul, relative to item 9.

Mr. SPROUL: Mr. Speaker and Ladies and Gentlemen of the House: I do not know how many of you may have checked into this bill to see how it may affect your own community, but I believe most of you who have banks in your community will find that it would be quite a loss of revenue. I know in the case of Augusta, it will be nearly \$100,000. I request a roll call please.

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 pending question is passage to be enacted. All in favor of this Bill being passed to be enacted will vote yes; those opposed will vote no.

ROLL CALL

YEA — Baker, Connolly, Cooney, Cottrell, Curtis, T. S., Jr.; Dow, Dunn, Emery, D. F.; Farnham, Ferris, Finemore, Garsoe, Good, Hamblen, Haskell, Hunter, Jackson, Kelley, LaPointe, Lewis, J.; Lynch, MacLeod, Mahany, Maxwell, McHenry, McNally, Merrill, Mills, Morton, Palmer, Pontbriand, Ross, Shute, Silverman, Smith, S.; Talbot, Trask, Tyndale, Wheeler, White.

NAY — Albert, Ault, Berry, G. W.; Berry, P. P.; Berube, Binnette, Birt, Bither, Bragdon, Brawn, Brown, Bustin, Cameron, Carey, Carrier, Carter, Chick, Chonko, Churchill, Clark, Cote, Crommett, Dam, Davis, Donaghy, Drigotas, Dunleavy, Dyar, Evans, Farrington, Faucher, Fecteau, Flynn, Fraser, Gahagan, Genest, Goodwin, H.; Goodwin, K.; Greenlaw, Hobbins, Hoffses, Huber, Jacques, Kauffman, Kelleher, Kelley, R. P.; Keyte, Kilroy, Knight, LaCharite, Lawry, LeBlanc, Lewis, E.; Littlefield, Maddox, Martin, McCormick,

McKernan, McMahon, McTeague, Morin, L.; Morin, V.; Mulkern, Murchison, Murray, Najarian, Norris, Parks, Perkins, Peterson, Pratt, Rolde, Rollins, Shaw, Simpson, L. E.; Smith, D. M.; Snowe, Sproul, Stillings, Susi, Theriault, Trumbull, Walker, Webber, Willard, Wood, M. E.; The Speaker.

ABSENT — Boudreau, Bunker, Conley, Cressey, Curran, Deshaies, Dudley, Farley, Gauthier, Henley, Herrick, Immonen, J. Albert, O'Brien, Ricker, Santoro, Sheltra, Soulas, Strout, Tanguay, Tierney, Whitzell.

Yes, 40; No, 87; Absent, 24.

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

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

Mr. SPROUL: Mr. Speaker, I would ask for reconsideration and I hope everyone will vote against me.

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

Mr. SUSI: Mr. Speaker, I move this be tabled for one day, please.

Thereupon, Mr. Simpson of Standish requested a vote.

The SPEAKER: The pending question is on the motion of the gentleman from Pittsfield, Mr. Susi, that this matter be tabled for one legislative day pending the motion of Mr. Sproul of Augusta to reconsider. All in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

55 having voted in the affirmative and 72 having voted in the negative, the motion did not prevail.

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

Mr. FINEMORE: Mr. Speaker and Members of the House: This bill, it kind of amuses me to see this bill try to be killed. All we have done on this bill in the Committee of Conference is change the tax from a bank stock tax to a personal property tax. There will be very, very few. The City of Augusta will lose, yes, because they were getting it all before. In

the City of Augusta, Depositors Trust for example, would get 90 percent of their stock tax in Augusta, together with these other big banks. They do. I believe Bangor would lose some \$6,000 or something like that, it is very small, but you take the Town of Houlton — now my district won't get a cent, 17 towns will lose everything they were getting, but we are willing to go along with it because it is a fair tax. They will be taxed on their personal property in the town where the bank is. The branch banks will be taxed in the towns where the branch banks are. Therefore, the tax is a little more equally divided.

I would go as far as to say that outside of maybe Portland and maybe Augusta here and maybe Bangor, there are very few places where there would be any loss throughout the state. I think this is a mighty good bill and I hope you will reconsider this bill this morning.

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

Mr. SUSI: Mr. Speaker and Ladies and Gentlemen of the House: This bill originated in the State Treasurer's office, and if I remember correctly, under the setup as it is now, prior to this bill, there is a tax on bank stock and it goes back to the community of residence of holder of the stock. As the State Treasurer explained it to the Taxation Committee, they had people working literally for months to establish the residence of holders of bank stock so that it has become an impossible thing.

As honest as I am standing here, I am not out after Augusta or Bangor or Portland or Linneus or any other town, but I am thoroughly convinced that what we have is an absolutely unworkable situation. It has gotten to the point where they cannot trace this stock as to where it is and it is a hopeless thing, and I think that we have to do something with it. So I would hope that you wouldn't just sluice this bill because it just doesn't make any sense to sluice it.

I would hope you would support the reconsideration.

The SPEAKER: The Chair recognizes the gentleman from Calais, Mr. Silverman.

Mr. SILVERMAN: Mr. Speaker and Members of the House: I am no authority on taxation, but somewhere it was handed to me, and I threw it away, a list of how this bank stock tax, if this passed, is going to be distributed, and it is a much fairer way of distribution throughout the State of Maine than to have it centralized in several large communities. I wish if someone had that list they would bring it forward, because it would certainly change a lot of people's minds and I think they would vote for reconsideration. Does anyone have it?

The SPEAKER: The Chair recognizes the gentleman from Sabattus, Mr. Cooney.

Mr. COONEY: Mr. Speaker, Ladies and Gentlemen of the House: This is the bill that I think I amended four times in here and sent back to the Senate.

The Taxation Committee reported this bank stock tax bill out as a repeal of the tax, and that may very well be the right thing to do. But it was my feeling that the tax may not be an unfair tax, but the distribution of the tax was what was really unfair. And as the Representative from Pittsfield has said, it does take the Treasurer's Office staff some time to figure out where this tax is coming from and where it should be distributed to. Right now it is distributed to the communities where the tax is held. You have a situation were 54 percent of the tax goes to — I am not sure, roughly 14 percent of the population in a few cities where this tax is held.

The amendment which I added onto this bill which went under the hammer, four times went under the hammer, was to repeal that bill out of Taxation and to redistribute the bank stock tax on the revenue sharing formula. What this would mean to probably the majority of the communities is that they would be getting some funds from this bank stock tax they have never received before. I felt that this solved the distribution problem and myself, representing four communities that have never received

a dime out of the bank stock tax, this would mean roughly five or six thousand dollars to those communities.

Obviously, we were picking the pockets of these three or four larger communities that have the bank centralized in their communities and have been receiving this tax all along. I would say that to some extent that they have been picking the small towns' pockets all these years, so I was just returning the compliment.

We did have a Conference Committee on this because the Senate refused to go along with us, and the House conferees, including myself, finally agreed to go along with the Senate rather than see this thing die in non-concurrence, because the present stage of the bank stock tax should be changed. Either we should repeal it or we should wind ourselves back through, reject the Conference Committee Report and insist on our action in the House, which would be to distribute the bank stock tax on the revenue sharing formula.

That is the history of where we have gone on this tax. I was rather surprised at the vote this morning. I am not quite sure what it indicates, but I think maybe we can still make some effort in the direction which this House seemed to be making over the past couple months.

The SPEAKER: The Chair recognizes the gentleman from Orono, Mr. Curtis.

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen of the House: I certainly hope this bill will pass today rather than be defeated. There is one development recently in the area of banking which has not been mentioned but which greatly affects the distribution of this tax, that is the development of the bank's share holding companies.

It used to be that we had a number of small banks in small towns, my own for example, when the bank stock tax was distributed, the stockholders of those banks were individuals easily identifiable and the money went to those communities where they lived.

Next came consolidation of banks. Even then, with the consolidated bank located in the larger communities, it was still easy to identify who actually owned the shares in that bank and to redistribute the money involved back to the communities where the shareholders lived. The latest development is that the holding companies for the banks have their corporate places of residence in Portland, Lewiston, Augusta, Bangor, the larger cities. The corporation then becomes the shareholder and the bank stock tax when the money is distributed goes almost entirely to those larger cities.

What has happened in my own case, for example, is that we have three small branch banks of large companies. Last year Orono received \$226 of money from this tax. We were prohibited from taxing the personal property of all three of those banks in our community, even though we continued to provide services just as we provide to every other business. The purpose of this bill is to enable my municipality and your municipality to tax the personal property of banks that are located within your area.

The SPEAKER: The Chair recognizes the gentleman from Calais, Mr. Silverman.

Mr. SILVERMAN: Mr. Speaker and Members of the House: Representative Curtis brought out another very important feature of this bill. I still say I am not an authority, so I therefore can be corrected. But I don't care to see a bill like this defeated. And that is, the way the bank tax is now, once they pay a tax, the bank tax, the banks are then not subject to a personal property tax in that municipality. If this bank tax is repealed, then every one of those communities has the advantage of properly taxing that bank on its personal property in that area, and that too would be a big advantage of taxes to the local municipality.

I hope you will reconsider and then maybe we would need more facts, but this bill is a very important bill just to forget at this time.

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

Mr. ROSS: Mr. Speaker and Members of the House: I understood that any item which was to be debated was to be tabled until later in today's session. That was not so here.

Here is an item that has had a Committee of Conference. Many of you may not realize it, but usually Conference Committee Reports do not agree and this one did. Therefore, I certainly hope that you will go along with the Conference Committee Report.

The SPEAKER: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker and Members of the House: I guess my question now is, after the remarks of the gentleman from Bath, Mr. Ross, where is this tax — well, I will get back to what I was going to say in the first place. I happen, strange as it might seem, I represent a small town. Strange as it might seem also, we have a bank and we have another bank near to us and so forth. Strange as it might seem, some of our citizens do own stock in that bank. I happen to be one of them.

I was somewhat amazed to find the gentleman from Pittsfield, make the statement that it was almost impossible to find where the stock in these banks was owned. It seems to me that it would be a very simple matter. I would assume that the banks have to make a report of who owns the stock and things like that. So I just can't buy somehow or other that argument. But I think I am defending the present method and not repealing the bank stock tax. I am probably going to be convinced that I am wrong, and I will sit down here.

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

Mr. MORTON: Mr. Speaker and Members of the House: I think the problem lies in the fact that this is called the repealing the bank stock tax, and I am sure that a lot of people who voted first thought the banks were getting

away with something here. That is not the case. The bank stock tax was being collected on where the ownership was. It was difficult in many instances to determine where a small percentage of the shares were because some of it is out-of-state ownership. But this bill does not relieve banks from paying taxes.

What this bill does, if you repeal the bank stock tax, it then makes the local bank's property subject to local property taxes and this is what was the result of the Committee of Conference. This is a good bill and I hope you now understand it and will support it.

The SPEAKER: The Chair recognizes the gentleman from Guilford, Mrs. White.

Mrs. WHITE: Mr. Speaker and Members of the House: I have fought this bank stock tax so long I shall not know how to act when I am not here to fight it any more. I do hope that we will pass this. I think it is the solution. I don't think maybe we will have to fight it any more. I certainly urge you to vote for the bill, to pass it.

The SPEAKER: The pending question is on the motion of the gentleman from Augusta, Mr. Sproul, that the House reconsider its action whereby L. D. 1919 failed of passage to be enacted. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

96 having voted in the affirmative and 19 having voted in the negative, the motion did prevail.

The SPEAKER: The Chair recognizes the gentleman from Calais, Mr. Silverman.

Mr. SILVERMAN: Mr. Speaker, I move for final enactment of this bill.

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

Mr. CAREY: Mr. Speaker, so we can have a roll call for each pocket on this one, I would ask for 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 Augusta, Mr. Sproul.

Mr. SPROUL: Mr. Speaker and Members of the House: I would like to debate this, so I would hope someone would move to table it until later in today's session.

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

Mr. BROWN: Mr. Speaker, I move this be tabled until later in today's session.

Thereupon, Mr. Silverman of Calais requested a vote on the tabling motion.

The SPEAKER: The pending question is on the motion of the gentleman from Augusta, Mr. Brown, that this matter be tabled until later in today's session pending passage to be enacted. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

33 having voted in the affirmative and 81 having voted in the negative, the motion did not prevail.

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

Mr. SPROUL: Mr. Speaker, Ladies and Gentlemen of the House: I still have quite a bit of difficulty with this bill in spite of all the arguments that have gone on. In the first place, any community that does not have any bank located within that community has nothing to gain by this bill. I can't see that they have any effect on it one way or the other. Those communities that do have banks, there will probably be some shift in the tax. I really don't know how it will come out, I don't think that has been computed in any way. However, the tax is now on the books.

I think it must be fairly well understood. Personally I haven't heard any problems with this and how it is assessed and so forth, but I just think that a new system,

every community that has a bank would have to go out with their assessors and do the whole job, starting from scratch. This means a tremendous amount of work. I can't see but what it would mean far more than the existing setup that is already on the books. I just cannot see how enough can be accomplished in changing this over from the stock tax to an inventory tax. And then let's take that one step farther. With the bills in here concerning inventory, are we then going to take all the inventory tax off and then the banks will be off the hook completely?

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

Mr. MORTON: Mr. Speaker, Ladies and Gentlemen of the House: It is certainly not surprising that the gentleman from Augusta is not in favor of this because I am sure you all realize that the City of Augusta in the last four or five years has had quite a bonanza from the change-over of one of the large banks here to a holding company. They have had a lot of new money coming into the City of Augusta. So you would naturally expect him to oppose this and I don't blame him.

The inventory tax proposition has nothing to do with furniture, fixtures, machinery and equipment, so those will still be available for the tax assessors of the City of Augusta to go after if you pass this bill. The City of Augusta will be able to tax the property of these large banks that are presently in the City of Augusta, but they will not be able to get revenue from the stock that is owned by all the little banks that are a member of the holding company of this large Augusta bank. So I think if you want justice you will vote for this bill.

The SPEAKER: The Chair recognizes the gentleman from China, Mr. Farrington.

Mr. FARRINGTON: Mr. Speaker and Members of the House: My only reason — we don't have any banks in our area, and I would just like China to ascertain how much money we do realize from those who live in the area and do own bank stock. That is my

reason for wanting it tabled for a short time.

