

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Seventh
Legislature*

OF THE

STATE OF MAINE

1975

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Friday, March 14, 1975

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

Prayer by the Rev. Robert H. Browne of Searsport.

The journal of yesterday was read and approved.

Papers from the Senate

From the Senate: The following Communication: (S. P. 309)

STATE OF MAINE
Office of the Governor
Augusta

March 12, 1975

Members of the Senate and House of Representatives of the 107th Legislature

Honored Ladies and Gentlemen:

I am returning Senate Paper 140 with my disapproval. I am opposed to the Act to change the name of the Bureau of Labor and Industry to the Bureau of Labor.

My objections are based on the following factors:

1. I oppose the name change on principle. To me, the present name reflects a proper balance between the needs of labor and industry equally. To eliminate one of the names symbolically destroys that balance. I do not wish to do anything, even if this present matter seems simple, to contribute to the further polarization of our society. The seams of unity have been ripped at enough.

2. I object to the cost factor. No name change can be effected without costs of some kind. At a time of severe economic stringency, I see no justification to impose needless expense, such as letterheads on stationery and documents, signs, seals and whatever logistical apparatus is required to change the name of a Department of Government.

3. Labor and industry are mutually dependent upon each other for the Wellbeing of both and of society as a whole. Administrative functions of this division include activities in both labor and industry. To eliminate industry from the title ignores those functions applicable strictly to the industrial sector of Maine's economy.

4. Society is full of disruptions. I see no present need for this change at this time. Governmental reorganization will be undertaken in a comprehensive way in the next session and I urge this legislature to defer this matter to a future date, when its effects can be considered in relation to the whole. Senate Paper 140 is not desirable, in my opinion, and I urge that my disapproval be sustained.

Respectfully,

Signed:

JAMES B. LONGLEY
Governor of Maine

Came from the Senate, read and placed on file.

In the House, the Communication was read and placed on file in concurrence.

The Accompanying Bill

Bill "An Act to Change the Name of the Bureau of Labor and Industry to the Bureau of Labor" (S. P. 140) (L. D. 443)

Came from the Senate with the following endorsement:

In the Senate, March 13, 1975, this Bill, having been returned by the Governor, together with his objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

26 voted in favor and 5 against, and accordingly it was the vote of the Senate that the Bill become a law, notwithstanding the objections of the Governor, since two-thirds of the members of the Senate so voted.

Signed:

HARRY N. STARBRANCH
Secretary of the Senate

In the House:

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

Mr. COONEY: Mr. Speaker, Ladies and gentlemen of the House: We have an important matter before us. I would like to say that this legislature has, on this matter, acted with good reason and with prudent process all the way through. There is no compelling reason to reverse ourselves this afternoon.

The bill was presented, was given a public hearing before the Committee on State Government and received complete support from all who testified. Not one person spoke against the bill. All testimony was then and is now favorable. This proposal is included in both the Democratic and Republican Platforms. It is a small but important act of the legislature to respond to the needs and service of Maine's working men and women. It received a unanimous ought to pass recommendation from the committee, and this legislature accepted that recommendation and passed the bill unanimously.

It is important to add that at no time has the Governor, nor any member of his staff, spoken to me about this bill or any other bill before my committee or this legislature. Ladies and gentlemen, I am dismayed at the Governor's action.

Turning to the Governor's specific objections. First, he objects on principle, on the principle that this name change symbolically changes a balance between labor and industry. The fact is that this bureau's job is to collect and record information about worker's pay, working conditions, industrial accidents, the names of the places where they work, and other similar data all relating to the employee. And to use the Governor's own word, "Symbolically," symbolically this simple name change recognizes Maine's good working people at a time when they need the recognition of their government — all branches of their government.

Second, the Governor objects to the cost factor, citing changing letterheads, signs, and the like. By the time the act becomes law next fall, the stationery would be used. In the long run the shorter name will probably result in some small savings. Finally, I might point out that the Governor has already signed into law an act changing the name of the Department of Military, Civil Defense and Veterans Services, to the Department of Defense and Veterans Services without objection, and has not objected to the passage of the change of the Department of Inland Fisheries and Game to the Department of Inland Fisheries and Wildlife, a measure which has been tabled pending final enactment and some word from the Governor. The Governor himself proposed, in his February 13th address to us, the changing of the Department of Health and Welfare to the Department of Human Services, requiring total change to one of our largest department's names, not just a minor bureau in this case.

Third, the Governor talks of the mutual dependence of labor and industry, and who would disagree. Yet the name of the overall department is the Department of Manpower Affairs, a name that speaks to all Maine workers, whether they wear a

blue collar and work on an assembly line, or wear a white collar and work behind a desk. The bureau name change speaks to all of these people as one, not as two polar groups.

Fourth, the Governor speaks of a society in disruption. The simple fact is that the passage of this bill smoothed away one of our old and unnecessary conflicts. It sought to do it without disruption. The name change fits with the reorganization of state government, which began with the 105th Legislature and continues today.

In conclusion, the raw exercise of the veto power has brought us to a needless and unproductive confrontation. Let us vote to sustain our former action and turn back this veto. Let this be the beginning of a cooperative and communitative spirit between the Governor and the legislature. We can do so much good for our state, and we can do it so much better together.

The SPEAKER: The pending question before the House is, shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article V, Section 2 of the Constitution, the yeas and nays are ordered. All those in favor of this Bill becoming law notwithstanding the objections of the Governor will vote yes; those opposed will vote no. The Chair opens the vote.

ROLL CALL

YEA — Albert, Ault, Bachrach, Bagley, Bennett, Berry, G. W.; Berry, P. P.; Birt, Blodgett, Boudreau, Bowie, Burns, Bustin, Byers, Call, Carey, Carpenter, Chonko, Churchill, Clark, Connors, Connolly, Cooney, Cox, Curran, P.; Curran, R.; Curtis, Davies, DeVane, Doak, Dow, Drigotas, Durgin, Dyer, Fenlason, Finemore, Flanagan, Fraser, Garsoe, Gauthier, Goodwin, H.; Goodwin, K.; Gould, Gray, Greenlaw, Hall, Henderson, Hennessey, Hewes, Higgins, Hobbins, Hughes, Hunter, Hutchings, Immonen, Ingegneri, Jackson, Jalbert, Jensen, Joyce, Kany, Kauffman, Kelleher, Kelley, Kennedy, Laffin, LaPointe, Laverty, LeBlanc, Leonard, Lewin, Lewis, Littlefield, Lynch, MacEachern, Mackel, MacLeod, Mahany, Martin, A.; Martin, R., Maxwell, McBrearty, McKernan, Mills, Miskavage, Mitchell, Morin, Mulhern, Nadeau, Najarian, Palmer, Pelosi, Perkins, S.; Perkins, T.; Peterson, P.; Peterson, T.; Pierce, Post, Powell, Quinn, Raymond, Rideout, Rolde, Saunders, Shute, Silverman, Smith, Snow, Snowe, Spencer, Sprowl, Strout, Stubbs, Susi, Talbot, Tarr, Teague, Theriault, Tierney, Torrey, Tozier, Truman, Twitchell, Usher, Wagner, Walker, Wilfong, Winship, The Speaker.

NAY — Berube, Binnette, Carter, Cote, Dam, Dudley, Farnham, Faucher, Jacques, McMahon, Rollins.

ABSENT — Carroll, Farley, Hinds, Lizotte, Lovell, Lunt, Morton, Norris, Peakes, Tyndale, Webber.

Yes, 129; No, 11; Absent, 11.

The SPEAKER: One hundred twenty-nine having voted in the affirmative and eleven in the negative, with eleven being absent, the veto of the Governor is not sustained.

Thereupon, the Bill becomes law notwithstanding the objections of the Governor.

From the Senate: The following Joint Order: (S. P. 305)

ORDERED, the House concurring, that the Secretary of the Senate and Clerk of the House jointly prepare the Senate and House Registers and that 10,000 copies be printed for the use of the Legislature.

