

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 28, 1975

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

Prayer by the Rev. Jack Perkins of Gorham.

The members stood at attention during the playing of the National Anthem by the Gloucester High School Band of Gray.

The journal of the previous session was read and approved.

(Off Record Remarks)

Papers from the Senate

From the Senate: The following Communication:

THE SENATE OF MAINE

Augusta

April 25, 1975

The 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 to Restrict Armed Forces Preferences in State Employment to Veterans Who Were Not Career Officers or Career Enlisted Personnel and to Remove a Barrier to Affirmative Action Programs" (H. P. 1491) (L. D. 1739).

The Senate today also voted to Insist and Join in a Committee of Conference on Bill, "An Act Granting a Property Tax Exemption for Property Leased by Community Mental Health Centers" (H. P. 480) (L. D. 599).

Respectfully,

Signed:

HARRY N. STARBRANCH
Secretary of the Senate

The Communication was read and ordered placed on file.

On the disagreeing action of the Legislature on Bill "An Act Relating to Filing Requirements for Perfecting a Security Interest in Mobile Homes under the Uniform Commercial Code," (S. P. 297) (L. D. 1023) the Chair appointed the following Conferees on the part of the House:

Messrs. DAM of Skowhegan
DeVANE of Ellsworth
McMAHON of Kennebunk

Reports of Committees

Ought Not to Pass

Report of the Committee on Transportation reporting "Ought Not to Pass" on Bill "An Act Concerning the Definition of Wrecker under the Motor Vehicle Statutes" (S. P. 372) (L. D. 1199)

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

Leave to Withdraw

Committee on Local and County Government reporting Leave to Withdraw on Bill "An Act to Increase the Borrowing Capacity of the Town of Bradley" (Emergency) (S. P. 354) (L. D. 1154)

Committee on Veterans and Retirement reporting Leave to Withdraw on Resolve, Providing a Minimum Service Retirement Allowance under the State Retirement Law for Edward C. Miller of Portland (S. P. 433) (L. D. 1419)

Came from the Senate with the Reports read and accepted.

In the House, the Reports were read and accepted in concurrence.

Ought to Pass in New Draft

Committee on Local and County Government on Bill "An Act Concerning Listing of Tax Exempt Real Property for Town Reports" (S. P. 223) (L. D. 736) reporting "Ought to Pass" in New Draft (S. P. 496) (L. D. 1843)

Committee on Local and County Government on Bill "An Act Concerning the Power of the Lewiston Parking District to Mortgage Certain Properties and Permitting the Taxation of Real Property of the District which is Not Used for Parking" (S. P. 234) (L. D. 776) reporting "Ought to Pass" in New Draft (S. P. 498) (L. D. 1845)

Committee on Local and County Government on Bill "An Act Prohibiting County Commissioners and Municipal Officers from Appointing Themselves to Certain Offices" (S. P. 228) (L. D. 760) reporting "Ought to Pass" in New Draft under New Title Bill "An Act Prohibiting County Commissioners, Municipal Officers and School Directors from Appointing Themselves to Certain Offices" (S. P. 497) (L. D. 1844)

Committee on Natural Resources on Bill "An Act Concerning the Incorporation of New Towns" (Emergency) (S. P. 177) (L. D. 581) reporting "Ought to Pass" in New Draft under New Title Bill "An Act to Facilitate the Incorporation of New Towns" (S. P. 500) (L. D. 1846)

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

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

Divided Report

Eight Members of the Committee on Legal Affairs on Resolve, Authorizing Edward S. Crockett and Dorothy P. Crockett, or their Legal Representatives, to Bring Civil Action against the State of Maine (S. P. 324) (L. D. 1101) report in Report "A" that the same "Ought to Pass" as amended by Committee Amendment "A" (S-90)

Report was signed by the following members:

Messrs. CORSON of Somerset
CIANCHETTE of Somerset
DANTON of York

— of the Senate.

Messrs. FAUCHER of Solon
HUNTER of Benton
JOYCE of Portland
GOULD of Old Town
DUDLEY of Enfield

— of the House.

Three Members of the same Committee on the same Resolve report in Report "B" that the same "Ought to Pass" as amended by Committee Amendment "B" (S-91)

Report was signed by the following members:

Messrs. COTE of Lewiston
CAREY of Waterville
SHUTE of Stockton Springs

— of the House.

Two Members of the same Committee on the same Resolve report in Report "C" that the same "Ought Not to Pass"

Report was signed by the following members:

Messrs. PERKINS of Blue Hill

BURNS of Anson

— of the House.

Came from the Senate with Report "A" read and accepted and the Resolve passed to be engrossed as amended by Committee Amendment "A" (S-90)

In the House: Reports were read.

Thereupon, Report A was accepted in concurrence and the Resolve read once. Committee Amendment "A" (S-90) was read by the Clerk and adopted and the Resolve assigned for second reading tomorrow.

Non-Concurrent Matter

Joint Order Relative to Committee on State Government Reporting Bill on Accuracy of Scaling of Pulpwood (H. P. 1529) which was read and passed in the House on April 23.

Came from the Senate indefinitely postponed in non-concurrence.

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

Non-Concurrent Matter

Bill "An Act Relating to Hearing for Provisional Motor Vehicle Licensee on Suspension" (H. P. 333) (L. D. 405) which was passed to be engrossed as amended by House Amendment "B" (H-107) in the House on April 1.

Came from the Senate, passed to be engrossed as amended by Senate Amendment "B" (S-86) in non-concurrence.

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

Non-Concurrent Matter

Tabled and Assigned

Bill "An Act to Provide Low Cost Financing through the Maine State Housing Authority for Nursing Homes and Similar Facilities for Persons of Low Income" (H. P. 756) (L. D. 926) which was passed to be engrossed as amended by Committee Amendment "A" (H-183) in the House on April 24.

Came from the Senate, with the Majority "Ought Not to Pass" Report of the Committee on State Government accepted in non-concurrence.

In the House:

Mr. Davies of Orono moved this matter be tabled for one legislative day.

Mr. Cooney of Sabattus requested a vote on the motion.

THE SPEAKER: The pending question is on the motion of the gentleman from Orono, Mr. Davies, that this matter be tabled pending further consideration and tomorrow assigned. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

89 having voted in the affirmative and 8 having voted in the negative, the motion did prevail.

Non-Concurrent Matter

Tabled and Assigned

Bill "An Act to Repeal the Act to Incorporate the Parsonsfield Kezar Falls Village Corporation in the Town of Parsonsfield" (H. P. 1534) (L. D. 1855) which was referred to the Committee on Legal Affairs in the House on April 24.

Came from the Senate referred to the Committee on Local and County Government in non-concurrence.

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

The SPEAKER: The Chair would ask the Sergeant-at-Arms to escort the gentleman from Bridgewater, Mr. Finemore, to the rostrum for the purpose of acting as Speaker pro tem.

Thereupon, the Sergeant-at-Arms escorted Mr. Finemore to the rostrum to serve as Speaker pro tem and Speaker Martin retired from the Hall.

Orders

Mr. Talbot of Portland presented the following Joint Order and moved its passage: (H. P. 1551):

WHEREAS, through the course of each day, many visitors, employees and Legislators pass through this Capitol and its huge complex; and

WHEREAS, the domestic and custodial staff at the State House does an extremely thorough job at keeping this complex free of dust, dirt, its marble shining and its brass brightly polished; and

WHEREAS, carpenters, electricians and countless others go beyond the demands of their regular duties to aid in the comfort and convenience of the Legislature; now, therefore, be it

ORDERED, the Senate concurring, that the Members of the 107th Legislature join in this expression of thanks to each of you within the several bureaus and agencies who service the Legislature, for your outstanding effort and our continued appreciation for the service you have so cheerfully rendered; and be it further

ORDERED, that suitable copies of this Order be prepared and presented to members of this dedicated work force to convey the sentiment expressed herein.

The Order was read.
The SPEAKER pro tem: The Chair recognizes the gentleman from Portland, Mr. Talbot.

Mr. TALBOT: Mr. Speaker, Ladies and Gentlemen of the House: Just briefly. I think this is an expression of thanks to the custodians and domestics, our carpenters and electricians and countless others who through the course of the day I think do an amazing job of keeping the place clean, polished and up to date, and I think that we should at least give them that kind of thanks.

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

House Reports of Committees Ought Not to Pass

Mrs. Clark from the Committee on Business Legislation on Bill "An Act Requiring Used Car Dealers to Give a 60-Day Warranty for all Cars Less Than 7 Years Old on the Engine, Transmission, Front End and Rear Axle" (H. P. 968) (L. D. 1219) reporting "Ought Not to Pass"

Mr. Joyce from the Committee on Legal Affairs on Bill "An Act to Allow and Encourage All Maine Citizens to Attend Public Meetings" (H. P. 1234) (L. D. 1540) reporting same.

Mr. Farnham from the Committee on State Government on Bill "An Act to Establish the Monarch Butterfly as the State Insect" (H. P. 698) (L. D. 874) reporting "Ought Not to Pass"

Mr. Farnham from the Committee on State Government on Bill "An Act to Require that Magnetic Tape Recordings be Made of all Public Deliberations of Appointive Boards and Commissions" (H. P. 736) (L. D. 910) reporting same.

Mrs. Kany from the Committee on State Government on Resolution, Proposing an Amendment to the Constitution to Provide for County Constitutional Charters (H. P. 870) (L. D. 1076) reporting same.

Mr. Lewin from the Committee on State Government on Bill "An Act to Permit Municipalities to Authorize the Department of Finance and Administration to Make Certain Purchases on their Behalf" (H. P. 1000) (L. D. 1280) reporting same.

Mr. Carpenter from the Committee on State Government on Bill "An Act Relating to State Employees' Accrued Leave" (H. P. 1053) (L. D. 1325) reporting same.

Mr. Greenlaw from the Committee on Marine Resources on Bill "An Act to Allow Commercial Shellfish License Holders Petition the Commissioner to Test Areas Closed Because of Pollution" (H. P. 1142) (L. D. 1436) reporting same.