I now move that we table this for one legislative day.

The SPEAKER: The Chair would state that the gentleman may not debate his tabling motion.

The pending question is passage to be enacted. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Ault, Baker, Berry, G. W.; Berry, P. P.; Berube, Bither, Boudreau, Brawn, Carey, Chick, Chonko, Churchill, Clark, Connolly, Cooney, Cote, Cottrell, Crommett, Curtis, T. S., Jr.; Dam, Dow, Drigotas, Dunleavy, Dunn, Dyar, Emery, D. F.; Farnham, Faucher, Pecteau, Ferris, Finemore, Flynn, Fraser, Gahagan, Garsoe, Gauthier, Genest, Goodwin, H.; Goodwin, K.; Greenlaw, Hamblen, Haskell, Hobbins, Hoffses, Huber, Hunter, Jackson, Jalbert, Kelley, Kelley, R. P.; Kilroy, Knight, LaCharite, LaPointe, Lawry, LeBlanc, Lewis, E.; Lewis, J.; Littlefield, Lynch, MacLeod, Maddox, Mahany, Martin, Maxwell, McCormick, McHenry, McMahon, McNally, McTeague, Merrill, Morin, V.; Morton, Mulhern, Murchison, Najarian, Norris, Palmer, Parks, Perkins, Peterson, Pontbriand, Pratt, Rolde, Rollins, Ross, Silverman, Simpson, L. E.; Smith, D. M.; Smith, S.; Snowe, Susi, Talbot, Theriault, Trask, Tyndale, Walker, Webber, Wheeler, White, Whitzell, Willard, Wood, M. E.

NAY — Birt, Bragdon, Brown, Bustin, Cameron, Carter, Donaghy, Farrington, Good, Jacques, Kelleher, McKernan, Morin, L.; Murray, Shaw, Sproul, Stillings.

ABSENT — Binnette, Briggs, Bunker, Carrier, Conley, Cressey, Curran, Davis, Deshaies, Dudley, Evans, Farley, Hancock, Henley, Herrick, Immonen, Kuffman, Keyte, Mills, O'Brien, Ricker, Santoro, Sheltra, Shute, Soulas, Strout, Tanguay, Tierney, Trumbull.

Yes, 104; No, 17; Absent, 29.

The SPEAKER: One hundred four having voted in the affirmative and seventeen in the negative, with twenty-nine being absent, the motion does prevail.

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

An Act Authorizing the Commissioner of Agriculture to Investigate Certain Farming Practices (H. P. 1497) (L. D. 1924)

An Act Relating to Mobile Home Parks (S. P. 630) (L. D. 1956)

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.

Enactor

Later Today Assigned

An Act to Improve the Lobster Fisheries (S. P. 638) (L. D. 1973)

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

(On motion of Mr. Jackson of Yarmouth, tabled pending passage to be enacted and later today assigned.)

An Act Relating to the Certification and Regulation of Geologists and Soil Scientists (H. P. 1570) (L. D. 2000)

An Act Relating to Criminal Penalties for the Possession, Manufacture and Cultivation of Cannabis, Mescaline and Peyote (H. P. 1604) (L. D. 2025)

An Act Relating to the Transfer of Prisoners Committed to County Jails (H. P. 1605) (L. D. 2026)

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.

Enactor

Later Today Assigned

An Act Regulating Agricultural Labor Practices (H. P. 1606) (L. D. 2027)

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

(On motion of Mr. Bustin of Augusta, tabled pending passage to be enacted and later today assigned.)

An Act Revising the Laws Governing Admission to Mental

Health Facilities (S. P. 668) (L. D. 2034)

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.

On request of Mr. Birt of East Millinocket, by unanimous consent, unless previous notice was given to the Clerk of the House by some member of his or her intention to move reconsideration, the Clerk was authorized today to send to the Senate, thirty minutes after the House recessed for lunch and also thirty minutes after the House adjourned for the day, all matters passed to be engrossed in concurrence and all matters that required Senate concurrence; and that after such matters had been so sent to the Senate by the Clerk, no motion to reconsider would be allowed.

On motion by Mr. Birt of East Millinocket,

Recessed until two o'clock in the afternoon.

**After Recess
2:00 p.m.**

The House was called to order by the Speaker.

Supplement No. 1 was taken up out of order by unanimous consent.

Passed to be Enacted

An Act Eliminating Admission to the Bar of the State of Maine by Motion. (H. P. 812) (L. D. 1057) (H. "A" H-574).

An Act Providing Housing for Maine's Elderly. (H. P. 1609) (L. D. 2028).

An Act to Establish a State Housing Rehabilitation Program. (H. P. 1612) (L. D. 2029).

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 Joint Standing Committees of the Legislature" (S. P. 560) (L. D. 1731).

Tabled — June 15, by Mr. Simpson of Standish.

Pending — Passage to be engrossed.

On motion of Mr. Simpson of Standish, tabled pending passage to be engrossed and later today assigned.

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

Bill "An Act to Redistribute Certain Statutory Powers Now Vested in the Executive Council, to Abolish the Legislative Research Committee, to Create a Statutory Legislative Council, to Provide for Permanent Joint Standing Committees of the Legislature and to Provide for an Annual Rather than Biennial Budget" (S. P. 661) (L. D. 2021).

Tabled — June 15, by Mr. Simpson of Standish.

Pending — Passage to be engrossed.

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

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: This bill, as you realize, does not need a 2-3 vote, because it just redistributes certain statutory powers and does things like this. But if we pass this bill before we even act on the constitutional amendment, we will be forcing ourselves into abolishing the Executive Council and abolishing the Legislative Research Committee. I don't think we want to do that yet.

I now move indefinite postponement of this bill.

The SPEAKER: The gentleman from Bath, Mr. Ross, moves the indefinite postponement of L. D. 2021 and all accompanying papers.

Mr. Simpson of Standish requested a roll call vote.

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 Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker and Members of the House: I completely concur with the remarks made by the gentleman from Bath, Mr. Ross, with regard to this bill. I happen to be one of those who probably are not going to go along with some of the provisions of the reorganization bill which will cause us to amend the constitution. I realize this bill is only a majority vote. However, I would feel that those who feel that they are likely to be inclined not go along with the reorganization embodied by such things as single member districts, the abolition of the council, and many other things too numerous to mention, when they vote would bear this in mind. This is the beginning of going along that course, and I do not propose to take it, and I think that those who feel as I do would be well advised to do likewise.

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

Mr. SIMPSON: Mr. Speaker, Ladies and Gentlemen of the House: I urge you not to vote for the indefinite postponement of this piece of legislation. There is one thing I would promise you, at least as far as my own vote goes and my own position on this thing, and that is that we are only into the engrossment on it right at the present time. It is not my intention to ever let this go through enactment in this body until such time as the other bill comes through and is passed first. I feel that is the only way that it should be handled, but I do feel at this time those of us who feel that legislative reform is a very vital, essential part of this legislature and in the best interest of governing this state, that we should not indefinitely postpone this, that we should engross it today.

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

Mr. JALBERT: Mr. Speaker and Members of the House: As I have stated more than once, I have grown to like and respect the gentleman from Standish, Mr. Simpson, a great deal. My old pappy told me never to go back to the same bad barn twice. I remember one time when the gentleman from Bath, Mr. Ross, and I went along with an amendment that the gentleman from Standish, Mr. Simpson, put in, and after we went along like a couple of donkeys, I, whammo, indefinitely postponed the whole bill. So I think maybe we better go along with the fine thing the gentleman from Bath, Mr. Ross, is doing and the fine gentleman from Perham, Mr. Bragdon and then we will be safe.

The SPEAKER: The Chair recognizes the gentleman from Calais, Mr. Silverman.

Mr. SILVERMAN: Mr. Speaker and Members of the House: I would like to throw a question out at this time to the majority floor leader and the minority floor leader. If the statutory bill passes and the constitutional bill for government reform is defeated, what are you going to do with the statutory bill?

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

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

Mr. MARTIN: Mr. Speaker and Members of the House: In response to the question, let me put it this way. If the Governor of the State of Maine in 1965 had not vetoed the statutory changes dealing with the powers of the governor's council, we would have done away with most of those powers that the council held at that time. Those powers would have been transferred.

If this bill should, in effect, become law without the other one becoming part of a constitution, then what you in effect would have done would be to transfer the statutory powers of the Executive Council to the Legislative Council.

You would have also abolished the Legislative Research Committee and created instead the Joint Standing Committee. You would also provide for an annual rather than a biennial state budget, and you would also provide for a legislative council consisting of the Leadership consisting of ten people. Now, keep in mind that all of this package that the gentleman is concerned about could indeed stand on its own two feet.

This particular package needs 101 votes in order to become enacted by this body. The other bill, which deals with the constitutional amendments going to the people, needs 2-3 of the votes of those present and voting. So, in effect, you would not need the 101 votes necessary as you need on this particular bill.

I want to make it perfectly clear, as the President would say, that this bill can stand alone, if that is the wish of this body. The gentleman from Standish has indicated that we ought to consider both of them together, and I agree. But to answer his question directly, there is no problem. We can enact one without the other.

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

Mr. SIMPSON: Mr. Speaker and Members of the House: To give the gentleman from Calais, Mr. Silverman, my position on this thing, I would just repeat what I started with, that I personally do believe the two of them do go hand in hand, and as far as I am concerned, the other one has to be passed by this body and the other body and go before this one does. I personally am not ready yet — as much as I believe that most of this should go into law, I am not ready to take and give up and enact this package without the other one first being passed and out to the people. That is why I said as far as I am concerned, I am willing to let it go to the enactment stage; that therefore, at that stage, we should hold it and bring the other one along first.

The two of them go hand in hand, they are part of a package, and therefore, should be considered as

a package. If later you want to consider them individually, fine; but as far as I am concerned, if the constitutional question package does not pass, I will never vote for this one.

The SPEAKER: The Chair recognizes the gentleman from Calais, Mr. Silverman.

Mr. SILVERMAN: Mr. Speaker and Members of the House: As I understand from the majority floor leader, if the constitutional amendment fails enactment in this House, the statutory reform will not take place either from your chair.

I also understand from the minority floor leader that if the constitutional amendment fails, you will still stick with the statutory amendment if passed, is that correct?

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

Mr. MARTIN: Mr. Speaker and Members of the House: I don't believe I ought to be encouraging anyone to put words in my mouth, I have enough problem telling other people what I believe when issued by my own voice and by myself.

I made the statement that both packages ought to be considered together; that we ought to be talking about and enacting both of them. Now, how we do that, which bill comes first, is, in part, academic and in part, trying to figure out who is going to have what power at what time. I am saying, however, that if we believe in any type of reform, that it is possible to enact one without the other.

Now if you are asking me point blank would I support this and not the other, I doubt that, but I will reach that bridge when I get there if the other bill is defeated.

I think it is important to keep in mind that we are talking about a complete package. We are not going to agree on everything. We may never disagree on some things, but we have to determine whether or not the people of Maine are going to be better served by what we have after we are through.

The SPEAKER: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker Ladies and Gentlemen of the House: I think I agree to some extent with the gentleman from Eagle Lake, Mr. Martin.

However, my position here is that I would feel if I should vote to take the powers away from the council and then I found that we didn't have votes enough to eliminate the council, I would feel a little as if we had done the wrong thing. At least I think we should remove their salary when we remove their powers, and nothing has been done about that. We would feel a little awkward if they came down here and sat around the next legislative session with no authority and still collecting their \$20, \$25 a day. I don't know if this could be provided for, and perhaps it may be in this package.

I do feel that if we have the votes to make this deorganization that we talk about, I will go along with it gracefully, and in this stage of the game, I don't believe we have got them. So for that reason, I feel that we should not take this one step. If you want to keep these bills together, that is all well and good, but I think we better watch out that we don't start down the path too far ahead, one ahead of the other.

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

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: I would just like to comment briefly on remarks made by the gentleman from Eagle Lake, Mr. Martin. He said that if the governor had not vetoed this bill, it would be law now. He realizes that in 1965, both bodies were controlled by the Democrats. I would like to remind him that the loyal opposition did not go along with this, and the governor who happened to be a Republican did veto it.

Such, of course, has been the same the last three terms. The Republicans have had a slight majority. There have been things that we have wanted to go through we have put through to the Governor's desk, and he has vetoed them.

They also would be law if he had not vetoed them.

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

Mr. DONAGHY: Mr. Speaker, Ladies and Gentlemen of the House: I rise to comment, too. I think that this is the reverse of divide and conquer. We are asked today to vote on two very important things, not necessarily connected in any way, in hopes that there will not be debate — at least this is my opinion — that there will not be the same amount of debate on the two bills. There seems to be no connection, in my mind, whether we should eliminate the research committee or whether we should have a legislative council. Either one should, in my opinion, stand on its own feet and not be combined and sluffed over so that there will be a better chance to pass the two of them. I think that it is quite different whether or not we feel that the Legislative Research Committee does as good a job as the individual standing committees might do. And this is what this part talks about.

The other section, you address yourself to whether or not the Executive Council could best be promoted or replaced by the Legislative Council. I am not sure how you folks feel about this, but I think you should give it some thought.

The SPEAKER: The Chair recognizes the gentleman from Orono, Mr. Curtis.

Mr. CURTIS: Mr. Speaker and Members of the House: Before we vote on this, I hope we don't lose track of a couple of very important things.

The first is this is indeed at the engrossment stage and not at the enactment stage, and that there would, of course, be some changes made if we were to get the whole package.

More important than that by far it seems to me is that we now have an opportunity at the end of what has been a very long and I think productive session to really provide some meaningful reform of the legislature and the legislative process.

If you will remember back with me for just a moment to the first day of this session, a day that is usually devoted to great formalities when we stayed in our seats here in the House until the very end of the afternoon in order to vote, finally after much debate by an overwhelming margin, to provide ourselves with some staff assistants. That was an attempt by this body, it seems to me, to provide ourselves with the tools we needed to work properly.

Now, a lot of work has been done on this bill, some of it by the State Government Committee but most of it by the leaders of the two political parties and people outside this particular body who are very concerned with legislative reform.

