

# MAINE STATE LEGISLATURE

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# LEGISLATIVE RECORD

OF THE

*1st Special Session*

OF THE

*One Hundred and Sixth  
Legislature*

OF THE

STATE OF MAINE

1974

Kennebec Journal  
Augusta, Maine

**HOUSE**

Wednesday, January 2, 1974

This being the day designated in the proclamation of the Governor for the meeting of the One Hundred and Sixth Legislature in extra session, the members of the House of Representatives assembled in their hall at two o'clock in the afternoon and were called to order by the Speaker.

Prayer was offered by Father Donald Jackson of Gardiner.

The members stood at attention during the singing of the National Anthem by Mrs. Chris Pauley of South China. She was accompanied by her husband, Mr. Donald Pauley.

The following Proclamation:

**State of Maine  
PROCLAMATION  
By the Governor**

WHEREAS, I have determined that there exists in the State of Maine an extraordinary occasion requiring the Legislature of this State to meet in a Special Session to consider legislative proposals concerning:

The energy crisis, current year, annual and supplemental appropriations to State agencies, the University of Maine and other accounts, financing the State highway program, recommendations of the Maine Management and Cost Survey, modifications of the rules of evidence by the Supreme Court, prohibition of certain gambling devices, legislative and executive reform, medical expenses for needy persons, the Equal Rights Amendment, the corrections system, programs for the aging, collective bargaining for State and public higher education employees, occupational health and safety laws, campaign reporting, workmen's compensation, automobile accident liability, the Maine Port Authority, the foreign trade zone law, a study of the forest products industry, safety measures relating to natural gas disasters and fire prevention, an increase in the minimum wage, coastal management, amendments to the housing law, the Maine Development Act, the Maine Mountain Area Planning Committee, public lands, the retail price of milk, and other matters judged by the

Legislature as necessary to the welfare of the State, and

WHEREAS, legislative leaders have agreed that a Special Session is necessary;

NOW, THEREFORE, I, Kenneth M. Curtis, Governor of the State of Maine, by virtue of the constitutional power vested in me as Governor, convene the Legislature of this State, hereby requesting the Senators and Representatives to assemble in their respective chambers at the Capitol at Augusta on Wednesday, the second day of January, 1974, at two o'clock in the afternoon, in order to receive communications and to consider and enact such measures as in their judgment will best promote the welfare of the State.

(Seal)

Given at the office of the Governor at Augusta, and sealed with the Great Seal of the State of Maine, this Twenty-eighth day of November, One Thousand Nine Hundred and Seventy Three and of the Independence of the United States of America, the One Hundred and Ninety-eighth.

(Signed) Kenneth M. Curtis  
By the Governor

(Signed) Joseph T. Edgar  
Secretary of State

A true copy.

Attest: s/Joseph T. Edgar  
Secretary of State

The Proclamation was read by the Clerk and ordered placed on file.

The following Communications:  
State of Maine  
Department of State  
Augusta

November 21, 1973

To E. Louise Lincoln  
Clerk of the House  
of Representatives  
of the One Hundred  
and Sixth Legislature:

In compliance with Title 3, Section 1 of the Revised Statutes of 1964, notification is hereby given of the vacancy in the House of Representatives caused by the resignation of Representative Lowell D.

Henley of Norway on November 20, 1973.

December 17, 1973 has been set as the date upon which the Special Election will be conducted to fill the above-mentioned vacancy.

Respectfully,  
(Signed) JOSEPH T. EDGAR  
Secretary of State

The Communication was read and ordered placed on file.

A roll call was taken. 147 members answered to their names and accordingly a quorum was found to be present.

Those who were absent were: Messrs. Bunker, Jalbert and Santoro.

(Mr. Henley of Norway resigned)

At this point, a message was received from the Senate, borne by Secretary Harry N. Starbranch of that body, informing the House that a quorum was present and that the Senate was ready to transact such business as might properly come before it.

On motion of Mr. Simpson of Standish, it was

ORDERED, that a Committee of seven be appointed to wait upon His Excellency, the Governor, and inform him that a quorum of the House of Representatives is assembled in the Hall of the House for the consideration of such business as may come before the House.

The Chair appointed the following members:

Messrs: SIMPSON of Standish  
HASKELL of Houlton  
Mrs. BAKER of Orrington  
Mrs. WHITE of Guilford  
Messrs: MARTIN of Eagle Lake  
COTE of Lewiston  
Mrs. KILROY of Portland

Subsequently, Mr. Simpson for the Committee reported that it had attended to the duty to which it was assigned.

On motion of Mr. Birt of East Millinocket it was

ORDERED, that a message be conveyed to the Senate that a quorum of the House of Representatives is present for the consideration of such business as may come before the House.

Thereupon, Mr. Birt of East

Millinocket was appointed to convey the message and subsequently reported that he had performed the duty assigned him.

The following Communications:

STATE OF MAINE  
Office of the  
Secretary of State

December 31, 1973

To E. Louise Lincoln, Clerk of the House of Representatives of the One Hundred and Sixth Legislature:

In compliance with the Constitution and Laws of the State of Maine, I hereby certify that a Special Election was held in the Towns of Norway, Oxford and Waterford on December 17, 1973, for the purpose of electing a Representative to the One Hundred and Sixth Legislature to fill the vacancy caused by the resignation of Representative Lowell D. Henley of Norway; that at said election R. Donald Twitchell of Norway, having received a plurality of all votes cast in said election, as contained in a report submitted to the Governor and Council under date of December 19, 1973, appears to have been elected a Representative to the One Hundred and Sixth Legislature.

(SEAL)

IN WITNESS WHEREOF, I have caused the Great Seal of the State of Maine to be hereunto affixed this thirty-first day of December, in the year of our Lord, one thousand nine hundred and seventy-three and of the Independence of the United States of America, the one hundred and ninety-eighth.

(Signed)

JOSEPH T. EDGAR  
Secretary of State

The Communication was read and ordered placed on file.

STATE OF MAINE  
Office of the  
Secretary of State

December 31, 1973

To the Honorable Richard D. Hewes, Speaker of the House of Representatives of the One Hundred and Sixth Legislature:

In compliance with the Constitution and Laws of the State of Maine, I have the honor to herewith report the return of votes cast for Representative to the One Hundred and Sixth Legislature in the Towns of Norway, Oxford and Waterford at a Special Election held December 17, 1973, according to a review of the returns made by the Governor and Council, to fill the vacancy caused by the resignation of Representative Lowell D. Henley of Norway, as follows:

Donald F. McAllister of Norway received 335 votes.

R. Donald Twitchell of Norway received 346 votes.

(Signed)

JOSEPH T. EDGAR  
Secretary of State

The Communication was read and ordered placed on file.

The Speaker appointed the following Committee to escort Mr. Twitchell to the Governor to take and subscribe the oaths necessary to qualify him for the discharge of his official duties:

Messrs. THERIAULT of Rumford  
TRUMBULL of Fryeburg  
ROLLINS of Dixfield  
IMMONEN of West Paris  
WILLARD of Bethel  
FRASER of Mexico

Subsequently, Mr. Fraser reported that the Committee had attended to the duty to which it was assigned.

The Speaker assigned Seat No. 97 to Mr. Twitchell of Norway, and he was assigned to the Committee on Veterans and Retirement.

The Speaker appointed Mr. Pratt of Parsonsfield House Chairman of the Committee on Veterans and Retirement.

On motion of Mr. Talbot of Portland, it was

ORDERED, that Regina, Rachel and Robin Talbot of Portland be appointed Honorary Pages for today.

On motion of Mr. Ault of Wayne, it was  
ORDERED, that William and David Ault of Wayne be appointed Honorary Pages for today.

The Speaker appointed Miss Honore

Fallon as Page for the Special Session.

At this point, a message was received from the Senate, borne by Secretary Harry N. Starbranch of that body, proposing a Joint Convention of both branches to be held forthwith in the Hall of the House for the purpose of extending to His Excellency, Governor Kenneth M. Curtis, an invitation to attend the Convention and make such communication as he may be pleased to make.

Thereupon, the House voted to concur in the proposal for a Joint Convention and the Chair appointed Mr. Simpson of Standish to convey a message to the Senate to that effect.

Mr. Simpson subsequently reported that he had delivered the message with which he was charged.

At this point, the Senate entered the Hall of the House and a Joint Convention was formed.

#### In Convention

The President of the Senate, Kenneth P. MacLeod, in the Chair.

On motion of Senator Sewall of Penobscot, it was

ORDERED, that a Committee be appointed to wait upon the Honorable Kenneth M. Curtis, Governor, and to inform him that the two branches of the Legislature are in Convention assembled in the Hall of the House of Representatives and extend to him an invitation to attend the Convention and present such communication as he may be pleased to make.

The Chairman appointed:  
Senators:

SEWALL of Penobscot  
WYMAN of Washington  
FORTIER of Oxford

Representatives:

SIMPSON of Standish  
HASKELL of Houlton  
BAKER of Orrington  
WHITE of Guilford  
MARTIN of Eagle Lake  
COTE of Lewiston  
KILROY of Portland

Senator Sewall for the Committee subsequently reported that the Committee had attended to the duty assigned to it, and the Governor was pleased to say that he would forthwith attend the Convention.

Whereupon, Governor Kenneth M. Curtis, attended by the Executive Council, entered the Convention Hall amid prolonged applause, the audience rising.

The Governor then addressed the Convention as follows:

Honorable members of the Senate and House of Representatives of the 106th Maine Legislature:

The Constitution empowers the Governor to convene the Legislature on extraordinary occasions. While years ago the focus of special session legislation centered on emergency matters, it has become common practice to also complete much work unfinished by the regular session. The Legislature's decision last year to appropriate funds for only the first year of the biennium in itself has made this session necessary.

As it happens, however, your meeting coincides with the most serious problem to confront Maine in its recent history: the energy crisis. The impact of fuel shortages this winter on our people's ability to heat their homes and drive to work and on the ability of our utilities and industries to fire their generators and power their machinery remains unclear — for the source of petroleum as well as the mechanism for distributing it are beyond Maine's borders and beyond our control. Our task, then, is to try to manage the shortages as best we can by voluntarily conserving energy in all forms and by arming the state with standby emergency authority so that conservation measures and distribution plans can be made mandatory should the situation demand such action.