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: (S. P. 306)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of Mrs. Edward Kelly of Eliot for her Heroic Lifesaving Act and Deed

We the Members of the Senate and House, of Representatives do hereby Order that our congratulations and acknowledgement be extended; and further

Order and direct, while duly assembled in session at the Capitol in Augusta, under the Constitution and Laws of the State of Maine; that this official expression of pride be sent forthwith on behalf of the Legislature and the people of the State of Maine.

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

Bills from the Senate requiring Reference were disposed of in concurrence.

Reports of Committees Ought Not to Pass

Report of the Committee on Appropriations and Financial Affairs reporting "Ought Not to Pass" on Bill "An Act Providing Emergency Assistance to Needy Families with Children" (Emergency) (S. P. 42) (L. D. 94)

Was placed in the Legislative Files, without further action, pursuant to Joint Rule 17-A in concurrence.

Ought to Pass in New Draft

Committee on Human Resources on Bill "Requiring the Ramping of Curbs at Crosswalks for Physically Handicapped and Elderly Persons" (S. P. 108) (L. D. 362) reporting "Ought to Pass" in New Draft under same title (S. P. 289) (L. D. 987)

Came from the Senate with the Report read and accepted, and the new draft passed to be engrossed.

In the House the Report was read and accepted in concurrence, the New Draft read once and assigned for second reading the next legislative day.

Divided Report

Majority Report of the Committee on Judiciary on Bill "An Act to Prohibit Filing of Criminal Cases" (S. P. 12) (L. D. 53) reporting "Ought to Pass" in New Draft under New Title Bill "An Act Relating to the Filing of Criminal Cases" (S. P. 303) (L. D. 998)

Report was signed by the following members:

Messrs. COLLINS of Knox
CLIFFORD of Androscoggin
—of the Senate.

Messrs. McMAHON of Kennebunk
HEWES of Cape Elizabeth
PERKINS of South Portland
HUGHES of Auburn
HENDERSON of Bangor
BENNETT of Caribou
SPENCER of Standish
GAUTHIER of Sanford

Mrs. MISKAVAGE of Augusta
—of the House.

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

Report was signed by the following members:

Mr. MERRILL of Cumberland
—of the Senate.
Mr. HOBBS of Saco
—of the House.

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

In the House: Reports were read. On motion of Mr. Gauthier of Sanford, the Majority "Ought to pass" Report was accepted in concurrence, the New Draft read once and assigned for second-reading the next legislative day.

Non-Concurrent Matter

Bill "An Act Relating to the Authority of Bail Commissioners" (H. P. 263) (L. D. 310) on which the House accepted the Minority "Ought to Pass" Report of the Committee on Judiciary and passed the Bill to be engrossed as amended by Committee Amendment "A" (H-61) on March 12.

Came from the Senate with the Majority "Ought Not to Pass" Report accepted in non-concurrence.

In the House: On motion of Mr. Gauthier of Sanford, the House voted to insist.

The following paper from the Senate was taken up out of order by unanimous consent:

From the Senate: The following Order: ORDERED, the House concurring, that when the House and Senate adjourn, they adjourn to Tuesday, March 18 at ten o'clock in the morning. (S. P. 307)

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

Petitions, Bills and Resolves Requiring Reference

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

State Government

Bill "An Act Concerning the Filing of the Office of Register of Deeds" (H. P. 856) (Presented by Mr. Mulhern of Portland)

Resolution, Proposing an Amendment to the Constitution to Provide for County Constitutional Charters (H. P. 870) (Presented by Mr. Ault of Wayne)

Bill "An Act Providing for a State Developmental Disabilities Planning and Advisory Council" (H. P. 871) (Presented by Mr. Ault of Wayne)

Bill "An Act Providing Compensation for Public Members of the Maine Municipal Bond Bank" (H. P. 872) (Presented by Mr. Ault of Wayne)

Bill "An Act Relating to Bonded Indebtedness" (H. P. 912) (Presented by Mr. McMahon of Kennebunk)

Bill "An Act to Require Review of Proposed State Regulations by Local Units of Government" (H. P. 891) (Presented by Mr. Henderson of Bangor)

(Ordered Printed)
Sent up for concurrence.

Taxation

Bill "An Act Relating to Municipal Excise Taxes on Boats and Motors" (H. P. 862) (Presented by Mr. Mackel of Wells)

Bill "An Act to Repeal the Sales Tax on Fuel Oil and to Enact in its Place an Excise Tax on Fuel Consumed in Industrial and Manufacturing Establishments" (H. P. 865) (Presented by Mr. Finemore of Bridgewater)

Bill "An Act Relating to Improved Property Tax Administration" (H. P. 882) (Presented by Mr. Morton of Farmington) (Cosponsor: Mr. Greenlaw of Stonington)

Bill "An Act to Increase the Property Tax Exemption for Property Used by a Religious Society as a Parsonage" (H. P. 894) (Presented by Mr. LaPointe of Portland)

(Ordered Printed)
Sent up for concurrence.

Transportation

Bill "An Act Relating to Original Drivers' Licenses Issued to Persons 18 Years of Age or Older who Have Successfully Completed a State Approved Driver Education Course" (H. P. 855) (Presented by Mr. Mulhern of Portland)

Bill "An Act Increasing Motor Vehicle Registration Fees" (H. P. 861) (Presented by Mr. Maxwell of Jay)
(Ordered Printed)
Sent up for concurrence.

Veterans and Retirement

Bill "An Act to Grant Full Retirement Benefits to All Members of the Maine State Retirement System After 30 Years Creditable Service" (H. P. 863) (Presented by Mrs. Berry of Madison)
(Ordered Printed)
Sent up for concurrence.

House Reports of Committees Leave to Withdraw

Mr. Peakes from the Committee on Business Legislation on Bill "An Act to Revise the Statutory Requirements for Registered Pharmacists" (H. P. 302) (L. D. 365) reporting Leave to Withdraw.

Mrs. Boudreau from the Committee on Business Legislation on Bill "An Act to Exempt Retail Outlets Engaged in the Sale of Maine-made Products from the Sunday Blue Law" (H. P. 233) (L. D. 289) reporting same.

Mr. Curran from the Committee on Health and Institutional Services on Bill "An Act to Require Optometrists to Refer Patients to Ophthalmologists in Certain Situations" (H. P. 551) (L. D. 679) reporting same.

Reports were read and accepted and sent up for concurrence.

Referred to Committee on Judiciary

Mr. Goodwin from the Committee on Health and Institutional Services on Bill "An Act Concerning Employment in the Department of Mental Health and Corrections" (H. P. 476) (L. D. 596) reported that it be referred to the Committee on Judiciary.

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

Ought to Pass Printed Bill

Mr. Maxwell from the Committee on Taxation reporting "Ought to Pass" on Bill "An Act Relating to Definition of Retail Sale under Sales and Use Tax Law" (Emergency) (H. P. 537) (L. D. 672)

Report was read and accepted, the Bill read once and assigned for second reading the next legislative day.

Divided Report

Majority Report of the Committee on Judiciary reporting "Ought to Pass" as amended by Committee Amendment "A" (H-79) on Bill "An Act to Provide for the Receipt and Custody of Prisoners of the United States" (H. P. 150) (L. D. 169)

Report was signed by the following members:

Messrs. CLIFFORD of Androscoggin
MERRILL of Cumberland
—of the Senate.

Messrs. HEWES of Cape Elizabeth
HOBBS of Saco
HUGHES of Auburn
SPENCER of Standish

HENDERSON of Bangor
McMAHON of Kennebunk
BENNETT of Caribou
GAUTHIER of Sanford

—of the House.

Minority Report of same Committee reporting "Ought to Pass" as amended by Committee Amendment "B" (H-80) on same Bill.

Report was signed by the following members:

Mr. COLLINS of Knox

—of the Senate.

Mrs. MISKAVAGE of Augusta

Mr. PERKINS of South Portland

—of the House.

Reports were read.

On motion of Mr. Gauthier of Sanford, the Majority "Ought to pass" Report was accepted and the Bill read once. Committee Amendment "A" (H-79) was read by the Clerk and adopted and the Bill assigned for second reading the next legislative day.