Mr. Jackson from the Committee on Marine Resources on Bill "An Act to Change the Beginning of the Scallop Season to Casco Bay" (H. P. 1264) (L. D. 1576) reporting same.

Mr. Mills from the Committee on Fisheries and Wildlife on Bill "An Act to Authorize Free Hunting and Fishing Licenses for All Maine Residents of 65 Years of Age or Older and for Certain Totally Disabled Maine Veterans" (H. P. 890) (L. D. 1065) reporting same.

Mr. Peterson from the Committee on Fisheries and Wildlife on Bill "An Act to Provide Combination Fishing and Hunting Licenses to Maine Servicemen at a Reduced Fee" (H. P. 1087) (L. D. 1367) reporting same.

Mr. Martin from the Committee on Fisheries and Wildlife on Bill "An Act Prohibiting the Taking of Wild Animals by Use of Mechanical Devices Mounted on Motor Vehicles" (H. P. 1116) (L. D. 1398) reporting same.

Mr. MacEACHERN from the Committee on Fisheries and Wildlife on Bill "An Act to Prohibit the Sale of Salmon by Anyone Not a Commercial Producer" (H. P. 1144) (L. D. 1438) reporting same.

Mr. Lunt from the Committee on Transportation on Bill "An Act to Require Lane Markings on Highways and Roads to be Yellow" (H. P. 1134) (L. D. 1429) reporting same.

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

Mr. Farnham of Hampden was granted unanimous consent to address the House.

Mr. FARNHAM: Mr. Speaker, Ladies and Gentlemen of the House: My purpose in arising previously was to speak briefly on the 17-A on the Monarch Butterfly. It was not to contest the decision of the committee but to explain to you that we had two very capable student groups from the fourth grade, one from North Anson and one from Kennebunk, who presented bills asking us to have a state insect. The group from North Anson had the Monarch Butterfly.

The SPEAKER pro tem: The Chair would caution the gentleman not to speak about the bill. If he wishes to speak about the butterfly, that is all right, but not about the bill.

Leave to Withdraw

Mr. LeBlanc from the Committee on Appropriations and Financial Affairs on Bill "An Act to Establish a Loan Fund for Volunteer Ambulance Corps and Volunteer Rescue Squads" (H. P. 1451) (L. D. 1749) reporting Leave to Withdraw.

Mr. Garsoe from the Committee on Appropriations and Financial Affairs on Bill "An Act to Establish a State Veterans Home" (H. P. 1457) (L. D. 1735) reporting same.

Mrs. Clark from the Committee on Business Legislation on Bill "An Act Relating to Protection of Consumers in the Purchase of Hearing Aids" (H. P. 1136) (L. D. 1431) reporting same.

Mrs. Clark from the Committee on Business Legislation on Bill "An Act Amending the Consumer Credit Code as it Relates to the Timely Mailing of Billing Statements" (H. P. 1352) (L. D. 1655) reporting same.

Mr. Mills from the Committee on Fisheries and Wildlife on Bill "An Act to Require Nonresident Hunters to Use the Services of a Maine Guide" (H. P. 849) (L. D. 1036) reporting same.

Mr. Gauthier from the Committee on Judiciary on Bill "An Act Relating to Irreconcilable Marital Differences as a Ground for Divorce" (H. P. 1098) (L. D. 1380) reporting same.

Mr. MacEACHERN from the Committee on Veterans and Retirement on Resolve, Providing a Minimum Service Retirement Allowance under the State Retirement Law for Horace Strout of Hollis Center" (H. P. 1080) (L. D. 1360) reporting same.

Mr. Maxwell from the Committee on Taxation on Bill "An Act Relating to Municipal Excise Taxes on Boats and Motors" (H. P. 862) (L. D. 1071) reporting same.

Mr. Finemore from the Committee on Taxation on Bill "An Act to Exempt Electrical Power Used to Operate Certain Pollution Control Facilities from the Sales Tax" (H. P. 1047) (L. D. 1335) reporting same.

Reports were read and accepted and sent up for concurrence.

Referred to the Committee on Performance Audit

Mr. Goodwin from the Committee on Health and Institutional Services on Bill "An Act to Establish an Alternative Method of Support Enforcement" (H. P. 1468) (L. D. 1793) reporting that it be referred to the Committee on Performance Audit.

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

Ought to Pass in New Draft New Drafts Printed

Mrs. Clark from the Committee on Business Legislation on Bill "An Act to Clarify and Make Uniform the Definition of Mobile Home" (H. P. 491) (L. D. 610) reported same in New Draft (H. P. 1544) (L. D. 1861) under same title and that it "Ought to Pass"

Mr. Dam from the Committee on Local and County Government on Bill "An Act to Permit the Commissioners of Aroostook County to be Paid Traveling Expenses in Addition to their Salaries" (H. P. 667) (L. D. 841) reported same in New Draft (H. P. 1546) (L. D. 1863) under same title and that it "Ought to Pass"

Mr. Cote from the Committee on Legal Affairs on Bill "An Act to Protect Landowners Whose Land Abuts Land on Which Ten or More Acres of Timber is to be Cut" (H. P. 715) (L. D. 891) reporting "Ought to Pass" in New Draft under New Title Bill "An Act to Protect Landowners Whose Land Abuts Land on Which Ten or More Acres of Timber is to be Harvested" (H. P. 1545) (L. D. 1862)

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

Divided Report

Majority Report of the Committee on Fisheries and Wildlife reporting "Ought Not to Pass" on Bill "An Act to Permit the Disposal of Moose Killed in Motor Vehicle Accidents" (H. P. 977) (L. D. 1224)

Report was signed by the following members:

- Mr. McNALLY of Hancock — of the Senate.
- Messrs. CHURCHILL of Orland
KAUFFMAN of Kittery
DOW of West Gardiner
USHER of Westbrook
MILLS of Eastport
PETERSON of Caribou
WALKER of Island Falls
MARTIN of St. Agatha — of the House.

Minority Report of the Same Committee reporting "Ought to Pass" as amended by Committee Amendment "A" (H-206) on same Bill.

Report was signed by the following members:

- Mr. PRAY of Penobscot — of the Senate.
- Messrs. TOZIER of Unity
MacEACHERN of Lincoln — of the House.

Reports were read.

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 move we accept the Minority "Ought to Pass" Report and I would speak briefly to my motion.

This is a bill that I introduced at the request of several people home who have been involved with accidents with moose. I don't think over the time that I have been here that I have voted for legalizing an open season on moose. Up in the area where I come from there have been several people who have been involved in accidents with moose. Invariably, if you run into one of these large animals, you are going to run into an extensive amount of damage to the vehicle.

Under the statutes there is no provision for allowing repayment for damage to a vehicle. I had a bill in similar to that a couple of years ago and it didn't meet with too much success. There were some other extenuating circumstances which I will agree to at that time.

What used to happen when a person ran into a moose, the meat was taken and turned over to one of the institutions. In late years, due to inspection requirements from the federal level, it is not permissible now to take meat that is killed in this way that hasn't been properly inspected and to be fed to people who are confined in an institution, either one of the types, whether it is one of the mental institutions or one of the custodial institutions, but invariably what happens is the meat is picked up, any that isn't damaged or spoiled if it hasn't been dead too long and usually disappears, I guess probably we all know where it goes to. I think probably some of the people that are involved in checking it usually get some of the meat, and they will also pass it out to some of their friends. But the fellow who has had the automobile accident and probably has several hundred dollars damage to his car can't even get a piece of moose meat out of it.

There is an amendment to it to make sure that this would put the word 'accidental' in. I think it makes sense and is only fair that at least these people should have some right to some of the spoils that might occur from the damage to their

vehicle. I hope you will accept the Minority "Ought to Pass" Report.

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

Mr. MILLS: Mr. Speaker and Members of the House: As the House Chairman on the Committee on Fisheries and Wildlife, I will ask for a division on this and would speak briefly to the motion.

We found, after a considerable debate in the committee on the evidence submitted before the committee, that this situation is adequately covered now by the Fish and Game Department through their wardens and in the setup they have been following for years. This is an isolated incident in just one small part of the state. I move that we vote against the minority report.

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

A vote of the House was taken.

35 having voted in the affirmative and 56 having voted in the negative, the motion did not prevail.

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

Divided Report

Majority Report of the Committee on Legal Affairs reporting "Ought to Pass" on Resolve, to Reimburse Lawrence H. Roberts of South Portland for Damage to his Automobile Caused by State Ward (H. P. 973) (L. D. 1222)

Report was signed by the following members:

- Messrs. CORSON of Somerset
DANTON of York
CIANCHETTE of Somerset — of the Senate.

- Messrs. COTE of Lewiston
FAUCHER of Solon
SHUTE of Stockton Springs
HUNTER of Benton
JOYCE of Portland
GOULD of Old Town
CAREY of Waterville
PERKINS of Blue Hill
DUDLEY of Enfield — of the House.

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

Report was signed by the following member:

- Mr. BURNS of Anson — of the House.

Reports were read.

Thereupon, the Majority "Ought to pass" Report was accepted, the Resolve read once and assigned for second reading tomorrow.

Divided Report

Majority Report of the Committee on Business Legislation on Bill "An Act to Require Further Notice of Free Choice of Insurance" (H. P. 372) (L. D. 466) reporting "Ought to Pass" in New Draft (H. P. 1547) (L. D. 1864)

Report was signed by the following members:

- Mr. JOHNSTON of Aroostook — of the Senate.
- Mrs. CLARK of Freeport
- Mrs. BYERS of Newcastle
- Mrs. BOUDREAU of Portland
- Messrs. TIERNEY of Durham
PEAKES of Dexter

HIGGINS of Scarborough

— of the House.

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

Report was signed by the following members:

- Messrs. THOMAS of Kennebec
REEVES of Kennebec — of the Senate.
- Messrs. RIDEOUT of Mapleton
BOWIE of Gardiner
PIERCE of Waterville
DeVANE of Ellsworth — of the House.

Reports were read.