It is essential that we commit the major portion of any supplemental funding to increasing wages and welfare benefits, to offset hardships resulting from the increased costs of food, fuel, and other necessities.

The major categories for legislative action recommended in this message are to:

1. Meet the energy crisis.
2. Make current year appropriations and supplement the federal takeover of aid to the aged, blind, and disabled.
3. Fund the second year of the biennium.

4. Implement the Maine Management and Cost Survey.

5. Enact other priority legislation.

### THE STATE OF MAINE

Without the energy crisis, Maine's economy would be given a good bill of health. Unemployment in September dropped below 5 percent. This was the lowest level in four years. The work force increased to more than 397,200, compared with just under 391,000 the previous October. Maine's gross business activity amounted to 2.3 billion dollars — a 13 percent increase from 1972. This year also has seen an intensification of efforts to market Maine products abroad. A trade mission to Japan, combined with the winning of flagstop cargo service at Bangor International Airport and other foreign trade contacts promise to increase substantially the export of Maine products abroad and encourage foreign investment in our state. Another significant economic event since your last meeting has been the state acquisition of waterfront property to revitalize the Port of Portland, with the possibility of an oil discharge station and a refinery inland. A substantial number of new industries and expansions have been announced. There has been an improvement of price for Maine potatoes and an increased demand for Maine paper products. State taxes continue to return revenue in excess of estimates. As of November 30, general fund revenues were \$1.6 million ahead of estimates for the fiscal year. Personal income increased 10.7 percent in the past year.

Meanwhile, laws passed by past legislative sessions continue to provide us with a strong foundation for serving the needs and responding to the wishes of Maine people. The U. S. Supreme Court decision upholding the landmark oil conveyance law is an example of the wisdom and quality of Maine environmental protection measures which have become a model for the nation. The property tax reforms you instituted last year have been nearly universally praised by our citizens and business enterprises. Your nationally recognized reform of public school finance ranks with the Sinclair Act as one of the greatest advances on behalf of Maine education in this cen-

tury. The governmental reorganization bills you enacted as a continuation of reforms initiated by your predecessors have enabled us to realign and consolidate 85 percent of Maine government so that it may operate more effectively and efficiently. Your strong support of social service programs whose funding had been withdrawn by the federal government was a dramatic and compassionate achievement. But in spite of much good news, there remain major areas of concern.

While personal income has increased, the cost of living has gone up by a nearly equal amount. This inflation, aggravated by rapidly rising fuel costs, is especially crippling to people on fixed incomes. Poverty persists. Figures recently compiled by the state Division of Economic Opportunity show that 22.4 percent of Maine families have incomes under \$5,000 a year. So long as so large a percentage exists, we obviously cannot be satisfied with our efforts to improve economic opportunities for Maine people.

In trying to anticipate problems in our economy during the coming months, the unknown factor is the extent of energy shortages. Their effect upon jobs, the operation of our factories, the viability of our tourist industry and the revenue the state derives from income, sales and gasoline consumption will have to be closely monitored. But there is no room or need for pessimism over the energy crisis if we work calmly and closely together and do not lose confidence in the bright future that lies ahead for our State.

### **ENERGY EMERGENCY LEGISLATION**

It is essential that state government be given the authority to deal quickly and decisively in response to current and projected energy shortages. Accordingly, I have submitted emergency legislation providing for a variety of special powers. These will include authority to declare an "energy emergency," which would enable state government to order curtailments or closings of industry, business, stores and schools; to regulate the use of commercial lighting; to suspend certain standards imposed on utilities, banks and common carriers; to

permit the Board of Environmental Protection to grant temporary waivers of environmental standards; to create state and local boards for the administration of fuel conservation and allocation programs; to allocate fuel supplies within the state and to participate in federal programs. We hope all these powers will not have to be used but recent events make it clear that state government should have this standby authority.

The fuel crisis is likely to be with us for some time and similar shortages in other critical materials will likely develop. Legislation is sought to reconstitute the Bureau of Civil Defense as the Bureau of Civil Emergency Preparedness and restructure its powers to deal more effectively with the human and economic repercussions of energy and material shortages, along with floods, fires, and other natural disasters. I also seek a mandatory fuel oil reporting law and subpoena powers to assure that we have basic information on all supplies critical to our economy, such as oil, gasoline, fertilizer, chlorine and steel plate.

In recent weeks Maine consumers have experienced dramatic increases in the prices of fuel oil and gasoline. To cushion the impact of these increases, I have included funds to assist families on low incomes purchase fuel in emergency situations. This program will be operated for a three-month period to get us through the winter.

As an emergency measure, we should also eliminate unemployment compensation waiting periods for workers who lose their jobs and who are laid off temporarily as a result of fuel shortages. Finally, to prevent fuel retailers from taking unfair advantage of the energy shortage, I recommend legislation requiring dealers to maintain the same credit terms for residential users that were in effect prior to the energy crisis.

For the long-term energy situation, I request the creation of an energy policy office to provide the public with a comprehensive planning and monitoring capability for our energy future.

### **RECOMMENDED GENERAL FUND APPROPRIATIONS**

I will present my recommendations

for general fund appropriations in four parts: the 1974 current year additional needs; the 1975 Current Services or Part I Budget; a Supplemental or Part II Budget for 1975, and several Legislative Documents that require appropriations.

In addition to my opening message, I will soon present to the Legislature two reports prepared by the State Budget Office. The first, a 1974 Supplement to the State Budget Document, will present in a summary form agency appropriations for fiscal year 1974 and the recommendations for fiscal year 1975. This supplement should help legislators and the public evaluate our present commitments. The second report, in line with the expressed desire of the Legislature to move towards a priority program budget, will present an example of a revised budget format demonstrating a program approach for two department budgets selected by the Appropriations Committee. I hope these special reports will be both useful and informative.

#### **Current Year Needs — Fiscal Year 1974**

Yesterday, the New Federal Supplemental Security Income Program became effective, supplanting state aid to the aged, blind and disabled. Although this new program will be of great benefit to some states, those states that have relatively high benefits, such as Maine, will not enjoy a dollar savings. In fact, if we are to maintain benefit levels for current recipients and those who may apply in the future, we will have to supplement the Federal program with State dollars. The Federal government requires the states to protect all recipients on the rolls as of December 31, 1973 from losses in benefits. This program is termed the "Mandatory Supplement." In addition I recommend the State institute an "Optional Supplement" to make sure that equal treatment will be given to those who apply for benefits in the future. I request \$4,034,000 to carry out these two programs and other human services until the end of this fiscal year on June 30, 1974. Included is \$2,400,000 to fund the Mandatory Supplement and \$400,000 for the Optional Supplement.

To improve child welfare services, I ask for \$153,000 to increase payments to foster parents by an average of \$30 a

month for each child and for \$75,000 to increase payments for children eligible for AFDC foster care. Additionally, as mentioned in my emergency energy program, an appropriation of \$1,000,000 is requested to help assure that public assistance recipients and other low income people will be able to buy fuel this winter. A small amount of funds is requested for children services at the St. Louis Home.

Our current year funding is also deficient for the Department of Educational and Cultural Services. The Department needs \$389,012 to meet authorized subsidy commitments to local schools for regional vocational and adult education programs. North Berwick and Brooksville have suffered a severe erosion in their property tax base due to the closing of major industries. As the local valuation is now far below the state valuation used as a base for state school subsidy grants these towns are faced with a drastic property tax increase. I request a hardship grant of \$100,000 to help defray the inequitable loss of subsidy for Brooksville and North Berwick. I am asking for \$8,000 as Maine's share to continue veterinary program planning by the New England Board of Higher Education.

The Department of Mental Health and Corrections needs \$150,000 to make renovations at Stevens School for security purposes so that the Skowhegan and Stevens institutions can be consolidated in one location with an improvement in rehabilitation programs for all residents.

In the natural resource area, I am recommending \$75,000 for the Department of Conservation to assist and accelerate the Mountain Area Planning Committee's assignment to develop a comprehensive plan of the area from Saddleback to Bigelow for submission to the Land Use Regulation Commission. The Department of Transportation needs \$90,000 to place the Airport Snow Removal account for reimbursement to local municipalities on a current basis.

In the area of general government, I am asking for \$25,000 to be used by the Governor's Coordinator to help agencies implement the Management and Cost Survey proposals. A sum of \$2,500 is requested to support the current activities



of the Advisory Council on the Status of Women and \$9,375 is needed by the Law Library to purchase the latest volume of the Maine Reporter. To begin developing an improved and automated budget system, \$30,827 is immediately needed by the Budget Office. To provide essential fire insurance premiums and operating funds for the Insurance Advisory Board, \$38,000 is necessary. To assure that sufficient funds are available to meet substantial increased fuel costs for state facilities and institutions, I am recommending a \$200,000 addition to the Fuel Reserve Fund and a \$450,000 increase in the State Contingent Account. The Institutional Reserve Fund should also be extended to cover emergencies caused by price increases of commodities. To carry out responsibilities assigned it by the State Legislature, a grant of \$100,000 is imperative for the State Housing Authority. Necessary operating funds are requested for the Industrial Accident Commission and the Bureau of Labor and Industry.

Like other Maine workers, public employees live on fixed salaries that are vulnerable to dilution of purchasing power by rapid price and tax increases. They depend on the Legislature to provide reasonable salaries at least sufficient to maintain their standard of living and be competitive with similar work in private enterprise. To help public employees cope with continuing inflation, I am asking you to advance the second step of their previously approved salary plan from July 1 to start January 1 of this year. Through salary savings already instituted, I estimate that the general fund appropriation for this year and next will be sufficient to institute this across the board increase of \$8 a week or five percent of the base salary to a maximum of \$14.92, whichever is higher. Allowances will need to be made in dedicated fund accounts. For similar increases the University of Maine and the Maine Maritime Academy will require an additional appropriation of \$946,739 for their professional staff and their classified employees. I am asking for an additional \$2,000 to operate the State Employees Appeals Board because of the increased cost and frequency of its meetings and that twelve cents a mile be allowed for official use of

private cars. Inconsistencies should be corrected in the pay plan for unclassified salaries that are set by Governor and Council.