**Divided Report
Tabled and Assigned**

Majority Report of the Committee on Judiciary on Bill "An Act to Make Legal Confinement for Mental Illness a Ground for Divorce" (H. P. 21) (L. D. 29) reporting "Ought to Pass" in New Draft under New Title Bill "An Act Relating to Irreconcilable Marital Differences as a Ground for Divorce and Mental Illness as an Impediment to Divorce" (H. P. 911) (L. D. 1032)

Report was signed by the following members:

Messrs. COLLINS of Knox

CLIFFORD of Androscoggin

MERRILL of Cumberland

—of the Senate.

Messrs. HOBBS of Saco

HUGHES of Auburn

PERKINS of South Portland

McMAHON of Kennebunk

BENNETT of Caribou

SPENCER of Standish

HENDERSON of Bangor

Mrs. MISKAVAGE of Augusta

—of the House.

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

Report was signed by the following members:

Messrs. GAUTHIER of Sanford

HEWES of Cape Elizabeth

—of the House.

Reports were read.

(On motion of Mr. Gauthier of Sanford, tabled pending acceptance of either Report and specially assigned for Tuesday, March 18.)

Divided Report

Majority Report of the Committee on Business Legislation reporting "Ought Not to Pass" on Bill "An Act to Require See-Through Packaging of Meat, Poultry and Fish" (H. P. 178) (L. D. 195)

Report was signed by the following members:

Messrs. THOMAS of Kennebec

REEVES of Kennebec

JOHNSTON of Aroostook

—of the Senate.

Messrs. TIERNEY of Durham

PIERCE of Waterville

BOWIE of Gardiner

HIGGINS of Scarborough

BOUDREAU of Portland

DeVANE of Ellsworth

RIDEOUT of Mapleton

Mrs. BYERS of Newcastle

—of the House.

Minority Report of same Committee reporting "Ought to Pass" as amended by Committee Amendment "A" (H-81) on same Bill.

Report was signed by the following members:

Mr. PEAKES of Dexter

Mrs. CLARK of Freeport

—of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentlewoman from Freeport, Mrs. Clark.

Mrs. CLARK: Mr. Speaker, Ladies and Gentlemen of the House: I move indefinite postponement of this bill and all its accompanying papers.

The SPEAKER: The Chair recognizes the gentlewoman from Waterville, Mrs. Kany.

Mrs. KANY: Mr. Speaker, Ladies and Gentlemen of the House: I am sure that the motive of the sponsor was simply to aid the consumer in comparing the quality of meats and I do appreciate and sympathize with Representative Peterson's good intentions, but as a housewife consumer, I can in good conscience oppose this bill. A test I consistently try to apply to determine if consumer legislation is necessary is this one: Does the consumer have a choice and the necessary information to make a shopping decision?

The meat trays that you all found on your desks this morning might no longer be allowed to be used here in Maine if this legislation passes because, on occasion, less than 70 percent of the meat might be visible, depending upon the cut of the meat. It seems to me that much of the product is still visible using these meat trays and that Maine's retailers are not apt to try and deceive us, particularly when they are so dependent upon our repeat business. The only problem that I have ever had in marketing for my family of five is with canned hams, in which no portion of the meat is visible and canned meat would not be covered by this legislation since the packaging is not done by the retailer.

For these reasons, I just don't believe that this consumer bill needs to be enacted. Besides, I don't believe that the meat trays you see before you are detrimental to the consumer. If they are not truly detrimental, to the consumer, I would not discourage their use, because these meat trays were made in Maine by our good Maine labor union workers.

If legislation like this were to be enacted on a national scale, 200 Maine jobs would be in jeopardy and if our passing this legislation caused one Maine worker to be laid off from a job, I, for one, would indeed feel badly. We are told that unemployment in the State of Maine now hovers around 11 percent, and I urge you to consider that 11 percent figure when you vote on this bill.

Keyes Fibre, the manufacturer of these meat trays has 1,050 employees in Maine. The company is presently operating at full capacity, meets our environmental standards, and pays good living wages to its employees. The company produces high quality, biodegradable paper products made from Maine's renewable forest resources. Keyes has no timberlands of its own but buys from the small woodlot owner, and this is just the kind of company that is closely interlinked with Maine's economic future. I urge you to consider this factor, as well as Maine's present 11 percent unemployment rate, and also ask yourselves a question, is it absolutely necessary to have 70 percent of the meat packaged by a retailer visible?

I hope the House accepts the motion of Representative Clark.

The SPEAKER: The Chair recognizes the gentleman from Dexter, Mr. Peakes.

Mr. PEAKES: Mr. Speaker, Ladies and Gentlemen of the House: I support see-through packaging. However, I don't believe that we need to legislate in this area. I think that the people will require this in the future. There is see-through packaging from one producer of these trays, and I think the people will ultimately buy the type of meat and type of trays they want.

I would encourage the Keyes Fibre marketing department to attempt to get into this area on their own.

The SPEAKER: The Chair recognizes the gentleman from Windham, Mr. Peterson.

Mr. PETERSON: Mr. Speaker, Men and Women of the House: This was a minor housekeeping bill — at least it was in my mind — but we came out with a rather lopsided report opposed to the bill.

I thought it was a rather innocuous piece of legislation, and that we ought to let the consumer, whether it be a he or she who does the shopping, see what he or she is buying in the department of red meat. When meat is as \$1.69 a pound, \$2 a pound, I thought it would be only fair that people should be able to see what they are getting. Oftentimes I have heard the complaint that there may be fat or bone buried on the underneath side. With the packaging that has been distributed by Representative Kany, you cannot see the underneath side of what you are buying. By the way, what has been distributed to you meets the requirements of my law. My law only says 70 per cent of the meat be visible of the total package, not the underneath side. This is a shallow-well packaging device. Keyes Fibre said this probably would meet, in most instances, the requirements of my law.

The Connecticut law, which is much more stringent says that you have to be able to see 70 percent of the underneath side of the meat, and this kind of packaging provides that opportunity without loss of absorbability. It is here, it can be produced, it is a pulp product, it utilizes one of Maine's resources, wood, it is biodegradable, it will not clutter or litter the roadside and, as I said, it was an innocuous piece of legislation.

I was willing to let this majority report go under the hammer today, but I guess the reason that I am responding is that if anyone in this House would look at my labor record of the last session, one would find that I did not vote in many instances against labor. I always vote on the merits of legislation. So, when labor comes into an issue on my record or that any legislation that I sponsor might hurt labor, then I become a little disturbed, because labor could not find a truer friend than the person who sits in Seat 5 in this House. This is why I responded this morning.

I wish we could show the consumers of Maine that the House would go on record — I know what the inevitable fate will be in the Senate — as at least supporting this concept so that maybe Keyes Fibre would consider making this kind of package. Their competitor makes this kind of package and it is available in some stores in Maine. Maybe it isn't an area that has to be legislated, but I would like to see this House go on record as giving the consuming members of this state the right to be able to see what they are purchasing. I think it would make the meat trimming of all the meat that we buy a lot better.

I hope you will vote against the indefinite postponement.

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

Mr. HIGGINS: Mr. Speaker, Ladies and Gentlemen of the House: I would like to begin my remarks by saying that the concept behind this bill is a good one. It is only the implementation of such that I disagree on. It is my feeling that if see-through packaging is, in fact, better than our present system, we should let the consumer, through the form of supply and demand, decide this. We do not need legislation that would create a monopoly in the packaging industry at the expense of Maine's own Keyes Fibre. And that is, in essence, what this bill would do.

Presently, there are three ways of pre-packaging meats: One, plastic trays wrapped in cellophane, which when the blood drips down from the meat to the bottom, makes it unacceptable to this bill's proposed standards; two, paper trays that the Keyes Fibre Company makes, which are also unacceptable in most cases; three, and the so-called "see through" lattice type tray manufactured solely by the out of state firm of Diamond International.