On motion of Mrs. Clark of Freeport, the Majority "Ought to pass" Report was accepted, the New Draft read once and assigned for second reading tomorrow.

Divided Report

Majority Report of the Committee on Business Legislation on Bill "An Act Establishing Educational Requirements for Licensing of Real Estate Brokers" (H. P. 627) (L. D. 778) reporting "Ought to Pass" in New Draft (H. P. 1548) (L. D. 1865)

Report was signed by the following members:

- Messrs. JOHNSTON of Aroostook
REEVES of Kennebec — of the Senate.

- Mrs. CLARK of Freeport
- Mrs. BOUDREAU of Portland
- Mrs. BYERS of Newcastle
- Messrs. DeVANE of Ellsworth
PEAKES of Dexter
RIDEOUT of Mapleton
PIERCE of Waterville
BOWIE of Gardiner
HIGGINS of Scarborough — of the House.

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

Report was signed by the following member:

- Mr. TIERNEY of Durham — of the House.

Reports were read.

On motion of Mrs. Clark of Freeport, the Majority "Ought to pass" Report was accepted, the New Draft read once and assigned for second reading tomorrow.

Divided Report

Majority Report of the Committee on Fisheries and Wildlife on Bill "An Act Concerning the Possession of Firearms During the Open Season on Deer" (H. P. 952) (L. D. 1191) reporting "Ought to Pass" in New Draft (H. P. 1549) (L. D. 1866)

Report was signed by the following members:

- Mr. PRAY of Penobscot — of the Senate.
- Messrs. TOZIER of Unity
MILLS of Eastport
USHER of Westbrook
KAUFFMAN of Kittery
DOW of West Gardiner
WALKER of Island Falls
MARTIN of St. Agatha — of the House.

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

Report was signed by the following members:

- Mr. McNALLY of Hancock — of the Senate.

Messrs. CHURCHILL of Orland
PETERSON of Caribou
MacEACHERN of Lincoln
— of the House.

Reports were read.

On motion of Mr. Mills of Eastport, the Majority "Ought to pass" Report was accepted, the New Draft read once and assigned for second reading tomorrow.

Divided Report

Majority Report of the Committee on Taxation on Bill "An Act Relating to Sales Tax Interest and Penalties" (H. P. 121) (L. D. 162) reporting "Ought to Pass" in New Draft (H. P. 1550) (L. D. 1867)

Report was signed by the following members:
Messrs. MERRILL of Cumberland
WYMAN of Washington
— of the Senate.

Messrs. MULKERN of Portland
DRIGOTAS of Auburn
MAXWELL of Jay
TWITCHELL of Norway
MORTON of Farmington
SUSI of Pittsfield
FINEMORE of Bridgewater
COX of Brewer
IMMONEN of West Paris
— of the House.

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

Report was signed by the following members:

Mr. JACKSON of Cumberland
— of the Senate.

Mr. DAM of Skowhegan
— of the House.

Reports were read.

On motion of Mr. Drigotas of Auburn, the Majority "Ought to pass" Report was accepted, the New Draft read once and assigned for second reading tomorrow.

Divided Report

Ten Members of the Committee on Business Legislation on Bill "An Act Relating to the Definition of a Real Estate Broker" (H. P. 685) (L. D. 869) report in Report A that the same "Ought to Pass"

Report was signed by the following members:

Messrs. THOMAS of Kennebec
JOHNSTON of Aroostook
— of the Senate.

Mrs. CLARK of Freeport
Mrs. BOUDREAU of Portland
Mrs. BYERS of Newcastle
Messrs. DeVANE of Ellsworth
BOWIE of Gardiner
HIGGINS of Scarborough
PEAKES of Dexter
TIERNEY of Durham
— of the House.

Two Members of the same Committee on the same Bill report in Report B that the same "Ought to Pass" as amended by Committee Amendment "A"—199

Report was signed by the following members:

Messrs. RIDEOUT of Mapleton
PIERCE of Waterville
— of the House.

One Member of the same Committee on the same Bill reports in Report C that the same "Ought Not to Pass"

Report was signed by the following member:

Mr. REEVES of Kennebec
— of the Senate.

Reports were read.

On motion of Mrs. Clark of Freeport, the

Majority "Ought to pass" Report was accepted, the Bill read once and assigned for second reading tomorrow.

Divided Report

Majority Report of the Committee on Legal Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (H-200) on Resolve, to Reimburse W. E. Emery of North Anson for Loss of Livestock by Coyotes and Bear (H. P. 1090) (L. D. 1369)

Report was signed by the following members:

Messrs. CORSON of Somerset
CIANCHETTE of Somerset
DANTON of York
— of the Senate.

Messrs. COTE of Lewiston
FAUCHER of Solon
SHUTE of Stockton Springs
HUNTER of Benton
CAREY of Waterville
PERKINS of Blue Hill
DUDLEY of Enfield
GOULD of Old Town
— of the House.

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

Report was signed by the following members:

Messrs. JOYCE of Portland
BURNS of Anson
— of the House.

Reports were read.

Thereupon, the Majority "Ought to pass" Report was accepted and the Resolve read once. Committee Amendment "A" (H-200) was read by the Clerk and adopted and the Resolve 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 to Amend the Maine Consumer Credit Code as it Relates to the Refinancing of Single Payment Loans Granted by Supervised Financial Organizations" (Emergency) — Committee on Business Legislation reporting "Ought to Pass" (H. P. 1063) (L. D. 1343)

Bill "An Act Relating to Application of Payments under the Maine Consumer Credit Code" — Committee on Business Legislation reporting "Ought to Pass" (H. P. 1065) (L. D. 1345)

Bill "An Act Relating to Default under the Maine Consumer Credit Code" — Committee on Business Legislation reporting "Ought to Pass" (H. P. 1202) (L. D. 1497)

Bill "An Act to Redefine the Term Finance Charge under the Consumer Credit Code so as not to Include a Discount for Cash Payment" (Emergency) — Committee on Business Legislation reporting "Ought to Pass" (H. P. 1319) (L. D. 1638)

Bill "An Act Relating to the Training of Coon Hounds" — Committee on Fisheries and Wildlife reporting "Ought to Pass" (H. P. 888) (L. D. 1063)

Bill "An Act to Increase the Penalties for Night Hunting" — Committee on Fisheries and Wildlife reporting "Ought to Pass" (H. P. 998) (L. D. 1261)

Bill "An Act to Validate the Election of Municipal Officials in the City of Hallowell in 1971 and 1973" — Committee on Legal Affairs reporting "Ought to Pass" (H. P. 1310) (L. D. 1592)

Bill "An Act to Authorize the Executive Council to Approve or Disapprove Certain Claims Against the State" — Committee on State Government reporting "Ought to Pass" (H. P. 366) (L. D. 460)

No objection being noted, the above items were ordered to appear on the Consent Calendar of April 29, under listing of Second Day.

Bill "An Act to Designate the Honeybee as the Official Insect for the State of Maine" — Committee on State Government reporting "Ought to Pass" (H. P. 721) (L. D. 897)

On the request of Mrs. Lewis of Auburn, was removed from the Consent Calendar.

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

Bill "An Act to Improve Procedures under the State Employes Labor Relations Act" — Committee on Labor reporting "Ought to Pass" as amended by Committee Amendment "A" (H-201) (H. P. 916) (L. D. 1130)

Bill "An Act to Prevent Unfair Discrimination Against Blind Prsons Seeking Insurance Coverage" — Committee on Business Legislation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-203) (H. P. 846) (L. D. 1033)

Resolve, to Reimburse Thomas F. Oechsle of East Holden for Damage to Beehives by Bear — Committee on Legal Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (H-204) (H. P. 883) (L. D. 1055)

Bill "An Act to Create Hospital Administrative District No. 5 in Piscataquis and Penobscot Counties" — Committee on Legal Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (H-205) (H. P. 1099) (L. D. 1382)

Bill "An Act Relating to the Appointment of Clerks of the Judicial Courts" — Committee on Performance Audit reporting "Ought to Pass" as amended by Committee Amendment "A" (H-202) (H. P. 533) (L. D. 671)

Resolve, Permitting Norman W. Frost, Jr. of Fryeburg to Practice as a Public Accountant — Committee on Legal Affairs reporting "Ought to Pass" (S. P. 456) (L. D. 1504)

Bill "An Act Relating to Cruelty to Animals" — Committee on Agriculture reporting "Ought to Pass" as amended by Committee Amendment "A" (S-87) (S. P. 261) (L. D. 858)

No objections being noted, the above items were ordered to appear on the Consent Calendar of April 29, under listing of the Second Day.

Consent Calendar

Second Day

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

Bill "An Act Establishing an Annual Sentencing Institute for the Maine Criminal Courts" (S. P. 320) (L. D. 1097)

Bill "An Act to Expand the Right to Know Law to Cover the Boards of Trustees of the University of Maine and of the Maine Maritime Academy" (H. P. 1018) (L. D. 1316)

Bill "An Act Concerning the Powers of Officers of Religious Societies" (H. P. 1164) (L. D. 1463)

Bill "An Act Relating to Railroad Crossings" (H. P. 1013) (L. D. 1271)

Bill "An Act Increasing Indebtedness of Jackman Sewer District" (H. P. 1029) (L. D. 1318)

Bill "An Act to Tax the Personal Property of Domestic Life Insurance Companies" (H. P. 695) (L. D. 872)

Bill "An Act Relating to Motor Vehicle Inspection Mechanic Licenses" (H. P. 951) (L. D. 1189)

Resolve, Reimbursing Mars Hill Utility District for Bonds Issued for Sewer Constructions" (C. "A" H-196) (H. P. 14) (L. D. 22)

Bill "An Act Relating to Sources of Supply and Authority of Yarmouth Water District" (C. "A" H-195) (H. P. 1076) (L. D. 1356)

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

Passed to Be Engrossed

Bill "An Act Relating to Reciprocal and Apportioned Registration of Vehicles" (H. P. 1542) (L. D. 1853)

Bill "An Act to Repeal Certain Tax Exemptions" (H. P. 650) (L. D. 802)

Bill "An Act to Exempt Incorporated Nonprofit Volunteer Literacy Programs from the Sales Tax" (H. P. 790) (L. D. 963)

Resolve, to Reimburse A. L. Stewart and Sons of Cherryfield for Loss of Beehives by Bear (H. P. 335) (L. D. 418)

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

Later Today Assigned

Bill "An Act to Revise Certain Provisions of the Act Creating Hospital Administrative District No. 4 in Piscataquis, Somerset and Penobscot Counties" (H. P. 933) (L. D. 1213)

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

(On motion of Mr. Smith of Dover-Foxcroft, tabled pending passage to be engrossed and later today assigned.)