### **The General Fund Budget is Balanced Without Additional Taxes**

During this period of escalating prices and uncertain economic forecasts, I am especially grateful to be able to present Maine people with a budget balanced without a tax increase for the General Fund. My entire budget recommendations as balanced in Chart I and Chart II include the described \$6,098,996 to cover current year deficiencies, \$292,233,097 for authorized 1975 Part I obligations, and a modest supplementary program of \$7,670,181. All these recommendations are for urgent needs that merit serious Legislative consideration. No program of capital construction is contemplated beyond that authorized by the Legislature at the regular session. The "Summary of Undedicated Revenues" in Chart III details the actual and estimated sources of revenues to the General Fund for several years.

### **Part I: The Current Services Budget for FY 1975**

The current services budget for next year is essentially made up of two elements: those items I presented as Part I recommendations in my biennial budget message of January 11, 1973, as approved by the Legislature and the continuation of supplemental items the Legislature also approved for the year in progress. Chart I indicates the recommended General Fund current services for fiscal year 1975 by major functions. You will note that I am recommending a total appropriation of \$292,233,097 for FY 1975 compared with \$237,462,545 for the present fiscal year. As shown in Chart II, of the \$292 million for next fiscal year, \$99,876,704 has already been appropriated leaving a balance of \$192,356,393 to be approved at the Special Session. These dollar increases in Chart I are largely accounted for by greatly increased State subsidies to relieve local tax burden, the reform of the property tax, our increased efforts to provide human services, and necessary salary adjustments to meet the national inflation of commodity prices.

**Part II: Supplemental Services  
for FY 1975**

I have deliberately kept supplemental recommendations to an essential minimum. This reflects both my satisfaction that the Legislature at the regular session considered and funded a number of critically needed programs

and my intention to keep State government within conservative estimates of available revenue for next year. We all realize that the energy crisis may cause a decline in State revenues from sales, excise and income taxes. Therefore, I have intended to err on the side of prudence in viewing the financial condition of the State a year ahead.

**CHART I****INCREASES OF GENERAL FUND CURRENT SERVICES APPROPRIATION  
REQUIREMENTS FOR 1974-75 OVER APPROPRIATIONS FOR 1973-74.**

Description	Appropriated 1973-74	Recommended 1974-75	Increase
Education:			
**Subsidies to Local Governmental Units	\$ 50,068,844	\$ 90,674,568	\$40,605,724**
University of Maine	32,999,510	37,129,919	4,130,409
Vocational Technical Institutes	5,489,329	5,627,737	138,408
Maine Maritime Academy	1,211,238	1,336,040	124,802
Other Educational and Cultural Services	19,051,132	19,518,852	467,720
Sub-total Education	\$108,820,053	\$154,287,116	\$45,467,063
Finance and Administration	9,084,046	9,588,329	504,283
Judicial	3,190,567	3,257,533	66,966
Legislative	1,073,355	2,410,873	1,337,518
Mental Health and Corrections	30,219,999	30,686,108	466,109
Health and Welfare	41,292,063	43,856,767	2,564,704
Debt Service	16,359,942	18,873,549	2,513,607
All Other Appropriations	27,422,520	29,272,822	1,850,302
Total Recommendations	\$237,462,545	\$292,233,097	\$54,770,552
Amount Appropriated	237,462,545	99,876,704	
Balance to be Appropriated	—	\$192,356,393	
** Subsidies to Local Government Units	1973-74	1974-75	Increase
From General Fund (As Shown Above)	\$ 50,068,844	\$ 90,674,568	\$40,605,724
From Federal Revenue Sharing Fund (Additional to Above)	25,566,889	12,135,026	(13,431,863)
Total Appropriated/ Allocated	\$ 75,635,733	\$102,809,594	\$27,173,861

**CHART II**  
**METHOD OF FINANCING**

**AVAILABLE FUNDS**  
**GENERAL FUND**

Total Undedicated Revenue—Biennium		\$519,915,450
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Total Appropriations—Regular Session	\$350,575,749	
Appropriation Adjustments—	(13,236,500)	337,339,249
Special Session		182,576,201

**GENERAL FUND SURPLUS**

Balance as of June 30, 1973	42,112,708	
Estimated Lapsed Balances Current Year	1,500,000	
Less Amount Already Appropriated	(25,501,476)	18,111,232

200,687,433

**FEDERAL REVENUE SHARING**

Increased Revenue Sharing	931,170	
Increased Investment Income	1,538,493	2,469,663

203,157,096

**INCREASED ESTIMATES OF UNDEDICATED REVENUE**

Education	172,500	
State Lottery	3,078,000	
Alcoholic Beverages	(112,637)	3,137,863

**TOTAL AVAILABLE FOR APPROPRIATION**

\$206,294,959

**RECOMMENDED APPROPRIATIONS**

Emergency Items—FY 1974		\$ 6,098,996
Balance of Current Services—FY 1975		192,356,393
Supplemental Items—FY 1975		7,670,181

**TOTAL RECOMMENDED APPROPRIATIONS**

\$206,125,570

**BALANCE AVAILABLE FOR LEGISLATIVE DOCUMENTS**

\$ 169,389

Providing human services for our people must be a high priority during these times of rapidly accelerating costs. For the Department of Health and Welfare, I am requesting \$2,618,268 to supplement present programs. Of this total, \$134,619 is for twelve staff needed by the Bureau of Social Welfare to administer the new mandated federal programs, \$27,649 as the State share of the salaries of Children Service specialists previously paid entirely from federal funds, \$306,000 to increase payments for foster care and \$150,000 for increased payments for foster home children under Aid to Families with Dependent Children. I am requesting \$2,000,000 for a new payment schedule for persons eligible for AFDC. All together, these supplemental State grants, which in my judgment are the very minimum necessary, will generate about \$6,000,000 of additional federal grants. For Mental Health and Corrections, I recommend \$700,000 to institute a 40 hour week at all the institutions, provide additional staff for Probation and Parole and funds for the Elizabeth Levinson Center. For the State Housing Authority, \$110,000 is needed to provide funds for operating costs. I am requesting \$15,000 to support a field investigator for the Human Rights Commission and \$94,941 to provide five additional employees in the Department of Indian Affairs and additional funds necessary to operate the three reservation housing authorities.

For the Department of Educational and Cultural Services, I am recommending \$705,788. Most of this money is earmarked to staff new facilities and programs at the several Vocational Technical Institutes. Some commodity increases are included as is \$39,100 to install longevity salary adjustments. Also included is \$15,439 for the Bureau of Arts and Humanities and \$24,871 for reclassifications, bookmobile and postage costs to the State Library and \$23,597 to the State Museum for two seasonal positions, reclassification and operating costs.

For the University of Maine, I am recommending \$1,050,000 to assist the University in meeting inflationary costs and to provide a limited expansion of essential programs.

In the vital area of our natural re-

sources and economic development, I have several recommendations for supplemental funding. The Department of Agriculture needs \$98,181 for a Weights and Measures Inspector, for laboratory services and for seven additional positions for Soil and Water Conservation. For the Department of Commerce and Industry, I have earmarked \$180,000 to fund the district offices, the Metric Committee and the Foreign Trade Program. The Department of Marine Resources needs a statistical fieldman, an account clerk, reclassification of the coastal wardens (if the State Police are reclassified) and additional State money to match federal seagrass programs important to the future of Maine's marine industry. I have requested \$114,606 for these purposes.

I am asking the Legislature for a \$241,029 supplement to the budget of the Department of Conservation. Of this amount, \$129,384 will be used by the Bureau of Public Lands, \$11,645 for a planner in the Bureau of Parks and Recreation and the balance for state grants-in-aid for municipal recreation. For the Department of Transportation, \$100,000 is included. Of this, \$54,000 is for the Bureau of Aeronautics to fund the state's share of snow removal at airports, necessary consultant services and communication equipment. Due to decreased revenues \$46,000 is provided for the operation of the State Pier.

In the area of regulation and enforcement, several appropriations are needed. Of high priority is \$268,147 to reclassify 317 State Police and 18 Liquor Inspector positions, to provide six vehicles and to hire one additional liquor inspector and twenty-five new State Police troopers. An amount of \$150,000 is recommended for the six months operation of the Maine Law Enforcement and Criminal Justice Academy starting in January 1975. Funds for the Academy were previously obtained through a one time Federal grant from the Law Enforcement Planning and Assistance Agency. For the Department of Business Regulation I recommend \$39,903 to finance the Commissioner's office and \$38,000 to implement a computerized licensing system for its bureaus. I am asking for \$55,852 for the Department of Environmental Protection to improve

the efforts of the Bureau of Land Quality Control.

As State government accepts new functions these additional complexities must be met by an improved ability to operate and manage government. In the Executive Department I request \$55,962 to support the Youth Services Coordinator and a full-time staff for the Advisory Council on the Status of Women for the remainder of my term. The Department of Finance and Administration needs \$368,289 to set up data processing systems in the Bureau of Accounts and Control and the Bureau of Budget, provide four maintenance positions for the Property Management Division and add two engineers and reclassify other employees in the Bureau of Public Improvements. To continue efforts to increase the efficiency of state services, I have included \$15,000 to be appropriated directly to the Maine Management and Cost Survey Commission for its use during the remainder of my administration. I am asking for funds for the State Employees Appeals Board during the second year and for \$75,000 to provide new positions, some reclassifications and additional operat-

ing money for our overworked and undermanned Personnel Department, including a specialist in labor-management relations. Finally, I am requesting \$118,715 for the Department of Military, Civil Defense and Veterans Services. Veterans Services would receive \$36,335, and the remaining \$81,084 would provide both permanent and standby staff to support the capability of the Bureau of Civil Defense in monitoring and combating the energy shortages which will likely continue for the next few years.

In addition to the Part II supplementary recommendations I have set aside an amount sufficient to support separate Legislative Bills, which I have included in my call and will describe later in this message.