Should this bill pass, we would be forcing the Keyes Fibre Company to retool or to go out of this particular field of production in the State of Maine. If they should choose not to retool to comply, even if they were given a grace period (and company officials have stated that they do not as yet feel that the over-all demand to be such that they could economically change their structure of marketing and production) we would have legislated a monopoly over the consumer of Maine.

Therefore, I would submit to you that this is unneeded legislation for the people of Maine. First of all, Keyes' trays do almost comply now, depending on the thickness of the cut of meat. Secondly, if any consumer is interested enough, he or she can either ask to have the package opened or ring the bell and ask for a special cut of meat from the butcher himself. Thirdly, there is nothing now that prevents a person from returning a piece of meat that he or she feels not up to their particular standards.

I would never state that all meats are cut equally and that at some time or other every one of the shopping public hasn't felt taken. But isn't this same potential there in almost every type of consumer purchase? We would think nothing of returning a shirt or dress if it had a fault in it. Though these are not consumed goods, I think the same principle applies. The article can be returned and I would be willing to bet that in 99 percent of the cases either your money would be refunded or you could choose another piece of meat, the same procedure as one would use at Jordan Marsh or Sears. This is even more true, I believe, in the grocery business since it is so highly competitive and depends exclusively on return business for its success.

Statements have been made that this bill, if passed, would benefit the consumer by forcing stores to trim their meats more and thus give the purchaser a better cut for the same money. This is nonsensical. If Shaw's or IGA is forced to trim their meats and given the fact that they have certain costs to meet themselves, I believe it is safe to assume that the price per pound will increase enough to offset the extra costs of trimming, something the consumer could do himself when he or she gets the meat home now if he or she so desires.

If see thru packaging is the best deal for the consumer, plus the fact that it has been shown to be cheaper for the stores overall, considering rewraps, to prepackage their meats this way, then let us not pass legislation that would restrict competition and dictate what and how Maine's people must buy and sell their goods. I maintain that we should allow the Maine consumer to decide for himself. If meats packaged in see through containers have a higher demand than those that are not, stores will be forced to prepackage it this way, and Keyes' Fibre will then be forced to make their decision on retooling because of what the Maine consumer has dictated, not what we here have dictated through unnecessary and monopolistic legislation.

I urge you to support the motion to indefinitely postpone.

The SPEAKER: The Chair recognizes the gentleman from Windham, Mr. Peterson.

Mr. PETERSON: Mr. Speaker, Ladies and Gentlemen of the House: I won't belabor this, but I do want to correct one false statement made by the last speaker.

This does not create a monopoly in the out-of-state firm. Diamond International, which produces the see-through packaging, owns extensive land holdings in the State of Maine. Much of the pulp which goes into this packaging is brought out of the State of Maine, so it doesn't hurt a Maine industry to benefit an out-of-state industry. In fact, Diamond International probably has greater land holdings and assets in the state than Keyes Fibre, but that isn't an issue. We don't want to create a monopoly. I would end there and request a roll call.

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

Mr. PIERCE: Mr. Speaker, Ladies and Gentlemen of the House: I would agree very much with Mr. Peterson this morning in that this matter should have gone under the hammer. However, since my colleague from Waterville chose to open up the debate on this subject, I certainly would now like to express my views. I think they can be expressed very simply; two points:

The first point is the interest to the consumer. There is nothing in this bill that is going to help the consumer. The question of whether you see 55 percent of your meat or 70 percent of your meat, I think that whole question is ridiculous. If it was a question of seeing zero or 70 percent, that is one thing, but 55 or 70 percent, I think that is ridiculous.

The second point I would like to address is the company that is most directly affected by this bill. It is from my area and, therefore, naturally I am more concerned with it probably than I would be otherwise.

I just want to briefly tell you a little about this company. It is working three shifts, it pays excellent wages, it is highly respected throughout the state. Its executives are highly involved in civic affairs in the city in the central Maine area.

I do not agree with the argument against this bill that if it is passed it will put a lot of Keyes people out of work. It is not going to kill the goose that lays the golden egg, but I think it is going to kick the goose where it hurts. And if other states follow our example, then certainly it would put Keyes people out of work. If you could go to Keyes Fibre and see the type of product that they do make using recycled material, I think you would have no question on how you would want to vote on this issue. I think we should do all we can to support this company, and I would hope that you would not only support the motion of the gentle lady from Freeport

to indefinitely postpone this measure, I would urge you to support it overwhelmingly.

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 gentlewoman from Freeport, Mrs. Clark, that this Bill and all its accompanying papers be indefinitely postponed. If you are in favor of that motion you will vote yes; if you are opposed you will vote no.

ROLL CALL

YEA — Albert, Ault, Bachrach, Bagley, Bennett, Berry, G. W.; Berube, Binnette, Birt, Boudreau, Bowie, Burns, Bustin, Byers, Call, Carey, Carpenter, Carter, Chonko, Churchill, Clark, Connors, Cooney, Cox, Curran, P.; Curran, R.; Curtis, Dam, Davies, DeVane, Doak, Dow, Drigotas, Dudley, Durgin, Dyer, Farnham, Faucher, Fenlason, Finemore, Flanagan, Fraser, Garsoe, Gould, Gray, Greenlaw, Hennessey, Hewes, Higgins, Hunter, Hutchings, Immonen, Jackson, Jacques, Jalbert, Joyce, Kany, Kauffman, Kelley, Kennedy, Laffin, Laverty, LeBlanc, Leonard, Lewin, Lewis, Littlefield, Lynch, MacEachern, Mackel, MacLeod, Mahany, Maxwell, McBreairty, McKernan, Mills, Miskavage, Mitchell, Mulhern, Nadeau, Norris, Palmer, Peakes, Pelosi, Perkins, S.; Perkins, T.; Peterson, P.; Pierce, Post, Powell, Quinn, Raymond, Rideout, Rollins, Saunders, Shute, Silverman, Smith, Snow, Snowe, Spencer, Sprowl, Strout, Stubbs, Susi, Talbot, Tarr, Teague, Theriault, Tierney, Torrey, Tozier, Twitchell, Usher, Walker, The Speaker.

NAY — Berry, P. P.; Blodgett, Carroll, Connolly, Goodwin, H.; Goodwin, K.; Hall, Henderson, Hobbins, Hughes, Ingegnieri, Jensen, Kelleher, LaPointe, Martin, A.; Martin, R.; McMahon, Morin, Najarian, Peterson, T.; Rolde, Truman, Wagner, Wilfong, Winship.

ABSENT — Cote, Farley, Gauthier, Hinds, Lizotte, Lovell, Lunt, Morton, Tyndale, Webber.

Yes, 116; No, 25; Absent, 10.

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

Sent up for concurrence.

Consent Calendar

First Day

In accordance with House Rule 49-A, the following items appear on the Consent Calendar for the First Day:

Bill "An Act relating to the Provision of Aftercare Services to Entrusted Juveniles" — Committee on Health and Institutional Services reporting "Ought to Pass" (H. P. 376) (L. D. 475)

Bill "An Act Relating to Benefits to Convicts upon Discharge" — Committee on Health and Institutional Services reporting "Ought to Pass" (H. P. 308) (L. D. 371)

Bill "An Act Relating to Dealers in Used Personal Property" — Committee on Business Legislation reporting "Ought to Pass" (H. P. 502) (L. D. 618)

Bill "An Act Relating to Required Information on Packages under the Weights and Measures Law" — Committee

on Business Legislation reporting "Ought to Pass" (H. P. 488) (L. D. 607)

Bill "An Act Authorizing Additional Indebtedness for School Administrative District No. 15" — Committee on Education reporting "Ought to Pass" (H. P. 601) (L. D. 744)

Bill "An Act to Authorize the Director of the Bureau of Parks and Recreation to Prohibit the Use of Canoes with Motors on Part of the Allagash Wilderness Waterway" — Committee on Natural Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (H-78) (H. P. 387) (L. D. 587)

No objections having been noted, the above items were ordered to appear on the Consent Calendar of March 13 under listing of Second Day.