To my thinking, again, this is probably the most important and far-reaching piece of legislation, combined with the proposed constitutional amendments, that will come before this legislature or has come before any Maine legislature in many years.

I certainly hope it receives a favorable vote at this time.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I would like to put a little meat in the potatoes if I could. I would like to ask a question of the gentleman from Orono, Mr. Curtis. If there was one item in here that was killed finally in a statutory manner, if that item was not in here, would he vote for the enactment of this bill. The item is called single member districts.

The SPEAKER: The pending question is on the motion of the gentleman from Bath, Mr. Ross, to indefinitely postpone L. D. 2021 and all accompanying papers. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Baker, Binnette, Bragdon, Brawn, Bunker, Cameron, Carey, Carrier, Churchill, Cote, Curran, Donaghy, Dunn, Evans, Faucher, Finemore, Fraser, Good, Herrick, Hunter, Immonen, Kelley, Keyte, Littlefield, McNally, Merrill, Parks, Rollins, Ross, Shaw, Silverman,

Stillings, Trumbull, Webber, Willard.

NAY — Ault, Berry, G. W.; Berry, P. P.; Berube, Birt, Bither, Boudreau, Brown, Bustin, Carter, Chick, Chonko, Clark, Connolly, Cooney, Cottrell, Crommett, Curtis, T. S., Jr.; Dow, Drigotas, Dunleavy, Dyar, Emery, D. F.; Farnham, Fecteau, Ferris, Flynn, Gahagan, Garsoe, Gauthier, Genest, Goodwin, H.; Goodwin, K.; Greenlaw, Hamblen, Hancock, Haskell, Henley, Hobbins, Hoffses, Huber, Jackson, Jalbert, Kauffman, Kelleher, Kelley, R. P.; Kilroy, Knight, LaCharite, LaPointe, Lawry, LeBlanc, Lewis, E.; Lewis, J.; Lynch, MacLeod, Maddox, Mahany, Martin, Maxwell, McCormick, McHenry, McKernan, McMahan, McTeague, Mills, Morin, L.; Morin, V.; Morton, Mulkern, Murchison, Murray, Najarian, Norris, O'Brien, Palmer, Perkins, Peterson, Pratt, Rolde, Shute, Simpson, L. E.; Smith, D. M.; Smith, S.; Snowe, Soulas, Sproul, Susi, Talbot, Theriault, Trask, Tyndale, Walker, Wheeler, White, Whitzell, Wood, M. E., The Speaker.

ABSENT — Briggs, Conley, Cressey, Dam, Davis, Deshaies, Dudley, Farley, Farrington, Jacques, Pontbriand, Ricker, Santoro, Sheltra, Strout, Tanguay, Tierney.

Yes, 36; No, 98; Absent, 17.

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

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

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

Bill "An Act Revising the Reorganization of the Department of Manpower Affairs" (H. P. 1613) (L. D. 2030)

Tabled — June 15, by Mr. Martin of Eagle Lake.

Pending — Passage to be engrossed.

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

Mr. McTEAGUE: Mr. Speaker and Ladies and Gentlemen of the House: This is one of the two remaining areas on executive reorganization that we have not completed. It appears, although the committee worked hard and came out with a redraft which was an attempt to solve those problems, there still are some problems involved in the redraft. We have work being done at this time to be finished tomorrow morning on an approach that we hope will solve the problems and make it generally an accepted bill and finish all for the one unmentionable, the whole area of executive reorganization.

I therefore hope that some member will table this bill until tomorrow morning.

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

Mr. LaCHARITE: Mr. Speaker, I move this item lie on the table for one legislative day.

Mr. Simpson of Standish requested a division.

The SPEAKER: The pending question is on the motion of the gentleman from Brunswick, Mr. LaCharite, that L. D. 2030 lie on the table one legislative day. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

Mr. Kelleher of Bangor 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 pending question is on the motion of the gentleman from Brunswick, Mr. LaCharite, that L. D. 2030 lie on the table one legislative day. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Berry, P. P.; Berube, Binnette, Boudreau, Brag-

don, Bustin, Carey, Carrier, Carter, Chonko, Clark, Connolly, Cooney, Cottrell, Crommett, Curran, Dow, Drigotas, Dunleavy, Faucher, Fecteau, Fraser, Genest, Goodwin, H.; Goodwin, K.; Greenlaw, Hancock, Hobbins, Jalbert, Kelleher, Keyte, Kilroy, LaCharite, LaPointe, Lawry, LeBlanc, Lynch, Mahany, Martin, Maxwell, McHenry, McTeague, Mills, Morin, L.; Morin, V.; Mulhern, Murray, Peterson, Rolde, Smith, D. M.; Smith, S.; Talbot, Theriault, Webber, Wheeler, Whitzell.

NAY — Ault, Baker, Berry, G. W.; Bither, Brawn, Brown, Bunker, Chick, Churchill, Cote, Curtis, T. S., Jr.; Donaghy, Dunn, Dyar, Emery, D. F.; Farnham, Ferris, Finemore, Flynn, Gahagan, Garsoe, Gauthier, Good, Hamblen, Haskell, Henley, Herrick, Hoffses, Huber, Hunter, Immonen, Jackson, Kauffman, Kelley, Kelley, R. P.; Knight, Lewis, E.; Lewis, J.; Littlefield, MacLeod, Maddox, McCormick, McKernan, McMahon, McNally, Merrill, Morton, Murchison, Najarian, Norris, O'Brien, Palmer, Parks, Perkins, Pratt, Rollins, Ross, Shaw, Shute, Silverman, Simpson, L. E.; Snowe, Soulas, Sproul, Stillings, Susi, Trask, Trumbull, Tyndale, Walker, White, Willard, Wood, M. E.; The Speaker.

ABSENT — Birt, Briggs, Cameron, Conley, Cressey, Dam, Davis, Deshaies, Dudley, Evans, Farley, Farrington, Jacques, Pontbriand, Ricker, Santoro, Sheltra, Strout, Tanguay, Tierney.

Yes, 57; No, 74; Absent, 20.

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

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: This particular bill that you have in front of you, L. D. 2030, is a redraft of another bill, 1331. The two are completely opposed to one another in terms of concept of purpose and final direction of the Department of Manpower Affairs.

This particular version or redraft was discussed in a joint

leadership with the Governor. It was agreed at that time that this is the most ridiculous way of trying to solve the problem that we could possibly devise. It was done jointly and it was agreed to jointly that this particular bill would come out of the Committee on State Government.

It was agreed to jointly, mutually, as I recall the conversation, that if we were going to have a redraft that basically we have as a Department of Manpower Affairs with the matters dealing with the commission when there would be questions of appeal on behalf of the employee or employer, that it would be handled by a three-man commission. However, this bill restructures us back to where we were before, which was a mess then, which is a mess today because of what we created.

Since there is no way that we can place an amendment on it after today, I would now move the indefinite postponement of L. D. 2030 and ask for the yeas and nays.

The SPEAKER: The Chair recognizes the gentleman from Berwick, Mr. Stillings.

Mr. STILLINGS: Mr. Speaker and Ladies and Gentlemen of the House: It seems to me that this is a proposal that could resolve some of the problems that exist in the Manpower Affairs Department. The problem, as we all know, was apparently created by this legislature with its reorganization of that department a year ago.

What the bill does, as the gentleman from Eagle Lake has suggested, it removes dual status of the Commissioner of Manpower Affairs serving both as commissioner and as head of the Employment Security Commission. It restores a public member as Chairman of the Employment Security Commission. It makes the Commissioner of Manpower Affairs the operating head, administrative head of the Bureau of Labor and Industry. It makes the Employment Security Committee autonomous once again, although it still remains within the Department of Manpower Affairs.

It seems to me that this is a reasonable approach to the prob-

lem that exists over there. I think the legislature needs to do something about it. There is no department head there now, it is a completely intolerable situation. For the Governor, I would think that he is in an untenable situation, and I think it is an unfortunate situation for the people of the State of Maine, and I would urge you to vote against indefinite postponement.

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

Mr. McTEAGUE: Mr. Speaker and Ladies and Gentlemen of the House: I recognize the House chairman of the State Government Committee and other persons have participated in an attempt to clear up what we agree is a mess. The problem is with the best of intentions, they have not clarified it; rather, they have compounded it. As you know there are a number of agencies within the Department of Manpower Affairs, the principal one being the Employment Security Commission, which handles tens of millions of dollars every year and which has some six or seven or eight hundred employees.

One of the relatively minor agencies under the umbrella of the Department of Manpower Affairs is the Bureau of Labor and Industry which has approximately 30 employees.

Among other things, what is so poor and bad about the attempt of this bill, regardless of the good faith of the people behind it, is this: It makes the Commissioner of Manpower Affairs the person who is the Director of the Bureau of Labor and Industry. In other words, you pick out the head of one of the smallest bureaus in a large and important department that handles many millions of dollars per year and you make him the head man. It is rather like saying in an infantry division, that the commander of a certain platoon is also division commander. It is absurd, it is wrong, it is bad government, it won't work, and I doubt very much whether it will ultimately become law.

I hope that we vote for indefinite postponement, and I hope that bet-

ter sense perhaps prevails, even though we are near the end of the session in another body other than this so ultimately we get back here with a bill we can agree on, and I think there is agreement in concept; that agreement being that there should be one executive head of the agency; but secondly, in matters dealing with employment security where most of the money is involved and where most of the employees are involved, that the adjudication of unemployment compensation appeals and the promulgation of regulations which would dictate the policy of the Employment Security Commission be done on the current troika basis, one for labor, one for management and one public member. The way it is going now, if this is passed, we would need to come back perhaps in special session long before January to correct it. I hope you will kill it now. Maybe some other body somewhere will do something to get a sensible bill before us.

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

Mr. SIMPSON: Mr. Speaker and Ladies and Gentlemen of the House: This bill has been sitting around now, I guess, at least a week on the table, and there have been plenty of chances — if they are not available — to have amendments ready.

I hope that you don't vote to indefinitely postpone the bill. I believe that the State Government Committee has done an exceptional job, they have really wrestled with this thing around and around and have tried to come up with a sensible solution to a problem we have there at the present time. I believe that the record and the vote of the committee as it came out indicates the support that they had in wrestling with it in the proposal you have before you.

I do believe that it answers the problem. I would like to see this particular bill go through the way it is, and I would hope that you would not vote for the indefinite postponement, and I would like to have the Clerk, Mr. Speaker, read the report of the Committee.

Thereupon, the Clerk read the Report.

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: Let me explain a little bit about that so that the gentleman from Standish, who has just left his seat will understand and other members of the House will, too. The bill came out of committee, and it was on our calendar, I believe, Friday; and I moved that it be tabled for two legislative days which basically means, I guess, today.

The agreement had been made in a joint leadership meeting at the Blaine House with the Governor that indeed, there had to be changes in the department; indeed, it ought to be done in a fashion which would try to resolve everyone's problems.

We supposedly had worked out an agreement where that would be done. I told the Democratic members of the committee that we were not opposed to the redraft, assumed that the redraft would be done in that fashion. We had discussed a redraft that someone had given to someone else based on what we now have in L. D. 2030. What we agreed to and what is in this bill are two separate things. The agreement we had was that there would be a separate commission to handle disputes between the employer and employee, that there would be a public member and that the public member would be chairman.

We agreed that the Department of Manpower would continue with the chairman of that department being the administrator of the overall department so that there would be someone on the day to day operation of that department who would not be subject to arguing about how many paper clips they would buy and going to a commission for a vote. Unfortunately, that is what we are getting ourselves into.

Instead, this bill came out which shifts the entire burden exactly where we were before, and it is in my viewpoint totally unacceptable,

and as far as I am concerned, it is a breach in what we had agreed to in joint leadership meeting.

The SPEAKER: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker and Ladies and Gentlemen of the House: I am not used to devious way of accomplishing something. I agree that any responsible legislator should look beyond the title of a bill to find out what is contained in it. I presume the rest of you, excepting me, have read the title and the contents of the bill, I read the title, and if the manpower affairs thing — and I don't question that it is included in the bill — it would have seemed to me to be a well-advised function of the State Government Committee to have included mention of it in the title of the bill.

I am not using this as an excuse for not knowing what is in the bill. I know this is done, but this has the essence of a devious manner of accomplishing an object. I do not subscribe at any time to any such methods as that. It doesn't matter who does it or what party is responsible for doing it. I am convinced that it has been done, and I am going to vote to indefinitely postpone this bill regardless of the unanimous report of the State Government Committee.

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

Mr. SHAW: Mr. Speaker and Ladies and Gentlemen of the House: I am glad to find out that I am only sitting here to rubber stamp some decision that is being made in the room over across the road somewhere here, that I don't really have anything to say about it; that this particular bill isn't a good bill that can't possibly run.

I did go into this to some extent when I was sitting on the Reorganization Committee, and this present bill was one I originally thought would be the best idea. It is the way the federal government operates, and I do not see any reason why the state government cannot operate in the same way. I think this is a much better bill than the one we passed, and I hope you will go along with it.

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

Mr. JALBERT: Mr. Speaker and Ladies and Gentlemen of the House: I can understand that the leadership of both parties would meet. As I understand it, they did meet but apparently, from the time they crossed the street, there must have been some disagreement. I do know this, that when the Governmental Reorganization Committee was meeting on a certain morning, the chairman of that committee appeared before the entire Legislative Research Committee and stated his situation, and that committee voted unanimously to retain the commission as it was, the chairman representing the public, one member representing labor and one member representing industry. That, also, was an agreement that in my opinion, somewhere along the line, was broken. Somewhere along the line, a tremendous amount of flak erupted and on the last couple of years.

It is my understanding that the bill as it is now would put that situation at status quo, and for that reason, I can see no reason why we would disturb the action of the unanimous committee report of the State Government Committee.

The SPEAKER: The Chair recognizes the gentleman from Orono, Mr. Curtis.

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen of the House: I am certainly a little confused here today about some of the comments that are being made. I am not quite certain whether the State Government Committee is under attack for being devious in reaching agreements or not.