To keep state expenditures to a necessary minimum and within available state income it may be necessary to institute administrative controls on hirings for new and vacant positions and more extensive controls on agency expenditures. I do not plan these administrative steps unless the economy weakens. Present laws adequately provide for such an eventuality.

**CHART III**  
**GENERAL FUND**  
**SUMMARY OF UNDEDICATED REVENUES**

REVENUE SOURCE —	Actual 1971-72	Actual 1972-73	Budget Recommendations* 1973-74	1974-75
State Tax on Wild Land	\$ 2,317,829	\$ 4,280,286	\$ 5,660,000	\$ 6,060,000
Inheritance, Estate and Gift Taxes	7,390,493	6,047,929	6,500,000	8,125,000
Personal Income Tax—				
General Fund Portion	28,179,180	31,307,529	36,268,766**	41,341,017**
Corporate Income Tax—				
General Fund Portion	8,588,225	10,043,942	10,556,000**	14,256,000**
Cigarette Taxes	18,733,670	19,438,210	19,490,511	19,880,321
Sales and Use Taxes—				
General Fund Portion	102,677,940	117,577,970	122,751,050**	130,505,718**
Corporation Taxes	459,600	508,929	518,920	540,920
Public Utility Taxes	6,655,750	7,527,478	7,537,000	7,947,000
Insurance Company Taxes	5,226,451	5,783,745	6,040,500	6,441,000
Commission on Pari-Mutuels	1,195,349	1,114,538	1,218,200	1,218,200
Net Profit from Liquor	19,218,651	19,891,804	20,389,000	21,001,000
Other Revenue	9,972,095	10,790,130	12,027,655	13,641,673
Total Undedicated Revenue	\$210,615,245	\$234,312,496	\$248,957,602**	\$270,957,849**
Biennial Totals	\$444,927,741		\$519,915,451**	

\* As Adjusted by  
Legislative Action  
at Regular Session.

\*\* Amounts Dedicated to  
the Local Government  
Fund (State-Local  
Revenue Sharing) Are  
Not Included in These  
Figures.

### HIGHWAY PROGRAM AND BUDGET

My Highway Transportation message to the Legislature last year included a continued emphasis on safety, a modest increase in highway resurfacing and the development of a construction policy emphasizing small scale, less expensive projects.

At the regular session, I proposed a highway construction program which included \$19.3 million of additional bonding. The bonds authorized by the Legislature were reduced to \$7.8 million predicated on a one cent increase in motor fuel taxes which failed to pass. As a result, we are left with an estimated \$10.8 million shortage in State money for highway construction. If this State money is not provided to match available Federal funds, we will lose up to a \$30 million construction program this current biennium.

I believe our economy needs this construction. If the funds are forthcoming, approximately \$17 million worth of projects could be initiated this year, providing employment for an estimated 800 to 1,000 highway construction workers. All of these considerations existed prior to the energy crisis.

The energy shortage is seriously compounding the highway financing problem since a reduction in motor fuel usage will mean reductions in fuel tax revenues. Since the construction program is already inadequately financed, these revenue losses must result in reductions in existing maintenance and town-aid programs, such as snow removal, resurfacing, the State-aid program and other essential activities of the Department of Transportation.

Therefore, I am proposing a temporary increase of two cents per gallon in the motor fuel tax to terminate June 30, 1975.

The basic purpose of the proposed increase is to maintain the level of allocations made from the General Highway Fund during the regular session of this Legislature. Any revenues beyond the amount necessary to maintain approved allocations will be used for highway construction in the interest of providing employment and highway safety.

Because of the energy crisis and recent proposals to eliminate dedicated re-

venues, I also suggest the creation of a Task Force to evaluate the financing of all transportation programs and to report its findings to the 107th Legislature.

### OTHER LEGISLATION

In addition to the legislation previously mentioned, I have included in my call several very important bills for your consideration.

#### Human Resources

While recipients of categorical assistance are eligible for Federal medical benefits, there are virtually no funds for financial relief to working families burdened with catastrophic illness. Everyone of us has known of hard-working families who have lost everything and still face medical bills they cannot pay as the result of a single unexpected illness. In order to alleviate this problem, I have submitted legislation to expand the Federal Title 19 (Medicaid) program and to establish a fund to assist middle and low income families who have incurred extreme medical expenses. During the Regular Session of the 106th Legislature, a "Catastrophic Illness" bill was introduced, but no money was available to fund the program. As a way of helping those who have suffered too much already, I propose this bill be funded with a two cent increase in the cigarette tax. This increase will raise approximately \$2,840,000. State funds for this program will be matched in part with Federal dollars.

The Equal Rights Amendment to the United States Constitution has been discussed and studied at length since its introduction to the Legislature one year ago. Thirty states have ratified it. Eight more must ratify it before it can become part of our Constitution. I believe we should delay no further in guaranteeing women equal rights under the law. So, I again recommend that Maine continue its tradition of progressive concern for human rights by your ratification of this constitutional amendment prohibiting discrimination on the basis of sex. I have also submitted for your consideration legislation creating a permanent Council on the Status of Women with more adequate provisions for staffing.

Although the Regular Session of the 106th Legislature passed some very important and progressive amendments to



the Elderly Householders Tax and Rent Refund Act, further adjustments in this law are required to ensure adequate refunds to those with incomes below \$2,000. In this regard, I will submit legislation providing a total tax refund, up to the statutory limit, for elderly householders with incomes below \$2,000. I also recommend the asset limitation and the "35 percent of household income" clause be eliminated. I have included \$450,000 in my budget to fund this legislation.

In the past few years, we have taken steps to modernize our correctional institutions. In order to continue this effort and to implement the recommendations of the Governor's Task Force on Corrections, I will submit legislation to establish a correctional policy for the State of Maine, to close the Women's Correctional Center at Skowhegan, to establish a nongeographic school administrative district for the Bureau of Corrections, to create a permanent advisory committee on corrections, to make certain changes in the "good time" parole provisions of the Maine Statutes and to set standards for the disqualification of ex-offenders from practice of a trade or occupation.

Due to impoundments of Federal funds, new housing starts in Maine have slowed dramatically in recent months. In addition, as a result of a ruling by the Attorney General, the Maine Housing Authority has been delayed in issuing bonds. In order to remove any obstacles to the issuance of bonds by the Authority and to assist in providing adequate housing for Maine people, I will introduce legislation to increase the authorized bonded indebtedness of the Authority, to amend the industrialized housing law, and to correct certain technical problems with the Maine Housing Authority Act. In addition to the above, I recommend favorable action on a pilot housing rehabilitation project authorizing the Authority to make residential housing rehabilitation loans.

### **Consumer Protection**

The store price of milk in Maine is now significantly higher than in other New England states. To alleviate this situation, I recommend that retail pricing of milk by the Maine Milk Commission be discontinued while still assuring Maine

dairy farmers fair payment for their product.

To improve compensation for personal injuries resulting from motor vehicle accidents, to effectuate savings in automobile insurance and to provide adequate protection for the consumer, I urge that the Legislature enact a "no-fault" liability statute.

### **Legislative Reform**

In recent years, the Legislature has made great progress in reorganizing the Executive Branch of State government. It would be a great credit to the 106th Legislature and of great benefit to the people of Maine if reform of the Legislative Branch could also be enacted. For this reason, I will again support legislation to provide for annual legislative sessions, to establish single member districts in the Maine House of Representatives and to abolish the Executive Council. I consider this legislation to be of great importance to the functioning of State government and remain flexible in resolving the precise nature of the reforms.

### **Campaign Reform**

I will support legislation to require gubernatorial candidates to report all donations and expenditures used to further their campaign and to limit the amount of money a gubernatorial candidate may spend. I will also support legislation prohibiting corporate donations to referendum campaigns and limiting the amount of money that may be spent on such a campaign.

### **Labor**

Because the cost of living has risen dramatically in recent months, I will support legislation increasing the minimum hourly wage to \$2.00. I will also seek changes in Maine's Workmen's Compensation Law making coverage mandatory for all nonexempted employers and establishing a State Workmen's Compensation Fund. I will again submit for your consideration modified legislation to establish the Maine Occupational Safety and Health Act.

The Municipal Public Employees Labor Relations Act, since its enactment in 1969, has contributed significantly to the improvement of labor relations

between municipal employees and local government and between teachers and school boards. By recognizing the rights of municipal employees and teachers to bargain collectively with their employers, and by providing a procedural and administrative framework within which this bargaining occurs, the act responded to the legitimate aspirations of these public employees to participate more meaningfully in decisions affecting their wages, hours and working conditions and established a uniform basis for carving out the details of this shared authority. The time has now come to extend these rights and this framework to State employees. Four years' experience with the current act has prepared the Public Employees Labor Relations Board to handle this new responsibility. There is simply no fair or reasoned basis for continuing to deny to State employees the rights now enjoyed by municipal employees and teachers. Fourteen states, recognizing this fact, have now extended collective bargaining rights to their State employees.

For these reasons, I will support legislation to provide collective bargaining for State workers.

#### **Natural Resources**

In the past few years, we have made considerable progress in planning for the controlled use and development of our natural resources. To continue this effort, I have submitted legislation establishing a State register of critical areas. This bill would identify areas of outstanding scientific and educational interest as well as areas under severe development pressure and encourage their protection and wise use for the continued enjoyment of future generations. This legislation is necessary to develop and carry out the Coastal Plan.

In the past year questions have been raised regarding the operations of Maine's forest products industry. For this reason, I recommend that the Legislature establish a study commission to review these questions.

In addition, I will support legislation clarifying the powers of the State with respect to the public lots.

#### **Economic Development**

In support of economic development, I will submit legislation creating the

Maine Development Act. This Act is designed to promote economic development by establishing local development commissions to assist in attracting industries.

To implement the planned development of the Portland waterfront, I will recommend certain revisions in the enabling legislation of the Maine Port Authority. I will also recommend legislation authorizing the Department of Transportation to seek establishment of foreign trade zones.

#### **Miscellaneous**

In other subject areas, I will introduce legislation to allow the Supreme Judicial Court to modify the rules of evidence, to prohibit certain gambling devices, to impose strict liability on natural gas distributors, and to make changes in the law relating to the Board of Harbor Commissioners for the Harbor of Portland.

