

# 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**

Tuesday, April 29, 1975

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

Prayer by the Rev. Joseph R. Bolger of Auburn.

The journal of yesterday was read and approved.

(Off Record Remarks)

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

Bill "An Act Extending the Time for Apportionment of County Taxes from April to May in the Year 1975" (Emergency) (H. P. 1552) (Presented by Mr. Dam of Skowhegan) (Approved for introduction by a Majority of the Committee on Reference of Bills pursuant to Joint Rule 10)

Under suspension of the rules, the Bill was read twice, passed to be engrossed without printing and without reference to a Committee and ordered sent forthwith to the Senate.

**Papers from the Senate**

From the Senate: The following Joint Resolution: (S. P. 505).

**STATE OF MAINE**

In the Year of Our Lord One Thousand Nine Hundred and Seventy-five. Joint Resolution commemorating Law Day U.S.A.

WHEREAS, the first day of May of each year has been permanently designated by Congressional Resolution for national observance of Law Day, U.S.A.; and

WHEREAS, Law Day has been set aside as a special day of celebration by the American people in appreciation of their liberties and the reaffirmation of their loyalty to the United States of America; and

WHEREAS, it is a day for their rededication to the ideals of equality and justice through law in their relations with each other as well as other nations and for the cultivation of their respect for law that is so vital to the domestic way of life; now, therefore, be it

RESOLVED: By the Senate and House of Representatives of the 107th Legislature of the State of Maine, that in order to rededicate ourselves and the citizens of Maine to the principles of the democratic form of government; to emphasize that ours is a government of law and not men; and, to further the philosophy that "the welfare of the people shall be the supreme law," that the Governor of Maine is hereby requested to designate May 1 of each year as Law Day, U.S.A. and call upon all citizens of the State to join in appropriate recognition of this special day; and be it further

RESOLVED: That it is not the intent of this Resolution to declare another legal holiday, but a day of rededication by the citizens of Maine to the principles of democracy, a respect for law that is so vital to the democratic way of life, and to the support of our State and Federal Courts which uphold and safeguard individual rights and liberties; and be it further

RESOLVED: That suitable copies of this resolution duly authenticated by the Secretary of State be transmitted forthwith by the Secretary of State to His Excellency, James B. Longley, Governor of the State of Maine, and to the Honorable Armand D. Dufresne, Chief Justice of the

Supreme Judicial Court, in support of this worthy cause.

Came from the Senate read and adopted. In the House, the Resolution was read and adopted in concurrence.

**Reports of Committees Ought Not to Pass**

Report of the Committee on Fisheries and Wildlife reporting "Ought Not to Pass" on Bill "An Act Authorizing Certain Agents of the Department of Inland Fisheries and Game to Sell Hunting Licenses to Nonresidents and to Sell Hunting Licenses During Weekends and Holidays" (S. P. 279) (L. D. 924)

Report of the Committee on State Government reporting "Ought Not to Pass" on Resolution, Proposing and Amendment to the Constitution to Provide for Succession in the Event of the Governor's Inability to Discharge the Powers and Duties of His Office (S. P. 441) (L. D. 1457)

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

**Leave to Withdraw**

Committee on Judiciary reporting Leave to Withdraw on Bill "An Act Relating to Car Purchases by Individuals Receiving General Assistance" (S. P. 396) (L. D. 1294)

Committee on Judiciary reporting Leave to Withdraw on Bill "An Act Clarifying the Right to Appeal from Final Decisions of the Public Utilities Commission" (S. P. 472) (L. D. 1606)

Committee on Appropriations and Financial Affairs reporting Leave to Withdraw on Bill "An Act to Establish a State Veterans Home" (S. P. 460) (L. D. 1513)

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 Labor on Bill "An Act to Permit Minors Under 16 to be Employed by Hotels" (S. P. 182) (L. D. 583) reporting "Ought to Pass" in New Draft under New Title Bill "An Act Relating to Employment of Minors" (S. P. 501) (L. D. 1852)

Came from the Senate with the Report read and accepted and the New Draft passed to be engrossed.

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

**Divided Report**

Majority Report of the Committee on Legal Affairs reporting "Ought to Pass" on Bill "An Act Providing for the Observance of Memorial Day on May 30th" (S. P. 371) (L. D. 1198)

Report was signed by the following members:

Mr. CORSON of Somerset — of the Senate.

Messrs. FAUCHER of Solon  
DUDLEY of Enfield  
SHUTE of Stockton Springs  
HUNTER of Benton  
JOYCE of Portland  
GOULD of Old Town  
CAREY of Waterville  
BURNS of Anson

— 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. CIANCHETTE of Somerset  
DANTON of York

— of the Senate.  
Messrs. COTE of Lewiston  
PERKINS of Blue Hill

— of the House.

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

In the House: Reports were read.

On motion of Mr. Faucher of Solon, the Majority "Ought to pass" Report was accepted in concurrence, the Bill read once and assigned for second reading tomorrow.

**Divided Report**

Majority Report of the Committee on Veterans and Retirement reporting "Ought Not to Pass" on Bill "An Act Relating to the Retirement Pay of Court Reporters" (S. P. 281) (L. D. 993)

Report was signed by the following members:

Mr. O'LEARY of Oxford — of the Senate.