To retrace the history just a little bit, a year ago during the entire reorganization of State Government, we created a new Department of Manpower Affairs. This year a bill was proposed and had its full hearing before the State Government Committee, during which time the personnel, many of them involved in that department, came to us and said, "We don't like what you did to us. The entire operation and our

department is not functioning well. We have lots of problems."

The State Government Committee considered this matter. We also considered what all of us know to be a great, touchy political problem involving personalities and political parties and so forth, and we finally decided that maybe we could come up with a viable compromise, something that would improve the present situation that would be acceptable to people. We produced this. Mr. Stillings, the gentleman from Berwick, has explained that very carefully. He did much of the work on this bill himself. The bill has been before you for many many days, and as far as any of this breach of agreements, I sure don't know what the two gentlemen that mentioned this before are talking about; but if they are talking about the State Government Committee, we are innocent.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: Of course, as a plain member of the House of Representatives, I was not in on any top meetings, and I did not agree to anything, but you know, this is one of the few reorganization bills that I completely approve of. Last year, as has been mentioned, we created a Department of Manpower Affairs, and it has only created confusion; although, at the time, the opposition claimed that it was one of their most important reorganization changes for the sake of economy, harmony and efficiency. It has not worked out. We, by this, intend to go back, and I think it is an excellent reorganization bill, and I hope you vote for it.

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 pending question is on the motion of the gentleman from Eagle Lake, Mr. Martin, to indefinitely postpone L. D. 2030. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEAS — Albert, Berry, P. P.; Berube, Binnette, Bragdon, Bustin, Carter, Chonko, Connolly, Cooney, Cote, Dow, Drigotas, Dunleavy, Faucher, Fraser, Gauthier, Goodwin, H.; Goodwin, K.; Greenlaw, Hancock, Hobbins, Kauffman, Kelleher, Keyte, LaPointe, LeBlanc, Mahany, Martin, McCormick, McHenry, McTeague, Morin, L.; Morin, V.; Mulkern, Murray, O'Brien, Peterson, Rolde, Smith, D. M.; Smith, S.; Talbot, Theriault, Tyndale, Webber, Wheeler, Whitzell.

NAYS — Ault, Baker, Berry, G. W.; Bither, Boudreau, Brawn, Brown, Bunker, Cameron, Carey, Carrier, Chick, Churchill, Clark, Cottrell, Crommett, Curran, Curtis, T. S., Jr.; Donaghy, Dunn, Dyar, Emery, D. F.; Evans, Farnham, Fecteau, Ferris, Finemore, Flynn, Gahagan, Garsoe, Good, Hamblen, Haskell, Henley, Herrick, Hoffses, Huber, Hunter, Immonen, Jackson, Jalbert, Kelley, R. P.; Knight, Lewis, E.; Lewis, J.; Littlefield, Lynch, MacLeod, Maddox, Maxwell, McKernan, McMahan, McNally, Merrill, Morton, Murchison, Najarian, Norris, Palmer, Parks, Perkins, Pratt, Rollins, Ross, Shaw, Shute, Simpson, L. E.; Snowe, Soulas, Sproul, Stillings, Susi, Track, Trumbull, Walker, White, Willard, Wood, M. E.; The Speaker.

ABSENT — Birt, Briggs, Conley, Cressey, Dam, Davis, Deshaies, Dudley, Farley, Farrington, Genest, Jacques, Kelley, Kilroy, LaCharite, Lawry, Mills, Pontbriand, Ricker, Santoro, Sheltra, Silverman, Strout, Tanguay, Tierney.

Yes, 47; No, 79; Absent, 25.

The SPEAKER: Forty-seven having voted in the affirmative and seventy-nine having voted in the negative, with twenty-five being absent, the motion does not prevail.

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

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

Bill "An Act Equalizing the Financial Support of School Units" (H. P. 1561) (L. D. 1994) (S. "A" S-227).

Tabled — June 15, by Mr. Simpson of Standish.

Pending — Passage to be enacted.

On motion of Mr. Bither of Houlton, tabled pending passage to be enacted and later today assigned.

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

Bill "An Act Clarifying Interest Charges on Personal Loans in Excess of \$2,000. (S. P. 383) (L. D. 1129) (H. "A" H-533).

Tabled — June 18, by Mr. Trask of Milo.

Pending — Further consideration.

On motion of Mr. Trask of Milo, the House voted to adhere.

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

Bill "An Act to Increase Benefits and Reduce Waiting Period Under Workmen's Compensation" (H. P. 618) (L. D. 816) (C. "A" H-463).

Tabled — June 18, by Mr. Martin of Eagle Lake.

Pending — Passage to be engrossed.

On motion of Mr. McTeague of Brunswick, tabled pending passage to be engrossed and later today assigned.

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

Bill "An Act Providing for the Foreclosure of Real Property Mortgages" (H. P. 1526) (L. D. 1960) (H. "A" H-577 to C. "A" H-566).

Tabled — June 18, by Mr. McMahon of Kennebunk.

Pending — Passage to be engrossed.

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

Mr. SIMPSON: Mr. Speaker, I move we reconsider our action whereby we adopted House Amendment "A".

The SPEAKER: The gentleman from Standish, Mr. Simpson, moves that the House reconsider its action whereby Committee Amendment "A" as amended by House Amendment "A" thereto was adopted.

The Chair recognizes the gentleman from Westbrook, Mr. Carrier.

Mr. CARRIER: Mr. Speaker and Members of the House: I will try to be brief, but I think this might be a little hard here because you have been loaded down with all kinds of amendments and you probably wonder what it is all about. I wish to very briefly later on respond to some of the inquiries I have had from people in this House whose name I cannot make out, so I didn't send him any answer.

Truthfully, I am against the motion to reconsider due to the fact that yesterday we passed this measure and I think it is in the position now where we want it. The vote was 71 to 38, and I think it was a very wise decision.

The main reason why I amended the bill yesterday was due to the fact that actually, as you know, the redemption period on a mortgage now is one year. This is the present law. Under the proposal we had yesterday, it would have brought down the redemption period to 90 days, which I oppose, and I oppose it strictly on the basis of concern for the people of this state, for the people who have mortgages who may fall sick or might financially or otherwise have a hard time and after paying for a number of years on their house, then they could find themselves losing their house and all the equity that was in it.

My reason for wanting it to remain at one year — one of them is the fact that I think about the many people all around the state such as the farmers, the fishermen, the regular homeowners and all the ones in the state, but especially the ones who are in business and have to wait until

later for income to pay for their house. I know that up in Aroostook County — this is probably the best year I am told that they made on potatoes — not the best potatoes they made, but it is the best financial income on the potatoes that they have made.

But you will notice in the papers and otherwise, in that part of the country many of them lose their farms and equipment and everything due to the hard times that they have had in the past years. Now I can visualize that in a three-month period here, which of course somebody will say that it takes another two or three months before you go into a foreclosure period, which in fact is true. It doesn't matter what kind of approach you make, it is still going to take a certain amount of time to put the foreclosure through.

I contend that if somebody is sick for six months time, he could actually lose his house under the proposal that you will have later on under this six months foreclosure period or under the three months as it is in the bill. I claim that if somebody is sick for six months and we still maintain the present one year foreclosure period as we have now, there is a good chance that he will still be able to keep his home and save his equity, but at least have a place to live for him and his family.

For those of you who live — I think this one-year period could be very applicable to the residents of Washington County which apparently at this particular time is one of the poorest counties in the state. Waldo and Hancock, I don't think that the income there is too, too high, so actually I think that this bill as amended with the one-year period, whenever a sale is made under foreclosure to go to the people, I think this is the ideal bill. However, some of them will disagree with me.

I will say this to you, as you know, I have an amendment here on the floor in front of you which I haven't presented yet because we are not in a position to present it now. I think it is number 582. This here just makes it a year. This is to correct a number that

we have forgotten to correct in what we accepted yesterday, nothing else. We make mistakes. I did make a mistake. I knew what I wanted but apparently it didn't come out that way. I say that the mistakes are made and we have to overlook that because I see you have amendment "B" over here which is corrected by amendment "C". So one way or the other, some of this is clerical work and everything is meant well, and I move that you defeat the motion to reconsider and later on I will present my amendment making it a one-year redemption period. This is the law today.

I will only say this for now and if things don't go right, I will say some more.

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

Mr. McMAHON: Mr. Speaker, Ladies and Gentlemen of the House: I wish to thank the gentleman from Standish for requesting reconsideration of this item. Because I voted on the losing side yesterday, I could not do so.

On your desks you will find two proposed amendments under my name. Please disregard House Amendment "B" under filing 581. In fact if you wish, you may discard that altogether. Instead, if you vote to reconsider, I will offer House Amendment "C" under filing 583. House Amendment "C" is designed to provide for a redemption period of 180 days. It also keeps intact the second part of the amendment that was adopted yesterday. That is what I intend to do if you vote to reconsider.

The SPEAKER: The pending question is on the motion of the gentleman from Standish, Mr. Simpson, that the House reconsider its action whereby Committee Amendment "A" as amended by House Amendment "A" there-to was adopted. All in favor of reconsideration will vote yes; those opposed will vote no.

A vote of the House was taken.

70 having voted in the affirmative and 26 having voted in the negative, the motion did prevail.

The SPEAKER: The pending question is the adoption of Committee Amendment "A" as amend-

ed by House Amendment "A" thereto.

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

Mr. McMAHON: Mr. Speaker, I move to indefinitely postpone House Amendment "A".

The SPEAKER: The gentleman from Kennebunk, Mr. McMahon, moves the indefinite postponement of House Amendment "A" to Committee Amendment "A".

The Chair recognizes the gentleman from Westbrook, Mr. Carrier.

Mr. CARRIER: Mr. Speaker and Members of the House: I do hope that you will vote against the motion to indefinitely postpone House Amendment "A". This is the amendment that you accepted yesterday by a great number.

In essence, what House Amendment "A" did yesterday, which I presented, was to actually make the redemption period to one year. That is the law today.

I think this is a fair law. I think it can be improved on, but I think time is of the essence when you are in trouble and cannot pay your mortgage. For those of you — and I hope there are very few that have had a hard time in meeting your monthly payment and your monthly mortgage, I think you can really realize this. When you are under financial difficulty, for many reasons, that it is extremely hard to maintain your payments and hard to catch up again. I think if you are interested in your constituents, this means a lot to them.

I presented House Amendment "A" yesterday, and there is one error in it and if I have a chance later on I will correct it making it one year, as I mentioned before. But on the other hand, I submit to you ladies and gentlemen, we have had this type of a bill, as far as the redemption itself, we have had it in here at least 10 years.

I don't think that at this stage of the game that it is wise, I think it is extremely unwise, with the money available and with all the concern you have shown in order to provide money for this Housing Authority and for people to get loans under 235 or under FHA or VA and places like that, I think if

you are to be consistent and actually those of you who really believe in having some consumer legislation, this is one for the consumer. This is where people need help in being able to make ends meet and hold onto their house.

I will tell you of an incident which happened yesterday on some things here, and I suppose this is part of the political game, that actually the ones who have put in this bill — and I am not talking of the sponsor because he put it in, but I am not talking about him, I am talking about the one behind this bill. I am going to tell you this. They will try to make you believe that they are really concerned about you and about your constituents and about the mortgagor and everything else, but I will tell you that they are not that concerned, because if they were concerned, there is a section in this bill which is extremely good. If they don't have their way about a three-month period, and now it is a six-month period, if they don't have their way, to show you how concerned they are for your constituents or yourself, they are out to kill this bill.

It is immaterial to me and it isn't going to affect me in any way whether this bill gets killed or not. I would like to see it survive because I think there are good parts in this bill. There is good legislation in this bill. All of it is not perfect, but I think with some corrections we can really do something for our constituents.

When they show me that there is a need for such legislation, that the period of redemption should be 90 days, I might go along with it, but there is no need. You can grab the phone right now and call up any bank in your community and ask them, ask them how many foreclosures they have had in the last year, in the last two years or in the last three years. In the hundreds of thousand mortgages they have given out; there hasn't been a foreclosure.

If there is a foreclosure, what will they do from now on? They will turn around and sell it to the Housing Authority. That is what they are going to do.

I am particularly working for the people of this state. I am not involved in getting myself in a position such as this, but who knows, I might later on, or my family might, or the people next door or my relatives or friends and constituents and you could go on forever. I think that this is a very important bill. I hope that you people don't vote to accept this amendment which makes a six-month affair, and I believe that we need all the time that you can have in case of sickness or if you are distressed or you are in a bad financial situation. I hate to see somebody pay for a house for ten years and all of a sudden lose everything. Therefore, I urge you to support this and I move for the indefinite postpone of House Amendment "C".

The SPEAKER: The pending question is on the motion of the gentleman from Kennebunk, Mr. McMahan, that House Amendment "A" to Committee Amendment "A" be indefinitely postponed.

Mr. CARRIER: Mr. Speaker, I want to change my line of thought here. I hope that you don't vote to indefinitely postpone House Amendment "A".

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

Mr. COTE: Mr. Speaker, Ladies and Gentlemen of the House: I stand here today to support the gentleman from Westbrook, Mr. Carrier. This bill has appeared for several years in front of the Legal Affairs Committee always wanting to reduce the period whereby we are going to foreclose on these mortgages, and the Legal Affairs Committee for about ten years, in its wisdom, always turned down this bill. Now it appears in another form, and they tell me there are some very good things about this bill, so I don't oppose this bill as such. But I would implore you not to bring down the period of foreclosure because I am telling you, it would be a hardship on those people who buy homes and probably run into some type of financial trouble through sickness or otherwise, as explained by Mr. Carrier, and if you did that it would be a hardship on them. So I sup-

port Mr. Carrier and his amendment that will follow.

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

Mr. McMAHON: Mr. Speaker, Ladies and Gentlemen of the House: To begin with, this particular bill has not been before this House before. The bill represents a whole new approach to the subject of mortgage foreclosures.

As I said yesterday, there are certain areas of our present law, as found in Title 14 regarding notice of foreclosure particularly, that are constitutionally suspect.

