

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

Monday, April 7, 1975

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

Prayer by the Rev. Gary Vencill of Randolph.

The members stood at attention during the playing of the National Anthem by the Sanford Junior High School Band. The journal of the previous session was read and approved.

(Off Record Remarks)

Papers from the Senate

From the Senate: The following Communication:

April 4, 1975

Honorable Edwin H. Pert
Clerk of the House
107th Legislature
Augusta, Maine

Dear Mr. Pert:

The President today appointed the following members of the Senate to the Committee of Conference on Bill, "An Act Exempting Solar or Wind Power Facilities from Sales Tax" (S. P. 56) (L. D. 125):

Senators:

CUMMINGS of Penobscot
BERRY of Cumberland
HUBER of Cumberland

Respectfully,

Signed:

HARRY N. STARBRANCH
Secretary of the Senate

The Communication was read and ordered placed on file.

From the Senate: The following Communication:

April 4, 1975

Honorable Edwin H. Pert
Clerk of the House
107th Legislature
Augusta, Maine

Dear Mr. Pert:

The Senate today voted to Insist and Join in a Committee of Conference on Bill, "An Act Relating to the Liability of Physicians and Surgeons Rendering Emergency Care." (H. P. 336) (L. D. 419).

The President appointed the following members of the Senate to the Committee:

Senators:

COLLINS of Knox
CLIFFORD of Androscoggin
MERRILL of Cumberland

Respectfully,

Signed:

HARRY N. STARBRANCH
Secretary of the Senate

The Communication was read and ordered placed on file.

Bills and Resolve from the Senate requiring reference were disposed of in concurrence, with the following exception:

Bill "An Act Concerning the Landlord-Tenant Relationship in Mobile Home Parks" (S. P. 432) (L. D. 1418)

Came from the Senate referred to the Committee on Judiciary, ordered printed and sent up for concurrence.

In the House, on motion of Mr. Faucher of Solon, referred to the Committee on Legal Affairs in non-concurrence and sent up for concurrence.

**Reports of Committees
Leave to Withdraw**

Committee on Business Legislation reporting Leave to Withdraw on Bill "An Act Relating to the Purchase of Insurance

by the Maine Insurance Advisory Board" (S. P. 196) (L. D. 664)

Came from the Senate read and accepted.

In the House, the Report was read and accepted in concurrence.

**Divided Report
Tabled and Assigned**

Majority Report of the Committee on Judiciary reporting "Ought to Pass" on Bill "An Act Increasing the Number of Associate Justices of the Supreme Judicial Court" (S. P. 147) (L. D. 510)

Report was signed by the following members:

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

Messrs. McMAHON of Kennebunk
PERKINS of South Portland
SPENCER of Standish
HENDERSON of Bangor
BENNETT of Caribou
HUGHES of Auburn
GAUTHIER of Sanford
HOBBINS of Saco

Mrs. MISKAVAGE of Augusta
— of the House.

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

Report was signed by the following member:

Mr. HEWES of Cape Elizabeth
— of the House.

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

In the House: Reports were read.

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

Mr. GAUTHIER: Mr. Speaker, Ladies and Gentlemen of the House: I notice Mr. Hewes is not in his seat, and I would hope someone would table this for one day.

Thereupon, on motion of Mr. Kelleher, of Bangor, tabled pending acceptance of either Report and tomorrow assigned.

Non-Concurrent Matter

Bill "An Act to Provide a Career Ladder and 40-Hour Week for Correctional Employees" (H. P. 1048) (L. D. 1336) which was referred to the Committee on Labor in the House on March 21.

Came from the Senate referred to the Committee on Appropriations and Financial Affairs in non-concurrence.

In the House: On motion of Mr. Tierney of Durham, the House voted to recede and concur.

Messages and Documents

The following Communication: (S. P. 442)
Augusta, Maine

April 3, 1975

To the Honorable Senate and House of Representatives of the One Hundred and Seventh Legislature:

Transmitted herewith is the Eighteenth Biennial Report of the Maine-New Hampshire Interstate Bridge Authority which is being presented in accordance with Chapter 18, Article VI, Private and Special Laws of 1937.

Respectfully submitted,

Signed:

ROGER L. MALLAR
Vice Chairman
Maine-New Hampshire Interstate
Bridge Authority

Came from the Senate read and placed on file.

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

**Petitions, Bills and Resolves
Requiring Reference**

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

Appropriations and Financial Affairs

Bill "An Act Relating to Payments to Nursing Homes" (H. P. 1397) (Presented by Mrs. Najarian of Portland) (Co-sponsors: Mr. Henderson of Bangor, Mrs. Goodwin of Bath, Mrs. Post of Owls Head)

Bill "An Act to Provide Rural Health Services in Maine through a Loan Program for Needy Maine Citizens and Needy Citizens of Other States who Desire to Attend Medical or Dentistry School" (H. P. 1420) (Presented by Mrs. Mitchell of Vassalboro) (Co-sponsors: Mrs. Post of Owls Head, Mrs. Snowe of Auburn, Mr. Faucher of Solon)

(Ordered Printed)
Sent up for concurrence.

Business Legislation

Bill "An Act to Provide Maine No-fault Motor Vehicle Insurance" (H. P. 1435) (Presented by Mr. Tierney of Durham) (Cosponsor: Mr. Quinn of Gorham)

Bill "An Act to Repeal the Maine Consumer Credit Code" (Emergency) (H. P. 1402) (Presented by Mr. Rideout of Mapleton) (Co-sponsor: Mr. Bowie of Gardiner)

Bill "An Act to Reinstate the Insurance Premium Finance Company Act" (H. P. 1405) (Presented by Mrs. Clark of Freeport)

(Ordered Printed)
Sent up for concurrence.

Education

Bill "An Act Providing for the Establishment of a Pilot Project in Bilingual Education" (H. P. 1428) (Presented by Mrs. Mitchell of Vassalboro) (Co-sponsor: Mr. Ingegneri of Bangor)

(Ordered Printed)
Sent up for concurrence.

Energy

Bill "An Act to Create an Independent Supervisor to Review the Construction and Initial Operation of an Oil Refinery" (H. P. 1433) (Presented by Mr. Hobbins of Saco) (Cosponsors: Mr. Goodwin of South Berwick, Mr. Rolde of York)

(Ordered Printed)
Sent up for concurrence.

Fisheries and Wildlife

Bill "An Act to Revise the Fish and Game Laws" (H. P. 1425) (Presented by Mr. Mills of Eastport)

Bill "An Act Relating to Closed Season on Hunting Bear" (H. P. 1408) (Presented by Mr. Tozier of Unity)

(Ordered Printed)
Sent up for concurrence.

Health and Institutional Services

Bill "An Act to Enable the Department of Health and Welfare to Conduct a Program to Provide Free Drugs to Elderly, Disadvantaged Maine Citizens" (H. P. 1413) (Presented by Mrs. Goodwin of Bath)

(Ordered Printed)

Sent up for concurrence.

Human Resources

Bill "An Act to Prohibit Discrimination on Account of Mental Handicap under the Human Rights Act" (H. P. 1406) (Presented by Mr. Hughes of Auburn)

Bill "An Act to Amend the Human Rights Act to Prevent Discrimination Against the Mentally Handicapped and to Clarify the Provisions in the Human Rights Act Regarding Physical Handicap" (H. P. 1410) (Presented by Mr. Ault of Wayne)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act to Provide for the Payment of Fees of Attorneys Retained by a Claimant Involved in Appellant Proceedings under the Unemployment Compensation Statutes" (H. P. 1399) (Presented by Mr. Stubbs of Hallowell) (Cosponsor: Mr. Hobbins of Saco) (Later Reconsidered)

Bill "An Act to Establish the Uniform Crime Victims Reparations Act" (H. P. 1401) (Presented by Mr. Carter of Winslow)

Bill "An Act to Provide Compensation to Employees on Wages for Jury Service" (H. P. 1426) (Presented by Mr. Berry of Buxton)

On motion of Mr. Tierney of Durham, the House reconsidered its action whereby Bill "An Act to Provide Compensation to Employees on Wages for Jury Service," House Paper 1426, was referred to the Committee on Judiciary.

On further motion of the same gentleman, referred to the Committee on Labor, ordered printed and sent up for concurrence.

On motion of Mr. Tierney of Durham, the House reconsidered its action whereby Bill "An Act to Provide for the Payment of Fee of Attorneys Retained by a Claimant Involved in Appellant Proceedings under the Unemployment Compensation Statutes," (H. P. 1399) was referred to the Committee on Judiciary.

On further motion of the same gentleman, was referred to the Committee on Labor, ordered printed and sent up for concurrence.

Labor

Bill "An Act Concerning the Determination of Insurance Premiums under the Workmen's Compensation Laws for Employers Hiring Employees who Furnish their own Chain Saw" (H. P. 1418) (Presented by Mr. Wilfong of Stow)

(Ordered Printed)

Sent up for concurrence.

State Government

Bill "An Act Consolidating the Statutes of the Maine Guarantee Authority" (H. P. 1389) (Presented by Mr. Farnham of Hampden)

Committee on Reference of Bills suggested the Committee on Legal Affairs.

On motion of Mr. Cooney of Sabattus, referred to the Committee on State Government, ordered printed and sent up for concurrence.

Legal Affairs

Bill "An Act Establishing Criminal Penalties for the Owners of Dogs who Attack Minors" (H. P. 1414) (Presented by Mrs. Martin of Brunswick)

(Ordered Printed)

Sent up for concurrence.

Natural Resources

Bill "An Act to Establish a Restaurant Concession at the Ancient Pemaquid Restoration Site in the Town of Bristol" (H. P. 1416) (Presented by Mr. Blodgett of Waldoboro) (Approved for introduction by a Majority of the Committee on Reference of Bills pursuant to Joint Rule 10)

Committee on Reference of Bills suggested the Committee on Legal Affairs.

On motion of Mr. Blodgett of Waldoboro, referred to the Committee on Natural Resources, ordered printed and sent up for concurrence.

Business Legislation

Bill "An Act Relating to the Statutes Concerning Charitable Solicitations" (H. P. 1431) (Presented by Mr. Tierney of Durham)

Committee on Reference of Bills suggested the Committee on Legal Affairs.

On motion of Mrs. Boudreau of Portland, referred to the Committee on Business Legislation, ordered printed and sent up for concurrence.

Taxation

Bill "An Act to Levy Surcharge on Alcoholic Beverages sold at other than State Stores" (H. P. 1429) (Presented by Mr. Garsoe of Cumberland)

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

On motion of Mr. Garsoe of Cumberland, referred to the Committee on Taxation, ordered printed and sent up for concurrence.

Liquor Control

Bill "An Act to Establish a 10 Per Cent Surcharge on Spirituous, Vinous and Malt Beverages Sold at State Liquor Stores" (H. P. 1432) (Presented by Mr. Garsoe of Cumberland)

(Ordered Printed)

Sent up for concurrence.

Marine Resources

Bill "An Act Concerning Shellfish Licenses and Fisheries Inspection" (H. P. 1436) (Presented by Mr. Curtis of Rockland)

(Ordered Printed)

Sent up for concurrence.

Public Utilities

Bill "An Act Requiring Periodic Review to Assure that Telephone Costs to Subscribers Reflect Actual and Potential Economies to Companies and Actual Usage by Subscribers" (H. P. 1411) (Presented by Mr. Cooney of Sabattus)

Bill "An Act to Establish Assessments upon Certain Public Utilities and to Authorize use of the Funds Generated by those Assessments to Pay Certain Expenses of the Public Utilities Commission" (H. P. 1407) (Presented by Mr. Spencer of Standish) (Cosponsors: Mr. Kelleher of Bangor, Mr. Smith of Dover-Foxcroft)

Bill "An Act to Revise the Charter of the Augusta Water District" (H. P. 1427) (Presented by Mr. Lewin of Augusta)

(Ordered Printed)

Sent up for concurrence.