Consent Calendar Second Day

In accordance with House Rule 49-A, the following items appear on the Consent Calendar for the Second Day:

Bill "An Act to Repeal Provisions for Assistant Chief of the Division of Inspection for Sardines" (H. P. 486) (L. D. 605)

Bill "An Act to Allow the Use of Initial Type Plates on Pickup Trucks" (H. P. 62) (L. D. 74)

Objection having been noted, was removed from the Consent Calendar.

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

Mr. ROLLINS: Mr. Speaker, I am having an amendment prepared for this bill and it hasn't come in yet, so I would appreciate it if someone would table it.

Thereupon, the Report was read and accepted, the Bill read once and assigned for second reading the next legislative day.

Bill "An Act Concerning Graves of Revolutionary War Veterans" (H. P. 64) (L. D. 76)

Bill "An Act Providing Funds for a Fishway at Sherman Lake Outlet in Newcastle" (H. P. 221) (L. D. 277)

Bill "An Act for the Humane Treatment of Animals in Schools Public and Private" (C. "A" H-73) (H. P. 457) (L. D. 561)

Bill "An Act Making Supplemental Appropriations for Child Welfare Services" (C. "A" H-68) (H. P. 442) (L. D. 540)

Bill "An Act to Clarify the Short Form Deeds Act" (C. "A" H-69) (H. P. 172) (L. D. 203)

Bill "An Act Relating to Guardianship of Incapacitated Adults in Need of Protective Services" (C. "A" H-70) (H. P. 256) (L. D. 304)

Resolution, Proposing and Amendment to the Constitution to Provide for a Four-year Term of Office for Sheriffs (C. "A" H-71) (H. P. 42) (L. D. 54)

Bill "An Act Relating to the Sale of Vinous Liquors in Original Containers" (S. P. 183) (L. D. 584)

Bill "An Act to Create a Law Enforcement Education Section within the Criminal Division of the Department of the Attorney General" (Emergency) (S. P. 141) (L. D. 444)

Bill "An Act Relating to Possession of Intoxicating Liquor by Persons under 18 Years of Age in On-Sale Premises" (S. "A" S-23) (S. P. 181) (L. D. 582)

Bill "An Act to Provide for Renewal of Notary Public and Justice of the Peace Commissions" (Emergency) (S. "A" S-22) (S. P. 116) (L. D. 381)

No objections having been noted at the end of the Second Legislative Day, the Senate Papers were passed to be engrossed in concurrence, and House Papers were

passed to be engrossed and sent up for concurrence.

Passed to Be Engrossed Amended Bills

Bill "An Act to Require that Newly Constructed or Reconstructed Public Buildings be made Accessible to the Physically Handicapped" (S. P. 51) (L. D. 132) (S. "A" S-18)

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

Mr. Talbot of Portland offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-77) was read by the Clerk.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. TALBOT: Mr. Speaker, Ladies and Gentlemen of the House: If you will turn to your bill, in Section 1 it says, "Furthermore, it shall also mean a structure or facility constructed in whole or in part with either state or federal funds and specifically intended as a place where persons will be employed or for public housing."

That was all right, Mr. Speaker, but the City Manager of Brewer brought up the point, what about sewerage pumping stations? Is that covered under the law? And as it stands now, it is. In other words, if this piece of legislation is enacted, somebody in a wheelchair or on crutches could wheel himself up to a pumping station, which I am sure you know what it is, a small building with probably one door or a hole in the ground which is a three by five and say, under the law I want an elevator put in here. That could happen.

I debated this at some length with several people to find out what is the best thing we can do to make this to exempt these kind of places. The thing that we came up with was full time — with employed full time, but that would mean that if I want to put up a structure, I could hire a crew part time and be exempt from the law. So what we did is, we amended it to read "and specifically intended as a place where five persons or more will be employed." So hopefully that will exempt all those places that employ five people or less.

Thereupon, House Amendment "A" was adopted.

The Bill was passed to be engrossed as amended by House Amendment "A" and Committee Amendment "A" and sent to the Senate.

Resolve, Reimbursing Certain Municipalities on Account of Taxes Lost Due to Lands being Classified under the Maine Tree Growth Tax Law (H. P. 436) (L. D. 538) (C. "A" H-72)

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

Passed to Be Enacted Emergency Measure

An Act to Provide for Reciprocity in Permits and Fees Issued on Motor Vehicles for Hire under the Public Utilities Law (S. P. 271) (L. D. 856)

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. 133 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure Tabled and Assigned

An Act Creating the New Portland Water District" (H. P. 359) (L. D. 456)

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

(On motion of Mr. Nadeau of Sanford, tabled pending passage to be enacted and specially assigned for Tuesday, March 18.)

Emergency Measure

An Act Increasing the Authorized Indebtedness of the Lincoln Water District (H. P. 466) (L. D. 568)

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. 130 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act Prohibiting the Use of Motorboats Powered by Internal Combustion Engines on Nokomis Pond (S. P. 55) (L. D. 136)

An Act to Amend the Charter of the Biddeford and Saco Water Company (S. P. 170) (L. D. 552)

An Act Eliminating the Need for a License to Sell Prophylactic Rubber Goods (H. P. 262) (L. D. 309)

An Act Requiring Security Deposits for Insurance Companies Transacting Business in Maine (H. P. 276) (L. D. 329)

An Act to Clarify the Laws of the Passamaquoddy Tribe of Indians (H. P. 279) (L. D. 331)

An Act to Repeal Provisions Against Obstructions in Windows of Malt Liquor Licensed Restaurants (H. P. 313) (L. D. 386)

An Act to Allow Class A Restaurants Issued a Special Amusement Permit by the State Liquor Commission to Charge Admission in Designated Areas (H. P. 390) (L. D. 482)

An Act Establishing a Symbol to Indicate Buildings and Facilities Accessible to Handicapped and Elderly Persons (H. P. 749) (L. D. 860)

An Act to Remove the Restriction Concerning the Tenure of Hairdressing Members of the Board of Cosmetology (H. P. 750) (L. D. 861)

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 Providing for a Comprehensive Statewide Program of Primary Prevention of Alcohol and Drug Abuse and other Forms of Socially Disruptive and Potentially Self-destructive Human Behavior" (H. P. 881) (Committee on Reference of Bills suggested Committee on Judiciary)

Tabled — March 13, by Mr. Silverman of Calais.

Pending — Reference.

On motion of Mr. Silverman of Calais, referred to the Committee on Education, ordered printed and sent up for concurrence.

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

Bill "An Act to Provide Alternatives to the Compulsory Attendance Law" (H. P. 858) (Committee on Reference of Bills suggested Committee on Education.)

Tabled — March 13, by Mr. Perkins of South Portland.

Pending — Reference.

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

Mrs. LEWIS: Mr. Speaker and Members of the House: I recommend that this bill be committed to the Committee on Judiciary. The Committee on Education will study it and send a recommendation to the committee. The other bills dealing with this matter have been referred to Judiciary, so it just makes sense that they have this one too.

Thereupon, on motion of Mrs. Lewis of Auburn, referred to the Committee on Judiciary, ordered printed and sent up for concurrence.

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

Bill "An Act to Revise Certain Statutory Provisions for the Licensing of Boarding Homes and Day Care Facilities" (H. P. 864) (Committee on Reference of Bills suggested Committee on Education)

Tabled — March 13, by Mr. Goodwin of South Berwick.

Pending — Reference.

On motion of Mr. Goodwin of South Berwick, referred to the Committee on Human Resources, ordered printed and sent up for concurrence.

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

House Order — Relative to a Request for a Supreme Court Ruling on the Constitutionality of the Spruce Budworm Control Program (L. D. 689)

Tabled — March 13, by Mr. Smith of Dover-Foxcroft, pursuant to House Rule 41.

Pending — Passage.

The SPEAKER: The Chair recognizes the gentleman from Durham, Mr. Tierney.

Mr. TIERNEY: Mr. Speaker, I would like to pose a parliamentary inquiry. If there is objection to a particular paragraph in the proposed order, what would be the procedure in which to object to that particular paragraph?