#### **MAINE MANAGEMENT AND COST SURVEY**

The Special Session of the 105th Legislature two years ago authorized the efficiency study of State government known as the Maine Management and Cost Survey.

A team of Maine's executives from the private business sector worked over a period of 20 weeks on this study. The result, after a substantial cash and manpower contribution from private sources, was a report making 807 recommendations for changes in the way State government operates.

For the past 10 weeks, these recommendations have been subjected to close scrutiny by an Executive Coordinator in my office working in consultation with the various departments and agencies of State government and with officials of the Maine Management and Cost Survey. Proposals requiring legislative action will be submitted to this Special Session in approximately eighty separate bills.

On January 10, I will submit a special written message detailing these recommendations including a status report on each item proposed by the Commission.

#### **CONCLUSION**

So this is my program for the Special Session of the 106th Legislature. It was

designed to meet a minimum of current demands for important States services. As always in the compilation of such programs, many worthwhile proposals had to be passed by in the process of selecting only the most pressing issues for presentation at this time.

I would like to thank the directors and staff of our various State agencies, and in particular the Budget Office, for their hard work and diligence in the preparation of this program.

I look forward to working with you and offer you my cooperation as you study and debate these issues in the days ahead.

KENNETH M. CURTIS  
Governor of Maine

At the conclusion of the Governor's address, the Governor and his suite withdrew amid applause, the audience rising.

The purpose for which the Convention was assembled having been accomplished, the Chairman declared the same dissolved and the Senate retired to its Chambers, amid applause of the House, the members rising.

#### **In the House**

The House was called to order by the Speaker.

#### **Petitions, Bills and Resolves Requiring Reference**

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

#### **Agriculture**

Bill "An Act Repealing Milk Control Prices at the Retail Level" (H. P. 1656) (L. D. 2049) (Presented by Mr. McKernan of Bangor)

Bill "An Act Relating to the Weights and Measures Law" (H. P. 1657) (L. D. 2050) (Presented by Mr. Evans of Freedom)

Bill "An Act Relating to Definition of Nursery Stock Under Law" (H. P. 1682) (L. D. 2075) Presented by same gentleman)

Sent up for concurrence.

#### **Appropriations and Financial Affairs**

Bill "An Act Providing Additional

Funding to Support the In-School Instructional Television Broadcasting Contract with WCBB-TV" (H. P. 1658) (L. D. 2051) Emergency (Presented by Mr. Ferris of Waterville)

Bill "An Act Providing Three Additional District Court Judges at large" (H. P. 1659) (L. D. 2052) (Presented by Mr. McTeague of Brunswick)

Bill "An Act to Provide Emergency Medical Training for Ambulance and Rescue Personnel" (H. P. 1660) (L. D. 2053) (Presented by Mr. Rolde of York)

Bill "An Act Increasing Mileage Allowance for State Employees on State Business" (H. P. 1683) (L. D. 2076) Emergency (Presented by Mr. Martin of Eagle Lake)

Bill "An Act Providing Funds for Spruce Budworm Control and Surveys" (H. P. 1684) (L. D. 2077) (Presented by Mr. Birt of East Millinocket)

Bill "An Act to Provide Funds to Replace Fire Protective Devices at the Maine State Pier" (H. P. 1685) (L. D. 2078) (Presented by Mr. Mulkern of Portland)

Bill "An Act to Pay the Increased Cost of the Health Insurance Program for State Employees and their Dependents" (H. P. 1723) (L. D. 2167) Emergency (Presented by Mr. Silverman of Calais)

Bill "An Act Adjusting State Employees' Pay" (H. P. 1724) (L. D. 2168) Emergency (Presented by Mr. Bustin of Augusta)

Bill "An Act to Provide Additional Longevity Steps for Employees of the Bureau of Corrections" (H. P. 1728) (L. D. 2172) Emergency (Presented by Mrs. McCormick of Union)

Bill "An Act to Authorize the Transfer of Certain Funds Appropriated to the Department of Indian Affairs from Capital Construction to All Other" (H. P. 1733) (L. D. 2179) (Presented by Mr. Haskell of Houlton)

Bill "An Act Relating to Token Compensation for Work Performed by Residents of State Penal and Correctional Institutions" (H. P. 1742) (L. D. 2201) (Presented by Mrs. White of Guilford)

Bill "An Act to Provide Funds to Aid Construction of Kenduskeag Stream Park" (H. P. 1758) (L. D. 2226) (Presented by Mr. Murray of Bangor)

Sent up for concurrence.

**Tabled and Assigned**

Bill "An Act Relating to Payment of Costs in a Statewide Food Stamp Program" (H. P. 1759) (L. D. 2227) (Presented by Mr. Jalbert of Lewiston)

The Committee on Reference of Bills suggested the Committee on Appropriations and Financial Affairs.

(On motion of Mr. Simpson of Standish, tabled pending reference and tomorrow assigned.)

Bill "An Act to Provide a Minimal Base Income Each Year for the Elderly" (H. P. 1767) (L. D. 2239) (Presented by Mr. Hewes of Cape Elizabeth)

Bill "An Act Providing Funds for Marine Research" (H. P. 1768) (L. D. 2240) (Presented by Mr. Brown of Augusta)

Sent up for concurrence.

**Tabled and Assigned**

Bill "An Act Relating to a State-wide Food Stamp Program" (H. P. 1774) (L. D. 2246) (Presented by Mr. Jalbert of Lewiston)

Committee on Reference of Bills suggested the Committee on Appropriations and Financial Affairs.

(On motion of Mr. Simpson of Standish, tabled pending reference and tomorrow assigned.)

Bill "An Act to Increase Salaries of Justices of the Supreme Judicial and Superior Court, District Court Judges and the Administrative Court Judge" (H. P. 1778) (L. D. 2250) (Presented by Mr. Brown of Augusta)

Resolve Providing Funds for Construction of a Fire Pond at Frenchboro Long Island Plantation, Hancock County (H. P. 1798) (L. D. 2278) (Presented by Mr. Greenlaw of Stonington)

Sent up for concurrence.

**Business Legislation**

Bill "An Act Clarifying Law on Records of Bank Loans" (H. P. 1686) (L. D. 2079) (Presented by Mr. Brown of Augusta)

Bill "An Act Relating to Minimum Warranty Standard for Mobile Homes" (H. P. 1729) (L. D. 2173) Emergency (Presented by Mrs. Boudreau of Portland)

Bill "An Act to Clarify the Itinerant Vendor Law" (H. P. 1760) (L. D. 2228) (Presented by Mrs. Boudreau of Portland)

Sent up for concurrence.

**County Government**

Bill "An Act to Authorize a Solid Waste Collection and Disposal System in Kennebec County" (H. P. 1687) (L. D. 2080) Emergency (Presented by Mr. Brown of Augusta)

Resolve Permitting the County of Kennebec to Expend Money for Public Ambulance Service (H. P. 1688) (L. D. 2081) Emergency (Presented by Mr. Brown of Augusta)

Bill "An Act Increasing Salaries of Various County Officers" (H. P. 1732) (L. D. 2176) (Presented by Mr. Churchill of Orland)

Bill "An Act Relating to the Collection and Disposal of Solid Wastes by the Lincoln County Commissioners" (H. P. 1743) (L. D. 2202) (Presented by Mr. Palmer of Nobleboro)

Bill "An Act to Authorize County Commissioners of Aroostook County to Use 1974 Federal Revenue Sharing Funds for Court System and Jail" (H. P. 1769) (L. D. 2241) (Presented by Mr. Martin of Eagle Lake)

Sent up for concurrence.

**Education**

Bill "An Act Relating to Conferring Degrees by Thomas College" (H. P. 1661) (L. D. 2054) (Presented by Mr. Ferris of Waterville)

Bill "An Act Relating to the Borrowing Capacity of School Administrative District No. 24" (H. P. 1662) (L. D. 2055) Emergency (Presented by Mr. LeBlanc of Van Buren)

Bill "An Act Increasing Indebtedness of Town of York School District" (H. P. 1691) (L. D. 2084) Emergency (Presented by Mr. Rolde of York)

Bill "An Act Increasing Borrowing Capacity of School Administrative District No. 64" (H. P. 1692) (L. D. 2085) Emergency (Presented by Mr. Strout of East Corinth)

Bill "An Act to Authorize Maine Maritime Academy to Grant Honorary Degrees" (H. P. 1693) (L. D. 2086) (Presented by Mr. Greenlaw of Stonington)

Bill "An Act to Validate Certain Proceedings Authorizing the Issuance of Bonds and Notes by S.A.D. 49" (H. P. 1744) (L. D. 2203) Emergency (Presented by Mr. Lawry of Fairfield)

Bill "An Act to Authorize Satellite Centers for Vocational Education" (H. P. 1757) (L. D. 2216) Emergency (Presented by Mr. Rolde of York)

Bill "An Act Clarifying the Sources of Payment of Bonds, Notes and Other Evidences of Indebtedness Issued for School Purposes" (H. P. 1761) (L. D. 2229) Emergency (Presented by Mr. Haskell of Houlton)

Bill "An Act Repealing Two-year Limitation in Contracts Between University of Maine and Colleges Outside of Maine to Provide Additional Educational Opportunities" (H. P. 1779) (L. D. 2251) (Presented by Mr. Murray of Bangor)

Bill "An Act Relating to the Budgetary Process of the Eleven New Regions and Central Aroostook County Region for Vocational Education" (H. P. 1780) (L. D. 2252) Emergency (Presented by Mrs. Kelley of Machias)

Sent up for concurrence.

### **Election Laws**

Bill "An Act Relating to Applications for Absentee Ballots" (H. P. 1663) (L. D. 2056) (Presented by Mrs. Berube of Lewiston)

Bill "An Act Relating to Absentee Voting by Persons Serving Sentences in Jails and Penal Institutions" (H. P. 1781) (L. D. 2253) (Presented by Mr. Curtis of Orono)

Sent up for concurrence.

### **Fisheries and Wildlife**

Bill "An Act Relating to Hunting Bear with Dogs" (H. P. 1664) (L. D. 2057) (Presented by Mr. Farnham of Hampden)

Sent up for concurrence.