State Government

Bill "An Act to Insure Citizen Participation in the Promulgation,

Amendment and Repeal of Agency Rules" (H. P. 1412) (Presented by Mr. Shute of Stockton Springs) (Cosponsors: Mr. McKernan of Bangor, Mr. Carey of Waterville, Mr. LaPointe of Portland)

Bill "An Act to Abolish the Commission on Intergovernmental Relations" (H. P. 1415) (Presented by Mr. MacLeod of Bar Harbor) (Cosponsor: Mr. LeBlanc of Van Buren) (Approved for introduction by a Majority of the Committee on Reference of Bills pursuant to Joint Rule 10)

Bill "An Act Creating the State of Maine Commission on the Status of Women" (H. P. 1417) (Presented by Mrs. Saunders of Bethel) (Cosponsors: Mr. Rolde of York, Mr. McKernan of Bangor)

(Ordered Printed)

Sent up for concurrence.

Tabled and Assigned

Bill "An Act to Provide for the Selection of Architectural and Engineering Services by the State" (H. P. 1419) (Presented by Mr. Ault of Wayne)

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

(On motion of Mr. Carter of Winslow, tabled pending reference and tomorrow assigned.)

State Government cont'd.

Bill "An Act to Create a Central Professional and Occupational Licensing Bureau in the Department of Business Regulation" (H. P. 1424) (Presented by Mr. Cooney of Sabattus)

Bill "An Act to Provide for More Effective Debt Management and for More Effective Administration of the State's Development Financing Capability" (H. P. 1398) (Presented by Mr. Martin of Eagle Lake)

Resolution, Proposing an Amendment to the Constitution to Provide for Direct Initiative for Proposed Amendments to the Constitution (H. P. 1421) (Presented by Mr. Spencer of Standish) (Cosponsor: Mrs. Najarian of Portland)

(Ordered Printed)

Sent up for concurrence.

Taxation

Bill "An Act to Revise the Excise Tax on Camper Trailers" (H. P. 1422) (Presented by Mr. Dow of West Gardiner)

Bill "An Act to Exempt from the Sales Tax Sales of Goods and Services Essential for the Care and Maintenance of Seeing Eye Dogs" (H. P. 1423) (Presented by Mrs. Post of Owls Head)

Bill "An Act to Allow Trade-in Tax Credit for Camp Trailers" (H. P. 1409) (Presented by Mr. Albert of Limestone) (Cosponsors: Mr. Bennett of Caribou, Mr. Rideout of Mapleton)

Bill "An Act to Levy a Sales Tax on the Rental of Motor Vehicles for Operation by Consumers" (H. P. 1393) (Presented by Mr. LaPointe of Portland)

Bill "An Act to Exempt Federal and State Retirement Benefits from State Income Taxation" (H. P. 1404) (Presented by Mr. Ingegneri of Bangor)

Bill "An Act to Exempt Mobile Homes from the Sales Tax" (H. P. 1403) (Presented by Mrs. Clark of Freeport)

Bill "An Act to Impose a Tax on Tobacco Products Other Than Cigarettes" (Emergency) (H. P. 1394) (Presented by Mr. Morton of Farmington)

Bill "An Act Concerning the Potato Tax and the Maine Potato Commission" (H. P. 1390) (Presented by Mr. Mahany of Easton)

(Ordered Printed)
Sent up for concurrence.

Transportation

Resolve, Directing the Department of Transportation to Authorize Access from U.S. Route 1 to an Industrial Park in the Town of Woolwich (H. P. 1434) (Presented by Mr. Leonard of Woolwich)

Resolve, Authorizing a Study of Traffic Flows in the Greater Augusta Area (H. P. 1400) (Presented by Mr. Stubbs of Hallowell)

Bill "An Act Establishing the Maine Public Transit Fund Act" (H. P. 1392) (Presented by Mr. Jensen of Portland)

Bill "An Act to Allow Certain Island Residents Use of the Maine State Ferry at One-Half Fare" (H. P. 1391) (Presented by Mrs. Post of Owls Head) (Cosponsors: Mr. Greenlaw of Stonington, Mrs. Hutchings of Lincolnville)

(Ordered Printed)
Sent up for concurrence.

Veterans and Retirement

Bill "An Act to Reform the State Retirement System" (H. P. 1395) (Presented by Mr. Theriault of Rumford) (Cosponsor: Mr. Lynch of Liverore Falls)

Bill "An Act Relating to Retirement Service of Legislative Employees" (H. P. 1430) (Presented by Mr. Bustin of Augusta)

(Ordered Printed)
Sent up for concurrence.

The following paper appearing on Supplement No. 1 was taken up out of order by unanimous consent:

Ought to Pass in New Draft New Draft Printed

Mr. Lynch from the Committee on Education on Bill "An Act to Correct Deficiencies in the School Funding Law" (H. P. 472) (L. D. 526) reporting "Ought to Pass" in New Draft under New Title Bill "An Act to Fund Public School Education" (H. P. 1437) (L. D. 1452)

Report was read.

Mr. Lynch of Livermore Falls moved the House accept the unanimous "ought to pass" report.

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

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: I know everybody has a great deal of interest in this piece of legislation. This is a redraft of the bill that was sponsored by myself and Representative Palmer.

In terms of a timetable, I would hope that we would accept this unanimous "ought to pass" committee report today. Tomorrow, because we will be going into session at five o'clock, I would open then we would table any further action and that on Wednesday we would be able to discuss any amendments that might be made to this legislation.

Thereupon, the Report was accepted, the New Draft read once and assigned for second reading tomorrow.

Orders

The SPEAKER: The Chair would ask the Sergeant-at-Arms to escort the gentleman from Bangor, Mr. Kelleher, to the rostrum to act as Speaker pro tem.

Thereupon, Mr. Kelleher assumed the Chair as Speaker pro tem and Speaker Martin returned to his seat on the floor of the House.

Mr. Albert of Limestone presented the following Joint Resolution and moved its adoption: (H. P. 1438)

IN MEMORIAM Having Learned Of The Death Of THE HONORABLE JOSEPH E. BINNETTE OF OLD TOWN

The Senate and House of Representatives of the State of Maine do hereby extend their sincere heartfelt condolences and sympathy to the bereaved family and friends of the deceased; and further

While duly assembled in session at the State Capitol in Augusta under the Constitution and Laws of the State of Maine, do herein direct that this official expression of sorrow be forthwith sent to the family of the deceased on behalf of the Legislature and the people of the State of Maine.

The Resolution was read.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: It is a strange feeling and a sad feeling that I choose as this opportunity to speak to the members of the legislature for the first time off the rostrum for this session. I do so, of course, with a very sad heart on the passing of a friend not only of myself but a friend of every member within this body. Every person who knew Joe Binnette mourns his death today as a loss of a friend and as a good and true and honest legislator.

Joe's service in the Maine Legislature ranks him fifth in terms of seniority among all Democrats within this body. Yet, until his untimely and unfortunate death, Joe served not only the state, but his county and the city with total vigor and complete enthusiasm, typical of freshmen legislators that we have among our body. His strength and energy were those of a hard working legislator.

Joe Binnette rose early every morning. He could be found at his desk in the legislature before everyone else arrived and usually stayed after the dinner hour, usually working on the county budget, as he was doing the day that he had his fatal attack. His record of attendance was near perfect. He was an especially strong supporter of Maine's working class, working men and working women and was recognized as a trusted voice on labor legislation. He was an expert in Maine's election laws, having served on all of its election committees since he entered this body until this session. And in the democratically controlled 102nd Legislature, Joe Binnette served as the assistant majority floor leader.

More importantly than all of this, I think, Joe Binnette gladly shared his views of experience with those of us who came here early and who were young and inexperienced. I will never forget the first session that I was here in which he pointed out to me, as he did when he was a floor leader, take your time and don't panic, your time will come. His helping hand guided many of us in the direction that we now pursue, and I think in behalf of that we will be forever grateful for his kindness and his wisdom that he used in part to all of us.

So, as we pass this Joint Resolution today, I do so and I certainly hope that we will remember the words that Joe always had in mind — take your time and your time will come.

The SPEAKER pro tem: The Chair recognizes the gentleman from East Millinocket, Mr. Birt.

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: I would like to echo the words which have been very well covered by the good gentleman from Eagle Lake, Mr. Martin. I think he has covered much of what anybody could say about Joe Binnette. I served with Joe during all of my legislative career, and it goes back almost as many years as Joe's, but not quite. I have enjoyed him; we have had a friendly rivalry. I don't know as we ever had a real serious dispute. I think one of the last bills that Joe spoke on was one that I was interested in, and he was complimenting me at the time.

I think he made some real contributions to the State of Maine during the many years he served here. As Mr. Martin pointed out very well, he was sincere, dedicated, put a great amount of work in.

I told my wife on the way down that I thought probably one thing you could say about Joe, maybe he over-applied himself this year, but I think he did what he loved best, and that was serve the people of Maine and the Maine Legislature.

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

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: I have known Joe Binnette for quite a few years. I enjoyed working with him, and I believe that this year he pushed himself a little too much. He talked with me early every morning and late every night, and he was pushing himself all the time to benefit his people back home and the people of the State of Maine.

I know we all deeply regret his passing. We are going to miss him these early mornings and evenings and at dinner in the evening.

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

Mr. JALBERT: Mr. Speaker and Members of the House: As a long-time acquaintance and friend of Joe's, since the mid thirties, I can recall a conversation that he had with me about five years ago in his kitchen in which he told me he enjoyed the House almost as much as I did.

Joe was an individual who, when he had something to say about anyone, would go to that individual and state his position and you knew exactly where he stood. He was a gentleman, he was a hard worker, he was dedicated, and I told his daughter on Saturday noon when she told me that the situation was very very serious, I told her that it would be a great loss to his family but it would also be a great loss to the State and all the members of this body.

Thereupon, the Joint Resolution was adopted and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

SPEAKER MARTIN: The Chair would thank the gentleman from Bangor, Mr. Kelleher.

Thereupon, the Sergeant at Arms escorted Mr. Kelleher to his seat on the floor, amid the applause of the House, and Speaker Martin resumed the Chair.

House Reports of Committees Ought Not to Pass

Mr. Bennett from the Committee on Judiciary on Bill "An Act Relating to the Priority of Mechanics' Liens" (H. P. 593) (L. D. 740) reporting "Ought Not to Pass"

Mr. Curran from the Committee on Natural Resources on Bill "An Act to Eliminate Set Back Standards for

Seasonal Homes in the Unorganized and Deorganized Townships of the State" (H. P. 689) (L. D. 851) reporting same.

Mr. Cooney from the Committee on State Government on Bill "An Act to Remove Restrictions on the Number of Days of Per Diem Allowed to Board Members of the State Board of Cosmetology for Services Performed within the State" (H. P. 384) (L. D. 477) reporting same.

Mr. Pelosi from the Committee on State Government on Bill "An Act Relating to the Scope of the Purchasing Authority of the Purchasing Agent of the State of Maine" (H. P. 588) (L. D. 727) reporting same.

Mrs. Snowe from the Committee on State Government on Bill "An Act to Extend the Maine Housing Authority's Mortgage Purchase Program Benefits to Certain Veterans" (H. P. 718) (L. D. 894) reporting same.