Now I have been told, procedure-wise, that I have to move to indefinitely postpone House Amendment "A" before I can offer House Amendment "B." Since several people have spoken about the subject matter of House Amendment "B" already, I would simply say as you can read, it will reduce the redemption period to 180 days. The present bill provides for 90 days. You will recall yesterday on the floor of this House I did not argue too strenuously against increasing the period from 90 days. I did state, however, that I felt a year, which would actually increase the total procedure to almost two years under the total bill, would be self-defeating for the bill.

Again, it is my intention to offer House Amendment "B" if you do support the indefinite postponement of House Amendment "A."

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

Mr. DYAR: Mr. Speaker and Members of the House: I am quite concerned with the tactics being used here on the amendment process on this particular piece of legislation.

In past sessions, the industry has been very forthright in the reason why they want the redemption period reduced from one year to 90 days or six months. Their argument in the past has always been that money is not fluid here in the state due to this law that we have, this archaic law.

In order for the industry to receive money from the out-of-state institutions, it is necessary to put

the people in the State of Maine in jeopardy by reducing the redemption period from one year to 90 days.

It is somewhat amusing to look back here a couple or three days when we were talking of housing bills and hear proponents of the housing bills state that the banks in Maine were not giving veterans loans on houses and not accepting FHA loans. Now, it seems to me that somewhere behind this ploy there is a little problem with the industry getting in here again and trying to shorten the redemption period to 90 days.

I think Mr. Carrier has put it out very plain, if the people are all interested in helping the people of the State of Maine, you will retain the one-year redemption period. I think if you had read the Portland Press Herald here several months ago, you have seen the feature article on Aroostook County on the high rate of foreclosures up there on the potato farmers. And I would hate to think I voted for a bill in this session that would take away the property of an individual in Aroostook County or any county, a man who put his crops into ground in late May, early June, received foreclosure papers, say in the middle of June he had 90 days to take care of his affairs when his crop would still be in the ground at the time that he would have to make his payment. Now, possibly, he could go to the bank and borrow a loan on the crop that he had in the ground. But if this bank holding the mortgage wanted to take advantage of the man, I am quite sure they wouldn't lend him money on his potential crop to save his farm.

Now, if we are interested in the State Housing Authority backing loans, if we are interested in veterans' loans, FHA loans, I think we should also be interested in the person that gets caught in a squeeze and is unable to make payments for a 90-day period or he misses three payments and he is in hot water. I think it would be fair. It may slow down the banking industry somewhat, but I think we should retain the one-year redemption period.

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

Mr. SIMPSON: Mr. Speaker, Ladies and Gentlemen of the House: I know many people, you know, they kind of like banks at times, especially when they need money. They also like to make sure that the bank deposits that are our monies are well protected. And there are very few foreclosures in the State of Maine. When you really come right down to it, there are darn few foreclosures in the State of Maine. Banks will bend over backwards and assist people every single way they can to make sure that their home is not lost. They don't like to put people out into the street. About the only time that a bank will actually foreclose is when they can see that your deposits and my deposits are going to definitely be lost such that the value of the property has gone to a point that is below what the equity is in it.

Many people say, why is it if a bank forecloses and they are able to sell at a higher rate than what was due on the mortgage, why doesn't that money go back to the owner. I can assure you that very, very, seldom does a bank ever foreclose when the point comes that that money — that there is more there at the sale price than what there is in the mortgage on the property.

At the present time, it takes a year to foreclose in the State of Maine, or you have a year on the redemption period, but that is on top of after you start the proceedings and go to the courts and start to spread it out. Corporations in this state right now have 90 days. You can foreclose on a corporation within 90 days.

Once a bank actually starts foreclosure proceedings, one of the quickest things that happens to the house is a quick depreciation of the house. The house suddenly becomes really taken apart. The people lose interest in it and so forth, and therefore, the amount of the value of the house depreciates very drastically in the course of that year.

I believe we have here a bill that is a very good bill. I believe that

the amendment that is about to be offered, if we indefinitely postpone the amendments on there, gives you 180 days on the redemption period. If you take into consideration it will take close to six months for the court proceedings to come along, add in the 180-day redemption period, you have a full year for the party to take and redeem their property and overcome the foreclosure procedure. If we go to a year plus the court, we are getting into a year and a half or better, and I feel that is totally unreasonable. I think that the 180 days seems to be a real reasonable compromise, and I would hope you would support the indefinite postponement and then House Amendment "C."

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

Mr. GAHAGAN: Mr. Speaker and Members of the House: I would like to concur with the majority leader. In Aroostook County we have a situation where the spring planting and the fall harvest makes it difficult if a bank forecloses on a farmer sometime in the middle of the summer. I have seen farmers literally crying, because their equipment had been taken away from them in the middle of the summer; whereas, if they had had an extension on this loan, they would have been able to harvest their crops and pay back the banks.

I hope you will go along with Mr. McMahan.

The SPEAKER: The Chair recognizes the gentleman from Easton, Mr. Mahany.

Mr. MAHANY: Mr. Speaker, Ladies and Gentlemen of the House: I go along with the amendment Mr. Carrier put on this bill yesterday. Over the years in Aroostook County and other rural places, I know from experience of friends and people that I have done business with that a year is short enough time for redemption. I don't worry about the banks or the other financial institutions. They all have plenty of ways of taking care of themselves. I think it is important to keep the year's redemption on, because many times it would give the mortgager

an opportunity to hang on a little longer and redeem his farm.

I have noticed in the past if a bank or some other financial institution extends a mortgage or you have the full years mortgage, you have to satisfy the bank or that lending institution to the effect that they will receive the year's interest and taxes and insurance. Somebody guarantees that in 90-odd percent of the cases.

Also, I have noticed in homes and houses, those situations, when the foreclosure is about to proceed in the year's time for redemption, the financial institution makes arrangements so somebody guarantees the interest, the taxes and insurance.

Ladies and gentlemen, I hope that you will support the amendment to keep this 12-months' time as it is presently.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: Very briefly, I would like to support the amendment that Mr. Carrier put on yesterday. I come from a farming area, and it has already been said that it is a very essential thing that a farmer has his crop in and he needs the whole year, not only the farmer but in the lumber industry, too. This spring it has been so rainy, this would be a good example; so rainy that even the pulp mills are nearly down, and these people in this industry, if they were to have a foreclosure, they need the whole year.

I hope you don't see fit to cut it. It has been a whole year, near as I can remember, most of my lifetime. I hope we keep it one year.

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

Mr. GAUTHIER: Mr. Speaker, Ladies and Gentlemen of the House: This bill came out of committee almost unanimously in favor. The bill itself as a whole is a very good bill. You heard here a few minutes ago by some of the speakers that there might be a chance of some of the banks taking away the property of people when they are sick or run

into hard luck and so forth. I have been in the insurance business for 40 some years, and I have asked most of our bankers in Sanford, and in fact, I know in some cases that they have never taken away the mortgage as long as these people were fair and honest and wanted to pay their bills, they never took their property away from them.

Furthermore, I can tell you honestly that the banks in our office paid many of the premiums on these houses that these people couldn't afford to pay because of the fact that they wanted to help them out. They were good people, they had paid their premiums all these years and paid their loans. In fact, this morning I had a talk with Mr. Haskell in regards to the farmers up in Aroostook and asked him about this compromise of six months. Mr. Haskell told me that the compromise in itself was a very good one, and that he was in favor of it, and that there was no trouble as far as six months were concerned, that the farmers could be taken care of as far as their properties were concerned.

I hope that — six months I think is a very good compromise on Mr. McMahon's part, and I hope that you accept his amendment.

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

Mr. COTE: Mr. Speaker, Ladies and Gentlemen of the House: When I spoke a little while ago, I didn't say that this very same bill was in front of the Legal Affairs Committee. I said a bill to bring down the foreclosure period was before the Legal Affairs Committee.

I don't oppose the bill as it is, I think it is a good bill. I think Mr. Carrier's amendment is a good bill. Now, it has been stated here that banks don't foreclose. Then why bring them down to six months or to 90 days. Let's leave it the way it is now. I think it is a good law, it protects the people, and I don't think we should disturb the foreclosure period at all. If they don't foreclose, then what is the difference, six months or one year or three years as far as that goes? I think that we should not disturb the status quo of the

present law. So I support the amendment of Mr. Carrier.

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

Mr. PERKINS: Mr. Speaker and Members of the House: I feel a compromise, as being offered by Representative McMahon, is a very reasonable one. I think that in effect it will amount to approximately that year that we are speaking as presently being within the law.

If we stop and figure the length of time that passes from the deed of a natural default — that means nonpayment of your mortgage — to the date that a complaint, a judgment will actually start, you are going to have at least three or four months in which there isn't going to be any payments before suit is actually brought. Then you are going to have at least another 30 days at the bare minimum and probably two to two and a half months before a judgment will enter. So you are talking of a minimum, in my estimation, of five and a half to six months, adding to that the six months that is being posed by Representative McMahon's amendment and you have your year, which is what we have under the present law.

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

Mr. GAUTHIER: Mr. Speaker, Ladies and Gentlemen of the House: In regard to what Mr. Cote from Lewiston mentioned to you, the bill that he was speaking about that appeared here almost every session, this bill was withdrawn in front of our committee, and it is not quite the same bill as the one he was speaking about.

The SPEAKER: The Chair recognizes the gentleman from Easton, Mr. Mahany.

Mr. MAHANY: Mr. Speaker, Ladies and Gentlemen of the House: There are some things that just begin to come out about this bill a little bit, this hidden five and a half months or it might be three months or it might be two months. That brings on more cost to this unfortunate person who is being foreclosed on. I still main-

tain we should keep the Carrier amendment that still gives us a year for redemption. If somebody has convinced me there might be some good since we have had the debate this afternoon, there might be some good in this bill; otherwise, I intended to make a motion to indefinitely postpone the bill and all its accompanying papers. But I am willing to go along with this bill on the say so that some of the people that have drawn this up think there is something good in it, but I do think whatever goodness there was in it is lost if we don't have this years redemption period.

The SPEAKER: The Chair recognizes the gentleman from Westbrook, Mr. Carrier.

Mr. CARRIER: Mr. Speaker, Ladies and Gentlemen of the House: As a matter of necessity, briefly, I wish to talk on some of the things that have been said over here. I want to believe and I truly believe that whatever anybody says to their best knowledge, this is the truth. But there has been indications here by someone that it would take you if you maintained the one-year redemption period, it would take about two years before the bank gets their money back. This is extremely untrue. It is extremely untrue because under the present law, all you have to do is file your complaint, publicize the thing in the regular newspaper and actually a year from then, all you have got to do — actually, the house is yours.

So actually, as far as cost goes — to the Representative from Easton, Mr. Mahany, under this bill there will be more costs, because you have to go to court and get a judgment, which will cost you some money.

Just how much it is, I don't know, I am not that familiar with it. But I will tell you this, putting it very briefly, what you are doing, in the first place there is no need to cut down the period here because it has been shown, as it has been mentioned by somebody here today, there are very few foreclosures. Now if there are very few foreclosures, why put an

additional burden on the mortgagor.

Now as far as the mortgagee is concerned, don't worry about him having big burdens, because 95 percent of his mortgages are insured. This means quite a lot, because they are insured, because all he has got to do is go through the right procedure and send them in and he is guaranteed his money, and he is guaranteed his money at your expense. When he lends you money, there is a one percent penalty or half of one percent charge on there which actually is to insure the mortgage in case you default. So don't worry about them losing any money. Very, very seldom do they ever lose any money.

Some people will say this is your money. I agree with them that this is the savings banks' money and the depositors' money, but very seldom, if they cannot maintain and if they cannot keep it at an extreme minimum, they would get fired.

Now somebody else said it all revolves around the time period. No matter which procedures you use, I still think that it will take between two and three months before they can take your house over and that they have title to the house according to law, not six months, not a year or two years here, as somebody said, that isn't true. I don't believe it is true. I don't think anybody can guarantee that. I think it would be between two and three months. As the gentleman here said, he is interested in his farmers up in Aroostook County. I am interested in the farmers too. I have got people up there that I know, and if I am interested and their money is right in the ground now, they don't want six months, they want a year to be able to pay their mortgage before they lose their equipment and their house.

Many other things. The bill here, what is different in the bill is that actually if there are any proceeds left — that might not happen too often that they have proceeds left, but if there is, it should not go on to the seller, it should go to the one who owned the house. He

paid for it and he should get it back. That is all he asks for. He doesn't ask for interest, he doesn't ask for legal fees, he doesn't ask for the charge of the commission of selling the house or anything. All he wants and he should be entitled to is actually what is left out of the proceeds.

Ladies and gentlemen, I leave it up to you. I am very convinced that this can be a good bill if it is in its proper perspective. I think it is now, so this is why I ask you to vote against the indefinite postponement of House Amendment "A".

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

Mr. McMAHON: Mr. Speaker and Members of the House: Very briefly, what I said was that the total proceedings from the first notice served to final disposition of the property would take fairly close to two years. As to the cost feature of Section 6094 of the bill, it attempts to be very fair with the cost and returning any surplus equity to the mortgagor and also charging the mortgagor any additional costs, which I think is fair to both parties.

And finally, no doubt the banks want a shorter redemption period, and no doubt there have been bills in here in the past to accomplish that. The one reason I agreed to include this in the bill is that I am convinced that a shorter redemption period, aside from the fairness to both sides of it, would result in more mortgage money coming into the state and would in the long run be of benefit to people who want to make mortgages.

The SPEAKER: The pending question is on the motion of the gentleman from Kennebunk, Mr. McMahon, that House Amendment "A" to Committee Amendment "A" be indefinitely postponed. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

Thereupon, Mr. Perkins of South Portland requested a roll call vote.

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 pending question is on the motion of the gentleman from Kennebunk, Mr. McMahon, that House Amendment "A" to Committee Amendment "A" be indefinitely postponed. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Ault, Baker, Bragdon, Briggs, Brown, Bunker, Cameron, Churchill, Curtis, T. S., Jr.; Dunn, Ferris, Flynn, Garsoe, Gauthier, Goodwin, H.; Hamblen, Haskell, Henley, Huber, LaPointe, Lewis, J.; Lynch, MacLeod, McKernan, McMahon, Morton, Norris, Parks, Perkins, Pratt, Rolde, Ross, Simpson, L. E.; Snowe, Susi, Trask, Wheeler, White.