### **Health and Institutional Services**

Bill "An Act Relating to Admittance of Indigents to Hospitals" (H. P. 1689) (L. D. 2082) (Presented by Mr. Whitzell of Gardiner)

Bill "An Act Relating to the Installation of Sprinkler Systems in all New and Existing Hotels" (H. P. 1694) (L. D.

2087) (Presented by Mr. Churchill of Orland)

Bill "An Act Clarifying Sprinkler System Requirements in Boarding Homes" (H. P. 1695) (L. D. 2088) (Presented by Mrs. Berry of Madison)

Bill "An Act Amending the Laws Relating to Pineland Center" (H. P. 1745) (L. D. 2204) (Presented by Mr. Dyar of Strong)

Bill "An Act to Integrate the Maine Statutes with the Federal Supplemental Security Income Program" (H. P. 1782) (L. D. 2254) Emergency (Presented by Mrs. White of Guilford)

Bill "An Act to Define Registered Nurses Exempt under Cosmetology Law" (H. P. 1783) (L. D. 2255) (Presented by Mrs. Boudreau of Portland)

Bill "An Act Relating to Price Information on Prescription Drugs and Permitting Advertising of Prescription Drug Prices" (H. P. 1793) (L. D. 2271) (Presented by Mr. Silverman of Calais)

Sent up for concurrence.

### **Human Resources**

Bill "An Act to Prevent Physically Handicapped Discrimination under Human Rights Act" (H. P. 1665) (L. D. 2058) (Presented by Mr. Bither of Houlton)

Bill "An Act Relating to Police Officers for the Indian Tribes" (H. P. 1666) (L. D. 2059) (Presented by Mr. Mills of Eastport)

Sent up for concurrence.

### **Judiciary**

Bill "An Act Relating to Certified Copy of Regulations Promulgated by Commissioner of Inland Fisheries and Game as Evidence" (H. P. 1696) (L. D. 2089) (Presented by Mr. Good of Westfield)

Bill "An Act Relating to Personal Service of Process Outside the State under the Unfair Trade Practices Act" (H. P. 1697) (L. D. 2090) Emergency (Presented by Mr. McKernan of Bangor)

Bill "An Act Relating to Place of Examination under Unfair Trade Practices Act" (H. P. 1698) (L. D. 2091) Emergency (Presented by Mrs. Snowe of Auburn)

Bill "An Act Relating to Nullification of Criminal Records" (H. P. 1725) (L. D. 2169) (Presented by Mrs. White of Guilford)

Bill "An Act Relating to the Expunging of Certain Records of Arrest" (H. P. 1734) (L. D. 2180) (Presented by Mr. Talbot of Portland)

Bill "An Act to Amend the Law Relating to Attempted Escapes from the Maine State Prison" (H. P. 1750) (L. D. 2209) (Presented by Mrs. McCormick of Union)

Bill "An Act Relating to Medical Treatment of Persons at State-operated Facilities" (H. P. 1762) (L. D. 2230) (Presented by Mr. Connolly of Portland)

Bill "An Act to Repeal Reference in Law that University of Maine Officers and Employees are Unclassified Employees of State of Maine" (H. P. 1775) (L. D. 2247) (Presented by Mr. Greenlaw of Stonington)

Sent up for concurrence.

#### **Labor**

Bill "An Act to Create the Interstate Compact for Workmen's Compensation" (H. P. 1770) (L. D. 2242) (Presented by Mr. McTeague of Brunswick)

Sent up for concurrence.

#### **Legal Affairs**

Resolve, Relating to Granting Pipeline Easement by Atlantic Sea Run Salmon Commission to Town of Machias (H. P. 1667) (L. D. 2060) (Presented by Mrs. Kelley of Machias)

Bill "An Act Permitting Northern Maine General Hospital of Eagle Lake to Maintain a Nursing Home" (H. P. 1668) (L. D. 2061) Emergency (Presented by Mr. Martin of Eagle Lake)

Bill "An Act Changing Name of Peoples Benevolent Hospital to Northern Maine Medical Center" (H. P. 1669) (L. D. 2062) (Presented by Mr. Martin of Eagle Lake)

Bill "An Act to Amend the Charter of Maine Wesleyan Board of Education" (H. P. 1670) (L. D. 2063) (Presented by Mr. Perkins of South Portland)

Bill "An Act Converting Somerville Plantation into the Town of Somerville" (H. P. 1671) (L. D. 2064) Emergency (Presented by Mr. Palmer of Nobleboro)

Bill "An Act Increasing Indebtness of Caribou Hospital District" (H. P. 1672) (L. D. 2065) Emergency (Presented by Mr. Gahagan of Caribou)

Resolve to Reimburse Lauren Sturte-

vant of South Paris for Damage to Property by Escapee from Boys Training Center (H. P. 1699) (L. D. 2092) (Presented by Mr. Immonen of West Paris)

Bill "An Act Relating to Voting Shares of Stock of Northeast Harbor Golf Club" (H. P. 1700) (L. D. 2093) (Presented by Mr. MacLeod of Bar Harbor)

Bill "An Act Authorizing Use of Name The Children's Theatre of Maine" (H. P. 1701) (L. D. 2094) (Presented by Mrs. Najarian of Portland)

Bill "An Act to Permit Town of North Berwick to Accept a Conveyance of the Friends Burying Ground and the Endowments Connected Therewith" (H. P. 1702) (L. D. 2095) Emergency (Presented by Mr. Cressey of North Berwick)

Bill "An Act Increasing Indebtness of Hospital Administrative District No. 3 in Aroostook and Penobscot Counties" (H. P. 1703) (L. D. 2096) Emergency (Presented by Mr. Walker of Island Falls)

Resolve to Reimburse Sheila Herbert of Chelsea for Damage to Motor Vehicle by State Ward (H. P. 1704) (L. D. 2097) (Presented by Mr. Shaw of Chelsea)

Bill "An Act Relating to Safety Glazing" (H. P. 1705) (L. D. 2098) (Presented by Mr. Churchill of Orland)

Bill "An Act to Validate Proceedings Authorizing the Borrowing of Money and the Purchase and Transfer of Certain Real Estate to the Dover-Foxcroft Housing Development Corporation by the Town of Dover-Foxcroft" (H. P. 1706) (L. D. 2099) Emergency (Presented by Mr. Smith of Dover-Foxcroft)

Bill "An Act Relating to Municipal Fire Protection" (H. P. 1707) (L. D. 2100) (Presented by Mr. Curtis of Orono)

Resolve to Reimburse Ansel Fowler, Sr. of Costigan for Loss of Beehives (H. P. 1708) (L. D. 2101) (Presented by Mrs. Murchison of Mattawamkeag)

Resolve to Reimburse Gerald Perkins of Bucksport for Loss of Beehives by Bear (H. P. 1730) (L. D. 2174) (Presented by Mr. Churchill of Orland)

Bill "An Act Relating to Number of Directors of Directors of Hospital Administrative District No. 4 in Piscataquis, Somerset and Penobscot Counties" (H. P. 1735) (L. D. 2181) Emergency (Presented by Mr. Smith of Dover-Foxcroft)

Bill "An Act to Revise the Laws on Snowmobiles" (H. P. 1736) (L. D. 2182) (Presented by Mr. Gahagan of Caribou) by request.

Bill "An Act Relating to Discontinuance of Town Ways" (H. P. 1737) (L. D. 2183) (Presented by Mr. Cooney of Sabattus)

Bill "An Act to Permit Lakeville Plantation to use a Public Lot for Sanitary Landfill" (H. P. 1746) (L. D. 2205) (Presented by Mrs. Murchison of Mat-tawamkeag)

Bill "An Act to Amend the Charter of the Bangor Recreation Center" (H. P. 1751) (L. D. 2210) (Presented by Mr. Kelleher of Bangor)

Bill "An Act to Describe a Section of the Towns of Bristol and Bremen" (H. P. 1752) (L. D. 2211) (Presented by Mr. Lewis of Bristol)

Bill "An Act Relating to the Regulation and Control of Dogs" (H. P. 1771) (L. D. 2243) (Presented by Mr. McTeague of Brunswick)

Resolve to Reimburse Mr. and Mrs. Ernest Glidden of Gardiner for Property Damages Caused by State Wards (H. P. 1772) (L. D. 2244) (Presented by Mr. Whitzell of Gardiner)

Resolve to Reimburse Erlon Ricker of Litchfield for loss of Poultry Due to Activities of the State Police (H. P. 1784) (L. D. 2256)

Bill "An Act to Clarify Certain Municipal Laws" (H. P. 1794) (L. D. 2274) (Presented by Mr. Emery of Rockland)

Sent up for concurrence.

### **Liquor Control**

Bill "An Act Repealing Discount Sale Price of Liquor in One State Store" (H. P. 1673) (L. D. 2066) (Presented by Mr. Kelleher of Bangor)

Sent up for concurrence.

Bill "An Act Relating to Retail Sale of Fortified Wine" (H. P. 1710) (L. D. 2103) (Presented by Mr. Farley of Biddeford)

Bill "An Act Authorizing Municipalities with Public Auditoriums to have a Liquor License" (H. P. 1711) (L. D. 2104) ((Presented by Mr. Brown of Augusta)

Bill "An Act Relating to the Sale of Spirituous and Vinous Liquor at Post-secondary Schools" (H. P. 1785) (L. D.

2257) (Presented by Mr. Murray of Bangor)

Sent up for concurrence.

### **Tabled and Assigned**

Bill "An Act Relating to the Sale of Malt Liquor at Central Maine Youth Center in Lewiston" (H. P. 1709) (L. D. 2102) Emergency (Presented by Mr. Jalbert of Lewiston)

Committee on Reference of Bills suggested the Committee on Liquor Control.

(On motion of Mr. Simpson of Standish, tabled pending reference and tomorrow assigned.)