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

Leave to Withdraw

Mr. Higgins from the Committee on Business Legislation on Bill "An Act to Create a Life and Health Insurance Guaranty Association" (H. P. 467) (L. D. 579) reporting Leave to Withdraw.

Mrs. Byers from the Committee on Business Legislation on Bill "An Act to Prohibit Insurance Policies from Requiring Premium Prepayment for more than 3 Months in Advance" (H. P. 525) (L. D. 642) reporting same.

Mrs. Clark from the Committee on Business Legislation on Bill "An Act Requiring Secondhand Retail Dealers to be Licensed" (H. P. 1009) (L. D. 1315) reporting same.

Mr. Goodwin from the Committee on Health and Institutional Services on Bill "An Act to Amend the Laws Relating to the Licensure of Health Facilities" (H. P. 260) (L. D. 307) reporting same.

Mr. Goodwin from the Committee on Health and Institutional Services on Bill "An Act Relating to the Use of Correctional Institutional Appropriations for Academic and Vocational Training" (H. P. 497) (L. D. 615) reporting same.

Mr. Drigotas from the Committee on Taxation on Bill "An Act Relating to Property Tax Exemption of Institutions and Organizations" (H. P. 198) (L. D. 243) reporting same.

Mr. Immonen from the Committee on Taxation on Bill "An Act Concerning Municipal Refund Claims Against the State under the Forestry Tax Statutes" (H. P. 259) (L. D. 306) reporting same.

Mr. Quinn from the Committee on State Government on Resolution, Proposing an Amendment to the Constitution Providing that Every Proposed Amendment to the Federal Constitution be put to a State-wide Advisory Election (H. P. 288) (L. D. 340) reporting same.

Mr. Quinn from the Committee on State Government on Resolution, Proposing an Amendment to the Constitution to Provide that Equal Protection of the Laws shall not be Denied or Abridged on Account of Sex (H. P. 307) (L. D. 370) reporting same.

Reports were read and accepted and sent up for concurrence.

Divided Report

Majority Report of the Committee on Judiciary reporting "Ought to Pass" on Bill "An Act Relating to the Disposition of Fines and Penalties Resulting from

Criminal Prosecutions by Wardens" (H. P. 405) (L. D. 494)

Report was signed by the following members:

Mr. COLLINS of Knox
— of the Senate.

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

Mrs. MISKAVAGE of Augusta
— of the House.

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

Report was signed by the following members:

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

Messrs. HOBBS of Saco
HENDERSON of Bangor
HUGHES of Auburn
— of the House.

Reports were read.

On motion of Mr. Gauthier of Sanford, the Majority "Ought to pass" Report was accepted. The Bill was read once and assigned for second reading tomorrow.

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 Action or Claim of Insured against Insurer under a Policy of Insurance" — Committee on Business Legislation reporting "Ought to Pass" (H. P. 207) (L. D. 252)

Bill "An Act to Amend the Maine Securities Act" — Committee on Business Legislation reporting "Ought to Pass" (H. P. 574) (L. D. 709)

Bill "An Act to Provide for Multiple Initial Licenses and Clarification of License Category under the Insurance Code" — Committee on Business Legislation reporting "Ought to Pass" (H. P. 594) (L. D. 733)

Bill "An Act to Provide a Right to Examine and Return Life Insurance Policies" — Committee on Business Legislation reporting "Ought to Pass" (H. P. 665) (L. D. 839)

Bill "An Act to Authorize the Real Estate Commission to Administer Oaths and Affirmations at Hearings" — Committee on Business Legislation reporting "Ought to Pass" (H. P. 679) (L. D. 868)

Bill "An Act to Authorize the Treasurer and County Commissioners of Waldo County to Procure a Loan to Build a Detention Center" (Emergency) — Committee on Local and County Government reporting "Ought to Pass" (S. P. 93) (L. D. 264)

Resolve, Authorizing Sherman Collins, Francis Fitzmaurice, the Estate of Durward G. Turner, Durward G. Turner, Jr., David G. Turner and Ellen S. Turner to Bring Civil Action Against the State of Maine" (Emergency) — Committee on Judiciary reporting "Ought to Pass" as amended by Committee Amendment "A" (H-126) (H. P. 318) (L. D. 387)

No objections being noted the above items were ordered to appear on the Consent Calendar of March 8, under listing of the Second Day.

Consent Calendar

Second Day

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

Bill "An Act to Aid Municipalities in the Purchase of Surplus State Property" (H. P. 643) (L. D. 796)

On the request of Mr. Dam of Skowhegan, was removed from the Consent Calendar.

Thereupon, the Report was read and accepted, the Bill read once and assigned for second reading tomorrow.

Passed to Be Engrossed

Bill "An Act to Require Public Hearings on the Appointments of Departmental Commissioners" (S. P. 429) (L. D. 1377)

Resolve, Providing for Purchase of Copies of Town Histories (H. P. 1381) (L. D. 1410)

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

Amended Bills

Bill "An Act Providing Funds for Treatment of Cystic Fibrosis" (S. P. 126) (L. D. 412) (C. "A" S-42)

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

Passed to Be Enacted

An Act to Allow a Trade-in Credit on the Sales Tax on Boats (H. P. 185) (L. D. 233)

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

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: I can't sit here this afternoon in clear conscience and watch this item go under the hammer and be enacted. The very reason is that we have got limited funds in the General Fund, if anything. We have got no surplus money whatsoever. Right now over in the Appropriations Committee there is somewhere around two or three million dollars worth of bills that have been passed by this House. Yet it is my understanding and the understanding of members in the other body that there doesn't seem to be any funds available to pay for these programs.

If this House is willing to fund documents that we are sending over to the other body, or if we are willing to accept exemptions from the Taxation Committee, then we have got a good, long, hard road ahead of us to look at. We haven't got the resources to fund the bills that we have got before us, and the Appropriations Committee, I am sure, must be looking at many many millions of dollars of bills that are being sponsored by members of this House, myself and others included, and if we are going to be less than honest with the very people we are trying to help, or supposedly help by coming down here and putting our names to these L.D.'s, then it cannot be just a one way street. We can't give them five miles of road to look at and only enough gasoline in the vehicle to get them down the road one mile.

This document that is before us today is asking for a \$100,000 reduction in the General Fund, revenues that we can ill-afford to lose as you well know and I will know.

I am going to make a motion to

indefinitely postpone this bill and I ask for the yeas and nays, and if someone would like to table it and show me and show this House that they are willing to pick up the loss of revenue to fund the various programs that are in the Governor's budget and others that may be considered, then I am certainly willing to sit and listen to these individuals and find out exactly where the money is coming from, but it would be irresponsible for us at this time to reduce any revenue in the General Fund.

Mr. Speaker, I move that this bill be indefinitely postponed, and I respectfully request the yeas and nays.

The SPEAKER: The gentleman from Bangor, Mr. Kelleher, moves that this bill and all of its accompanying papers be indefinitely postponed.

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

Mr. MacLEOD: Mr. Speaker, Ladies and Gentlemen of the House: I think this bill has had a good, fair hearing. It has been through the legislative process a few other times in the past. We have heard many moments of debate on it. For some reason my good friend from Bangor seems to have a very strong interest in this bill, and I will agree with him to a certain extent, that funding will be very difficult.

I speak as a member of the Appropriations and Financial Affairs Committee before you this morning. However, I do feel that there are times that we could take an opportunity to try and fund something that might just inject something into our business aspect out there that would give them a boost in their morale at this time. I see no reason to carry on any further the debate on this bill, and I would go along with the yeas and nays and hope that you hold your original position when you voted for passage of this bill.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Bangor, Mr. Kelleher, that this Bill and all its accompanying papers be indefinitely postponed. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Bachrach, Berry, G.W.; Berry, P.P.; Berube, Birt, Boudreau, Burns, Call, Carey, Carpenter, Carroll, Chonko, Connolly, Cooney, Cote, Dow, Dudley, Durgin, Farley, Farnham, Fenlason, Finemore, Flanagan, Garsoe, Gauthier, Goodwin, H.; Hall, Henderson, Hughes, Hunter, Ingegneri, Jensen, Joyce, LaPointe, Laverty, Leonard, Lizotte, Lynch, MacEachern, Martin, A.; Mills, Miskavage, Nadeau, Pelosi, Powell, Quinn, Raymond, Saunders, Snowe, Spencer, Sprowl, Strout, Stubbs, Talbot, Teague, Theriault, Tierney, Tozier, Usher, Walker, Wilfong.

NAY — Ault, Bennett, Blodgett, Bowie, Byers, Carter, Churchill, Clark, Connors, Cox, Curran, P.; Curran, R.; Curtis, Dam, Davies, DeVane, Doak, Drigotas, Dyer, Faucher, Fraser, Goodwin, K.; Gould, Gray, Greenlaw, Hennessey, Hewes, Higgins, Hinds, Hutchings, Immonen, Jackson, Jacques, Jalbert, Kany, Kelley, Kennedy, Laffin, LeBlanc, Lewin, Lewis, Littlefield, Lovell, Lunt, Mackel, MacLeod,

Mahany, Martin, R.; Maxwell, McBreairty, Mitchell, Morin, Morton, Mulkern, Najarian, Palmer, Peakes, Perkins, T.; Peterson, P.; Peterson, T.; Pierce, Post, Rolde, Rollins, Shute, Silverman, Smith, Snow, Susi, Tarr, Torrey, Truman, Twitchell, Tyndale, Winship.

ABSENT — Bagley, Bustin, Hobbins, McKernan, McMahon, Norris, Perkins, S.; Rideout, Wagner, Webber.

Yes, 64; No, 75; Absent, 10.

The SPEAKER: Sixty-four having voted in the affirmative and seventy-five in the negative, with ten being absent, the motion does not prevail.

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

An Act Relating to Factors to be Considered Concerning Release on Personal Recognizance or Bail Bond (H. P. 263) (L. D. 310)

An Act Clarifying Sprinkler System Requirements in Boarding Homes and Existing Places of Assembly (H. P. 531) (L. D. 649)

An Act to Provide Criminal Penalty for Tampering with Passenger Tramways (H. P. 632) (L. D. 783)

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

Enactor Reconsidered

An Act Relating to Public Safety on Passenger Tramways at Ski Areas (H. P. 633) (L. D. 784)

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

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

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

House Amendment "A" (H-128) was read by the Clerk.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. BURNS: Mr. Speaker, Ladies and Gentlemen of the House: This just merely changes from absolutely must do an action to "may do an action." In other words, the owners of the ski tows may warn the people before they ask them to leave.

Thereupon, House Amendment "A" was adopted.

The Bill was passed to be engrossed as amended in non-concurrence and sent up for concurrence.

Enactor Tabled and Assigned

An Act to Prohibit the Department of Inland Fisheries and Game from Issuing Licenses to Persons Convicted of Certain Offenses (H. P. 1139) (L. D. 1139)

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

(On motion of Mr. MacEachern, tabled pending passage to be enacted and specially assigned for Wednesday, April 9.)

Orders of the Day

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

Bill "An Act Establishing the Civil Rights of Hemophiliacs" (H. P. 840) (L. D. 986)

Tabled — April 3, by Mr. Rolde of York.

Pending — Motion of Mr. Davies of Orono to Recommit to the Committee on Human Resources.

The SPEAKER: The Chair recognizes the gentlewoman from Machias, Mrs. Kelley.

Mrs. KELLELY: Mr. Speaker, Ladies and Gentlemen of the House: I arise to oppose the motion of Mr. Davies to recommit this to the committee. In the first place, I don't feel that it is necessary; but in the second place, I have tried to be fair about this.