The SPEAKER: The Chair would inform the gentleman that another order could be drawn up.

Thereupon, the Order received passage.

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

Bill "An Act to Provide Staff for the Regulation of Pre-School Facilities" (H. P. 366) — In House — Reference to Committee on Education reconsidered.

Tabled — March 13, by Mr. Goodwin of South Berwick.

Pending — Reference.

On motion of Mr. Goodwin of South Berwick, referred to the Committee on Appropriations and Financial Affairs, ordered printed and sent up for concurrence.

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

Joint Order, Relative to Legislative Council Study Distribution of Social Service Funds (S. P. 180) — In Senate, Read and Passed as Amended by Senate Amendment "A" (S-14).

Tabled — March 12, by Mr. Rolde of York.

Pending — Adoption of Senate Amendment "A".

On motion of Mr. LaPointe of Portland, Senate Amendment "A" was indefinitely postponed.

On further motion of the same gentleman, the House reconsidered its action whereby Senate Amendment "A" was indefinitely postponed.

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

House Amendment "A" to Senate Amendment "A" (H-82) was read by the Clerk and adopted in non-concurrence.

Senate Amendment "A" as amended by House Amendment "A" thereto was adopted.

The Order received passage as amended in non-concurrence and was sent up for concurrence.

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

House Divided Report — Majority (11) "Ought Not to Pass" — Minority (2)

"Ought to Pass in New Draft" under same title (H. P. 840) (L. D. 986) — Committee on Human Resources on Bill "An Act Establishing the Civil Rights of Hemophiliacs" (H. P. 161) (L. D. 202)

Tabled — March 12, by Mr. Talbot of Portland.

Pending — Acceptance of either Report.

On motion of Mr. Rolde of York, retabled ending acceptance of either Report and specially assigned for Wednesday, March 19.

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

Bill "An Act to Decrease the Insuring Limitation on Certain Programs of the Maine Guarantee Authority" (H. P. 832) (L. D. 959)

Tabled — March 12, by Mr. Silverman of Calais.

Pending — Passage to be Engrossed

On motion of Mr. Silverman of Calais, retabled pending passage to be engrossed and specially assigned for Wednesday, March 19.

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

Bill "An Act to Repeal the Bounty on Bobcats" (H. P. 287) (L. D. 339)

Tabled — March 12, by Mr. Farnham of Hampden.

Pending — Motion of Mr. Carpenter of Houlton to Reconsider Passage to be Engrossed.

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

Mr. CARPENTER: Mr. Speaker, Ladies and Gentlemen of the House: I hate to belabor this point, beat this thing as we did the other day, especially on a Friday, but I feel that we need some expert testimony in this area. I am a freshman here in the House, and a lot of my opponents on this particular measure are much more skilled in parliamentary procedure, and the intricacies of debate than I am, so I stand here this morning quite nervous and not knowing quite what to do, especially when we talk about reconsidering it and the different maneuvers. I do know how I feel on this bill, I do know how my constituents feel on this bill and I do know how some of the, what I call experts in this field, how they feel. I spoke to a member of this body

the other day in reference to a bill that I had some feeling on and he informed me that he really didn't know that he had to call in an expert. I feel that in this area we need some expert advice also.

I have an editorial or rather a column from an expert in this area. The same expert had this sent to the gentleman from Cumberland, Mr. Garsoe. It has been reproduced and distributed and should be on all your desks. I would appreciate it very much if, while my remarks will be brief, if you could glance at this. I have here in my hand a column by one of the most distinguished wild-life experts in the State of Maine, probably the most recognized expert, Mr. Bud Leavitt, from the Bangor Daily News. The article is simply an article with Mr. Leavitt's name on it. The article itself was written by Mr. Arnold, who also, as I mentioned, has this produced and put on your desk. This is a man who spent almost 81 years of life in the Maine woods, Township 7, Range 9. I don't know where it is but I assume it is in the woods.

Mr. Arnold does know the problem better than anybody sitting here, either the sponsor of this bill or myself or anyone who spoke either for or against this bill the last time we debated it. This is the individual I feel we should be listening to. This man is receiving nothing, this man does not hunt, trap bobcats for a profession, or for a living, but he has great feeling for the Maine woods and for the Maine deer. So, I think we should take a very close look at what he has to say.

To conclude my remarks, I will switch just briefly to a matter of economics. The Department of Inland Fisheries and Wildlife, the department we created just the other day, estimates that each deer in the State of Maine is worth \$300. This was given in testimony before the Fisheries and Game Committee some time ago. We are asking that you maintain the bounty on the bobcat for \$15 as traded off against \$300, — looks to me like a pretty good deal.

Again, I will make my statement that I made the last time I spoke on this subject, that is the bounty does not prevent bobcat from killing deer. I think it regulates them, I think without the bounty at least half the bobcat that are harvested each year in the State of Maine will not be harvested, that is approximately 300 bobcat. If you figure, and I haven't met a woodsman yet who will disagree with me, or game wardens who will disagree with me that each one of these 300 bobcat will kill one deer each year, that is in the area of \$90,000 that we are going to lose and we are going to save supposedly in the area of \$10,000 in bounties. Trade off of ninety-ten, to me, does not look like a good deal. If we remove the bounty, we remove the incentive for the majority of people to hunt and especially to trap, this is not just hunting, this is also trapping. So, I would respectfully request that the House reconsider whereby we passed this bill to be engrossed.

Mr. Cooney of Sabattus requested a vote.

The SPEAKER: The Chair recognizes the gentleman from Franklin, Mr. Connors.

Mr. CONNORS: Mr. Speaker, Ladies and Gentlemen of the House: I will be as brief as possible but I would like to ask this, does the bobcat bounty do the job? I would like to go over this, the answer on this is no, it says. Let's take the organizations that are involved in this and have signed this. Your Sebago Lakes Sportsmen Association this is down around

Sebago Lake in Portland; your Natural Resources Council, their base is here in Augusta and two thirds of the members of this organization are from the central to the southern part of Maine; the Associated Sportsmen Club of Cumberland County in southern Maine; the Maine Coon Hunters Association, this is over in the western part of the state, in the southwest; the Maine Audubon Society is in Portland base; your Maine Fish and Game Association is a state wide organization with member clubs throughout the state. A number of my clubs over in my area the Pleasant River Fish and Game Club, your Frenchman's Bay Conservation Club; your Eastbrook Fish and Game Club are all members; your Machias Sportsmen Association; your Lincoln Fish and Game Club and the northern part of Franklin County, Piscataquis County, all of those clubs up through there support keeping the bounty on the bobcat. It seems from the central part of the State south is where you got the support. A lot of these organizations aren't familiar with the woods, they aren't familiar with the workings of the bobcat and how they damage your deer population especially in deep snows.

I wonder how many of you since last week and over the past weekend have spoken to your warden force throughout the northern section of the state, the north, east and western. They can give you some good information, they are in the woods all of the time. Your woodsmen that cut wood in the woods — wood and log — they understand nature and the bobcat and your deer population one relating to the other. Your trappers are another one of the best sources there is, for information on the bobcat and this damage to the deer herd. Another one, and we should all take advantage of this, is your timber cruises for Great Northern Paper Company, for St. Regis Paper Company and your Georgia Pacific, all of your paper companies, these men are cruising the woods, they are marking up their timber to be cut, they know the bear and the bobcat situation compared to our deer. They know wildlife, they live with it.

A friend of mine took a new dog and he went just south of Oakfield in Aroostook County last week. He had a green dog that he was just training. He took five bobcat — just he and his dog in that one week and then they claim that our bobcat population is down. I would like you to consider this, this is back on the floor for reconsideration, I would like for you to take these thoughts into mind as you vote. I request a roll call.