Passed to Be Enacted Emergency Measure

An Act Relating to State Subsidy for Units with Federally Impacted Students (H. P. 107) (L. D. 104)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 111 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, Authorizing Conveyance of State Land and Easements to City of Calais for Drainage and Road Construction Regarding the High School Project (H. P. 917) (L. D. 1131)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an Emergency Measure and a two-thirds vote of the House being necessary, a total was taken. 113 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act to Require the Bureau of Purchases to Publish a Manual on State Purchasing (S. P. 323) (L. D. 1100)

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

Second Reader Tabled and Assigned

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

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

(On motion of Mr. Connors of Franklin, tabled pending passage to be engrossed and tomorrow assigned.)

An Act to Allow the Board of Environmental Protection to Grant Variances to Statutory Time Schedules (H. P. 566) (L. D. 702)

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

The SPEAKER pro tem: The Chair recognizes the gentleman from Bangor, Mr. Henderson.

Mr. HENDERSON: Mr. Speaker, I wonder if someone could explain the implications of L. D. 702. It is longer than your average document and it seems to indicate some exceptions for pollution control, and I wonder if someone could give me an explanation.

The SPEAKER pro tem: The gentleman from Bangor, Mr. Henderson, poses a question through the Chair to anyone who may care to answer.

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

Mr. PETERSON: Mr. Speaker, Men and Women of the House: L. D. 702 An Act to Allow the Board of Environmental Protection to Grant Variances to Statutory Time Schedules, is an L. D. which will allow the Board of Environmental Protection to grant to municipalities, who have not received federal funding as of yet, to build waste water treatment plants not to be taken to court, not to be in violation of waste water treatment standards because federal monies haven't been forthcoming. So the Board of Environmental Protection, the Department of Environmental Protection, is requesting that they be allowed the prerogative to give these municipalities variances until federal monies are forthcoming. If we don't pass this L. D., we are going to put a lot of municipalities in hot water who haven't received the monies to build these plants, and it is not their own fault — no pun intended on the water. So I think it is important that we enact this bill. It also allows variances for private companies or businesses, who are going to tie into municipal waste water treatment systems, so that they will be in compliance with the law. So it is really an assist to a lot of communities who have been required by federal and state law to meet certain requirements but we're letting them off the hook because the federal government hasn't come up with the money to build these plants.

I would hope that we could pass this this morning and take a burden off a lot of municipality's minds.

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

An Act Relating to Service Retirement for the Chief and Deputy Chief of State Police and Payment of Benefits to State Police Retirees (H. P. 572) (L. D. 707)

An Act Relating to Fees of Bail Commissioners (H. P. 614) (L. D. 757)

An Act to Establish a Cooperative Education Support Program (H. P. 640) (L. D. 795)

An Act Increasing the Maximum State Payment for Grade Sheep Killed by Dogs or Wild Animals (H. P. 786) (L. D. 957)

An Act Relating to the Payments of Retirement Pay of State Police Officers (H. P. 962) (L. D. 1208)

An Act Concerning School Entrance Age Requirements (H. P. 993) (L. D. 1257)

An Act Relating to the State Police Retirement System (H. P. 1513) (L. D. 1830)

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.

At this point, Speaker Martin returned to the rostrum.

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

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

Orders of the Day

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

Bill, "An Act to Extend Date for Closing of Open Burning Dumps" (Emergency) (H. P. 1464) (L. D. 1502)

— In House, Passed to be Engrossed April 9.

— In Senate, Passed to be Engrossed as amended by Senate Amendment "B" (S-83) in non-concurrence.

Tabled — April 24, by Mr. Jacques of Lewiston.

Pending — Motion of Mr. Palmer of Nobleboro to recede and concur.

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

Mr. STROUT: Mr. Speaker and Members of the House: Just a point of inquiry, I guess. As the bill stands now with Senate Amendment "B", I didn't have a chance this morning, I didn't have it before me, are the towns with 1,000 population, are they the only ones that are exempted or has this been changed?

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 Windham, Mr. Peterson.

Mr. PETERSON: Mr. Speaker, Ladies and Gentlemen of the House: The Senate Amendment "B" does not mention the 1,000 population figure but that is still part of the bill and those communities will be exempted. Those communities that do request variances and are granted variances, even though they may have populations larger than 1,000, if they have been given a variance or receive a variance, then they will be removed from this overall plan until such time as the department proves that they are creating hazards to health.

A lot of people feel that this piece of legislation may be weakening our environmental laws by placing the burden of proof on the Department of Environmental Protection as opposed to

having the burden of proof on municipalities, but it was felt by the whole committee that the burden of proof should be switched in this instance because the department has the expertise, they have the technical people and they can prove whether or not this is polluting. I would hope that we would recede and concur this morning.

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

Mr. FARLEY: Mr. Speaker, Ladies and Gentlemen of the House: As you are all well aware, I have been playing around with this bill a little bit and looking at it. I guess as a matter of principle I am a little upset for those communities who have complied with the law and have spent money in the last eight or nine years going along with all this environmental legislation. I get a little upset that now, at this late hour we are asking for exemptions.

These communities had just as much time as we had to comply with the law. It has cost us \$3.5 million for a sewage treatment plant, a couple of hundred thousand dollars for property for our landfill operation, and \$150,000 a year for the upkeep of that. Now, if my community can do that, I am sure that all of the other communities could have done the same thing. I am not going to voice any stronger objection to this than I all ready have, but I am a little upset and I would hope that they would get on the ball and comply with the law.

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

Mr. PETERSON: Mr. Speaker, Ladies and Gentlemen of the House: I speak as House Chairman of the Natural Resources Committee. My community is one of those communities that has complied with the law and has provided for not sanitary land fill but incineration. It has made the big expenditures. There are a number of other communities that have, but there are many more communities who haven't been able to meet the deadline. The testimony that we were presented with would be that this would work a grievous hardship on a number of communities.

This bill does not remove the goal of open burning dumps; it does keep that goal in mind but it does allow smaller communities and municipalities more time to find an alternative way of disposing of their solid waste in the future.

One other fact that I would like to mention. If the state were to implement this on its own, it would be a program of approximately \$55 million for the state to fund, but yet we pass the burden onto all the communities of the state and we say, come up with \$500 million on your own as it affects your small communities. I am sure if I was before you today asking this legislature to approve a state expenditure of \$50 odd million to do away with open burning dumps, that the money would not be forthcoming. I think it is an unfair burden on the property tax owners in a number of communities around the state, be they large or small to have this great burden placed on them when we don't know the correct alternatives yet. Sanitary land-fill may not be the correct alternative for all municipalities in the state. This will allow towns more time to develop good alternatives.

The SPEAKER: The Chair recognizes the gentlewoman from Madison, Mrs. Berry.

Mrs. BERRY: Mr. Speaker, Ladies and Gentlemen of the House: I am the sponsor of this bill and I believe that the department has misled the legislature or former legislature into believing that there is a federal law demanding that states close down their open burning dumps and this is not so. The only thing at the federal level is a law for the amount of air pollution and it hasn't been found that in Maine only in two or three places that any municipality has violated this law. The only law that is on the books are what the department has registered with the federal government and we have been misled all the way down the line into believing that we are violating the federal law and we are not.

The SPEAKER: The Chair recognizes the gentleman from Rangeley, Mr. Doak.

Mr. DOAK: Mr. Speaker, Ladies and Gentlemen of the House: I am a member of the Natural Resources Committee and as a member, I feel that I should support this bill. I am from a community that has complied with it. We do have land and we are working toward the operation of a solid waste disposal landfill program. However, throughout the state, I suspect, that many of you will recognize the problems that our small towns are having and some cities because land is a very scarce commodity, it is not readily available for a landfill program. Communities and cities have not been able to purchase land or lease land and, in fact, in some areas they are built on ledge and landfill just isn't going to be able to be managed there. Therefore, in these hardship cases, which are truly hardship cases, these municipalities, many of them have been trying and have not been successful because, as I say, there are a lot of people that own land in these communities but certainly don't want it filled with rubbish. Therefore, it is very difficult to come by the land except by right of eminent domain which people aren't too happy with. I would hope that you would vote for the passage of this bill this morning because I am sure that there are a lot of communities that need this time, not just because they have been wasting time sitting still, but they truly have tried and haven't been successful yet and they do need our vote this morning.

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

A vote of the House was taken.

111 having voted in the affirmative and 1 having voted in the negative, the motion did prevail.

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

HOUSE REPORT — "Ought to Pass" in New Draft (H. P. 1174) and (L. D. 1172) under same title — Committee on Taxation On Bill "An Act to Increase the Veteran's Property Tax Exemption" (H. P. 52) (L. D. 64)

Tabled — April 25, by Mrs. Najarian of Portland.

Pending — Motion of Mr. Mulkern of Portland that the Bill and all accompanying papers be Indefinitely Postponed.

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

Mr. MULKERN: Mr. Speaker, Ladies and Gentlemen of the House: I noticed an amendment to this bill on my desk today which is about to be presented and it will

clear up my problems with this bill. I will respectfully withdraw the motion to indefinitely postpone.

The SPEAKER: The gentleman from Portland, Mr. Mulkern, withdraws his motion to indefinitely postpone.

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

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

Bill, "An Act to Permit Pharmacies to Advertise Drug Prices and to Provide Retail Price Posting Information to Pharmacies" (H. P. 1538) (L. D. 1849)

Tabled — April 25, by Mrs. Morin of Old Orchard Beach.