### **Marine Resources**

Resolve Authorizing the Department of Marine Resources to Determine Disposition of Statue, "The Maine Lobsterman" (H. P. 1712) (L. D. 2105) Emergency (Presented by Mr. Ross of Bath)

Bill "An Act to Provide for the Disposition of Herring Unfit for Human Consumption" (H. P. 1741) (L. D. 2187) (Presented by Mr. Bunker of Gouldsboro)

Bill "An Act to Clarify the Law Relating to Fishery Inspection" (H. P. 1747) (L. D. 2206) (Presented by Mr. Lewis of Bristol)

Bill "An Act to Provide Inspection Fees for Certain Herring Products" (H. P. 1763) (L. D. 2231) (Presented by Mr. Bunker of Gouldsboro)

Bill "An Act to Clarify the Law on Interstate Transportation of Shellfish" (H. P. 1764) (L. D. 2232) (Presented by Mr. Lewis of Bristol)

Bill "An Act Prohibiting V-notching or Similar Practices on Lobsters" (H. P. 1776) (L. D. 2248) (Presented by Mr. Brown of Augusta)

Bill "An Act to Correct Errors and Inconsistencies in the Marine Resources Law" (H. P. 1786) (L. D. 2258) (Presented by Mr. Lewis of Bristol)

Sent up for concurrence.

### **Natural Resources**

Bill "An Act to Clarify the Law Relating to Disposal of Septic Tank or Cesspool Wastes" (H. P. 1690) (L. D. 2083) (Presented by Mr. Briggs of Caribou)

Bill "An Act Clarifying the Provisions of the Waste Water Construction Grant

Program and Waste Water Pollution Control Planning Program" (H. P. 1713) (L. D. 2106) (Presented by Mr. Rolde of York)

Bill "An Act to Clarify Exemption Date in the Minimum Lot Size Law" (H. P. 1731) (L. D. 2175) (Presented by Mr. Huber of Falmouth)

Bill "An Act to Revise the Membership of the Land Use Regulation Commission" (H. P. 1748) (L. D. 2207) (Presented by Mr. Martin of Eagle Lake)

Bill "An Act to Extend Time When Towns May Accept to Join the Cobossee-Annabessacook Authority" (H. P. 1777) (L. D. 2249) (Presented by Mr. Ault of Wayne)

Sent up for concurrence.

### Public Utilities

Bill "An Act Increasing Borrowing Capacity of Ashland Water and Sewer District" (H. P. 1674) (L. D. 2067) (Presented by Mr. Good of Westfield)

Bill "An Act Relating to Definition of Governmental Unit under Maine Municipal Bond Act" (H. P. 1675) (L. D. 2068) Emergency (Presented by Mr. Haskell of Houlton)

Bill "An Act to Increase Borrowing Capacity of the Fort Fairfield Utilities District" (H. P. 1676) (L. D. 2069) Emergency (Presented by Mr. Mahany of Easton)

Bill "An Act Extending the Territorial Limits of Kennebunk, Kennebunkport and Wells Water District to Include all of the Town of Wells" (H. P. 1677) (L. D. 2070) (Presented by Mr. Cressey of North Berwick)

Bill "An Act to Include the Town of Monmouth in the Augusta Sanitary District" (H. P. 1714) (L. D. 2107) (Presented by Mr. Ault of Wayne)

Bill "An Act to Repeal the Sewerage Provisions of the Lincoln Water District" (H. P. 1765) (L. D. 2233) (Presented by Mr. Cameron of Lincoln)

Sent up for concurrence.

### (State Government)

Resolution Proposing an Amendment 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 Governor, Representatives and Senators Shall be Taken Before the Chief Justice of the Supreme Judicial Court (H. P. 1678) (L. D. 2071) (Presented by Mr. Birt of East Millinocket)

Bill "An Act Relating to Membership on Maine State American Revolution Bicentennial Commission" (H. P. 1679) (L. D. 2072) Emergency (Presented by Mr. Birt of East Millinocket)

Bill "An Act to Transfer Personal and Consumer Division and Securities Division from the Bureau of Banks and Banking to Department of Business Regulation" (H. P. 1715) (L. D. 2108) (Presented by Mr. Donaghy of Lubec)

Bill "An Act Changing the Membership of the Legislative Ethics Committee" (H. P. 1716) (L. D. 2109) (Presented by Mr. Connolly of Portland)

Bill "An Act Relating to a Maine Resident's Preference in State Employment" (H. P. 1738) (L. D. 2184) (Presented by Mrs. Berry of Madison)

Bill "An Act Creating a Bureau of Institutional Resident Representatives within the Maine Human Rights Commission" (H. P. 1749) (L. D. 2208) (Presented by Mr. Goodwin of South Berwick)

Bill "An Act Relating to Conflicts of Interests and Purchases by Governmental Units" (H. P. 1753) (L. D. 2212) (Presented by Mr. Sproul of Augusta)

Resolve Authorizing Commissioner of Mental Health and Corrections to Lease Certain Land in South Windham to the Maine Society for the Protection of Animals (H. P. 1754) (L. D. 2213) Emergency (Presented by Mrs. Kilroy of Portland)

Sent up for concurrence.

### Later Today Assigned

Bill "An Act to Provide Financial Assistance to Nonprofit Nursing Homes"



(H. P. 1766) (L. D. 2234) (Presented by Mr. Martin of Eagle Lake)

The Committee on Reference of Bills suggested the Committee on State Government.

(On motion of Mr. Simpson of Standish, tabled pending reference and later today assigned.)

Bill "An Act Correcting Ambiguities in the Statutes Relating to the Maine Guarantee Authority" (H. P. 1787) (L. D. 2259) (Presented by Mr. Silverman of Calais)

"An Act Creating a Division of Youth Services within the Bureau of Corrections" (H. P. 1795) (L. D. 2275) Emergency (Presented by Mr. McTeague of Brunswick)

Sent up for concurrence.

### Taxation

Bill "An Act to Provide a Maine Homestead Property Tax Exemption Law" (H. P. 1680) (L. D. 2073) (Presented by Mr. McTeague of Brunswick)

Resolve Authorizing the State Tax Assessor to Convey by Sale the Interest of the State in Certain Land in the Unorganized Territory (H. P. 1717) (L. D. 2116) (Presented by Mr. Morton of Farmington)

Bill "An Act to Correct an Error in the Effective Date of the Law Exempting "Trade-In" Property from the Stock in Trade Tax" (H. P. 1718) (L. D. 2111) Emergency (Presented by Mr. Morton of Farmington)

Bill "An Act Relating to Sales Tax on Machinery and Equipment" (H. P. 1726) (L. D. 2170) (Presented by Mr. Hamblen of Gorham)

Bill "An Act Relating to Income from the Public Reserved Lands" (H. P. 1739) (L. D. 2185) (Presented by Mr. Dyar of Strong)

Bill "An Act to Correct the Administration and Collection of Real Property Taxes for Education Purposes" (H. P. 1773) (L. D. 2245) (Presented by Mr. Simpson of Standish)

Bill "An Act to Clarify Certain Property Tax Statutes" (H. P. 1796) (L. D. 2276) Emergency (Presented by Mr. Emery of Rockland)

Bill "An Act Relating to Property Tax Appeals" (H. P. 1797) (L. D. 2277)

Emergency (Presented by Mr. Martin of Eagle Lake)

Sent up for concurrence.

### Transportation

Bill "An Act Relating to Area Directional Sign for Rangeley Lakes-Saddleback Mountain Region" (H. P. 1681) (L. D. 2074) (Presented by Mr. Dyar of Strong)

Bill "An Act Relating to Hearing for Provisional Motor Vehicle Licensee on Suspensions" (H. P. 1719) (L. D. 2112) (Presented by Mrs. Berube of Lewiston)

Bill "An Act to Provide for Special Motor Vehicle License Plates Observing the Bicentennial of the American Revolution" (H. P. 1720) (L. D. 2113) (Presented by Mr. Birt of East Millinocket)

Bill "An Act Requiring a Lighted Headlamp on Motorcycles Using the Highway" (H. P. 1721) (L. D. 2114) (Presented by Mr. Bustin of Augusta)

Bill "An Act Relating to the Inspection and Licensing of Motor Vehicle Racing" (H. P. 1722) (L. D. 2115) (Presented by Mr. Churchill of Orland)

Resolve Appropriating Funds for the Replacement of Babb's Covered Bridge in Windham and Gorham (H. P. 1727) (L. D. 2171) (Presented by Mr. Peterson of Windham)

Resolve Providing Funds for Supportive Facilities to Facilitate Transportation between Cousins and Great Chebeague Islands (H. P. 1740) (L. D. 2186) (Presented by Mr. Garsoe of Cumberland)

Bill "An Act Providing for Restricted Motor Vehicle Operator's License" (H. P. 1755) (L. D. 2214) (Presented by Mrs. Boudreau of Portland)

Bill "An Act to Provide Funds for Snow Removal Reimbursements at Publicly Owned Airports" (H. P. 1756) (L. D. 2215) (Presented by Mr. Kelleher of Bangor)

Bill "An Act to Correct Errors and Inconsistencies in the Motor Vehicle Laws" (H. P. 1788) (L. D. 2260) (Presented by Mr. Keyte of Dexter)

Bill "An Act to Change Weights and Related Provisions for Commercial Vehicles" (H. P. 1789) (L. D. 2261) (Presented by Mr. Rollins of Dixfield)

Bill "An Act to Regulate Procedures for Obtaining Short-term Permits for

Farm Motor Trucks" (H. P. 1790) (L. D. 2262) (Presented by Mrs. Berry of Madison)

Sent up for concurrence.

### **Veterans and Retirement**

Bill "An Act Relating to Retirement Benefits for Members of Fire Departments under State Retirement Law" (H. P. 1791) (L. D. 2269) (Presented by Mrs. Najarian of Portland)

Bill "An Act Relating to Disability Retirement and to Benefits for Survivors of Disability Retired Employees under the State Retirement System" (H. P. 1792) (L. D. 2270) (Presented by Mr. Martin of Eagle Lake)

Sent up for concurrence.

By unanimous consent, all foregoing matters requiring Senate concurrence were ordered sent forthwith to the Senate.

On motion of Mr. Simpson of Standish,  
Recessed until the sounding of the gong.

### **After Recess**

6:30 p.m.

The House was called to order by the Speaker.