On Wednesday, I presented an amendment and the committee thought that they were going to get a chance to look at this again, so I agreed to table it for one day. I talked to some of the members that afternoon, and I thought that they would more or less go along with what we were trying to do. Thursday, I talked to Mr. Davies and he said that he would be satisfied if this were tabled for two more days, and that would give the committee even more of a chance. So I feel that even though perhaps these people haven't had a chance as a committee to look at this amendment, they have at least had time in this length of time to do this individually.

I urge you to defeat the motion of Mr. Davies and I request a division and appreciate your support.

The SPEAKER: The pending question before the House is the motion of the gentleman from Orono, Mr. Davies, that this bill be recommitted. If you are in favor of recommitting this bill to the Committee on Human Resources, you will vote yeas; those opposed will vote no. A vote of the House was taken.

32 having voted in the affirmative and 93 in the negative, the motion did not prevail.

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

Mr. TALBOT: Mr. Speaker, I move that this bill and all its accompanying papers be indefinitely postponed. I request the yeas and nays, please.

The SPEAKER: The pending question before the House is on adoption of House Amendment "A" offered by the gentlewoman from Machias, Mrs. Kelley. Does the gentleman wish to move indefinite postponement of House Amendment "A"? That is the only motion that can be made at this time.

Mr. TALBOT: Yes, Mr. Speaker.

The SPEAKER: The pending question before the House is the indefinite postponement of House Amendment "A" offered by the gentlewoman from Machias, Mrs. Kelley.

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

Mr. AULT: Mr. Speaker, Ladies and Gentlemen of the House: I would urge passage of House Amendment "A" and then reconsider Mr. Talbot's motion.

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

Mr. TIERNEY: Mr. Speaker, I would like to pose a question through the Chair to anyone who may care to answer. Could someone please describe House Amendment "A" and how it fits in with the original bill?

The SPEAKER: The gentleman from Durham, Mr. Tierney, poses a question through the Chair to anyone who may care to answer.

The Chair recognizes the gentlewoman from Brunswick, Mrs. Bachrach.

Mrs. BACHRACH: Mr. Speaker, Ladies and Gentlemen of the House: The point in this bill is that the amendment is an entirely new bill. It absolutely erases

everything from the enacting clause on down. The committee was desirous of reconsidering the bill because a number of us voted opposed to the original act for various reasons, including that part of it covered in the Civil Rights Act, but this amendment we might very well vote in favor of and we didn't want to go on record as opposing an act when in fact we were in favor of it.

This point was made amply clear I thought to Mrs. Kelley, but she doesn't feel that she wants us to look at it again. Therefore, we are in the position of passing on this act as if it were the one that we held the hearing on previously. This one relates only to obviating discrimination in post secondary education relative to people afflicted with various disabilities, and as such, it is probably a laudable thing to do. It is possible that we might make some changes if we had it in front of the committee.

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

Mr. SPENCER: Mr. Speaker, I would like to pose a question through the Chair. It appears to me that this legislation prohibits post-secondary educational facilities that are not co-ed, and would require that all, I think it would require that all colleges be co-ed, and I wonder if this is the intent of the sponsor of the amendment?

The SPEAKER: The gentleman from Standish, Mr. Spencer, has posed a question through the Chair to anyone who may care to answer.

The Chair recognizes the gentleman from Portland, Mr. Talbot.

Mr. TALBOT: Mr. Speaker, Ladies and Gentlemen of the House: I made that motion to kill this bill because of the support the committee has been getting from this body with this particular bill.

This new amendment, which changes the entire bill in itself, opens up a whole new can of worms. I have been talking to some people who know more about the situation than I do and they are scared to death of this amendment.

For some reason, I can't get this bill back into committee so that we can look at it. Somebody tables it for one day and somebody tables it for two days, but to get this bill back into our committee so that we can look at it collectively, I can't seem to do it. Nobody seems to want to do that.

If you pass this bill in its present form now, this state and our university system is going to be in so much trouble that I don't think even we as a legislature can get them out.

Let me just bring you one instance. I don't know how many of you are familiar with a fellow named Marcus DeFunis, who applied to a law school in Washington in 1971. I think there were 150 openings and over 1,500 applied. He was denied because of the admission policies of that particular school. He sued and took the school to court in what is called reversed discrimination. It went all the way to the Supreme Court on reversed discrimination. In the meantime, the school admitted him, and by the time his case got to the Supreme Court, he was in his third year of law school and, therefore, the Supreme Court ruled on the case as moot. If we pass this bill in its present form, that is what is going to happen here in this state. Some young lawyer or some young kid is going to take a case all the way to the Supreme Court on reverse discrimination as this bill is written now. It is going to tie up federal

funds, it is going to tie up state funds and it is going to tie up our university system.

You have a choice; we want to be fair about it. You can recommit this bill to our committee and let us look at it and let us go through it and pass it out, or you can pass this bill in its present form now and suffer the consequences.

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

Mr. AULT: Mr. Speaker, Ladies and Gentlemen of the House: That is the point that I wanted to make, that this amendment was presented to us last week and the Speaker recommended that the committee get together and look at it and no effort was made in that direction and I would hope that somebody would table this for two legislative days.

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

Mr. CONNOLLY: Mr. Speaker, I would like to pose a question to the Chair. Is the amendment germane to the bill?

The SPEAKER: The gentleman from Portland, Mr. Connolly, poses a question through the Chair to the germaneness of House Amendment "A."

On the motion of Mr. Rolde of York, retabled pending the motion of the gentleman from Portland, Mr. Talbot, that House Amendment "A" be indefinitely postponed, and specially assigned for Wednesday, April 9.

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

Bill "An Act to Increase the Veteran's Property Tax Exemption" (H. P. 1174) (L. D. 1172)

Tabled — April 3, by Mr. Palmer of Nobleboro.

Pending — Passage to be Engrossed.

The SPEAKER: The Chair recognizes the gentleman from Nobleboro, Mr. Palmer.

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House: I have tabled this bill several times. I just want to say a word or two now before we send it on its way.

The reason for tabling basically was that I felt that there was a grave misunderstanding in this House as to exactly what the bill did. Of course, we know that it doubles the exemption from \$3,500 to \$7,000, but I felt also that some people did know that it increased the valuation, in other words, made the exemption on full valuation not on what the individual town or city valued at before.

I wanted members of this House to know that this bill will indeed be of significant benefit to some veterans and indeed it will hurt other veterans. I wanted the House to know that the \$15,000 price tag on this bill, which is the price tag to the State of Maine, is not the only price tag. There are price tags involved in this as far as various municipalities are concerned.

I hope that in the days when we have had this on the table that many of you had a chance to look at it, see exactly what it does in your area, in your towns, to your people, and if this has been the case, I am sure the delay will have been worthwhile.

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

Mr. GREENLAW: Mr. Speaker, Ladies and Gentlemen of the House: If the Speaker will allow me, I would like to pose a question on this bill to some member of the Taxation Committee that, I am sure, is familiar with it. I draw your attention to Section 4 on Page 2 on the Redraft, L. D. 1172. It says, in determining the local

assessed value of the exemption, etc. — the question I have is, does this attempt to correct inequity in the law which presently exists due to a variation in local assessment practices?

The SPEAKER: The gentleman from Stonington, Mr. Greenlaw, poses a question through the Chair to any member who cares to answer.

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

Mr. SUSI: Mr. Speaker, Ladies and Gentlemen of the House: Yes.

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

Mr. LYNCH: Mr. Speaker, Ladies and Gentlemen of the House: In answer to that question, I would say it does not. There are inequities in every community in this state. Properties are not assessed fairly and equitably throughout all municipalities.

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

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: First, I would like to move for passage to be engrossed and I would like to speak briefly to my motion.

With this new \$7,000 exemption, there are a lot of veterans that are not going to be as well off as they are now. In some cases, the towns are even going to gain money and in other places the towns are going to lose money.

I have before me, and many of you got this I suppose, a letter from the town of Dover-Foxcroft, which is one of the most overly valued towns probably in the state, according to state valuation. It is 50 percent more than the state valuation itself. I mean no harm against the gentleman Mr. Smith from Dover-Foxcroft — I am glad he isn't in here. Anyway, I have here a veteran who is 80 years old who had a house valued in 1973 at \$10,310 with a mill rate of .050. In 1974 they valued it at \$27,670, and with a mill rate of .0175, which made his taxes in 1973, \$340.50. In 1974, his taxes were \$422.98. Now, with the \$7,000 exemption, it doubles it under this bill. He still will be losing \$21.23 more, he will be paying more taxes than he was in 1973 on the same building and this holds true in some towns. I believe someone today mentioned that their town was only 25 percent value. If it is 25 percent value and they increase it to a 100 percent, it is going to make a whole lot of difference in these taxes.

In my own local town, we were 30 percent. Two years ago, after a lot of effort, we decided to have the Selectmen increase it to 90 percent of the total tax, the state valuation now which has decreased, which is increased in our town, and we are not even 90 percent. With 90 percent, they were, at that time, getting really \$10,500 exemption, where now they are still only getting \$7,000. With this change, they are still going to be paying taxes where before they weren't paying any.

If with this \$7,000 throughout the state, there are still a few towns, and I checked a town today for the gentlewoman from Bridgton, Mrs. Tarr, and I find that they are over and above the state's valuation. This is different than when she and I talked it over today but Mr. Halperin called me from the Taxation Bureau and told me he had given me some incorrect figures. Their state valuation for 1975 and 1976 and 1977 is \$48 million and Bridgton, itself, its valuation on the books, which they claim is a 100 percent valuation, is \$57,165,245,

which is considerably over \$9 million more. So in her case, this bill would cause them a hardship. If they would put it on just value, it wouldn't be causing them a hardship, because they would be valuing a house at its market value; therefore, they wouldn't be losing so much taxes.

This bill goes on, I might go on to say, that 3 percent of the total valuation to the state is what the town has to pay, 6 percent of the town's valuation. After that 3 percent, the state returns to them 90 cents to the dollar on every dollar over and above that.

The veterans themselves want this; they seem to think they want it. Veterans all over the state want this, and even the new ones, who are only 40 and 50 years old or 55, I should say, they are all writing letters and saying they want it so when they reach 62—but at the same time, there are a lot of veterans today, especially in the city of Portland, probably the city of Auburn, and I know in several towns in Aroostook where they are going to be paying more under the \$7,000, by the new valuation, than they were paying before and it isn't going to help them.

I hope you will go along with the motion I made of passage to be engrossed.

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

Mr. KAUFFMAN: Mr. Speaker, Ladies and Gentlemen of the House: This proposed bill means a tax loss of \$45,000 to the town of Kittery; \$18,000 to the town of Eliot. Neither town gets any reimbursement from the state and they will not under this 3 percent formula. Therefore, I move that this bill and all its accompanying papers be indefinitely postponed and I request a roll call.

The SPEAKER: The Chair recognizes the gentleman from Rumford, Mr. Theriault.

Mr. THERIAULT: Mr. Speaker, may I be excused from voting?

The SPEAKER: The gentleman from Rumford, Mr. Theriault, requests to be excused under Rule 19 and he is so excused.

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

Mr. MORTON: Mr. Speaker, Ladies and Gentlemen of the House: I hope that you will not vote to indefinitely postpone this bill. Many of us have said that we didn't like to be confused with facts. You have heard facts from Mr. Finemore, also from the gentleman from Kittery, and they are both right. I didn't hear anything they said that you could argue with, and that just points up the need for this bill because this does, in fact, attempt to level out the opportunity for veterans. There are many communities where veterans have been getting a great deal more tax exemption than was anticipated when the original legislation was passed many years ago because of the low assessment ratio. This is going to even it out. It makes every assessment ratio the same, and certainly there will be some veterans who will benefit, there will be some veterans for whom it will cost more money, but it will be more equitable.