Pending — Passage to be Engrossed.

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

Mr. MCKERNAN: Mr. Speaker, Ladies and Gentlemen of the House: I am not going to object to the bill. I just wonder whether if anyone bothered to correct the spelling mistakes in it or whether they are going to do that some other time?

The SPEAKER: The mistakes were in the printing and not in the L. D. so as a result the record would show that the printing, when the final bill is enacted, will contain correct spelling.

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

Mrs. MORIN: Mr. Speaker, Ladies and Gentlemen of the House: I am going to try to get the Senate to put an amendment on it so maybe perhaps they could correct it at the same time?

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

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

An Act Providing for a State Developmental Disabilities Planning and Advisory Council (H. P. 871) (L. D. 1077)

Tabled — April 25, by Mrs. Post of Owls Head.

Pending — Passage to be Enacted.

On motion of Mrs. Post of Owls Head, under suspension of the rules, the House reconsidered its action whereby the Bill was passed to be engrossed.

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

Mrs. POST: Mr. Speaker, Ladies and Gentlemen of the House: I have a House Amendment to this, the purpose of which is to insure all the different regions of the state are represented on the Developmental Mental Disabilities Council and it is on your desk under House Paper 210.

Mrs. Post of Owls Head offered House Amendment "A" and moved for its adoption.

House Amendment "A" (H-210) was read by the Clerk and adopted.

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

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

An Act Relating to Specially Designed Registration Plates for the Maine National Guard. (H. P. 733) (L. D. 909)

Tabled — April 25, by Mr. Wilfong of Stow.

Pending — Passage to be Enacted.

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

Mr. CONNOLLY: Mr. Speaker, Ladies and Gentlemen of the House: I understand that the gentleman from Stow, Mr. Wilfong, has some questions that he would like to ask regarding this bill and he isn't in his seat at the moment, so I wonder if it is possible to table this until later today.

On motion of Mr. Rolde of York tabled pending passage to be enacted and later today assigned.

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

Bill, "An Act to Amend the Employment Security Law as to Separation Reports" (S. P. 241) (L. D. 793)

Tabled — April 25, by Mr. Tierney of Durham.

Pending — Passage to be Engrossed.

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

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

Bill "An Act to Revise Certain Provisions of the Act Creating Hospital Administrative District No. 4 in Piscataquis, Somerset and Penobscot Counties" (H. P. 933) (L. D. 1213)

Tabled — By Mr. Smith of Dover-Foxcroft.

Pending — Passage to be Engrossed.

Mr. Smith of Dover-Foxcroft offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-208) was read by the Clerk and adopted.

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

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

An Act Relating to Specially Designed Registration Plates for the Maine National Guard (H. P. 733) (L. D. 909)

Tabled — by Mr. Rolde of York

Pending — Passage to be enacted.

The SPEAKER: The Chair recognizes the gentleman; from Stow, Mr. Wilfong.

Mr. WILFONG: Mr. Speaker, Ladies and Gentlemen of the House: My reason for tabling this bill was to look into it a little further and to give members of the House a little bit of time to think about whether we want to open a door for many special license plates in the state. We have some other bills that have been submitted to the Committee on Transportation regarding special license plates and that is my objection, whether the state wants to start opening the door for Elks, Moose, whatever and that is all I have to say. I request a division when the vote is taken.

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

Mr. STROUT: Mr. Speaker, Ladies and Gentlemen of the House: L. D. 909 is my bill, and to answer the gentleman from Stow, Mr. Wilfong, concerning opening the door, I don't think we are really opening the door for a moose bill or an elk bill — I think this bill has merit.

In the beginning, the Maine National Guard called me and asked me if I would sponsor a bill giving them a special designed registration plate. What they wanted in the original conversation, was a free plate, which I would not sponsor. In working this piece of legislation with Motor Vehicle, we came up with a special plate which, so the members of this body can see (held up illustration). It says Maine National Guard and it will have a

number, it will have a picture of a Minuteman and a picture of the airplane on it.

This plate, basically is no different than an initial number plate, only to the effect that it would have Maine National Guard. Now, what the Maine National Guard does in the State of Maine for services to the various communities, assisting organizations, I feel that they have some merit when they ask for a special number plate. If this is the only thing that they come before us and ask for, I don't think this is unreasonable.

Since the hearing on this bill, there are some questions concerning whether this should be mandatory that the National Guard purchase 1,000 plates, and to my knowledge, as of today, there are around 4,400 members, and in discussing this with Motor Vehicle, they felt that they didn't want a bill that would mandate that they purchase 1,000, because at that time Charlie Wyman, Director of Motor Vehicle, wouldn't make only 200 to 250 and he just didn't want to hold off waiting for 1,000 applications before he started making these.

Now, since the hearing, I have had a letter from Mr. Charles Wyman and I would like to read it to this body. "Dear Representative Strout: This letter is in response to a conversation I have had with General Day in reference to L. D. 909, An Act Relating to Specially Designed Registration Plates for the Maine National Guard. I think that General Day and I are in complete accord as to the provision in the bill that the Adjutant General will verify to me that at least 25 percent of the Guard is interested in this specially designed plate for National Guard members and retirees. The bill in no way requires or obligates the Adjutant General's Department. It is simply a responsibility to conduct a survey.

"I have been informed, since the date of the hearing, that there is another state using the design similar to the one that has been recommended for the plate, and if such is the case, and I am sure it is, the cost of the die will not be as expensive as originally indicated. This office, even after certification of 25 percent, will not immediately manufacture 1,000 plates. We will manufacture on a limited basis as the need requires. I find no problem in this, as our equipment at the present can produce the entire 1,000 plates in less than 24 hours with a normal operation of the shop. I think the bill, as you have submitted to the legislative body is sufficient and is one that we could easily live within and administer its program to the satisfaction of all." Sincerely, Charles Wyman, Director of Motor Vehicles.

I will also make a note that the fiscal note approval of this bill would result in approximately \$4,300 additional revenue to the General Highway Fund. Originally, the figure at the hearing, and it is my understanding now that the revenue will be somewhat greater. This revenue is based, if they were to purchase 1,000 of these and my indication today is that we will run substantially over the 1,000 that we were shooting for.

I would also say that, for those who don't understand for sure, this \$5 additional fee, each plate year, is over and above the regular \$15 we have to pay now.

Other than that, Mr. Speaker, I would hope that this body would support this piece of legislation.

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

Mr. COX: Mr. Speaker, Ladies and Gentlemen of the House: The motivation for questions or possible objections of this bill seem to me that it would be opening the door for all sorts of groups to have special license plates, so I would like to present a few special reasons why this group should have these plates, shall we say, in preference to the Elks, the Moose, or some other organization.

In the first, place, this organization is not a fraternal organization; it is an organization which has the duty and the responsibility of defending the state and the nation against firing enemies, and has the duty to respond and keep order in domestic disturbances, the responsibility of responding to various emergencies that may arise within the state.

One problem that this organization has, since the draft has been suspended, is the recruiting of personnel — it is now completely voluntary. There is a feeling that has been given to me by members of this organization that possibly this might be a morale factor, this having a special plate, that perhaps would make recruiting a little easier. It also might improve the parking situation at armories when possibly the parking lots might become crowded and you might be able to get a little priority in your parking and, furthermore, it might facilitate the responding to alerts and the reporting for duty during emergencies, especially of the type where you have a hurricane, as we have had in the past and some units have had to respond, especially engineer units. As you know, with the highways blocked, it might be a little easier for these vehicles to be passed through roadblocks and direct it down alternate routes with these plates showing on the vehicles because police operating roadblocks might not feel that they need to take the time to question the drivers of these vehicles, whereas vehicles with regular plates would almost certainly be stopped and held up and all of this holding up might delay these persons from responding to these emergencies. Therefore, I would suggest that the House pass this bill.

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

Mr. CAREY: Mr. Speaker, Ladies and Gentlemen of the House: After listening to the gentleman from Brewer, Mr. Cox, and in all deference to that gentleman, I would move indefinite postponement of this bill.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: It is quite obvious that quite a few of us in here this morning are not familiar with our Maine Army National Guard and for that I don't blame you.

I would just like to point out a few points of interest here. This morning I picked up a pamphlet at General Day's Office, "The Economic Trust in the State of Maine" and I just want to quote to you a few figures that our Maine Army National Guards have contributed to the State of Maine since 1970 to date. For example, under the Bureau of Parks and Recreations, subtotal amount of \$282,000 — this was accomplished in equipment and manpower hours; Department of Inland Fisheries and Game, \$41,000; Bureau of Veterans' Services — this was for our

cemetery expansion — \$20,000; Crippled Children's Society, State YMCA, \$78,000 and it goes on. This morning, ladies and gentlemen, you have a bill here that would give the General Highway Fund an additional \$5,000 and in all good conscience, ladies and gentlemen, I cannot see the reasons for indefinite postponement of this bill.

I would hope that you vote against the indefinite postponement and keep this bill alive.

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

Mr. JENSEN: Mr. Speaker, could I ask that the Committee Report be read?

Thereupon, the Clerk read the Committee Report.

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

Mr. JENSEN: Mr. Speaker, Ladies and Gentlemen of the House: I asked that be read to make a point. Originally, I had voted against that, I had asked the Clerk to hold it because I would like to go with it, she said she would. As it turned out, she reported it out to the floor without my knowledge and for that reason I am on the record as opposing this bill. I was out of town the day this came to the floor last week. I wanted to switch my vote and vote in favor of it and I think I would like to say at this point that, except for a committee clerk's error, it would have been an unanimous "ought to pass" report. I think the committee feels that it is a good bill and ought to be passed.

The objections that I originally had were taken care of by Charlie Wyman, indicating clearly that there would be plenty of money to pay for this and the state would make money over and above the costs of the dies and things of that sort.