The Chair laid before the House the following matter which was tabled earlier in the day and later today assigned:

Bill "An Act to Provide Financial Assistance to Non-profit Nursing Homes" (H. P. 1766) (L. D. 2234)

Thereupon, the Bill was referred to the Committee on State Government and sent up for concurrence.

### **Papers from the Senate Out of Order**

From the Senate, the following Joint Resolution: (S.P. 799)

WHEREAS, the Members of the Legislature have learned with deep regret of the unexpected death, on December 10, 1973, of the Honorable Arnold S. Peabody of Houlton; and

WHEREAS, Senator Peabody was a willing public servant who conscientiously served his constituents' needs with much favor during the 104th, 105th

and the current session of the 106th Legislature; and

WHEREAS, he possessed the courage to face many difficult tasks with joyful enthusiasm and the uncomplaining determination to replace them with achievement; and

WHEREAS, his success in athletics, business and politics, and privately as a husband and father is a tribute to the character and fortitude of this outstanding citizen who died at age sixty-five, known to and beloved by many; now, therefore, be it

RESOLVED: That we, the Members of the 106th Legislature, assembled this day in special session, take this opportunity to tender this token of our deep affection in honor and memory of a life which lightened the hearts and burdens of many lives and to express our common sorrow and sadness at the loss of a dear colleague and treasured companion; and be it further

RESOLVED: That a suitable copy of this Resolution be prepared and transmitted forthwith to his devoted wife and children in lasting memory of our esteem.

Came from the Senate read and adopted.

In the House, the Joint Resolution was read and adopted in concurrence.

Bills, Resolves and Resolutions from the Senate requiring reference were disposed of in concurrence.

From the Senate:

Bill "An Act Amending the Full-time District Attorneys Law" (S.P. 808) Emergency.

Came from the Senate with the Bill read twice and passed to be engrossed without reference to any Committee.

In the House, the Bill was read once without reference to Committee and assigned for second reading tomorrow.

From the Senate, the following Joint Order:

ORDERED, the House concurring, that there be paid to the Clerk and Assistant Clerk of the House, and the Secretary and Assistant Secretary of the Senate, salaries at a weekly rate for this special session in the amounts certified to the State Controller by the Chairman

of the Committee on Appropriations and Financial Affairs. (S. P. 792)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

From the Senate, the following Joint Order:

ORDERED, the House concurring, that the Director of Legislative Research is directed to have printed in pamphlet form and distributed to the members of the Legislature and the public, the Acts and Resolves passed at the First Special Session of the 106th Legislature. (S. P. 793)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

From the Senate, the following Joint Order:

ORDERED, the House concurring, that three hundred twenty-five (325) copies of the Legislative Record for this Special Session, be printed and bound, one copy for each of the members of the Senate, House of Representatives, the Secretary of the Senate and Clerk of the House and the remainder to be deposited in the State Library for exchange and library use; and be it further

ORDERED, that suitable index be prepared for such Legislative Record, under the direction of the Secretary of the Senate and Clerk of the House. (S. P. 794)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

From the Senate, the following Joint Order:

ORDERED, the House concurring, that there is appropriated from the Legislative Appropriation a sum sufficient to pay each of the Indian representatives mileage for nine (9) round trips and compensation for meals, lodging and attendance commensurate with other members of the Legislature for attendance at the First Special Session of the 106th Legislature. (S. P. 795)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

### **Tabled and Assigned**

From the Senate, the following Joint Order:

ORDERED, the House concurring, that the Secretary of the Senate and Clerk of the House be directed to furnish to each member of the Senate and the House, a copy of the State newspaper each morning during the present Special Session of the Legislature. (S. P. 796)

Came from the Senate read and passed.

In the House, the Order was read.

(On motion of Mr. Martin of Eagle Lake, tabled pending passage in concurrence.)

From the Senate, the following Joint Order:

ORDERED, the House concurring, that the Honorable Lowell D. Henley be granted retirement benefits under the Maine State Retirement System by the Board of Trustees of the Maine State Retirement System for the full biennium as to the 106th Legislature. (S. P. 798)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

The Speaker appointed the gentleman from Cumberland, Mr. Garsoe, to the Committee on County Government.

Mr. Simpson of Eagle Lake was granted unanimous consent to address the House.

Mr. SIMPSON: Mr. Speaker, Ladies and Gentlemen of the House: I had the opportunity about a week ago to take a very enjoyable vacation. When I came back I started to pick up a lot of my mail and pick up a lot of my back newspapers, etcetera, and I guess one of the reasons I took a little bit of vacation was because my nerves were a little bit on edge and I wasn't too pleased I guess with the press for many things that happened over the course of the last few months, which I'm sure some of you are well aware of. And I guess one of the things that really distressed me the most was when I picked up a copy of the Maine Times and found an editorial that said the Speaker of the

Maine House as Chairman of the Ethics Committee had lied to the press; that he had issued false statements; and that his actions and his leadership within the Committee left a lot to be desired. He further went on and stated some things that I totally disagree with. And there's some facts that I think I'd like to put straight right here on the floor at the present time.

The Ethics Committee had a tremendous chore on its hands. The Ethics Committee probably went further than what the law really provided for us to do. However, we were asked by both parties concerned to go a little bit further than what we thought we were entitled to do. And we did. One of the things that we did decide as a committee, though, after the hearings — and we had three days of hearings, 26 hours of testimony — was that nothing would be released to the press until it was made a completely completed report, so that all minority views would be presented and the majority report would be represented, and it would not be put out piecemeal. Representative Martin comes from Eagle Lake; the other four of us come from the southern part of the State. We diligently met here as often as we could to review the report. We also knew that the opinion that would be written was going to establish very great precedents because it would be the very first one that would be written based on the ethics law, and it did go beyond what the law called for. We met on one Sunday in Portland where all of us got together and spent a Sunday and tried to get this thing together and written the way we wanted it. At that time we knew what our vote was going to be on the majority report. We also knew there would be at least one minority report. We came here on a Wednesday with full thoughts of being able to get the report out that day. We were unable to because there were some 21 pages in it and there were still some changes had to be made for all of us to agree with the majority report. Representative Martin was involved with finals at the University of Maine. I said that I would stay here that evening until he came to Augusta so that he and I could have our report together so that we would not have Senator Sewall sitting and waiting in the wings for an undue

period of time. The Committee, about 5:30 in the afternoon, voted to release the report once the minority opinions were attached to it. I talked with John on the phone, he called me when he was on the road. We realized he couldn't get in here that night in time to do anything. And I said that I would personally come back to Augusta the next day to make sure it was taken care of. Senator Brennan then decided that he would issue a minority report, and he said he would put it in the mails. Well, it was Christmas time and I think we all knew what would happen to the mails, that it would be delayed for an undue lengthy period of time. I called Joe that evening and asked him if he could have the report ready the next morning by 10:00 o'clock. If he could I would drive to Portland and pick it up and I would bring it to Augusta so that we could be assured that that report was released the next day. He said he could. I went to Portland, I picked it up. I came here. Representative Martin and myself, we agreed on our opinion. They were typed. And at 2:30 we said we would release the entire report, and we did so. There was no ulterior motive on anybody's behalf, especially the Chairman, namely the Speaker, to withhold information from anybody. This was totally uncalled for as far as I'm concerned in the editorial. And I would request right now that the gentleman I hope reads the record and that he puts a retraction in his paper in the next issue. And I further hope that he would retract his statements relative to the personality clashes which apparently appeared to be between the Speaker and the editor. Because I think that these are based upon false facts. And if the facts were known and he stuck to the facts I don't think — I don't see how he could have come to the conclusions he did.

Mr. Martin of Eagle Lake was granted unanimous consent to address the House.

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: There is no question that the ethics hearing, the entire things involved around this period of time we spent on it was one of the most difficult things that I had to go through.

The gentleman from Standish, Mr. Simpson, has clearly outlined the facts

as the way they related. There is no question that the Speaker and I didn't always agree throughout the hearings. There is no question that we didn't agree on some of the specific items. But in the over-all report the Speaker agreed with all of us. Furthermore, as far as I'm concerned the Speaker was entirely fair in serving as he did as Chairman of the Ethics Committee.

One other point, I think I ought to add to the comments that the gentleman from Standish made in reference to the process through which this came forth. It was indeed released together by both of us, since we were the two that were in Augusta that day. I came down late that night. The following day we released it jointly after notifying the Speaker's office in Portland that we were going to do so.

This morning, purely by coincidence, I ran into Dave Swearingen who is leaving us and going into a better world with the AP, and he indicated to me at that time that he had every intention to write to the editor of the Maine Times to indicate that he had nothing to do with the releasing of that report.

I think that it is important when we deal with any case, regardless what it might be, that all the facts be made clear. I hope that the editor of the Maine Times will retract in the next edition some of the comments he made.

The Speaker and all of us who served on that particular case did not have an easy time. There is no question about it. We all knew that the decisions that we were going to arrive at would be something that we would all have to live with, not only at that particular time, but also would probably be setting a prece-

dent for the next cases that we would hear.

There is no question that the Speaker also, in his own mind, was having feelings about what ought to be done and what ought to be said, but at no time was there an attempt to suppress or try to delay the results, because we knew, at least among ourselves, what the decision was going to be three or four days before. We felt that it was important that all of the reports, with minority opinions, et cetera, be all inserted at the same time and released so that there would be no questions from the press or from the public as to what was being said.

I agree with the gentleman from Standish that the editor of the Maine Times ought to number one retract, at least as to pertinent to the facts, and what he thinks about personality, well, I think that is up to that gentleman, and secondly, that we in this body know what the facts were.

The SPEAKER: The Chair thanks the two gentlemen.

I had not read the article until I came here today and I haven't had a chance to fairly digest it yet. I did try to act in a judicious manner, not speaking with the gentleman from Augusta, Mr. Sproul or the Senator from Old Town, Senator Sewall. I tried to be judicious and fair and we got the decision out as fast as we could.

I make no comment about the editorial yet because I haven't really read it in its entirety, but discretion is the better part of valor I think right now.

On motion of Mr. Birt of East Millinocket,

Adjourned until nine o'clock tomorrow morning.