And to answer the objection of the gentleman from Kittery, and I don't blame him for making his objection, because that is how it hit the towns he is talking about, but he did point out in his remarks that there is a circuit breaker in this law. And if the cost of this law goes over a certain percentage, and as I recall it is 3 percent, then the town does get reimbursed by the state up to 90 percent. So there is an

opportunity, if it gets into the position where a town is overloaded with this, that the state must come in.

The SPEAKER: The Chair recognizes the gentleman from Woolwich, Mr. Leonard.

Mr. LEONARD: Mr. Speaker, Ladies and Gentlemen of the House: I have done a considerable amount of research on this bill, and as a former selectman, I was concerned with the veterans' exemption in that there was always a word missing in the original, and that was "just." There was a \$3,500 exemption, as everybody has more or less pointed out, but the \$3,500 exemption was across the board. You couldn't pro rate it to the amount of valuation of your town; therefore, many towns suffered a great hardship by this exemption and then many towns were, in fact, gaining, possibly, maybe to the original intent of the bill's expense or the veteran's expense.

I talked with the State Tax Assessor's Office, and they assure me that the percentage of evaluation of the municipalities in Maine is roughly 50 percent. Therefore, if you look at the \$7,000 exemption, you can just about say that half of the towns in the State of Maine are going to be hurt by this bill and half are going to gain.

I also did a sampling of L.D. 346, which we passed a short time ago, which is reimbursement of municipalities for veterans' exemption under the 3 percent rule, and I find that on those, and I sampled the largest reimbursements and I found that of 19 towns, 15 towns will be reimbursed less, 2 towns will stay the same and 2 towns will have to ask for more money from the state. So, in fact, what happens on the state level is, from my meager efforts, it will save money, so I seriously question the fiscal note. I don't really think that that probably is correct. I don't think the state will pay as much as it has in years past.

I would like to see this bill stay alive, regardless of whether this House accepts the \$7,000 exemption, because I think the word "just" in there is the correct word. It is one that has been missing for a long time and is one that we certainly should put in under this legislative year.

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

Mr. MAXWELL: Mr. Speaker, Ladies and Gentlemen of the House: This bill happens to be mine. It also happens, I think, to correct quite a lot of inconsistency in the law. It does have the word, as you just heard the previous speaker say, "of just value." And I believe he is correct when he says that some are going to get hurt, some are going to improve by it. But it is a good bill, and I would hope that you would vote against the motion to indefinitely postpone.

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

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

The SPEAKER: The Chair recognizes the gentleman from Corinth, Mr. Strout.

Mr. STROUT: Mr. Speaker, I would like to pose a question so that I am clear on this. It is my understanding that the way our situation is in my area right now that a town that is on 25 percent, we deduct the 25 percent off the value of the property and

then we take the veterans' exemption off that. If this bill passes, the way I see it, this could mean that our tax loss could double. What I am saying is, on a \$30,000 home right now, we would be assessing the veteran at \$4,000. If this law would pass, we would be assessing at \$23,000. Could anyone correct me on it?

The SPEAKER: The gentleman from Corinth, Mr. Strout, poses a question through the Chair to any member who cares to answer.

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

Mr. MORTON: Mr. Speaker, Ladies and Gentlemen of the House: In answer to the question of the gentleman from Corinth, I think it is quite apparent that if his town is assessing at 25 percent, then in effect, what this would do, it would actually double the veterans' taxes in his town. So your town will come out ahead.

The SPEAKER: The pending question is on the gentleman from Kittery, Mr. Kauffman, that Bill "An Act to Increase the Veteran's Property Tax Exemption," (H. P. 1174, L. D. 1172, be indefinitely postponed. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Ault, Bachrach, Bennett, Berry, P. P.; Boudreau, Carter, Connolly, DeVane, Dudley, Durgin, Farley, Farnham, Fenlason, Fraser, Goodwin, H.; Gould, Greenlaw, Hinds, Hughes, Jackson, Jensen, Kany, Kauffman, Kelleher, LaPointe, Lewis, MacEachern, Mitchell, Palmer, Perkins, T.; Peterson, T.; Smith, Snow, Snowe, Spencer, Strout, Stubbs, Talbot, Torrey, Tozier.

NAY — Albert, Berry, G. W.; Berube, Birt, Blodgett, Bowie, Burns, Byers, Call, Carey, Carpenter, Carroll, Chonko, Churchill, Clark, Conners, Cooney, Cote, Cox, Curran, P.; Curran, R.; Curtis, Dam, Davies, Doak, Dow, Drigotas, Dyer, Faucher, Finemore, Flanagan, Garsoe, Goodwin, K.; Gray, Hall, Henderson, Hennessey, Hewes, Higgins, Hunter, Hutchings, Immonen, Ingegneri, Jacques, Jalbert, Joyce, Kelley, Kennedy, Laffin, Laverty, LeBlanc, Leonard, Lewin, Littlefield, Lizotte, Lovell, Lunt, Lynch, Mackel, MacLeod, Mahany, Martin, A.; Maxwell, McBreairty, Mills, Miskavage, Morin, Morton, Mulkern, Nadeau, Najarian, Peakes, Pelosi, Perkins, S.; Peterson, P.; Pierce, Post, Powell, Quinn, Raymond, Rolde, Rollins, Saunders, Shute, Silverman, Sprawl, Susi, Tarr, Teague, Tierney, Truman, Twitchell, Tyndale, Usher, Wagner, Walker, Wilfong, Winship, The Speaker.

ABSENT — Bagley, Bustin, Gauthier, Hobbins, Martin, R.; McKernan, McMahon, Norris, Rideout, Theriault, Webber.

Yes, 40; No, 99; Absent, 11.

The SPEAKER: Forty having voted in the affirmative and ninety-nine in the negative, with eleven being absent, the motion does not prevail.

The Chair recognizes the gentleman from Gorham, Mr. Quinn.

Mr. QUINN: Mr. Speaker and Members of the House: Until this morning, until I heard Mr. Leonard a minute ago, I was strongly opposed to the bill. However, it appears from some of the conversation that the bill may have a good many merits, and I should be grateful if someone would move to table it long enough so that I can apply this ratio to my particular town. My tax assessor has furnished me figures which are sharply at variance with the things Mr. Morton and Mr. Finemore say

I would appreciate a chance to look into it and see how it applies to my town.

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

Mr. FINEMORE: Mr. Speaker and Members of the House: I hope no one does move to table this bill. We have given a good, sound showing here, and if there is anything we need in the State of Maine, it is to show a little support for our veterans.

There has been a lot of talk about this bill all over the state. We know that some towns are going to lose the 3 percent, we know there are plenty that are going to lose the 3 percent. We know they are going to get part of it back from the state, but we know that this bill right here, the majority of our towns and the majority of our cities are going to gain money by it because it is just value. It is not value anymore. I hope that no one will move to table this bill.

The SPEAKER: The Chair recognizes the gentleman from Corinth, Mr. Strout.

Mr. STROUT: Mr. Speaker, Ladies and Gentlemen of the House: I somewhat agree with what the gentleman from Bridgewater, Mr. Finemore, has said, but I really don't see where he gets his information that this is a bill to help the veterans. It is going to help some of the towns, no question, bringing in more taxes here, but this is not a bill to help the veterans, not the way I see it. Unless I am proven wrong, there are going to be a lot of veterans that are going to be paying three or more times as much tax.

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

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: I would simply like to point out in regard to what the gentleman from Gorham said, this bill now is just in the passage to be engrossed stage. There will be plenty of time to look at this before we get it back for final enactment.

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

Mr. MORTON: Mr. Speaker and Members of the House: I think it would be wise to know that every veteran organization in the state is aware of what this bill does. They were in the committee hearing unanimously in support of this legislation. It does even up the situation.

Thereupon, the Bill was passed to be engrossed and sent up for concurrence.

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

An Act to Permit Furloughs for Prisoners of County Jails (H. P. 427) (L. D. 521)

Tabled — April 3, by Mr. Kelleher of Bangor.

Pending — Passage to be Enacted.

Mr. MacEachern of Lincoln moved that the Bill and all accompanying papers be indefinitely postponed.

Mrs. Najarian moved the matter be tabled for two legislative days.

Mr. Dudley of Enfield requested a division.

The SPEAKER: The pending question is on the motion of the gentlewoman from Portland, Mrs. Najarian, that this Bill be tabled pending the motion of Mr. MacEachern of Lincoln to indefinitely postpone and specially assigned for Wednesday, April 9. All in favor of tabling for two legislative days will vote yes; those opposed will vote no.

A vote of the House was taken.

84 having voted in the affirmative and 49

having voted in the negative, the motion did prevail.

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

An Act to Exempt Fuel Adjustment Charges from the Sales Tax (H. P. 189) (L. D. 266)

Tabled — April 3, by Mr. Rolde of York.

Pending — Passage to be Enacted.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: I notice on L. D. 266 there is a very tidy amount in it, a million dollars, and I would first of all like to ask the sponsor of this bill or the members of the Taxation Committee, where is the money to pay for it?

The SPEAKER: The gentleman from Bangor, Mr. Kelleher, poses a question through the Chair to any member of the Taxation Committee who may answer if they so desire.

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

Mr. MORTON: Mr. Speaker, Ladies and Gentlemen of the House: I am not always sure that the Taxation Committee is responsible for saying where the money is going to come from to pay for it, but there is no question but what this bill would cost the figure that is printed on it as a fiscal.

I voted against this in committee; I still feel that it is a bad bill. With all due respect to the lovely lady who introduced, I feel that the charging of a sales tax on any portion of service should not be dependent upon where the costs came from. It is just splitting up the way that we tax anyway, and it seems to be, in spite of the fact that fuel costs a lot of money and electricity costs a lot of money, if we are going to have a tax on it, we should tax it to its full value. So I do think this is bad legislation.

Just to clear the air, I will move for the indefinite postponement of it.

The SPEAKER: The gentleman from Farmington, Mr. Morton, moves that this bill be indefinitely postponed.

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

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: I enjoy very much Mr. Morton; he stands firm on things. Just a few minutes ago he was much in favor of taking a tax off boats, which affects a very few people. Now he has come to the point where he is making indefinite postponement on a bill that would help all the people. I can't hardly picture this. Although, again, I do not think this bill will get by — which I dislike to say, which I don't favor saying — I feel this bill wouldn't get off the table, because this bill is a big cost. But at the same time, we are being trimmed, the people of the State of Maine are getting double taxation. If ever we got double taxation, we are getting it under this bill right here right now. But again, I think we should stand consistent on either voting against taxes or for taxes, but I don't like to see them split up.

In this special case, I don't believe it would do any harm, after we take care of the indefinite postponement, if possible, to go along with passage to be enacted. Let it die on the table with the rest of them. The gentleman downstairs informed me the other day, and I am glad he did, he told me in a very nice way, a very fine way, that there would be no new taxes, definitely no new taxes. He explained to me that taxes like the gasoline tax definitely would not be signed. So with this in mind, I can't see what hurt we were doing if we did happen

to get a landslide of money and find that we had a great deal of anticipated revenue coming.

I might mention here today that we might be a little more short than we think we are, because I understand that there is a chance that \$10.3 to be taken from school bonding is going to be changed over, and if we do, we are going to need a little more surplus, which we haven't got.

So I will let you vote your own feelings on this bill. If you feel it should be indefinitely postponed, vote so. If not, if you feel like you would like it to go to the table, let's vote that down and go along with it.