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

Mr. JACKSON: Mr. Speaker, Ladies and Gentlemen of the House: I stand to support the committee clerk's error. I can see two justifications for a bill like this. First justification would be revenue. This is a very good idea. We can raise \$4,300 on this and I think we can also have special plates for the local ambulance people and rescue, local fire people, civil air patrol, naval reserve, coast guard reserve, so on and so on. If we want to use this as a revenue measure, we can raise a lot of money this way. If we are going to justify it on the basis of convenience, finding parking places for them, getting through roadblocks, this sort of thing, this is fine, but I would also suggest that there are other groups that are in far more need of convenience, such as local ambulances and rescue groups and local volunteer fire groups and that they should be granted special plates too.

Therefore, I support the indefinite postponement of this bill.

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

Mr. LYNCH: Mr. Speaker, Ladies and Gentlemen of the House: I support the bill too. If we encourage enough groups to get special plates, there will be so few left that we can pass an increase in the license fee with no trouble at all.

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

Mr. LEWIN: Mr. Speaker, Ladies and Gentlemen of the House: I think I would be remiss if I didn't add my two-cents worth. Prior to World War II, I was a member of the National Guard and I know the

National Guard, I know the work that it is doing.

In some small way, I believe this morning we should recognize the contribution that our National Guardsmen make in providing a strong, well-equipped, highly-trained force, ready to respond to any emergency in the state and for the federal government.

If anyone is in an emergency situation and in need of help, he or she could go to the owner of a vehicle with a distinctive National Guard plate for assistance, just as we do now to the owner of a car with a plate identifying him as a member of the police or fire department.

I might say that the National Guard in our state is a proud lot. National Guardsmen are interested in performing services whenever and wherever they can, and they want to be identified. Favorable consideration to this act is one way we can show them we are proud of them.

I would ask that we vote against the motion for indefinite postponement.

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

Mr. DEVANE: Mr. Speaker, Ladies and Gentlemen of the House: The National Guard is necessary, it is admirable, it is commendable but what we are talking about is special plates for personal vehicles. As a matter of identification, when the National Guard is performing a required function, they have vehicles which are adequately marked and they have uniforms.

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

Mr. STROUT: Mr. Speaker, Ladies and Gentlemen of the House: I arise a second time. I just wanted to make the record clear that I am not a member of the National Guard, none of my family is a member of the National Guard and, Mr. Speaker, out of respect, I would ask for a roll call.

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

Mr. CAREY: Mr. Speaker, Ladies and Gentlemen of the House: I think Mr. DeVane from Ellsworth did mention the point that I wanted to make in answer to the gentleman from St. Agatha, Mr. Martin, that certainly the National Guard is doing some work for some of the communities and some of the different agencies in the state. They have done some work for the City of Waterville, we expect to get them to do some more work for us around our airport next year, but they are doing their work in clearly marked vehicles, as the gentleman from Ellsworth said. They are not using their personal cars.

Basically, if they want to get involved with something different, then I would suggest that they get involved with decals. Those are for sale and can easily be purchased.

I spoke to Charlie Wyman a short time ago down at Motor Vehicle and he was quite concerned that the Governor had seen fit to remove what he had been doing for years out of his budget, and that is, put in an appropriation which pays for 25 percent of the plates and he would manufacture them over a four-year period, so he was ready to put those plates out when the time came. Unfortunately, either through an error in the Governor's budgeting system or through some reasoning that he may have had for cutting that appropriation out, Mr. Wyman now

will be forced to make all of his plates in that last year of a four-year period. I don't know if Mr. Wyman is looking for additional income to keep the men busy in the meantime, but certainly this is not a thing to get involved in.

I would like to have plates, for instance, for all municipal officials, even though they are in private cars. We already have special plates for municipal vehicles. I would like to know that my city councilmen, in case of an emergency, can get through one of these so-called roadblocks and make it to an emergency meeting, although if you saw my council, you would probably rather wish they didn't.

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

Mr. LEWIN: Mr. Speaker, Ladies and Gentlemen of the House: I would like to add one item for your consideration. We now have ladies in the Maine National Guard and wouldn't it look nice to see these plates adorning their cars as well?

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

Mr. CALL: Mr. Speaker, Ladies and Gentlemen of the House: Approximately 25 years ago, there was an attempt in this legislature to have a bill passed which would provide plates for so-called ham radio operators. The bill did not pass and I think that there would be a general feeling this time, as there was at that time, the main reason for defeating a bill of this type is to prevent precedent.

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. If you are in favor of a roll call vote, you will vote yes; those opposed will vote no.

A vote of the House was taken and a sufficient number having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question before the House is on the motion of the gentleman from Waterville, Mr. Carey, that this Bill and all its accompanying papers be indefinitely postponed. Those in favor of indefinite postponement will vote yes; those opposed will vote no.

ROLL CALL

YEA — Bachrach, Berube, Birt, Blodgett, Bowie, Burns, Bustin, Byers, Call, Carey, Carter, Chonko, Connolly, Cooney, Cote, Curran, P.; Davies, DeVane, Doak, Dow, Dudley, Dyer, Fenlason, Flanagan, Goodwin, H.; Goodwin, K.; Gray, Greenlaw, Hennessey, Hinds, Hobbins, Hughes, Jackson, Jalbert, Joyce, Kany, Laffin, LaPointe, Laverty, Leonard, Lewis, Lovell, Martin, A.; Mills, Mitchell, Mulkern, Najarian, Peakes, Pelosi, Perkins, S.; Peterson, T.; Post, Raymond, Rolde, Shute, Smith, Snow, Sprowl, Stubbs, Talbot, Tozier, Truman, Twitchell, Tyndale, Wilfong.

NAY — Albert, Ault, Bagley, Bennett, Berry, G. W.; Berry, P. P.; Boudreau, Carpenter, Carroll, Churchill, Clark, Connors, Cox, Curran, R.; Curtis, Dam, Drigotas, Durgin, Farley, Farnham, Finmore, Fraser, Gauthier, Gould, Hall, Henderson, Hunter, Hutchings, Immonen, Ingegneri, Jacques, Jensen, Kauffman, Kelleher, Kelley, Kennedy, LeBlanc, Lewin, Littlefield, Lunt, Lynch, MacEachern, Mackel, MacLeod, Mahany, Martin, R.; Maxwell, McBrearty, McKernan, McMahon, Miskavage, Morin, Morton, Nadeau, Norris, Palmer, Perkins, T.; Peterson, P.; Pierce, Powell, Quinn, Rideout, Rollins, Saunders, Snowe, Strout,

Susi, Tarr, Teague, Theriault, Tierney, Torrey, Usher, Wagner, Walker, Webber, Winship.

Yes, 65; No, 77; Absent, 7.

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

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

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

Mr. KELLEHER: Mr. Speaker, is the House in possession of House Paper 1033, L. D. 1339, An Act Relating to Contracts of Teachers with Municipalities?

The SPEAKER: The Chair would inform the gentleman from Bangor in fact that he is in the possession of the bill but it was not held by the gentleman from Bangor, Mr. Kelleher, and the motion to request that would have to be made by the person who held the bill.

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

Mr. GAUTHIER: Mr. Speaker, Ladies and Gentlemen of the House: This bill, at the present time, is in the Attorney General's Office and I spoke to Mr. Carpenter about it and we agreed — I told him I was going to ask to table it for two days.

I move we reconsider our action whereby this bill was passed to be enacted.

On motion of Mr. Kelleher of Bangor, tabled pending the motion of Mr. Gauthier of Sanford to reconsider and specially assigned for Wednesday, April 30.

On the disagreeing action of the Legislature on Bill "An Act Granting a Property Tax Exemption for Property Leased by Community Mental Health Centers," (H. P. 480) (L. D. 599) the Speaker appointed the following Conferees on the part of the House:

BACHRACH of Brunswick
COX of Brewer
SUSI of Pittsfield

Mr. Palmer of Nobleboro was granted unanimous consent to address the House.

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House: On Friday of last week, I had the very happy privilege of attending a National Conference of State Legislatures in Washington with the majority leader, Mr. Rolde, and it was a really great event, but I guess apparently, in our attendance of that event, we missed some very exciting times here in the State House, and because of speeches and press releases and so forth, we feel as though from this corner this morning that some answers should be given, at least from our point of view, as things stand at the moment.

As Mark Twain once said in response to his name inadvertently appearing in the obituary column, "The news of my death has been greatly exaggerated." There is unquestionably a problem with meeting a budget deficit, but it is nowhere near the size the Democratic leadership has stated. The Legislative Finance Office puts the unaccounted for deficit at \$12 million, not \$20 million. The first year deficit is \$9 million. This is, of course, also a weighty figure but does not call for a major tax increase for its funding.

Several legislators have already submitted bills and it is substantially paring away that deficit through closing loopholes in our present laws and

increasing taxes in areas which would not adversely affect the general economy of Maine.

The national economy is now in the process of bottoming out, and during the summer we should know if there will be a lasting upturn. If this proves to be the case and funding is still needed in the fall, a small income tax increase might be called for at that time, but certainly not a sizeable one and certainly not now.

The Governor's budget contains mistakes, principally the miscalculation of the cost under the new education subsidy law and interest on the debt service for that same law. But I perceive that the so-called mistakes as simply the Governor's intentional cutting what he believes to be fat from state bureaucracy. He has chosen his priorities in cutting certain services, and I believe that many of those priorities were broadcast well in advance of the submission of his budget.

I cannot and will not fault Governor Longley for suggesting to the legislature his conscientious and sincere view of how tax money should be spent. I also cannot and will not fault the Democratic leadership for attempting to redirect some of that tax money, but I fault both the Governor and the Democratic leadership for attributing irresponsible and clandestine motives to one another for their particular approaches to government. I fear that these partisan approaches may irreparably damage the ability of the 107th Legislature from fulfilling the awesome task it has of finding immediate practical and palatable solutions to very pressing problems.

I hope that much what I say this morning will not be taken as mere political rhetoric. I hope also that the Democratic leadership, whom I respect and have worked well with in this session will not take this address personally. To avoid unneeded agitation, I have tried to greatly temper these remarks, but some agitation will have to be suffered if I am to make one point clear. I do believe that the Democratic call for a major tax increase as a result of the Governor's underfunding does overshadow an attempt to finance projects which would otherwise remain unfinanced.