NAY — Albert, Berry, G. W.; Berry, P. P.; Berube, Binnette, Bither, Boudreau, Brawn, Bustin, Carey, Carrier, Carter, Chick, Chonko, Clark, Connolly, Cooney, Cote, Cottrell, Crommett, Curran, Donaghy, Dow, Drigotas, Dudley, Dunleavy, Dyar, Emery, D. F.; Farnham, Faucher, Fecteau, Fine-more, Fraser, Gahagan, Good, Greenlaw, Hancock, Hunter, Immonen, Jackson, Jalbert, Kauffman, Kelleher, Kelley, R. P.; Keyte, Kilroy, Knight, LaCharite, Lawry, LeBlanc, Lewis, E.; Littlefield, Maddox, Mahany, Martin, Maxwell, McCormick, McHenry, McNally, McTeague, Merrill, Morin, L.; Morin, V.; Mulhern, Murchison, Murray, Najarian, O'Brien, Palmer, Peterson, Rollins, Shaw, Shute, Silverman, Smith, D. M.; Smith, S.; Soulas, Sproul, Talbot, Theriault, Tierney, Trumbull, Tyndale, Walker, Whitzell, Willard, Wood, M. E.

ABSENT — Birt, Conley, Cressey, Dam, Davis, Deshaies, Evans, Farley, Farrington, Genest, Goodwin, K.; Herrick, Hobbins, Hoffses, Jacques, Kelley, Mills, Pontbriand, Ricker, Santoro, Sheltra, Stillings, Strout, Tanguay, Webber.

Yes, 38; No, 87; Absent, 25.

The S P E A K E R : Thirty-eight having voted in the affirmative and eighty-seven in the negative, with twenty-five being absent, the motion does not prevail.

Thereupon, Committee Amendment "A" as amended by House Amendment "A" thereto was adopted.

Mr. Carrier of Westbrook offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-582) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Westbrook, Mr. Carrier.

Mr. CARRIER: Mr. Speaker, Ladies and Gentlemen of the House: This amendment in itself is just to correct the amendment that we put in yesterday where it found out there was an inconsistency in it because both numbers should have been changed instead of one, and that is all that it does. It is a terrific amendment.

Thereupon, House Amendment "A" was adopted.

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

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

Bill "An Act to Create the Department of Business Regulation" (S. P. 350) (L. D. 1102) (S. "A" S-160 to C. "A" S-154)

Tabled — June 18, by Mr. Simpson of Standish.

Pending — Passage to be enacted.

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

Mr. ROSS: Mr. Speaker and Members of the House: I move indefinite postponement of this bill and would speak to my motion.

The SPEAKER: The gentleman from Bath, Mr. Ross, moves the indefinite postponement of this Bill and all accompanying papers.

The gentleman may proceed.

Mr. ROSS: Mr. Speaker and Members of the House: Once again we are faced with a reorganization bill. This time we come again to

the Department of Business Regulation. Most of these contrivances were dreamed up by persons who thought they would be good publicity under the guise of up-to-date reform in the name of progress and increased efficiency. They neither save money nor improve proficiency. They just encourage interdepartmental jealousy and bickering.

We just talked about a bill that we passed last session, the Department of Manpower Affairs. They don't even have a commissioner yet. All it has accomplished was to completely stir up the former Department of Employment Security.

Certain persons have been arguing for two years as to who does what and who has how much authority. They recently talked about firing both the representatives of labor and management and having a one-man show.

I still don't think that banks, horses, boxing, insurance, real estate and land damage should come under one umbrella. They are bound to cost more money and decrease efficiency. They will have more employees rather than fewer.

The House first voted 79 to 41 against this measure. Then they reversed themselves and the vote was 70 to 64 in favor, after much persuasion to change votes. This inducement did not come from regular lobbyists, but influential politicians.

Lord Chesterfield once said, "A politician, you suggest, should drive the nail that goes the best." At first, logic seemed the best nail and many thought this would drive the nail even better. The only thing is, I am afraid it bent it a little. Today I hope the House will revert to its original stand based upon sound and proven reality and vote against the bill and for the indefinite postponement. So I now request the yeas and nays on that motion.

The SPEAKER: The Chair recognizes the gentleman from Orono, Mr. Curtis.

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen of the House: I won't belabor this matter a long time. It has, indeed, been one which has been widely discussed outside the hall of the House, and

I am sure that many people have had occasion to think quite deeply about the implications of this particular bill. We have discussed the merits, and Representative Ross has pointed out what he thinks are some of the problems of this type of legislation.

The only thing that I could think to add at this point that has not already been discussed in the several debates previously is that we have pretty much completed the reorganization of state government. What happens now is that we have a series of departments which are considered major departments in cabinet status. We had another bill on the calendar today, for example, to create that type of status for the Department of Mental Health and Corrections and the Department of Health and Welfare.

However, the several organizations included within this particular bill would not be of the major status of cabinet rank. I think that might be unfortunate unless we pass this particular bill. That is the final additional argument that I would like to make, because I think these particular organizations deserve full-fledged status as a major department.

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

Mr. LYNCH: Mr. Speaker, Ladies and Gentlemen of the House: When this bill first came out, I spoke very strongly against it, as I did in the 105th. When the reconsideration motion was made, I did not speak. I did vote to uphold the position I took on the previous committee report.

The reason I did not speak was because I heard rumblings of very positive opposition to this bill, and it came from the Maine Banker's Association. I am sure that you know, because of what is going on in this House, that that association is controlled by the several large banking units in the state. And that alone made me take second thought.

I don't believe they feel as I do or as I did in speaking in opposition to the bill. I believe their opposition is directed solely to keep a weak bank department in

the State of Maine, and I am sure you know by this time why the department is weak.

In the commercial banking area, with the advisory board having veto power over any rules and regulations to be issued by the Bank Commissioner, the department is relatively ineffectual in controlling banking activities in the interest of the people of the State of Maine.

I began to wonder if there wasn't some merit in having a Department of Business Regulation. Under the present setup, the bank commissioner, appointed by one Governor, serving under the term of another Governor, would not necessarily have his support and loyalty. Under the reorganization, a commissioner appointed by the incumbent governor would be responsible for this Bank Department along with others, and any governor responsive to the needs of the people of the State of Maine would have to support his commissioners, and the commissioner would have to stand shoulder to shoulder with the bank superintendent.

We have no bank commissioner in the State of Maine, and I am sure you know why. The recent bank commissioner came from one of the large banking units in the state. He was a man with expertise, he was a man that was doing a good job for the people of the State of Maine, but he was subjected to verbal abuse and harassment from large segments of the banking community. I would oppose any bank superintendent coming out of any one of the banking units in this state. If they are going to subject him to political and verbal harassment, he needs support because no man is going to take that kind of abuse and live that kind of a life.

I do not know how you are going to support a good strong bank department. We have tried the legislative route this time and it failed because of the lobbying from the large banking units. It cannot be done by rules and regulations of the bank commissioner because he has a veto power from the advisory board. This is the only route that I can think of at the

present time that would reinforce the bank superintendent and hopefully lead to a strong bank department, and that is one thing that is needed in this state more so now than in the past and much more in the future.

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 pending question is on the motion of the gentleman from Bath, Mr. Ross, that the House indefinitely postpone L. D. 1102 and all accompanying papers. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Ault, Baker Berry, G. W.; Bither, Bragdon, Brown, Bunker, Cameron, Carey, Chick, Churchill, Cote, Cottrell, Crommett, Donaghy, Dudley, Dunn, Dyar, Emery, D. F.; Finemore, Flynn, Gahagan, Garsoe, Hamblen, Haskell, Henley, Hunter, Immonen, Jackson, Kauffman, Kelleher, Kelley, Kelley, R. P.; Knight, Lewis, E.; Littlefield, MacLeod, Maddox, Maxwell, McCormick, Merrill, Morin, L.; Morton, Murchison, Norris, Palmer, Rollins, Ross, Shaw, Shute, Silverman, Simpson, L. E.; Snowe, Soulas, Sproul, Susi, Trask, White, Willard, Wood, M. E.

NAY — Albert, Berry, P. P.; Berube, Binnette, Boudreau, Brawn, Briggs, Bustin, Carrier, Carter, Chonko, Clark, Connolly, Cooney, Curran, Curtis, T. S., Jr.; Dow, Drigotas, Dunleavy, Farnham, Faucher, Fecteau, Ferris, Fraser, Good, Goodwin, H.; Goodwin, K.; Greenlaw, Hancock, Hobbins, Huber, Keyte, LaCharite, LaPointe, Lawry, LeBlanc, Lewis, J.; Lynch, Mahany, Martin, McHenry, McKernan, McMahan, McTeague, Morin, V.; Mulkern, Murray, Najarian, O'Brien, Parks

Perkins, Peterson, Rolde, Smith, D. M.; Smith, S.; Talbot, Theriault, Tierney, Trumbull, Tyndale, Walker, Webber, Wheeler, Whitzell, The Speaker

ABSENT — Birt, Conley, Cressey, Dam, Davis, Deshaies, Evans, Farley, Farrington, Gauthier, Genest, Herrick, Hoffses, Jacques, Jalbert, Kilroy, McNally, Mills, Pratt, Ricker, Santoro, Sheltra, Stillings, Strout, Tanguay

Yes, 60; No, 65; Absent, 26.

The SPEAKER: Sixty having voted in the affirmative and sixty-five in the negative, with twenty-six being absent, the motion to indefinitely postpone does not prevail.

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

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

Mr. MARTIN: Mr. Speaker, I now move we reconsider our action and hope you all vote against me.

Thereupon, Mr. Ross of Bath requested a roll call vote.

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 Augusta, Mr. Sproul.

Mr. SPROUL: Mr. Speaker and Ladies and Gentlemen of the House: I have some problems with this bill and I guess the other day, before some of the Republicans in caucus I had some conversations on it and I pointed out that I could certainly understand Mr. Martin's comments of several days ago arguing that the Banking Department and the Insurance Department had a great deal in common, that the insurance companies involved in money management and that the banks are involved in selling real estate and

we had decided that we could perhaps get the Boxing Commission in because a member of the third House suggested that if you got these two in the same ring that would be quite a bout and also that we could perhaps borrow money from either one of these first two to bet on the racing and this is about the only way we could seem to tie these four bills together.

I cannot see any relationship in these four bills, these four departments — what they have in common or any reason why they should be put together, so I think that brings us back to this whole theory of reorganization. You people that were involved in that in the previous legislature voted several packages through and it sounded good in the newspaper, but I just can't see that anything has been accomplished with this.

These departments have now been back in before us in Appropriations, and they have lengthened the titles of a lot of these people and asked for higher pay raises. All of the people are still there on the payroll. These departments are in for 25 percent and better increases, and this was sold to the public two years ago on the basis of efficiency and economy.

I fail to see that any of this has realized; therefore, I would support Mr. Ross of Bath.

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

Mr. DUDLEY: Mr. Speaker and Ladies and Gentlemen of the House: For the gentleman that just spoke — something was accomplished. What was accomplished was to get the government a little farther away from the people and this is what these department heads want and we played into their hands, not me. I opposed every one of these and oppose this one today. I agree with Mr. Ross 100 percent and I wasn't for these others getting together, these departments, because I told the House then and I tell you now, all it did was to make government farther away from the people, out of the reach of

the people. It is impossible almost to deal with, and the more you put these conglomerates together, the more you put it out of the reach of the people and that is what was accomplished, but nothing was accomplished for the people. Nothing was accomplished for the people who are paying the bills, that are pushing the cart. I hope every one of you will see what we did two years ago and see how badly that worked and you will not want any more of this and that you will go along with Mr. Ross today.

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

Mr. LYNCH: Mr. Speaker and Ladies and Gentlemen of the House: I am sure the gentleman from Augusta was arguing the bill simply because it was a conglomeration of departments. I am sure that he wasn't speaking for one of the large banking units headquartered in Augusta.

If you will go back to the rather lengthy debate that took place over the foreclosure bill, I am sure you will remember that the bank's reputation was somewhat diminished because they were hungry to foreclose on mortgages and attempting very hastily to get their hands on the properties.

If you have the interests of the people of the State of Maine at hand — and I am going to speak simply for the Department of Banks and Banking — if you have the interests of the people of the State of Maine, you have got to have a strong bank department, something better than the state has had.

I am sure that you ought to have a strong insurance department. The state insurance departments are one of the weakest departments in all 50 states of the United States. The insurance commissioner in the State of Pennsylvania has thrown a great deal of heat in the insurance area, but unfortunately, so far he has given very little light. So there are two main departments. I am not speaking about the others, those are simply fringe areas that can be very easily handled, but I think you ought to have strong insur-

ance, strong bank departments, as well as a good Public Utilities Commission for the interests of the people of this state, and I hope you maintain your position.

The SPEAKER: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker and Ladies and Gentlemen of the House: When the gentleman from Livermore Falls spoke previously, he led us up to a point where I thought he was going to reveal to us who was harassing the last bank commissioner and why he left the office. He did stop just short of that and I was somewhat intrigued as to where he was leading us, interested to see what information I was going to get. Obviously, I failed to get it.

I do agree with him that we need a strong bank commissioner and a strong insurance commissioner. I disagree with him that there is any merit in combining these two functions. I hope we will go along with the vote that we took the other day previously on this matter and go along with the motion of the gentleman from Bath, Mr. Ross, to indefinitely postpone this bill.

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

Mr. DONAGHY: Mr. Speaker and Ladies and Gentlemen of the House: I rise to concur with the gentleman from Perham. I, too, agree with much of what Mr. Lynch said, but I have a couple of other questions that were raised in my mind. Is there someone different that is going to appoint a new commissioner of this department who is going to be a figurehead over the two strong departments that he wants to have? Where are these strong department heads coming from if we cannot already get them? I agree that we need them. As a matter of fact, the Banking Department doesn't at this time have a commissioner. This has been going on for some time, but whose fault is this? Is the same man to make the appointment for the total commission for business legislation including the boxing and the racing and all these other nice fine things

that tie into the lifeblood of the economy of the State of Maine? I just don't understand this.