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

Mr. LYNCH: Mr. Speaker and Members of the House: I don't think you can separate this fuel adjustment cost from the other costs of doing business. When you get into that area, you are doing what you have attempted to do in some other areas, to give tax exemption, tax relief.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: This bill, in its original form, the way it is drafted, it is a good bill but, nevertheless, there is a philosophy here that I have to subscribe myself to, and I wish I had started doing it two weeks ago.

I think Mr. Finemore pointed out the main argument that we should all consider. Let's pass it, send it over to the Appropriations Table in that other unmentionable body, and it will probably be taken care of. I don't really like that approach. I think it is an irresponsible approach for us to be taking, because we are simply telling thousands of people in this state that we are really going to do something for you. And what do we do for them? We are not doing anything for them. We are not being fair to them, simply because we know ourselves, the members that have served here before and you freshmen members, we have been in session for three months, that there is no available money.

I would like to see the members of this House start stopping these bills right here, all of them. And if I had my way, I would call every single bill back that is over on the Senate Appropriations Table, leave them here, and then see if we are going to come up with some tax money to fund the Governor's programs, to take care of the ones that were deleted, to take care of the programs that are being offered by myself and others. But let's stop giving the people of Maine a sleigh ride, because that is exactly what we are doing.

I can't make the motion. I certainly support Mr. Morton's motion to indefinitely postpone on the point that we are being less than honest with the people of Maine. And I would respectfully ask some member of this body to table this bill and perhaps we can start tabling all of them, so we can show the Appropriations Committee that we are going to have funds sufficient enough to take care of bills, or we can tell the Appropriations Committee, or this House can in its wisdom, let's stop hearing the Bills that Eddie Kelleher and others have got coming before you and pack up and go home.

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

Mr. JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: Speaking as merely a humble member of the Appropriations Committee, I think that the

committee has done a fairly good job in the three months and seven days we have been here. The entire table, I don't think the Appropriations Table in the Senate would total over \$200,000. So if you compare that with the previous years, I think you would see a difference of millions of dollars.

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

Mr. KELLEHER: Mr. Speaker and Members of the House: I have got one bill in the table over there for \$4 million, and there is somewhere around \$5 million, and there. I regret that my bill happens to be over there with a lot of others. I sincerely wish they were all right back in this House so that I could honestly try and understand whether what I am sponsoring and supporting as well as other bills I voted on and supported to go over there are going to be funded. There is a lot of serious money over there, and I know the Appropriations Committee has been cautious in passing bills out because of the fact that there seems to be no money. I would respectfully ask someone to table this until we find out just where we do stand.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I didn't rise to table this. I think we should carry out the wishes of the gentleman from Farmington, Mr. Morton. I would like to think that when I know something shouldn't be done that I am man enough to stay here and do it and not to pass it to Appropriations or any other unmentionable body.

I hope you know that I stand firm here against cutting taxes that we no have, but I am just as firm against voting for any new ones. I am also firm about sending stuff to Appropriations that I know shouldn't be there that should be done right here. I see that it accomplishes nothing. I don't believe we can afford this, although it may be good. I can think of a lot of good things we can't afford. So let's use good judgment and take care of what we are supposed to in that case we will vote with Mr. Morton to indefinitely postpone this. I would ask for a roll call.

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

Mr. COX: Mr. Speaker, Ladies and Gentlemen of the House: I am a little bit disturbed by the philosophy that since it appears there is not going to be available money, that we automatically vote down any suggestions for any tax exemptions or any money bill. It seems to me that it is our role here in the House, at this stage, is to say what things should be done. If we simply vote down all of these items because they will cost money and we know the money is not there, we are simply saying that the appropriations are not necessary. I say let us pass these things that need to be passed and then let the Appropriations Committee see how much money is needed to fund these and at least we will not be concealing from the people of the State, the fact that these appropriations are needed.

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

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: I was one of the signers of the "Ought to Pass" Report on this bill. Even though I signed the bill "Ought to Pass", I did have doubts in my mind of ever getting it funded. I think the bill, in one way, serves the purpose of what it was intended and that is to show this body that we have got taxes upon taxes

Personally, I would like to see the bill passed and go to the other body and go on the Appropriations Table because I am not so convinced right now that we are going to be as hard up as some claim we are going to be. There may be more money, there could be less money, but at least I think we should pass the bill and not go along with the motion of Indefinite Postponement because I think if we went along with Indefinite Postponement today, where this bill would give something to every utility, every power user in the state, would give them a little adjustment of their power bill, as the good gentleman from Bridgewater, Mr. Finemore said, that it kind of confused him when the good gentleman from Farmington Mr. Morton voted the way he did, well, it really confuses me that anybody could vote to give a sales tax break to a special interest group or to a bunch of sports going out in boats and \$250,000 boats at that you can give them a sales tax break but you can't give the person with a power bill a five percent break on their power and this is what really amazes me. Of course it is one thing when it comes to the average inhabitant of the State of Maine, they don't have the money, the \$100,000 or \$200,000 to hire the lobbyists to come down here on the third floor and lobby the bills, but when it comes to businesses or special interests, they always come up with that money and they have the money to hire the lobbyist. If the people of the state could come down here and do the lobbying, if they had the funds available, then it might change and it might be good to think about for a future session that where a lot of us have gone out and I am sure I am not the only one, standing on the Floor that has gone out and preached that the people should have more rights and they should be heard, — maybe it would be a good idea later on, in another session, to come up with a fund where it could be the citizens fund and the state would put maybe a million dollars in it so that any citizen bill, the citizens could hire some high paid lobbyists to come down here and lobby for them. It would be real interesting then to see what the body like this took for action on a bill. It amazes me, as I said before, when we go for a special interest bill but we can't go for the citizens of the State of Maine.

The SPEAKER: The Chair recognizes the gentlewoman from Bridgton, Mrs. Tarr.

Mrs. TARR: Mr. Speaker and Members of the House: Representative Kelleher is a tough act to follow and I know that and I know money is short but I defended this bill on the Floor of the House a couple of weeks ago — it seems like years ago now — on the basis that this would help everybody in the State of Maine and not a lot and I realize that too, but at least it would give some relief to everybody that has to pay a light bill in the State of Maine. I realize that money is tight but I also realize that if you don't give this a chance to go to the Appropriations table, we just will never know what is going to happen to it, will we? I ask you please to vote against indefinite postponement and let it go to the Appropriations Table.

The SPEAKER: The Chair recognizes the gentleman from Westbrook, Mr. Laffin.

Mr. LAFFIN: Mr. Speaker and Members of the House: I support this bill because it gives the elderly people of this State another little break. I think the elderly people of this State have been overlooked by this legislature many times.

Anytime they say, where are they going to get the money, let the department heads of this State pull their belt in. There is too much waste in this government, they spend too much money foolish anyway. I am for this bill.

Mr. Kelleher of Bangor was granted permission to address the House a third time.

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: I support the bill, Mrs. Tarr, but I want to be consistent enough to see that there is sufficient money to pay for the bill.

Mr. Laffin, I have supported almost every piece of legislation that was ever in this House for senior citizens but I never voted for a piece of legislation when there wasn't money there to take care of them. I didn't give them a half-way approach to a final answer and that is all I am asking the gentle lady from Bridgton, the fine gentleman that he is from Westbrook and the members of this House, that there isn't available funds to fund a very good program and I am one that would stand in this House and put my name on the record of supporting a tax measure to fund it. Would the gentle lady care to get up and do that or anybody else — that I am willing to support a tax increase to fund this program but I am not about to stand here and vote — rather sit here and vote — when there is not sufficient funds to take care of a very good program. I commend the Appropriations Committee that sent it out to us, it is a darn good bill or rather the Taxation Committee, but let's be consistent, let's not give them a half-hearted approach to it.

I, again, would like to have someone table this until we can find out where the money is for these bills. Let's stop kidding around.

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

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: I just want to make a comment, that I was somewhat confused by the last remarks by the gentleman from Bangor, where he said that he might be willing to vote for a tax increase to support a bill like this, but if we don't let it go through the Appropriations Table, we would have no chance whatsoever to fund it — if we did want to have a tax increase toward the end of the session.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: Before I would let it go to the Taxation Committee, if I had a choice, I would table it in the House unassigned and I so move.

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

Mr. INGEGNERI: Mr. Speaker, Ladies and Gentlemen of the House: I hate to disagree with my good friend, Ed Kelleher, because I recognize his good motives and I think he has a point. On the other hand, there is a fallacy in his reasoning. If we were to hold all of the very worthwhile bills back, because we are told by a third party, that there isn't any money, then we are never admitting that there are other needs besides the needs which he has put in his budget. If we vote against all these very worthwhile bills, we are saying that there is a balanced budget when we know that that is a chimera that is an illusion. I maintain that it is the duty of this House, not only to take care of those items which the Governor has put in

his budget, but to decide after very careful debate and very careful analysis, what items are just as important as the recurring items. I think that the question of whether there should be a tax increase can only be brought forcefully to the attention of the Governor and to this Body and the other Body, when there is a sufficiently respectable pile of absolutely must legislation. With great regret, I move that we not accept Mr. Kelleher's recommendation.

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

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

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

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: Just four words, four or five words. There are 50 bills on the special Appropriation Table in the other Body right now and I know one of those bills has only a \$35 tag on it. I have gone down some of the rest through there and there is a very small amount of bills on the table and there is a possibility of one percent increase right across the board in the income tax and if there is that will bring \$30 million — that will pick up a lot of these loose ends.

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

Mr. MORTON: Mr. Speaker, Ladies and Gentlemen of the House: I just would like to say, in wrapping up this debate, I certainly don't want to take long but there was quite a lot of talk about the boat bill and I would remind the gentleman from Skowhegan that there was no hired lobby there on the boat bill, those were just the common ordinary people but that the Central-Maine Power Company did come in and appear in favor of this bill. I think you all realize they have got a pretty decent lobby.

I would like to talk about the merits of the bill and I really, I hope I indicated that I was not concerning myself with whether or not there was money to pay for it or not. The merits of the bill are, it is attempting to take a portion of this total cost of electricity and write off the sales tax on that. The gentleman from Bridgewater, Mr. Finemore, calls it double taxation and I suppose I have to agree with him but, by the same token, all of the sales tax you pay on the base portion of your electric light bill is double taxation for that portion that is created by oil. So, you are just talking differences here that have no real meaning, as I see it. The merits of the bill are that, it is going to take and split up the tax on oil, on electricity, just as the gentleman from Livermore Falls, said, you can't separate these things out. So, I hope you will vote on the merits of this bill, that it is not good legislation.

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

Mr. MULHERN: Mr. Speaker, Ladies and Gentlemen of the House: I feel as though I should say something very briefly as to why I supported the report on this bill.

I take a little bit of issue with the remarks of the former speaker, the

gentleman from Farmington, Mr. Morton. I think he is trying to mislead you by his statement that a person appeared from Central Maine Power Company to support this bill. Make no mistake about it, this is a consumer bill, this will help the consumer. This isn't going to benefit Central Maine Power Company. It is double taxation, as far as I am concerned, and I would like to see this bill stay alive. I don't know if we are going to have any money or not. It doesn't look that way but there is a possibility that, if we kill the bill now and the money comes up, we have nothing, I mean, it seems like we ought to put this thing on the Appropriations Table. I don't think it is going to make any harm. As the gentleman from Bridgewater, Mr. Finemore said, we already have 50 bills sitting on the Appropriations Table, what is one more. I think this is a good bill, it is going to benefit a lot of people and I think we ought to keep it alive.

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

Mrs. POST: Mrs. Speaker and Members of the House: I have a question I would like to pose and that is, do we have any breakdowns on how much of this amount of money will go into the pockets of consumers and how much of the money will go back to the various industries within the state?