I believe the people of Maine should know which part of a dollar is to go to past debts and which part to new purchases. Masking major projects or keeping the state services at the same or greater level should not be confused with unintentional errors in the Governor's budget. I resent the glee that some legislators seem to take when they learn of a funding error that confirms points of poor budgeting are the state's loss, not their gain, and this deficit should not be an exaggerated, partisan emotional issue used as a vehicle to sway popular opinion, especially opinion which would blindly favor a tax increase because of scare tactics.

The die appears to be cast and these remarks are certain to be viewed as the entrenched Republican position in this political fight. If it is to be so viewed, I would like to express that part of the position is certainly the desire to commit the budget problem to the conference table and not to the newspapers. We are willing to do whatever is necessary to correct the deficit; however, we will strongly scrutinize and question any tax increase which would go beyond solving the deficits and to fund unnecessary state services.

In conclusion, I would like to list several

items which represent the Republican point of view. One, we believe it is both premature and immature for the legislature and the Governor to be hurling accusations one at the other long before our Appropriations and Taxation Committees have had the opportunity to complete their work. The truth of the matter is, we do not know now exactly what the magnitude of the funding problem is, so it is premature to be making judgments.

Two, we do not believe in and will not vote for any approach such as advanced by Governor Longley to increase the property tax for the funding of any educational deficit.

Three, we believe that a significant amount of money can be raised through minor taxes which will have no adverse effect on the general economy of the State of Maine.

Four, most leading economists agree that the recession at the present time has bottomed out. In view of this fact, a review of our financial situation six to eight months from now, as requested by the Governor, will give us a much better picture of what we face than any action that we may take at the present time.

Five, we believe that we should fund on a one-year basis and review. We should give Governor Longley a chance to promote some savings and determine what an upswing in the economy will bring. The effect in these two things together can be most significant.

On my trip to Washington last week, a very interesting statistic was pointed out, that being that for every one percent increase in unemployment in this country, the loss to the federal government revenue is \$14 billion. In addition to that, there is an increase of two to three billion in the expenditures because of unemployment. So actually an increase of one percent in unemployment in this country means to the federal government in the area of \$17 billion for each one percent increase. We do not know what the same situation would be in Maine, but obviously the same situation would exist. We do not know in figures what this means — we do not know what this means actually in terms of dollars, but certainly it would have a similar effect on our economy if we should be able to turn this thing around and start moving up the ladder.

In conclusion, let me say that we as a party believe that this is no time to panic, is no time for the legislature and for the Governor to have a confrontation, but rather it is time to cooperate and to compromise for, after all, we are here to do our best, not for the Republicans or the Democrats or Governor Longley, but for the people of the State of Maine.

Mr. Rolde of York was granted unanimous consent to address the House.

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: It should come as no surprise that I would like to make a few remarks and comments on what the gentleman from Nobleboro, Mr. Palmer, has said.

When the news of the fiscal crisis broke and after the Governor spoke, I think it became very apparent that the issue had been put before us squarely, the issue of whether the fiscal situation would be dealt with by either a property tax increase or an increase in state taxes. This was very, very clear. I think even before that I should point out that there were some problems in the Governor's budget that

could call for an increase in property taxes; for example, the fact that the threshold in general assistance had been raised from 50 percent to 100 percent, which means putting more than a million dollars back on the town. The removal of snow plowing, town road improvement, put over \$2 million of pressure back on the towns, also lack of adequate funding for social programs that may increase the pressure on the towns for general assistance. An example of this was the action taken by the Commissioner of the Department of Health and Welfare, Mr. Smith, in suspending a program of state aid to pregnant women, and that took 800 people off the state rolls and put them on the town rolls where they had to go for general assistance. So the Governor's budget, even before this problem of the school budget arose, had several items in it that were causing property tax increases, and then the school budget crisis broke.

I would like to address myself to several statements in the minority leader's statement which I believe are inaccurate in dealing with exactly what the budget deficit is. He says the deficit is nowhere near the size the Democratic leadership has stated. We never stated what the size of the deficit was. Those figures came from the Legislative Finance Office. Now the gentleman says the Legislative Finance Office puts the unaccounted for deficit at \$12 million, not \$20 million; that is not correct. The deficit is still in the neighborhood of \$20 million, whether you are using the Legislative Finance Office figures or the Governor's own figures, and I will try to explain the difference between \$20 million and \$12 million.

You may have read the article in today's paper and the Governor himself is quoted as saying that the problems with L. D. 1994 would result in a \$18.4 million deficit as previously stated, plus other problems dealing with debt service. These are the Governor's own words: "This totals about \$20 million, but many people have failed to deduct from this amount the approximately \$8 million surplus in our budget which has not been spent." That is the first indication that the Governor is putting these funds, this so-called \$8 million surplus in the second year of his biennium into dealing with this particular problem. He did not mention that the other day when he came before us as one of his alternatives, so this is something new. This is his own decision. Therefore, that leaves a question of \$12 million. How do we fund \$12 million? Can it be done with patchwork or sin taxes of some sort, or should — and this is the question that faces us — should some of the other vital needs that are perhaps not met by the Governor's budget, should they be met, such as some of these problems I mentioned at the beginning of my statement that are going to cause property tax increases back in the community? Should we do something about the catastrophic illness program for which the last legislature budgeted two cents on the cigarette tax and that money was used by the Governor for something else? Should we deal with the problem of the elderly who are on SSL, the poorest of the elderly who are not eligible for property tax relief when property taxes are going up throughout the state? Should we do anything for the University of Maine, which is receiving less funds than it had to deal with in the last biennium? Should we do anything for state employees? And I

believe when the gentleman said that the Governor signaled that he might deal in this way with certain state responsibilities, I believe at a meeting of state employees he promised them a salary increase when he was running as a candidate.

Adult education, priority social services, programs of homemakers and meals on wheels for the elderly, day care — there seems to be a feeling, and it was expressed very well by the gentleman from Nobleboro, that we should wait until the fall to deal with such problems, wait to pass what he said was perhaps a small income tax. So what we are debating today, perhaps, is only timing, but we now have to act quickly on the question of the school problem and find that missing \$12 million. If this can be done with patchwork taxes, state taxes, and the Governor would agree rather than insist on his property tax increase, I am sure we will consider a proposal on it if it is felt that this body wishes to increase taxes without dealing with some of the pressing problems that were not addressed by the Governor's budget.

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

Mr. JALBERT: Mr. Speaker, I move we adjourn until nine-thirty tomorrow morning.

(Cries of No)

The SPEAKER: The Chair will order a vote. All in favor of the House standing adjourned until nine-thirty tomorrow morning will vote yes; those opposed will vote no.

A vote of the House was taken.

43 having voted in the affirmative and 52 having voted in the negative, the motion did not prevail.

Mr. McKernan of Bangor was granted unanimous consent to address the House.

Mr. McKERNAN: Mr. Speaker, Ladies and Gentlemen of the House: Since I am sure many of you expected me to rise last Friday, I would like to say that I did not have the benefit, as did Mr. Rolde, of having a copy of the statement to be made by the Speaker.

I think Representative Rolde hit the nail right on the head when he talked about all the rhetorical questions that he was asking in his speech—

The SPEAKER: For what purpose does the gentleman rise?

Mr. JALBERT: Mr. Speaker, did the gentleman ask unanimous consent to address the House?

The SPEAKER: The Chair would inform the gentleman that he did and the Chair granted it. However, the Chair would inform the gentleman from Bangor that he does not attempt to dispute the reputation of the Speaker.

The gentleman may proceed.

Mr. McKERNAN: I certainly did not intend that Mr. Speaker.

The SPEAKER: The Chair thanks the gentleman from Bangor.

Mr. McKERNAN: Mr. Speaker, it is only that the gentleman in the other corner had a little more time to prepare his remarks than I would have.

As I was saying about the gentleman in the other corner, Mr. Rolde, I think he raised an important question in the remarks that he made this morning and that is, what are we going to do with some of the problems that we foresee with the budget? Our position, as was stated by the

gentleman from Nobleboro, Mr. Palmer, is simply that the work of the Appropriations and the Taxation Committees are not yet finished and the fact that the work of the Appropriations Committee is not finished means that they have not finished going over the budget. So the call for any kind of a major tax increase at this point is premature. There are other ways that we may be able to get around funding of the deficit in education. Our position is not to put any more pressure on the municipalities but that perhaps we could find some patchwork, some way to close the holes that seem to be appearing in this dike until we seem to know exactly what the problem is.

The economy may be turning around, our revenues may be higher than we expect, but if they are not, the Republican Party will certainly vote for an equitable tax in order to fund these programs and not be trying to saddle the municipalities with any more problems than they already have.

I think our position is simply let's wait and see. Let's work on a lot of different proposals and, as the Speaker said last Friday, the major thing is, let's get together and let's try to work it out between not only the Republicans and the Democrats but also with the Governor on the second floor.

Mr. Kelleher of Bangor was granted unanimous consent to address the House:

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: The remarks made by my good colleague, from Bangor, is something that I have been wanting to hear from that side of the aisle for a number of days now. I think that is exactly what the members of both parties would have leadership do and perhaps the best incentive that you could give for me and the other members of this House, because both of you because of leadership in both parties — I would like to see an order on my desk and I think the members would too instructing the Taxation Committee to consider some alternate tax programs, if they are necessary. Here we are almost into the first of May, knowing the position of leadership and members of this House that we want to get out of here sometime, hopefully around the 10th or the 15th of June — I don't believe we can afford to have the luxury of waiting to see what is going to happen based on exactly what is coming out of the Appropriations Committee.

It is no secret that there is a deficit, there is no secret that the Appropriations Committee is working extremely hard to try to come out with a budget that is suitable to his Excellency down stairs as well as to the rest of the members of this body and the other, but nevertheless, I, for one, would just like to know what direction leadership would like to send the Taxation Committee in coming up with some alternate tax programs. There are more rumors around here than there is in an army barracks concerning what is happening.