I think we would do well to stay with our prior vote earlier in this session and past sessions and keep this thing separated until we can get the basic tenants of this thing straightened out and get the Banking Department where they should be and have a strong department and the Insurance Department, if we don't have—this is news to me. I am not upset about what Dunn and Berg has said down in Pennsylvania. We are living in the State of Maine and I think we have a good insurance commissioner. We know that if you don't have a good insurance commissioner, you can just look over to the neighboring state of New Hampshire, they got rid of their insurance commissioner and got a new one in one day. This is what can happen if you have someone who wants to have a good strong head of the department.

Please go along with the reconsideration and let's get back on the right track.

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

Mr. NORRIS: Mr. Speaker and Ladies and Gentlemen of the House: The hour is late. I wasn't going to speak on this but I will. For a change, I will concur with my good friend, Mr. Donaghy from Lubec. I think he is right, with Mr. Bragdon from Perham, because I cannot see how this problem is going to be helped by marrying it together. I agree entirely. I don't see how you are going to by creating this extra layer of government, that it is going to help the situation at all.

On the Appropriations Committee we have looked at some of the salaries for the new commissioners under this government reorganization and there is one up there — the gentleman is getting around \$18,000, \$19,000 a year. He is going to be performing the same duties under his new job and they came in for \$24,000 a year for the same work. If this is what you want to do today, this is exactly what you are doing, is pay more money and get more of a mix and less results,

then go against the reconsideration. I certainly hope you will reconsider and that we may be able to lay this legislation to rest.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: I would just like to point out to the House something I know that they all already know, but the motion is now different. Those who wish to speak for the people who do not want to marry these departments together will vote for reconsideration. It would be the same thing as voting for indefinite postponement.

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

Mr. MORTON: Mr. Speaker and Ladies and Gentlemen of the House: If you listened to what Mr. Donaghy said and what Mr. Norris said, these gentlemen hit the nail on the head. The appointments will be the same and it is going to cost a lot more money.

I have fought shoulder to shoulder with the gentleman from Livermore Falls, Mr. Lynch, on many occasions in this legislature, but I have to depart from him today on this bill, and I hope you will support the motion to reconsider.

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

Mr. LYNCH: Mr. Speaker and Ladies and Gentlemen of the House: I just want to take the opportunity to say that if you do not sustain your position that you took on the previous motion, I hope you will remember that any bills coming back into this House to remove advisory boards with veto power over the bank commissioner, you will have to sustain, because somehow or other you are going to have to strengthen the Bank Department in the State of Maine.

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

Mr. SHAW: Mr. Speaker and Ladies and Gentlemen of the House: Not being associated with any bank, occasionally stopping for money, my views on this are

strictly what I know about State Government and what I know about these two commissions. I think if we put this bill through, we are going to have two weaker commissioners than we have now, we are going to have one juicy appointment of a little executive who can have a big staff, spend state money. We are going to wind up with less than we have right now.

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

Mr. SPROUL: Mr. Speaker and Ladies and Gentlemen of the House: I would like to respond to the gentleman from Livermore Falls, Mr. Lynch. I thought that he might have inferred that I might have been representing some banking interest. I want to assure you that I have no connection with any bank, no position whatsoever, and I was speaking solely in terms of the reorganization aspect which I see no merit in.

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

Mr. MARTIN: Mr. Speaker and Members of the House: Just for the record, even though I made the motion to reconsider, I am opposed to my own motion.

The SPEAKER: The pending question is on the motion of the gentleman from Eagle Lake, Mr. Martin, that the House reconsider its action whereby L. D. was passed to be enacted. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Ault, Baker, Berry, G. W.; Bither, Bragdon, Brawn, Brown, Bunker, Cameron, Carey, Chick, Churchill, Cottrell, Donaghy, Dudley, Dunn, Dyar, Emery, D. F.; Finemore, Flynn, Gahagan, Garsoe, Hamblen, Haskell, Henley, Herrick, Hunter, Immonen, Jackson, Jalbert, Kauffman, Kelleher, Kelley, Kelley, R. P.; Knight, Lewis, E.; Lewis, J.; Littlefield, MacLeod, Maddox, McCormick, McNally, Merrill, Morton, Murchison, Norris, Palmer, Parks, Rollins, Ross, Shaw, Shute, Silverman, Simpson, L. E.; Snowe, Soulas, Sproul, Trask,

Walker, White, Willard, Wood, M. E.

NAY — Albert, Berry, P. P.; Berube, Binnette, Boudreau, Briggs, Bustin, Carrier, Carter, Chonko, Clark, Connolly, Cooney, Cote, Crommett, Curran, Curtis, T. S. Jr.; Dow, Drigotas, Dunleavy, Farnham, Faucher, Fecteau, Ferris, Fraser, Gauthier, Good, Goodwin, H.; Goodwin, K.; Greenlaw, Hancock, Hobbins, Huber, Keyte, Kilroy, LaChanite, LaPointe, Lawry, LeBlanc, Lynch, Mahany, Martin, Maxwell, McHenry, McKernan, McMahon, McTeague, Mills, Morin, L.; Morin, V.; Mulkern, Murnay, Najarian, O'Brien, Perkins, Peterson, Rolde, Smith, D. M.; Smith, S.; Susi, Talbot, Theriault, Tierney, Trumbull, Tyndale, Webber, Wheeler, Whitzell, The Speaker.

ABSENT — Birt, Conley, Cressey, Dam, Davis, Deshaies, Evans, Farley, Farrington, Genest, Hoffses, Jacques, Pontbriand, Pratt, Ricker, Santoro, Sheltra, Stillings, Strout, Tanguay.

Yes, 62; No, 69; Absent, 20.

The SPEAKER: Sixty-two having voted in the affirmative and sixty-nine having voted in the negative, with twenty being absent, the motion does not prevail.

Supplement No. 2 was taken up out of order by unanimous consent.

From the Senate: The following Joint Order: (S. P. 672)

ORDERED, the House concurring, that Joint Rule 4 be amended by adding a new paragraph at the end to read as follows:

Every member of the Legislature shall be under an affirmative duty to disclose any private right or interest he has in pending legislation, distinct from the public interest, prior to taking any action as a Legislator on any such proposal. If any member of the Legislature fails to make such disclosure, the presiding officer of the branch of the Legislature of which he is a member shall rule that the legislator is in violation of this rule and prohibit him from taking any further action on the matter before the body.

Came from the Senate read and passed.

In the House, the Order was read.

On motion of Mr. Simpson of Standish, tabled pending passage and tomorrow assigned.

Bill "An Act to Protect the Right of Injured Persons under the Workmen's Compensation Law" (H. P. 1584) (L. D. 2011) which the House passed to be engrossed on June 11.

Came from the Senate with the bill passed to be engrossed as amended by Senate Amendment "A" (S-243) in non-concurrence.

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

Mr. McTEAGUE: Mr. Speaker, Members of the House: With a heart that is not light, I move that we recede and concur.

Thereupon, the House voted to recede and concur.

Bill "An Act to Amend the Land Use Regulation Commission Law" (H. P. 627) (L. D. 851). House insisted on June 18 on their action whereby they passed the bill to be engrossed as amended by Committee Amendment "A" (H-471).

Came from the Senate with that body insisting on their action whereby they passed the bill to be engrossed as amended by Committee Amendment "A" (H-471) and Senate Amendment "C" (S-239) and requesting a Committee of Conference.

On motion of Mr. Simpson of Standish, the House voted to insist and join in a Committee of Conference.

Bill "An Act Reconstituting and More Effectively Coordinating the Maine Commission on Drug Abuse and the Division of Alcoholism and Providing an Alternative Sentencing for Violators of Drug Laws" (S. P. 635) (L. D. 2008) which the House passed to be engrossed on June 12.

Came from the Senate with the bill passed to be engrossed as amended by Senate Amendment "A" (S-245) in non-concurrence.

Thereupon, the House voted to recede and concur.

Bill "An Act Relating to County Estimates" (H. P. 1549) (L. D. 1983). The House insisted on June 7 on their action whereby they passed the bill to be engrossed.

Came from the Senate with the bill passed to be engrossed as amended by Senate Amendment "C" (S-247) in non-concurrence.

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

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

The SPEAKER: The gentleman from Strong, Mr. Dyar, moves that the House recede and concur with the Senate.

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

Mr. MARTIN: Mr. Speaker and Members of the House: I wonder if the gentleman could explain the amendment that was added on in the other body?

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

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

Mr. DYAR: Mr. Speaker and Members of the House: The major change in this bill is the composition of the county finance committee. The original bill called for a seven-man committee consisting of five municipal officers elected by the municipality within the county and two to be elected by the legislative delegation. Amendment "C" sets up the composition as being one member from each town within the county and a member from each municipality with a population of 10,000 or over to have an additional person on the council.

Also, this person will be a weighted vote factor based on each \$20 million or part thereof of state evaluation. For example, I think the City of Portland will have some eight members on the council with a weighted vote of I believe 198. The City of Lewiston, I believe, will have four members; the City of Auburn, three with weighted votes.

This was a concession that we made with people who objected to the original bill and thought that this would bring about a one-man and one-vote proposition.

Another minor change was a clarification of the resident senator within a county, that the resident senator would be the senator that would be able to serve on the committee if elected by the caucus.

Section 4 of the bill, which was the section that pertained to the fields of endeavor the county commissioners could get into, has been modified somewhat after a lot of discussion with other members of this body and members of the Maine Municipal Association. We concluded that section 4 as revised would cover any problems that had been discussed previously. It was the feeling that possibly county government would get into too many fields. This does limit them to the fields they are now authorized to operate in under existing law.

The section on the last page of the original bill pertained to a bond issue and allowed the counties to issue bonds without coming to the legislature up to a figure of \$500,000. The present law allows the issuance of bonds of up to \$200,000. But the clarification in the amendment would allow the people within the county to have an opportunity to vote on this bond issue by referendum.

There has been some minor changes as far as the dates are concerned on when the county finance committee will meet and a lengthening of the period of time in the case of a petition to the legislature. The original bill called for 3/3 of the municipalities who were opposed to a county budget could petition the legislature and have the county budget come before us for approval.

The change in this section gives the legislature 45 days rather than 30 days to go over the county budget, and sets the deadline from January 1 to January 10. It allows a municipality that pays in excess of 50 percent of the county tax — it allows that municipality on its own to petition the legislature to view the county budget.

In the statement of fact on this bill, it states, this amendment has been agreed to by the sponsor, the county commissioners of the Maine Municipal Association, and the main problem up to the time this

amendment has been worked on was that the Maine Municipal Association and the county commissioners could not get along and agree on all facets of this bill. For the present time with this amendment, everybody seems to be happy.

I certainly hope that you will recede and concur and allow the counties in this state to have county home rule, and instead of being the only state in the nation that does not have county home rule make us get in step with the other 49 states in this country and allow county commissioners to operate county government; allow the municipalities to have their input and let these people carry on a segment of government that will not have the interference that we have had previously from the legislature.

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

Mr. WHITZELL: Mr. Speaker and Members of the House: I haven't had a lot of time to study this Senate amendment, but I would like to raise a question. For those of you that have it on your desk, on page 3 under part one, operating expenses, item D, says that "the insuring officials, employees and volunteer workers against public liability and property damage resulting from their negligent operation of any vehicle owned or leased by the county or being used for county purpose or business." Now, if I understand what they are saying, they are saying that each county is itself, insuring the drivers of any vehicle that is owned by the county, and it says that they will pay the liability and property damage resulting from "negligent operation of any vehicle." I don't know whether it is intended to read that way, maybe someone with a legal background can comment.

The SPEAKER: The Gentleman from Gardiner, Mr. Whitzell, poses a question through the Chair to anyone who may answer if he or she wishes.

The Chair recognizes the gentleman from Fryeburg, Mr. Trumbull.

Mr. TRUMBULL: Mr. Speaker and Members of the House: I would like to pose a question through the Chair to the gentleman from Strong as to the size of the delegations in York, Cumberland and Kennebec County on this committee. The size of the financial committee in these counties is that they sound to me like they might be a little large. I am curious as to their size.

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

Mr. DYAR: Mr. Speaker and Members of the House: I realize that these committees are large. Those who oppose the structure of the original bill were the people who wanted to enlarge these committees.

I couldn't tell you about the two kinds of — I think Cumberland County will have 38 people on the commission, and I think my own county will have about 26.

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

Mr. McMAHON: Mr. Speaker, Ladies and Gentlemen of the House: I would attempt to answer for York county in view of the fact that I had a bill that would have created a commission of this kind for York County. There would be at least 28 members on the York County finance board.

I should add while I am standing here that I very much support the amendment.

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

Mr. TRUMBULL: Mr. Speaker and Members of the House: Based upon this information, it sounds to me that instead of helping the counties out, we have made it so complicated that they are going to find it very hard to get together and govern the county in the efficient manner that they should.

I hope that we don't recede and concur with the Senate and that we insist upon our original action, because the way this bill is now, it is just going to be impossible to govern these counties on a financial basis and get anything at all that is workable. A 40-

member commission in Cumberland County doesn't sound very good. York County doesn't sound much better. I suggest that if we had a chance to look at the size of the delegation of the other counties, we might find out that our own counties aren't too attractive either.

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

Mr. McMAHON: Mr. Speaker, Ladies and Gentlemen of the House: I am sorry to belabor this point, but the municipal officials in York County favor this type of approach to a finance board. They have all been polled. Although they didn't know about this particular amendment, they do favor the concept.

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

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: I would ask of any member of the County Government Committee who has worked on this just what would be the status of communities such as a plantation? Going through one representative's district that lives not too far from me, I find that you have got an Indian Island voting district, you have got a plantation, you have got a township, and you have got towns. Now, do every one of these communities — they all have selectmen of one sort or another or municipal officials — do every one of these communities, of which there are 19, have a vote on this county finance board?

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

The Chair recognizes the gentleman from Orrington, Mrs. Baker.

Mrs. BAKER: Mr. Speaker and Members of the House: I would like to pose a question to anyone who may answer. On page 3 of the Senate amendment, under authorized expenditures, it says, "the county commissioners may raise or appropriate money for the following purposes —" and then there is quite a long list. Does

that mean in the preparation of their budget, or do they actually raise and appropriate the money themselves?