The SPEAKER: The gentlewoman from Owls Head, Mrs. Post, poses a question through the Chair to any member of the House who cares to answer.

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

Mr. MORTON: Mr. Speaker and Members of the House: I can't be specific but it must be pretty obvious to everybody in the House that the elderly certainly, if they buy electricity will save on this but also so will industry and to a great extent.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Could I ask what the committee report is?

The Committee Report was read by the Clerk.

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

Mr. LYNCH: Mr. Speaker, Ladies and Gentlemen of the House: If you are interested in doing something for the consumers, I suggest you go farther and have the Public Utilities Companies segregate out of their utility bill all the sales taxes, all the taxes that they are paying including unemployment, social security, sales taxes they are paying in anything that is a part of their operating cost, and then you will do a good favor for the consumer.

Mr. Finemore of Bridgewater was granted permission to address the House a third time.

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: I would like to correct a mistake I made a few minutes ago and I made it. If it hadn't been for the good gentleman, Mr. Greenlaw, I wouldn't have got a chance to correct it but there is only 25 L.D.'s on the Appropriation Table in the other body rather than 50. I made a mistake.

In answer to — I don't know whether the gentleman who has just spoken, Mr. Lynch, whether he is trying to evade the issue or not but this is a little different than most of the taxation which I have studied for a good many years and I am still not

smart in it by any means, but this bill right here is just simply on fuel. There is a five cent tax when they buy it, they turn around and charge us a five cent tax when they sell it, but this isn't double taxation directly, quickly, and instantly, it is almost an instant jab because we are paying right over on it. It isn't like it has been tied up a week or two and they put in a loaf of bread or a pound of crackers and we don't know we are getting it but we know we are getting this one. This time let's vote against the indefinite postponement.

The SPEAKER: A roll call has been ordered. The pending question is on the motion of the gentleman from Farmington, Mr. Morton, that the House indefinitely postpone Bill "An Act to Exempt Fuel Adjustment Charges from the Sales Tax" House Paper 189, L.D. 266 and all accompanying papers. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Call, Davies, DeVane, Dudley, Farley, Farnham, Fraser, Garsoe, Goodwin, H.; Henderson, Hewes, Hughes, Kany, LaPointe, Lynch, Mitchell, Morton, Post, Spencer, Susi, Tozier, Wagner.

NAY — Albert, Ault, Bachrach, Bennett, Berry, G. W.; Berry, P. P.; Berube, Birt, Blodgett, Boudreau, Bowie, Burns, Byers, Carey, Carpenter, Carroll, Carter, Chonko, Churchill, Clark, Connors, Connolly, Cooney, Cote, Cox, Curran, P.; Curran, R.; Curtis, Dam, Doak, Dow, Drigotas, Durgin, Dyer, Faucher, Fenlason, Finemore, Flanagan, Goodwin, K.; Gould, Gray, Greenlaw, Hall, Hennessey, Higgins, Hinds, Hunter, Hutchings, Immonen, Ingegneri, Jackson, Jacques, Jalbert, Jensen, Joyce, Kauffman, Kelleher, Kelley, Kennedy, Laffin, Laverty, LeBlanc, Lewin, Lewis, Littlefield, Lizotte, Lovell, Lunt, MacEachern, Mackel, MacLeod, Mahany, Martin, A.; Martin, R.; Maxwell, McBreairty, Mills, Miskavage, Morin, Mulhern, Nadeau, Najarian, Palmer, Peakes, Pelosi, Perkins, S.; Perkins, T.; Peterson, P.; Peterson, T.; Pierce, Powell, Quinn, Raymond, Rolde, Rollins, Saunders, Shute, Silverman, Smith, Snow, Snowe, Sprowl, Strout, Stubbs, Tarr, Teague, Theriault, Tierney, Torrey, Truman, Twitchell, Tyndale, Usher, Walker, Wilfong, Winship, The Speaker.

ABSENT — Bagley, Bustin, Gauthier, Hobbins, Leonard, McKernan, McMahan, Norris, Rideout, Talbot, Webber.

Yes, 22; No, 117; Absent, 22.

The SPEAKER: Twenty-two having voted in the affirmative and one hundred and seventeen in the negative, with eleven being absent, the motion does not prevail.

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

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

Bill "An Act to Authorize Bond Issue in the Amount of \$6,500,000 for the Construction and Renovations of Higher Education Facilities at the University of Maine" (H. P. 1061) (L. D. 1341) — In House, Referred to Committee on Appropriations and Financial Affairs, March 24. — In Senate, Referred to Committee on Education in Non-concurrence. (Committee on Reference of Bills Suggested Committee of Appropriations and Financial Affairs)

Tabled — April 4, by Mr. Smith of Dover-Foxcroft.

Pending — Further consideration.

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

Mr. SMITH: Mr. Speaker, I move that we insist.

The SPEAKER: The gentleman from Dover-Foxcroft, Mr. Smith moves the House insist.

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

Mr. LYNCH: Mr. Speaker, Ladies and Gentlemen of the House: I move that we recede and concur. The only purpose I have in asking that we recede and concur is to put us in conformity with the other body and it is simply to look at and listen to the presentation of the board as to policy only.

In the 106th, we visited all the branches of the university system and it gave the Education Committee an entirely different view of the university system and its management, and we found many things and many branches of the university that did concern us. I think it doesn't hurt to regard policy.

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

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: I am a little amazed this morning that that last motion was made. I understood that everything was smoothed away and that the proper motion was the motion to insist, but it has been made, I have to jump up, I guess, and ask you to defeat the motion to recede and concur.

The matter of funding bond issues at the University of Maine has been a long standing item which the Appropriations Committee has been dealing. The Appropriations Committee, I think, is well aware of the needs of the University of Maine. It has been dealing almost exclusively with them in all of the recent sessions of the legislature. I think the university has been more or less pleased with the consideration that the committee has given them.

I don't think that the Education Committee, at this point, should be involved in this bond issue, and the educational policy questions, it seems to me, are of less significance than the gentleman from Livermore Falls may want to indicate to you today. I hope that you do move to defeat the motion to recede and concur and then allow me to make a motion to insist again.

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

Mrs. LEWIS: Mr. Speaker, Ladies and Gentlemen of the House: I too served on the Education Committee during the 106th Legislature and was one of the members who visited the various campuses of the university. I would concur with Mr. Lynch and ask that we recede and concur and have this bill submitted to the Education Committee. I really think that that is where it belongs.

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

Mr. JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: I note on page 12 that a bill was held Friday. I was not here, when I first looked at this bill and felt that it did belong to the Appropriations Committee, but I notice it is an act to amend the general assistance laws, and I think that concerns itself with policy and I

presume that from the area that it was tabled that it probably will be referred to the Committee on Performance and Audit, a motion that I intend to support. In this instance here, the Appropriations Committee has already heard a bond issue concerning the University of Maine. If this bill does not belong to the Appropriations Committee, then we should have no Appropriations Committee.

The SPEAKER: The pending question before the House is the motion of the gentleman from Livermore Falls, Mr. Lynch, that the House recede and concur with the Senate. If you are in favor of receding and concurring, you will vote yes; those opposed will vote no.

A vote of the House was taken.
37 having voted in the affirmative and 85 in the negative, the motion did not prevail.

Thereupon, the House voted to insist.

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

HOUSE DIVIDED REPORT — Majority (8) "Ought Not to Pass" — Minority (5) "Ought to Pass" as Amended by Committee Amendment "A" (H-115) — Committee on Education on Bill "An Act to Prohibit Corporal Punishment of Pupils", (H. P. 275) (L. D. 417).

Tabled — April 4, by Mr. Connolly of Portland.

Pending — Acceptance of Either Report.

On motion of Mrs. Najarian of Portland, retabled pending acceptance of either Report and specially assigned for Wednesday, April 9.

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

Bill "An Act Relating to Dealers in Used Personal Property" (H. P. 502) (L. D. 618)

Tabled — April 4, by Mrs. Clark of Freeport.

Pending — Motion of Mr. Stubbs of Hallowell to Adopt House Amendment "C" (H-124).

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

Mr. CONNORS: Mr. Speaker, Ladies and Gentlemen of the House: I offer House Amendment "B" to House Amendment "C" and wish to speak briefly on my motion.

House Amendment "B" to House Amendment "C" (H-130) was read by the Clerk.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. CONNORS: Mr. Speaker, Ladies and Gentlemen of the House: I will read the statement of fact in this House Amendment. "It is the intent of this amendment to lower the minimum value of exempt used personal property from \$75 to \$25." As you probably know, this come out of the committee unanimous "ought to pass" with the original bill. With the \$75, I feel that this would ruin the intent of this bill. So we have it down to \$25 and possibly you may pick up a few stolen TV's that they might get a little bit more than \$25 for. If we use the \$75, there would be no record of TV's that were purchased, wood stoves, antique glass and stuff like this. So I urge that this amendment be passed, attached to the bill for \$25 and we may get a little bit more regulation out of this.

The SPEAKER: The Chair recognizes the gentleman from Hallowell, Mr. Stubbs.

Mr. STUBBS: Mr. Speaker, Ladies and Gentlemen of the House: I wish to move indefinite postponement of House

Amendment "B" to House Amendment "C".

The \$75 figure is the result of much compromise and much work between all parties concerned here. At the last minute, we received this new amendment for \$25 and I think it should at least not go any leave it at \$75. When you get down too low, what happens is, dealers, and so forth, they sort of list the thing as miscellaneous merchandise or miscellaneous junk and you kind of defeat the whole purpose of trying to keep accurate descriptions of the merchandise in question.

The SPEAKER: The Chair recognizes the gentlewoman from Portland, Mrs. Boudreau.

Mrs. BOUDREAU: Mr. Speaker, Ladies and Gentlemen of the House: I hope that you do not indefinitely postpone House Amendment "B." The present law on the books now has no exemptions. They have to record everything they buy. At least we are giving them an exemption of \$25 and this is not the time to go up to \$75 with all the housebreaks, and there are certain people that are fences for the people that are robbing you, me and everyone else. These are the people we are trying to get to and I think it should at least not go any higher than \$25.

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

Mr. DEVANE: Mr. Speaker, Ladies and Gentlemen of the House: I would ask this House to support Mr. Stubbs. I can tell you that I have sat here since I have been here and wondered on many occasions what is going on. You perhaps are wondering what is going on with this, but I assure you that a lot of people, 10 or 12 have been involved in this back and forth. Mr. Stubbs has done 90 percent of the work and 75 percent of the compromising and for those of us who did the 25 percent of the compromising, I would ask you to support his motion.

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

Mr. SUSI: Mr. Speaker, Ladies and Gentlemen of the House: I would like to support Mr. Connors amendment which would change the figure to \$25. I would rather have the bill in its original condition, but I recognize the problems that this legislation brings onto the authentic antique dealers who are represented, presumably, by Mr. Stubbs.

But apparently, from my experience at any rate, the stuff that is stolen goes down in value when it is handed over to other people. I am thinking of something that happened to me two or three years ago. I have a camp and people came and took all of the copper plumbing off the camp. I chased around and found the fellow who bought it and he bought it for \$16. It cost me \$450 to get it replaced. I have a notion that he knew that he was in a position where we could buy a bargain in it, but he gave me some free advice, he said these fellows that got caught on something else and that they were out pending trial, they will be scratching around to get some money to defend themselves, so you had better post watch down to camp. He was right. That night they took the electric generator at camp and I never did find where that one went, but the police estimated that that generator would bring somewhere around \$25 to \$50 and it was \$1100 to replace that.