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

Mr. GARSOE: Mr. Speaker, Ladies and Gentlemen of the House: I would never rise to instruct this body on anything to do with bobcat bounties but I received this letter from my old friend, Walter Arnold. It made up my mind for me and I would like to offer to you, knowing the high regard this body does have for expert testimony, to let you know that you can rely on this. Walter would have to be the original environmentalist and he would never want to be described as an animal lover but I can tell you that he has the keenest appreciation for the wildlife in this state. He lives right among them, about fifteen minutes flying time east of Greenville in a completely isolated area. The two photos that are on the back — wasn't able to show — he has remarks on the backs of these and the little one on the right hand side

heremarks "A house cat could kill this one". On the other one he says, "Bobcat kill plenty of deer on bare ground. What do you think happens when they find a deer like this? They kill deer, they don't even eat."

So once again, if you want to rest your vote on expert testimony I think you will make no mistake and go along with Walter.

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

Mr. DUDLEY: Mr. Speaker, Ladies and Gentlemen of the House: I tried so ably, the best I could the other day to explain the need for this in my area in the northern part of the State. I think a fair thing to do in this case if you believe in justice and being fair, would be to reconsider this and then let's work out something whereby we will have this bounty only in the northern part of the state because they don't want it in Augusta. I don't think there are very many bobcats here. I haven't seen any, so it wouldn't be necessary. They don't want it here and so we don't want them to have it here. Now, we have done this in other areas when they come out with the fluorescent yellow or fluorescent orange or whatever it was they wanted down here and we let them try it, we eventually let them sell it to the other end of the state, they don't like it up there but they have it anyway. That only makes the fellows that are not woodsmen more dangerous. I tried to give you some facts the other day but obviously a lot of people don't want the facts to confuse the issue and the main issue here, I guess, is that the Fish and Game Department needs money and they don't have the money but they would rather have the money to spend for wardens cars, snowmobiles and airplanes than they would for this. So, they have decided they have got to cut somewhere and they have cut out the bobcat bounty. Now, they cut out the bear bounty a few years ago and, as a net result, all they did was change the burden of the pay to a different area. Now they are paying it through my committee that I am on, Legal Affairs, and we pay it now out of the general fund because we pay all the damages the bear do to bees and what have you and it is done generally through our committee or through appropriations, before it had to be paid out of Fish and Game funds. So, really all they did when they did away with the bear bounty was change who was going to pay because we are still paying, only we are paying damage instead of bounty. I do hope this morning you will reconsider it and let us have time to amend it to just include the northern part of the state. Perhaps that would satisfy everybody.

The SPEAKER: The Chair recognizes the gentleman from Jay, Mr. Maxwell.

Mr. MAXWELL: Mr. Speaker, Ladies and Gentlemen of the House: I was going to sit still on this one but after my Fish and Game Club last Sunday night went on record as being for the bounty and keeping it, I have to get up and say that.

Over the years I have done a lot of hunting in the State of Maine. I had a guide license for 16 years. I have even been up and down the Allagash three or four different times and I feel that I am half-way qualified to make a statement or two.

You will and probably have been told that wildlife takes care of itself, the weaklings die and are fed on by bobcat and what have you. This probably was true at

one time but man has entered the picture and when man enters the picture, things have to be changed immensely so I hope that you will reconsider this this morning so that we can keep the bounty and I would just as soon see the bounty stay state wide.

The SPEAKER: The Chair recognizes the gentleman from Saint Agatha, Mr. Martin.

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: The figure of \$90,000 that was quoted to you by the gentleman from Houlton is very deceiving. I have to agree with Representative Carpenter that one deer may be worth the value of \$300 but it does not cost the State of Maine \$300. Therefore I would hope you would vote against reconsideration.

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

Mr. COONEY: Mr. Speaker, Ladies and Gentlemen of the House: I know you wouldn't believe it by the way I have been trying to get up to speak but I didn't want to have to have a debate on this this afternoon. I hope you believe me on that.

I am sure those of you who are veterans and those of you who are freshmen are now learning what the good Fish and Game subject of debate can be. I certainly hope you don't reconsider this and that it will go on its way and go to engrossment. We seem to be talking about expert testimony this afternoon and if you do remember this handout that the people have addressed that I did put out, it seems to me that the experts in our department and the experts from the Audubon Society and the experts who are represented in our Fish and Game Club state wide it seems to me that is expert testimony. I was reading an article last week and I came across a real classic situation of Mr. Maxwell who says man enters the picture and I thought I would just take a second and tell you of that situation and I think it applies to our own repeal of the bobcat bounty today. It occurred in Arizona on the Kiabab Plateau just after the turn of the century. This I take it, is a huge area of land and they had a very fine large herd of mule deer there and they were preyed on by all kinds of animals, bobcat, coyote, mountain lions and predators of the sort. So, the good human species decided that if there are 3,000 deer there now and all those bobcats and predators are eating them up and, certainly as Mr. Carpenter said and as others have said, they eat the young, the pregnant, the females, the males, and they eat all kinds of deer. Sometimes they finish their meals, sometimes they don't — its gory, its terrible, that is what they did to these deer, I am sure. So, man decided, in his wisdom that what he was going to do was going to send in teams of hunters and he was going to clean out these predators and then think of the wonderful deer herd that they would have up on the Kiabab Plateau. So they did sent in the hunters. The government hunters went in and they cleared out 674 mountain lions, 11 wolves and over 3,000 coyotes and 120 bobcats from this area, and what do you know, they were right, the population of the deer increased in a few years from 3,000 to 30,000. Isn't that wonderful? The only problem was, those deer swarmed through the forest eating every conceivable thing they could find. They became sickly and mangey. They died and the whole intervention of man with the control of a predator was an utter failure.

So the gory pictures we have of deer being eaten by bobcat and being left there, we have seen them with dogs eating them,

we have seen all these things before, we certainly have seen the lobbying being done by the people from the rural areas who feel so strongly about the bounty. We have had the expert testimony; we have had it for years. We have spent a half a million bucks on this bounty. The deer population goes up and down even as the bounty remains about the same. It is doing little or no good. Let's repeal it. It is a small savings. It is also a chance to move away from a position where we bounty one of our wild creatures.

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

Mr. FINEMORE: Mr. Speaker, I would like to ask a question through the Chair of the gentleman from Houlton, Mr. Carpenter, in regard to why he asked for reconsideration? There are no amendments behind this bill.

The SPEAKER: The gentleman from Bridgewater, Mr. Finemore, poses a question through the Chair to the gentleman from Houlton, Mr. Carpenter, who may answer if he chooses.

The Chair recognizes that gentleman.

Mr. CARPENTER: Mr. Speaker and Members of the House: In answer to Mr. Finemore's question, I will have to plead ignorance. I thought this was the proper way in order to get this bill held and debated. I did not know that I was supposed to offer an amendment in order to reconsider, or am I?

The SPEAKER: The gentleman is proceeding in the proper way. He moved to reconsider and then he would get it back before the body, I assume to indefinitely postpone if his motion to reconsider were to prevail.

The Chair recognized the gentleman from Orono, Mr. Wagner.

Mr. WAGNER: Mr. Speaker, Ladies and Gentlemen of the House: I had no intentions of speaking on this matter this morning, like the gentleman from Sabattus, but the gentleman from St. Agatha raised a point that I think does introduce a new element that I would like to just briefly mention. It seems to me as a new member in this body that whenever the white-tail deer becomes the subject of discussion in this chamber that I need to pause to wonder if I haven't been elected to the Indian Parliament in New Delhi instead of the Maine State Legislature in Augusta, because the white-tail deer seems to me to play the role of the sacred cow in India. We have heard the figure \$300 mentioned by my good friend from Houlton, Mr. Carpenter as the value of the deer.

I know the Fish and Wildlife Department does take a census, but I am sure they do not extend a check for \$300 from the general fund for each deer. This is a value that does not pay in the State of Maine, at least to the revenue of the State of Maine.

I would just mention that as an old farm boy and someone who had about 10 acres of buckwheat last year and about three acres of oats that my reaction to the deer is that of a predator on my grain crop. I don't worry about bobcats; however, we have bobcats right where I had my grain crop. They do not come in and eat my buckwheat and eat my oats. The deer do. They tramp it all down. I lose probably a few bushel to the acre because of that. And I would say as far as the bobcat eating a few deer, this is just reducing a grain predator, and I would hope that the membership would vote against reconsideration.