The SPEAKER: The gentleman from Orrington, Mrs. Baker, poses a question through the Chair to anyone who may answer if he or she wishes.

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

Mr. DYAR: Mr. Speaker and Members of the House: In reply to the gentlelady from Orrington, Mrs. Baker, the list of items on page 3 and page 4 would be budgeted in review by the finance board and approved by the county commissioners. Certainly — for example, in item 4, supporting the chamber of commerce or board of trade, there will probably be a category within the line budget for a blanket expenditure. It might be \$1,000 in the county to some towns having a 100th anniversary or 150th anniversary, and they want possibly a contribution of \$150 from the county commissioners, this is the way it would normally be handled.

If I could get back to the gentleman from Fryeburg's question, I do have the answer. I have a sheet here before me now. Oxford County would have 35 members representing 34 towns with Rumford having a weighted vote due to its state valuation, which would give the Rumford member three votes or Oxford County would actually have a total of 35 people with 37 votes.

I certainly hope this afternoon — I realize personally that the size of the finance board in my mind is unwieldy. A compromise with the Maine Municipal, an organization that supposedly represents the towns in the State of Maine, recommended this change. Myself, the sponsor of the bill, and the County Commissioners Association went along with the recommendations.

I hope that this afternoon that you will recede and concur. We can let this become law and see how it works out. If it doesn't work, if we need a board of seven or eleven members rather than 35 or whatever is called for in each county, we can come back

in a future session and at that time, vote a board in that will do the job and at least have some experience. Right now, we are probing in the dark as far as a number of members on the board.

As far as the unorganized towns and plantations at the present time, they are not represented on any board in county government. The county commissioners on the county commissioner setup are, in essence, the selectmen of the unorganized territories; until these plantations and unorganized towns become organized, I believe you will find they will have the same status.

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

Mr. JALBERT: Mr. Speaker, Members of the House: This is a query of the gentleman from Strong, Mr. Dyar. Is it my understanding that this amendment comes from the other body and it was generally an agreement by all sides involved? Is this so?

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, poses a question through the Chair to the gentleman from Strong, Mr. Dyar, who may answer if he wishes.

The Chair recognizes that gentleman.

Mr. DYAR: Mr. Speaker, Members of the House: In answer to the gentleman from Lewiston, Mr. Jalbert, this amendment is a compromise and is agreeable to all parties involved.

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

Mr. CROMMETT: Mr. Speaker, Ladies and Gentlemen of the House: I don't think much of this bill. I don't think it is workable. It is top heavy, and the list on page 6, certain things the county can do now; but I call your attention to section E, propagating and protecting fish in public waters located wholly or partially within its boundaries. We have a Fish and Game Commission Department to take care of that, planning for the purpose of development including employment of a director of industrial development. We have the D.E.P. Celebrations. The

various communities take care of their own celebrations without the county getting involved.

I can pick this all to pieces. I don't like it and I don't think it is workable. If it is in order, Mr. Speaker, I move its indefinite postponement.

The SPEAKER: The Chair would inform the gentleman that the only four motions are to recede, to concur, to insist or to adhere. The gentleman from Strong, Mr. Dyar, has made the motion to recede and concur, which motion does take precedence. An indefinite postponement motion would not be in order at this time.

Mr. CROMMETT: I would urge the members of this House not to recede and concur.

The SPEAKER: The Chair recognizes the gentle lady from Orrington, Mrs. Baker.

Mrs. BAKER: Mr. Speaker, Members of the House: I don't feel that I got an answer to my question. I want to know if under the amendment on page 3, the county commissioners — it says here in black and white, "the county commissioners may raise or appropriate money for the following purposes —" and then it goes on to list the purposes, and I don't read into it anything about a finance committee. I want to know if the county commissioners have this authority by themselves.

The SPEAKER: The gentle lady from Orrington, Mrs. Baker, poses a question through the Chair to anyone who may answer if he or she desires.

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

Mr. DYAR: Mr. Speaker, Members of the House: I apologize to this House. I hope I am not too lengthy.

The question that Mrs. Baker has asked again — and I evidently didn't answer her the last time — I will attempt to go over it again. Every item listed here at the present time in this bill, county government is authorized either by state law or federal law to get into these areas at the present time.

Now, as far as the county commissioners raising or appropriating money, I believe the gentle-

man from Lewiston, Mr. Jalbert, in either the 103rd or 104th Legislature put county government on a line budget. In order for the county commissioners to expend money, they must spend the money as is provided within the line, within the department.

This budget would be reviewed by the county finance committee, and any line within the budget would have the approval or disapproval of the county finance committee. Now, provided the county finance committee and the county commissioners could not get together on a problem that may arise, then under the present bill with the amendment, 3/5 of the municipalities within the county or one municipality within the county, when it pays 50 percent of the county tax, can petition the legislature to bring the budget before the legislature.

Now, in this lengthy explanation, what I am saying, the county commissioners cannot spend money that has not been approved in the budget. They just cannot go along and somebody from a town come in and say, we are having old home week, we want \$10,000, and couldn't you fellows take it out of the contingency fund. This, if it is done, is unlawful.

While I am on my feet, I would like to reemphasize that everything in this bill under section 4, starts on page 3, county government is involved in at the present time. I will cite a case. In the original bill, we listed cemeteries. Now, Maine Municipal was very put out that we listed cemeteries in this bill, but being like many people, they did not check the laws pertaining to county commissioners.

The county commissioners in this state are charged to take care of all the cemeteries in the unorganized townships in the state. So, actually, they were in the cemetery business. The county commissioners in this bill — it was not the intent of this bill to put the county commissioners in the cemetery business in organized towns where the town father or a cemetery corporation would function. This merely took the requirements of the statutory law that

said the county commissioners had to take care of the cemeteries in the unorganized towns.

There was also some flak about county commissioners getting into the ambulance business. There was some flak about county commissioners getting into the sanitary landfill, about county commissioners getting into the hospital districts. If you go back to legislation we passed here in the 104th and 105th and already this session, you will find that we have enabled the county commissioners at the present time to be involved in all of these functions.

Again, I would like to reiterate for the benefit of the gentle lady from Orrington that county commissioners cannot spend money that has not been approved by the finance board any more than municipal officers can spend money that has not been approved by a local town meeting.

The SPEAKER: The Chair recognizes the gentleman from Sabattus, Mr. Cooney.

Mr. COONEY: Mr. Speaker, Members of the House: I just have one question or comment to make. Perhaps if there is any agreement, this could be amended. On page 2, item 2a under municipal membership, it indicates that the only people who may be on the committee, the budget committee, are municipal officers, and I wonder if it might not be practical to allow them to designate a substitute representative if they wish. I should think that some of our selectmen or possibly mayors might find it very difficult on some occasions at some times to attend budget meeting, and although I am sure it is important to have them involved, I wonder if that wouldn't be a flexible amendment that we might make perhaps tomorrow.

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

Mr. TRUMBULL: Mr. Speaker, Ladies and Gentlemen of the House: Before you vote upon this, once more I would just like to remind you that the small county of Oxford alone is going to have 30 some odd members, and we felt we could get along pretty well with nine in the legislative delega-

tion, but if we go to 35, that county is going to be unmanageable; and I really hope that you will vote against the motion to recede and concur so we can take care of this in its proper demise.

The SPEAKER: The Chair recognizes the gentleman from Windham, Mr. Peterson.

Mr. PETERSON: Mr. Speaker, Ladies and Gentlemen of the House: I would be terribly remiss if I didn't stand on my feet and say I received a letter over the weekend concerning this piece of legislation, and the selectmen of my community urged me to vote against this particular piece of legislation with the feeling that it concentrates too much power in the hands of the county commissioners.

I questioned them at length. I haven't studied the Senate amendment, but today I cannot go along with the recede and concur motion. I just think we are putting too much power into the hands of the county commissioners for my dealings that we have had with them this session.

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

Mr. SOULAS: Mr. Speaker, Ladies and Gentlemen of the House: I have a great admiration for the gentleman from Strong, Mr. Dyar, and I don't like to see this bill killed; but maybe somebody can table it, because I am a little concerned now with this page number 3. The very last line, it says, "the powers of authority provided in this section are additional and supplemental to any other authority or power of the counties, whether that authority or power be expressed or implied in existing statutes or any other enabling provisions."

Now, as I said, I don't want to kill it, but I am pretty sure that if somebody did table this, we could come up with something that would be agreeable to all of us, because it sounds like we are having problems with this.

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

Mr. GARSOE: Mr. Speaker, Ladies and Gentlemen of the House:

I support Mr. Dyar today, and I would point out that in our county hearings starting last December, there was a strong voice from the municipal officials in attendance at our budget hearings that action of this type was strongly needed.

The SPEAKER: The pending question is on the motion of the gentleman from Strong, Mr. Dyar, that the House 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.

Mr. Whitzell of Gardiner requested a roll call vote.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call, it must have 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.

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 Strong, Mr. Dyar, that the House recede and concur with the Senate as to L. D. 1983. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Ault, Berry, P. P.; Berube, Binnette, Birt, Bither, Boudreau, Brown, Bunker, Bustin, Cameron, Carey, Carrier, Carter, Chick, Chonko, Churchill, Clark, Connolly, Cooney, Cottrell, Curran, Donaghy, D r i g o t a s, Dunleavy, Dyar, Emery, D. F.; Farnham, Faucher, F e c t e a u, Finemore, Flynn, Fraser, Gahagan, Garsoe, Gauthier, Genest, Goodwin, H.; Goodwin, K.; Greenlaw, Hancock, Herrick, Hobbins, Jackson, Jalbert, Kelley, Kelley, R. P. Keyte, Kilroy, Knight, LaCharite, Lapointe, LeBlanc, Lewis, E.; Lynch, MacLeod, Maddox, Mahany, Martin, Maxwell, McCormick, McHenry, McMahon, McNally, McTeague, Merrill, Mills, Morin, V.; Morton, Mulhern, Murchison, Murray, Najarian, Norris, O'Brien, Palmer, Perkins, Rolde, Rollins, Ross, Shaw, Shute, Silverman, Simpson, L. E.; Smith, D. M.; Smith, S.;

Snowe, Sproul, Talbot, Theriault, Tierney, Trask, Tyndale, Webber, Wheeler, White, Willard.

NAY — Baker, Berry, G. W.; Bragdon, Crommett, Curtis, T. S., Jr.; Dow, Dunn, Good, Hamblen, Haskell, Henley, Huber, Hunter, Immonen, Kauffman, Kelleher, Lawry, Lewis, J.; McKernan, Morin, L.; Parks, Peterson, Trumbull, Walker, Whitzell, Wood, M.E.

ABSENT — Albert, Brawn, Briggs, Conley, Cote, Cressey, Dam, Davis, Deshaies, Dudley, Evans, Farley, Farrington, Ferris, Hoffses, Jacques, Littlefield, Pontbriand, Pratt, Ricker, Santoro, Sheltra, Stillings, Strout, Susi, Tanquay.

Yes, 98; No, 26; Absent, 26.

The SPEAKER: Ninety - eight having voted in the affirmative and twenty-six having voted in the negative, with twenty-six being absent, the motion does prevail.

(Off Record Remarks)

Bill "An Act Relating to the Maine Development Act" (S. P. 536) (L. D. 1756) which the House accepted the Majority "Ought not to pass" report on June 18.

Came from the Senate with that body insisting on their action whereby they passed the bill to be engrossed as amended by Committee Amendment "A" (S-234) and requesting a Committee of Conference.

On motion of Mr. Gahagan of Caribou, the House voted to Insist and join in a Committee of Conference.

Bill "An Act to Authorize Bond Issue in the Amount of \$7,800,000 to Build State Highways" (S. P. 187) (L. D. 494) (C. "A" S-216) Bond Issue which failed enactment on June 14.

Came from the Senate enacted on June 19 in non-concurrence.

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

Mr. SIMPSON: Mr. Speaker, I move this item lie on the table one legislative day.

The SPEAKER: The pending question is on the motion of the gentleman from Standish, Mr. Simpson, that L. D. 494 lie on the table one legislative day pend-

ing further consideration. The Chair will order a division. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

85 having voted in the affirmative and 29 having voted in the negative, the motion did prevail.

Bill "An Act to Amend the Employment Security Law" (H. P. 1212) (L. D. 1574) which the House enacted on June 15.

Came from the Senate with the bill passed to be engrossed as amended by Committee Amendment "A" (H. 538) as amended by Senate Amendment "A" (S-246) thereto in non-concurrence.

In the House: On motion of Mr. Brown of Augusta, the House voted to recede and concur.

The following Communication:
Committee On Transportation

June 15, 1973

Honorable Richard D. Hewes
Speaker of the House
House of Representatives
State House
Augusta, Maine

Dear Speaker Hewes:

It is a pleasure to inform you that the Committee on Transportation has considered and acted on all matters referred to it by the One Hundred and Sixth Legislature.

Following is the tabulation of bills as reported out of committee:

Total Number of Bills Received	99
Ought to Pass	22
Ought Not to Pass	24
(15 covered by Orders to Study)	
Ought to Pass as Amended	22
Ought to Pass in New Draft	7
Divided Reports	10
Leave to Withdraw	13
Referred to Another Committee	1

Very truly yours,

(Signed) MYRON E. WOOD
House Chairman

"An Act Providing Full-time Prosecuting Attorneys and Public Defenders" (H. P. 1380) (L. D. 1861)

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.

On the disagreeing action of the two branches of the legislature on Bill "An Act to Insure Permanent Funding of the Maine Law Enforcement and Criminal Justice Academy" (H. P. 1575) (L. D. 2004) the Speaker appointed the following conferees on the part of the House:

Messrs. CAREY of Waterville
 CARRIER of Westbrook
 BIRT of East Millinocket

On the disagreeing action of the two branches of the legislature on on Bill "An Act to Amend the

Land Use Regulation Commission-er Law" (H. P. 627) (L. D. 851) the Speaker appointed the following conferees on the part of the House:

Messrs. HERRICK of Harmony
 FARNHAM of Hampden
 Mrs. WHEELER of Portland

(Off Record Remarks)

On motion of Mr. Birt of East Millinocket,

Adjourned until nine o'clock tomorrow morning.