What I am getting at is that prices go down a lot when these people, two-thirds, realize that they are dealing in hot merchandise and if you leave it at \$75, I

think you might as well forget the bill. I hope that you cut it back to the \$25 and then I don't know but it would be better off in its original form.

The SPEAKER: The Chair recognizes the gentleman from Anson, Mr. Burns.

Mr. BURNS: Mr. Speaker, Ladies and Gentlemen of the House: I concur with the previous speaker. If we let this go at \$75 value, we are going to open it wide open. Let's face it; when something is sold to a fence, it is sold at 10 to 25 percent of its face value, we are going to open it wide open, up the resale of items that cost us a \$1,000 or more and has been stolen from our camps, homes, etc.

This word value gives me a bad time anyway. Who is going to determine the value and in the intent of both amendments "B" and "C," what do we mean by value? Do we mean the value or price that the antique dealer or the used merchandise man is going to have to pay for it, or is this the value to the individual that lost it, or is it the value which the individual is going to sell it at?

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

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: I spent three years chasing down on some of these antiques that were stolen here in the State of Maine. I will confine it down to Washington County. There was almost \$800,000 worth of antiques stolen from some of the elderly homes throughout Washington County. In the process, after the robbery occurred, they burned the buildings, which removed \$15 million from the taxable value of property in the county of Washington. Therefore, I am strongly in favor of going right along with what Representative Connors has said and put this down to \$25 and let's give the cops a chance to control some of the grand larceny going on in this state.

The SPEAKER: The Chair recognizes the gentleman from Orland, Mr. Churchill.

Mr. CHURCHILL: Mr. Speaker, I request a roll call.

The SPEAKER: For the Chair to order a roll call, it must have the expressed desire of one fifth of the members present and voting. If you are in favor of a roll, you will vote yes; those opposed will vote no.

A vote of the House was taken, 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 Hallowell, Mr. Stubbs, that House Amendment "B" to House Amendment "C" be indefinitely postponed. If you are in favor of indefinite postponement you will vote yes; those opposed will vote no.

ROLL CALL

YEA — Ault, Bennett, Berry, G. W.; Birt, Byers, Carey, Carpenter, Churchill, Curtis, Drigotas, Durgin, Hewes, Hutchings, Jensen, Lewin, Lewis, Lizotte, Mackel, MacLeod, Miskavage, Palmer, Perkins, S.; Perkins, T.; Rollins, Saunders, Shute, Smith, Snowe, Spencer, Sprowl, Stubbs, Theriault, Truman, Twitchell, Usher.

NAY Albert, Bachrach, Berry, P. P.; Berube, Blodgett, Boudreau, Bowie, Burns, Call, Carter, Chonko, Clark, Connors, Connolly, Cooney, Cox, Curran, R.; Dam, Davies, DeVane, Doak, Dow, Farley, Farnham, Faucher, Fenlason, Finemore, Flanagan, Fraser, Gauthier, Goodwin, H.; Goodwin K.; Gray, Greenlaw, Hall, Henderson, Hennessey, Hinds, Hughes, Hunter, Immonen,

Ingegneri, Jackson, Jacques, Jalbert, Jensen, Joyce, Kany, Kauffman, Kelleher, Kelley, LaPointe, Laverty, LeBlanc, Leonard, Lovell, Lunt, Lynch, MacEachern, Mahany, Martin, A.; Martin, R.; McBreairty, Mills, Mitchell, Morin, Morton, Mulkern, Nadeau, Najarian, Peakes, Pelosi, Peterson, P.; Pierce, Post, Powell, Raymond, Rolde, Silverman, Snow, Strout, Susi, Tarr, Teague, Tierney, Torrey, Tozier, Tyndale, Wagner, Walker, Wilfong, Winship, The Speaker.

ABSENT — Bagley, Bustin, Carroll, Cote, Curran, P.; Dudley, Dyer, Garsoe, Gould, Higgins, Hobbins, Littlefield, Maxwell, McKernan, McMahon, Norris, Peterson, T.; Quinn, Rideout, Talbot, Webber.

Yes, 37; No, 92; Absent, 21.

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

Thereupon, House Amendment "B" to House Amendment "C" was adopted.

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

Mrs. CLARK: Mr. Speaker, I present House Amendment "A" to House Amendment "C" under filing number 129 and move its adoption.

Thereupon, House Amendment "A" to House Amendment "C" (H-129) was read by the Clerk and adopted.

The SPEAKER: The Chair recognizes the gentleman from Mexico, Mr. Fraser.

Mr. FRASER: Mr. Speaker, Ladies and Gentlemen of the House: After all these amendments, there is still something in this amendment that I can't go with unless I don't understand it. Down about the 15th line, it says that any dealer who fails to require reasonable proof of identification from the conveyor, as far as that it is okay, or refuses to show the same to any law enforcement officer or prosecuting attorney shall be punished by a fine of not more than \$500. Now, does this mean that these people can go in there without a warrant and ask to look at these books?

The SPEAKER: The gentleman from Mexico, Mr. Fraser, has posed a question through the Chair to any member who cares to answer.

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

Mrs. CLARK: Mr. Speaker, Ladies and Gentlemen of the House: In response to the gentleman's question, it is my understanding that the answer is yes.

This bill is a direct result of the Rural Crime Commission Report, and I would refer you to the sponsor of similar legislation, Representative Faucher, who was a member of that Commission.

The SPEAKER: The Chair recognizes the gentleman from Anson, Mr. Burns.

Mr. BURNS: Mr. Speaker, Ladies and Gentlemen of the House: I now move the indefinite postponement of House Amendment "C".

The SPEAKER: The pending question now before the House is on the motion of Mr. Burns of Anson, that House Amendment "C" as amended by House Amendment "A" and House Amendment "B" be indefinitely postponed. The Chair will order a vote. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

17 having voted in the affirmative and 104 having voted in the negative, the motion did not prevail.

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

Mr. SUSI: Mr. Speaker, I have a question. In the statement of fact on this House Amendment, it says that this amendment changes the burden of proof in regard to the registration from the retail seller to the retail buyer. As I understand this, hundreds or maybe thousands of buyers who are patronizing an establishment would be responsible for complying with rules on registration that we are establishing here by the enactment of this law, if it is enacted, and I consider this, right on the fact of it, is a completely unworkable arrangement. There is just no way that I can picture our law enforcement people could go to all of the customers who patronize these various retail stores about the state and enforce them. And I believe this amendment castrates the bill. I think that we have made a mistake up here in not indefinitely postponing the House Amendment, but if we get another crack at it, I would sure like to see it removed.

I believe it is a serious problem, and I think that in this bill we have a tool that possibly would help our enforcement people to control this very serious stealing that is taking place around the state. With this amendment, I am afraid we are out of business.

The SPEAKER: The Chair recognizes the gentleman from Hallowell, Mr. Stubbs.

Mr. STUBBS: Mr. Speaker, Ladies and Gentlemen of the House: The buyer that he is referring to would only be if that buyer happened to be another dealer. This doesn't mean that everybody who buys something has to come running in if they are not a dealer, that they have to come running in with the registration and so forth. This would only be transactions between dealers.

Thereupon, House Amendment "C" as amended by House Amendment "A" and House Amendment "B" thereto was adopted.

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

Mr. FARLEY: Mr. Speaker, I now move the indefinite postponement of this bill and all its accompanying papers.

The SPEAKER: The gentleman from Biddeford, Mr. Farley, moves that this Bill and all its accompanying papers be indefinitely postponed.

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

Mr. GOODWIN: Mr. Speaker and Members of the House: I think because the sponsor isn't here this bill should be tabled.

Mr. Jalbert of Lewiston moved the matter be tabled for one legislative day.

The SPEAKER: The pending question is on the motion of the gentleman from Lewiston, Mr. Jalbert, that this matter be tabled pending the motion of Mr. Farley of Biddeford to indefinitely postpone and tomorrow assigned. Is this the pleasure of the House?

(Cries of Yes and No)

The Chair hears objection and will order a vote. If you are in favor of tabling for one legislative day you will vote yes; if you are opposed you will vote no.

A vote of the House was taken.

95 having voted in the affirmative and 16 having voted in the negative, the motion did prevail.

The SPEAKER: The Chair recognizes the gentlewoman from Lewiston, Mrs.

Berube, relative to the Bill held, Bill "An Act to Amend the General Assistance Laws," (H. P. 1032) (L. D. 1320) which was referred to the Committee on Appropriations and Financial Affairs in non-concurrence in the Senate. The House voted to recede and concur.

Mrs. BERUBE: Mr. Speaker, I would like to move that this item be referred to the Committee on Performance Audit.

The SPEAKER: The Chair understands that the gentlewoman from Lewiston, Mrs. Berube, moves that the House reconsider its action whereby it voted to recede and concur.

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

Mr. CONNOLLY: Mr. Speaker, Ladies and Gentlemen of the House: This is my bill, and I talked briefly with the gentlewoman from Lewiston, but I still have some questions as to whether or not this is the appropriate committee. So I would like to have someone table this for two days, please, so I can get it worked out.

Thereupon, on motion of Mrs. Najarian of Portland, tabled pending the motion of Mrs. Berube of Lewiston to reconsider and specially assigned for Wednesday, April 9.

On the disagreeing action of the two branches of the Legislature on Bill "An Act Relating to the Liability of Physicians and Surgeons Rendering Emergency Care" (H. P. 336) (L. D. 419) the Speaker appointed the following Conferees on the part of the House:

ROLDE of York
CURRAN of South Portland
HEWES of Cape Elizabeth

Mr. Drigotas of Auburn was granted unanimous consent to address the House.

Mr. DRIGOTAS: Mr. Speaker and Members of the House: There are no two other House members closer to Representative Tierney physically, literally and actually than Representative Wilfong and myself. Up to this past week, we both have enjoyed having him sandwich between us because he was a good seatmate. We depended on him; he helped us a lot to keep the legislative process straight and he was free with his advice on myriad matters. However, as of last week, I am sure that things won't be the same. There will be no free advice, I am sure, and Representative Wilfong and I are wondering if we shouldn't have our respective tailors sew up the pockets that are next to Jim, the reason, Jim Tierney, has passed his bar exams and is now a full fledged counselor. Jim, we are kidding, and congratulations to you.

(Off Record Remarks)

The SPEAKER: The Chair would appoint the following Representatives to represent the members of the Legislature at the funeral of Representative Binnette tomorrow:

PEAKES of Dexter
FARNHAM of Hampden
LAVERTY of Millinocket
BIRT of East Millinocket
COX of Brewer
NORRIS of Brewer
LITTLEFIELD of Hermon
MacEACHERN of Lincoln
DAVIES of Orono
WAGNER of Orono
GOULD of Old Town
STROUT of Corinth
DUDLEY of Enfield
CURRAN of Bangor

HENDERSON of Bangor
INGEGNERI of Bangor
KELLEHER of Bangor
McKERNAN of Bangor
CURTIS of Rockland
FINEMORE of Bridgewater
JENSEN of Portland
MARTIN of Saint Agatha
DOAK of Rangeley
FRASER of Rumford
ALBERT of Limestone
KAUFFMAN of Kittery
DOW of West Gardiner
CAREY of Waterville
TWITCHELL of Norway
CARTER of Winslow
MAHANY of Easton
CURRAN of South Portland
GREENLAW of Stonington
WAGNER of Island Falls
FLANAGAN of Portland
PETERSON of Caribou
CALL of Lewiston
DAM of Skowhegan
FAUCHER of Solon
PALMER of Nobleboro
ROLDE of York

On motion of Mr. Albert of Limestone,
Adjourned until five o'clock tomorrow
afternoon in memory of Representative
Binnette.