Having been here a while, I know what the realities of life are as the days progress and we near the completion of this Regular Session of the 107th. There are problems not only with the deficit of the budget that the Governor has given us and giving him the granted of right that there was some areas that were overlooked or perhaps prepared somewhat hastily, knowing the gentlemen wanted to present to this body but nevertheless there are other

considerations here on bills that are before the legislature and the Appropriations Committee that, I think deserve consideration regardless of the fact that there are no monies. We may have to bite the bullet now instead of looking at it in September and come for some kind of a tax measure if it is necessary, to fund these programs and to fund the deficit. But I only would simply like to see what both leadership in both corners intend to do and instruct the Taxation Committee to come up with some alternate tax programs whether it is the sin taxes or whether it is the taxes for the personal income tax, I was somewhat surprised at the statement the Governor made when he said if we go for a major tax increase that we are going to be hurting the working men and women of this state.

I think Mr. Ingegneri is about as knowledgeable as anyone in this House and he is a very practical fellow to listen to and when you sit down and talk with him and others, who are familiar with tax programs, if there ever was an increase in the income tax, it certainly wouldn't hurt the lower income working men and women of this state, which there are many. For the Governor to infer that the shoe workers, the factory workers and the low income people would be bearing the burden of paying for an increase in the income tax is a statement that is very, very misleading. I am surprised, myself, that the press didn't pick this up.

Mr. Carey of Waterville was granted unanimous consent to address the House.

Mr. CAREY: Mr. Speaker and Members of the House: I listened to that gentleman from Nobleboro, Mr. Palmer, and I can understand his position but I do have a hard time to understand when he said that the deficit is not as large as it appears, that it is a much smaller deficit. I have always been taught, at least in trying to put municipal budget together, that a deficit is a deficit is a deficit, and no matter whether you are a Democrat or a Republican you can read that constitution 15 times over and it still says that the Governor will present to the legislature a balanced budget, something he has not done.

I listened to the gentleman from Bangor, Mr. Kelleher, speak about somebody putting in an order, that sounded awfully familiar. I had put in an order once. I guess it was this session and, at the time, I was asked by the Democratic leadership to hold off in putting in that order, and I am having a heck of a time trying to convince the Governor that it was not put together by the leadership. Leadership asked me to hold up on that order to give the Appropriation's Committee time to go through with the departmental requests. I gave them that time and then when it came time for the second go around with the departmental requests, leadership again asked me to hold off in putting in that order. I felt, at that time, if we were going to give the Governor any reasonable amount of time to try to put his own house in order, that he should be given that budget as soon as possible so I did not wait with leadership's request and had that order prepared and submitted. It is true, as the gentleman from Nobleboro said, that if I had had the strength in this House, to pass that order, we had 91 Democrats compared to their 60 Republicans but I didn't have all of the Democrats but I did have some of the Republicans, who would have supported that order and it was

withdrawn in favor of those Republicans who got caught in the awkward position of having to follow party lines and yet feeling that that budget should have been balanced.

The gentleman from Nobleboro, Mr. Palmer, mentioned the major tax as a municipal officer and those of you who aren't municipal officials in this body will know that the property tax must certainly have to be called a major tax. One of the things that is upsetting to us in the municipal level, who are trying to get school buildings constructed, is the use by the Governor of bonded funds that were set aside in 1973 for school building construction, being used to pay current expenditures and if the Governor calls this a good business practice, than I suggest that he get into a different business because the city of New York is now bonding salaries at current expenditures.

The gentleman pointed out federal figures to us and federal figures are not that concerning to us at this time. He mentioned that the economy is bottoming out. Maybe, the gentleman who is here representing Westbrook, can try to explain that to their people where they are shutting down, I believe, four of their paper machines, and people are going out of work. He said wait on this thing and I am telling you right now, this is not the thing we have to do. We can not wait any longer. We must do something. I am quite sure I will never support a \$60 million increase in any taxes but I would certainly like to look at something reasonable and we can't wait until September because programs, while September might be nice, programs die, the first of July.

Mr. Hinds of South Portland was granted unanimous consent to address the House.

Mr. HINDS: Mr. Speaker, Ladies and Gentlemen of the House: I just had a little information here that I dug up this morning that I thought might be of interest on this budgetary discussion we have been having. I was a member of the Appropriation's Committee in the 103rd session of the Legislature, which was Governor Curtis's first session, and I just wanted you all to know that Governor Longley is not the first Governor that submitted a budget that had errors and deficits in the Educational Subsidy Account and the Interest Account, and also in the area of education for the University of Maine and the Vocational Schools, because in Governor Curtis's budget submitted in the 103rd, there was \$27 million short in the Educational Subsidy Account of which the legislature corrected and inserted in the budget. The total budget was increased after cuts and a great deal of working over in the year 1967-68, it was increased by \$12,910,000 and in 1968-69, it was increased by \$16,490,000, so I just want everyone to know that Governor Longley is not the first governor to make a mistake in those two accounts. Other governor's have done it and Governor Curtis was one of those.

Mr. Dam of Skowhegan was granted unanimous consent to address the House.

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: I am not a budget expert, I don't understand too much about budget problems and that is not my line of business. But I have sat here and listened to the gentleman from Bangor, Mr. Kelleher, talk about putting an order through directing the Committee on Taxation to find new sources of taxes. I, if that order appeared definitely would oppose such an order. I have never favored

finding money before the actual need of that money came before us, and I am not really sure today that there is an actual need for new taxes or new money. I am sure, that if we find ways of raising taxes and saying it is not going to hurt the people because these are a patchwork or sin taxes, so called, that we will also find a way of spending that money. I am not changing my position from any time since I have been in the 104th, 105, and 106th. The record shows I always opposed spending, spending, spending. Now, as far as the need for the new school buildings in the state, yes, there is a need but there is also a need, and I go back to the same speech I made in the 104th and the 105th saying, it is time for the State of Maine to really look at some of the monstrosities that they are building as memorials to superintendents of this state. It is time to get back to basic design and if we could get back to basic design, we could spread that dollar a heck of a lot farther than we are spreading it now. There are a lot of frills that we don't need in these buildings and this is what is costing money.

The other thing that I have seen every session, we add on a few of these so-called sin taxes and raise fees on certain things, licenses, registrations and as coming up now, I am not sure we really need to do that. I think the time has come to really say that we are not going to keep, every time we come down here every session, have a larger budget than the last time and spend, spend, spend. We are still only one million people in the State of Maine. Since I have been here I have seen office buildings go up, I have seen garages go up and, at one time I was able to defeat the office building for one session, but the next session, they turned around and they are going to have their new office building. We continually, continually, keep building up the bureaucracy here in Augusta adding new employees, new offices. If we were to build two new office buildings this year, if it was possible to build and complete them, we would have every office in these buildings full and have new agencies created. Now I think the time has come to call a screeching halt to it and realize that there is only one million people in the State of Maine and it is the same people, year after year, after year, that pay the bill. We keep talking about aid to the elderly, we keep talking about the poor, we keep talking about the unfortunate social service programs but it is still that same level of people that are paying the tax. There are ten bills in now to increase corporate tax and the income tax on businesses. All right, I don't think that is necessary either. I think what we have to do is say, let's cut out this spending and let's make Maine a healthy climate for the businesses to come in and then once we get the businesses in here and the jobs are created, we won't have to come back the next session and say, how are we going to find the sin taxes and how are we going to find more money because that money will be coming in by itself.

Mr. Birt of East Millinocket was granted unanimous consent to address the House.

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: I would like to correct a couple of statements and bring out a couple of other points. First off, the comment has been made a couple of times, that the fact that the order that the gentleman from Waterville, Mr. Carey, had to withdraw, was because of a unanimous agreement among the

Republicans in a caucus and some of the Republicans had to change their minds. I don't know who the Republicans were who had to change their minds. Certainly, I know I was not one of them. I am sure of one thing, that there was no unanimous agreement that we had to support anything. In fact, in the years that I have been down here, it has been very, very rare, that I have found a Republican caucus to take that position. Frankly I don't think it is a party who would generally accede to that type of operation.

The other thing, I think, that because we are discussing the budget somewhat and I think I will defend the Governor to this one point, that, at the present time, although the Governor has to submit a budget, the budget is actually created by the factors and developments in programs that were the outgrowth of the 106th Legislature and eight years of his predecessors time in office. I certainly support every endeavor that he does to put a handle onto state spending. There are many people, as he said the other day, there are special interests groups — the minute we start out with an increase in taxes, there are going to be every special interest group in the State of Maine is going to be lined up in the corridor with their hand out. If you don't believe me, you just watch and see what happens. They are already starting to line up. Some of you, might just out of curiosity, want to take the last Maine Trail Magazine and look at page 24 and see what has happened. In 1961, we had a general fund appropriation—these figures are off a little bit but not very much — from \$128 million; 1963, \$151 million. The budget that we are talking about now is \$704 plus some other shortages. We have gone almost 500 percent in 12 years and I think we have got something to think about before we start talking about new taxes.

Mr. Laffin of Westbrook was granted unanimous consent to address the House.

Mr. LAFFIN: Mr. Speaker, Ladies and Gentlemen of the House: I had not planned on saying anything today on this. What I had planned on saying was going to be directed at the Fisheries and Wildlife Game and I am not going to speak on that because I was asked not to, so I won't. I would like to say one thing. I wholeheartedly agree with Representative Dam. I have heard a lot of talk about this budget and I think today he has made a lot of sense. I certainly would like to have the people of this House take heed to what he said, because, to me, it made an awful lot of sense.

Off Record Remarks

Mr. Talbot of Portland was granted unanimous consent to address the House.

Mr. TALBOT: Mr. Speaker, Ladies and Gentlemen of the House: Just a point of clarification. In the legislative record of the House on April 24th, about half way down the first column, it states in 1963 the number of homicides involving firearms increased by 48 percent. Mr. Speaker, ladies and gentlemen of the House that should be since 1963. I don't want anybody to think I was using out of date figures.

Off Record Remarks

On motion of Mrs. Clark of Freeport,
Adjourned until nine-thirty tomorrow morning.