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

Mr. ROLLINS: Mr. Speaker, Ladies and Gentlemen of the House: The gentleman from Sabattus, Mr. Cooney, has made an example of something that has happened in Arizona. I have lived in the State of Maine for 64 years and I have never seen this happen in the State of Maine, I don't think we ever will.

We have many predators besides the bobcat that hunt the deer and we can't lay this all to man because man has, outside of poachers, a hunting season. The bobcats hunt the year round, they have to live. This is the way they make their living.

One of the arguments against the bounty is that we still have bobcats. Okay, how many millions do we spend on our warden forces — men and planes to protect our fish and game? Doesn't poaching increase every year? I am for the warden force. We know that poaching is not going to stop, but we are willing to spend millions to try to control it. I will give you some of the figures on what we spend.

The Fish and Game Department, as of July 1973, had a balance of \$1,737,879. Their revenue that came in the next year was \$5,174,389. Transferred in, \$56,700; total available \$6,968,969. They expended \$4,979,000 and carried forward almost \$2 million.

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

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: This has been very interesting to me as your House Chairman to hear the discussion on the floor here this morning in regard to the bounty on bobcats. There has been more testimony given here on the floor of the House than we had before the committee when this was being discussed. I didn't find that I learned anything more here today than what we had in the committee.

The travelogues on the different locations was very interesting; I enjoyed that talk immensely. But nevertheless, we come right down to the nitty-gritty problem that there is \$1,300,000 in the Department of Fish and Game that has to be checked out one way or the other.

Personally, I have always been for a bounty on bobcat; I have always been for a bounty on coyotes, and this time around I have got to retract from it, on the financial thing, and move that you go against this motion to reconsider. This has got to be enacted and we don't have the money to pay for it.

The SPEAKER: The Chair recognizes the gentleman from Yarmouth, Mr. Jackson.

Mr. JACKSON: Mr. Speaker, Ladies and Gentlemen of the House: A question here. If we were to pass reconsideration and bring this bill back, there being no amendment offered to the bill, the only motion then would be to indefinite postponement of the bill, which would kill the bill. There is no question here of an amendment to the bill at this time.

The SPEAKER: The Chair would answer in the affirmative.

The Chair recognizes the gentleman from Franklin, Mr. Connors.

Mr. CONNORS: Mr. Speaker, Ladies and Gentlemen of the House: Included in what Representative Mills said that they need \$1,300,000 in the department, right now I don't have the facts on this, but they say included in this is another area biologist, and I don't know what area that is. but I am certain that if it is in

Washington and Hancock County, we can do very well down there without that extra added expense for a biologist.

I would like to go back a few years and bring out just one more incident. Back when the foxes had a mange which was considered a real danger to the people and the domesticated animals in this state, the Maine Fish and Game Association went to the proper people and asked about a \$5 bounty and that is when \$5 was worth \$5 or \$2.50 at least, but we went to see if they would put a \$5 bounty on the foxes and let the trappers go ahead and trap these foxes out, but the experts, in their knowledge, decided that they would use poison bait put throughout the state to take care of the rabid foxes, and in doing this, they eliminated a lot of rabbits, coon, skunk, and a large number of other animals and birds in so doing. This \$5 on the foxes, the Maine Fish and Game Department still feels that the trapper could have eliminated this problem. I don't think we are trying to eliminate the bobcat, all we are trying to do is just control the population of them.

The SPEAKER: The Chair recognizes the gentleman from Owls Head, Mrs. Post.

Mrs. POST: Mr. Speaker, Ladies and Gentlemen of the House: To bring this issue into its proper perspective and hopefully bring the debate to a close, I would bring up the following consideration.

I think we all would agree that the lobster is also a very important economic species to our state as a whole, perhaps even more so than the deer, and after listening to the debate this morning, I am thinking perhaps that maybe the Marine Resources Committee ought to give grave consideration to placing a bounty on sea urchins and starfish, which are competitors to the lobsters.

I would ask you to vote against the bounty on bobcats.

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

Mr. COX: Mr. Speaker, Ladies and Gentlemen of the House: I have been toying here with some figures as they have been presented to us. A figure was presented to us that if the bobcat bounty was removed, approximately 300 more deer will be killed per year by bobcat. Now, I don't recall the exact total of the annual deer kill in the State of Maine, I am told it is probably somewhere around 30,000 or 40,000 deer. It seems to me that 300 deer killed by bobcat is a rather small threat to the deer herd compared to the annual kill.

I want to go on record as being a friend of the deer, and I demonstrate my friendship for the deer herd by not shooting any of them myself.

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

Mr. DUDLEY: Mr. Speaker, Ladies and Gentlemen of the House: First, I would like to say that if my constituents had a choice of a bobcat bounty or the biologist, they would say, we will lay the biologist off because we don't need him. We noted in our area that most of the biologists come from Virginia, West Virginia or somewhere there. Very few of them are Maine people and they know very little about Maine problems.

Let me tell you about the bounty. It is not before us now and let's reconsider this bounty bill. After we reconsider and it is before the House, then it can be amended,

but it can't be amended until it is before the House. So it would be a proper move, in my opinion, I have been here awhile, to have the bill before us, someone table it and the amendment be prepared, unless there is enough people who want to buy the bill as a whole. I would be satisfied to buy a piece of the bill so it would just include Penobscot County or north of a certain line where we could agree by talking it over with the people who want it and in order to do that, we would have to have the bill before us, reconsider it, and have it before us, table it for a couple of days and prepare an amendment. If it is not before us, you cannot amend 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 Houlton, Mr. Carpenter, that the House reconsider its action whereby this Bill was passed to be engrossed. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Bagley, Berry, G. W.; Berube, Binnette, Birt, Blodgett, Byers, Call, Carey, Carpenter, Carroll, Churchill, Connors, Curtis, Dam, DeVane, Doak, Dudley, Farnham, Faucher, Finemore, Flanagan, Garsoe, Gauthier, Gould, Gray, Hall, Hewes, Hunter, Hutchings, Immonen, Joyce, Kelleher, Kelley, Lewis, Littlefield, Lynch, Mackel, Maxwell, McBreairty, Morin, Norris, Perkins, T.; Powell, Quinn, Rideout, Rollins, Saunders, Shute, Silverman, Strout, Torrey, Truman, Twitchell.

NAY — Ault, Bachrach, Bennett, Berry, P. P.; Boudreau, Bowie, Burns, Bustin, Carter, Chonko, Clark, Connolly, Cooney, Cox, Curran, P.; Curran, R.; Dow, Drigotas, Durgin, Fenlason, Fraser, Goodwin, H.; Goodwin, K.; Greenlaw, Henderson, Hennessey, Higgins, Hobbins, Hughes, Ingegneri, Jackson, Jalbert, Jensen, Kany, Kauffman, Kennedy, Laffin, LaPointe, Laverty, Leonard, Lewin, MacEachern, MacLeod, Mahany, Martin, R.; McKernan, McMahan, Mills, Mitchell, Mulkern, Nadeau, Najarian, Peakes, Pelosi, Perkins, S.; Peterson, P.; Peterson, T.; Pierce, Post, Raymond, Rolde, Smith, Snow, Snowe, Spencer, Sprowl, Stubbs, Talbot, Tarr, Teague, Theriault, Tierney, Tozier, Usher, Wagner, Walker, Wilfong, Winship, The Speaker.

ABSENT — Cote, Davies, Dyer, Farley, Hinds, Jacques, LeBlanc, Lizotte, Lovell, Lunt, Martin, A.; Miskavage, Morton, Palmer, Susi, Tyndale, Webber.

Yes, 55; No, 79; Absent, 17.

The SPEAKER: Fifty-five having voted in the affirmative and seventy-nine in the negative, with seventeen being absent, the motion to reconsider does not prevail.

(Off Record Remarks)

On motion of Mr. Perkins of South Portland.

Adjourned until Tuesday, March 18, at ten o'clock in the morning.