Mrs. LAVERTY of Millinocket  
Mrs. KELLEY of Machias

Messrs. NADEAU of Sanford  
USHER of Westbrook

MORTON of Farmington  
CURTIS of Rockland

POWELL of Wallgrass Pl.  
THERIAULT of Rumford

LEONARD of Woolwich  
MacEACHERN of Lincoln

— of the House.  
Minority Report of the same Committee reporting "Ought to Pass" on same Bill.

Report was signed by the following members:

Messrs. COLLINS of Knox  
CLIFFORD of Androscoggin

— of the Senate.

Came from the Senate with the Majority "Ought Not to Pass" Report read and accepted.

In the House: Reports were read.

On motion of Mr. Theriault of Rumford, the Majority "Ought not to pass" Report was accepted in concurrence.

**Non-Concurrent Matter**

Bill "An Act Relating to the Shipment of Dogs and Cats and Prohibiting the Use of Dogs or Cats in Commercial Promotions" (H. P. 238) (L. D. 294) which was passed to be engrossed as amended by Committee Amendment "A" (H-176) as amended by House Amendment "A" (H-187), thereto, in the House on April 23.

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" (H-176) in non-concurrence.

In the House:

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

Mr. McKERNAN: Mr. Speaker, I move we insist and ask for a Committee of Conference.

The SPEAKER: The Chair recognizes the gentleman from Buxton, Mr. Berry.

Mr. BERRY: Mr. Speaker, I move we recede and concur.

The SPEAKER: The gentleman from Buxton, Mr. Berry, moves that the House recede and concur.

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

Mr. McKERNAN: Mr. Speaker, I would

urge the members of the House to support this bill, not to recede and concur but to defeat that motion and then accept my motion to insist and ask for a committee of conference.

The SPEAKER: The Chair recognizes the gentleman from Buxton, Mr. Berry.

Mr. BERRY: Mr. Speaker, Ladies and Gentlemen of the House: I hesitate to waste any more of your time on this, I hesitate partly because probably my good friend from Lewiston is going to try to point me out as a hater of all animals, which isn't necessarily true.

The Public Laws, Chapter 625, Section 40, passed by the 106th Legislature, provides for the inspection of all animals coming into the State of Maine and all animals going out of the State of Maine, with the exception of cats and dogs. The Committee Amendment that the Agriculture Committee drew up inserts cats and dogs into that section of the Public Laws. That will take care of the problem; there is no need to go any further than that.

The amendment that Mr. McKernan has proposed under filing number H-187 — it is probably going to be difficult for you to find, so I would just like to read part of it, Section C: All dogs and cats brought or shipped into the state or acquired within the state must be accompanied by a health certificate issued and signed by an accredited licensed state veterinarian and a United States Department of Agriculture veterinary medical officer or his designee. That is where one of the problems comes — that says "acquired within the state." That means that if you wanted to sell me a dog and you were a kennel owner, you would have to have a certificate signed by an accredited licensed state veterinarian. In addition to that, that certificate would have to be cosigned, countersigned by a United States Department of Agriculture veterinary medical officer or his designee.

In the State of Maine, we have three of these people. Those people are in the State of Maine one half day three times a week. The State of Maine has over 1,000 licensed kennels. If each kennel sold one dog per week, they would be selling 1,000 dogs, and three people that are in the State of Maine for one half a day three times a week could not possibly get to 1,000 kennels once a week and sign all these certificates.

Unless this amendment carries an amount of money to put additional people in the position of running around and signing all of these certificates, this thing just is not going to work. What it is going to result in, if you want to go to your local kennel and buy a puppy dog or a cat or whatever, you are going to get us into a situation like registering guns, you are going to have to wait 72 hours or longer. You could wait two or three weeks until this official got around to sign the certificate.

I hope you will support the recede and concur motion.

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

Mr. McKERNAN: Mr. Speaker and Members of the House: I had not been able to figure out why the Agriculture Committee is so against this amendment, and I think I just figured it out — they don't understand it.

The SPEAKER: The Chair would advise the gentleman from Bangor to be somewhat careful in the use of his words.

Mr. McKERNAN: Clearly, the amendment says, "A U.S. Department of

Agriculture veterinarian or his designee." Why do you think we included "or his designee" in the amendment? Exactly to alleviate the problem that the gentleman from Buxton, Mr. Berry, refers to, because there are only three of them. But the problem is, there are some unscrupulous veterinarians in other parts of the country, and without having the Department of Agriculture veterinarian or his designee be signing the certificate, these other veterinarians are just signing them en masse without even looking at the animal. This gives us some control, some control because whoever the veterinarian in the other state is that signs it will have to have been designated by the United States Department of Agriculture veterinarian. The same thing in this state. Since there are only three, the three of them will designate people throughout the state, and what that section says is that if you or I buy a dog or a cat, either from a kennel or from a pet shop, then we are going to have a health certificate saying what shots have been given to that dog or cat, and that is the reason for this amendment, which is why we want to specify it, to make sure that we know we are getting healthy animals in this state, and I hope you will oppose the motion to recede and concur.

The SPEAKER: The Chair recognizes the gentleman from Buxton, Mr. Berry.

Mr. BERRY: Mr. Speaker, I would like to assure the good gentleman that some members of the Agriculture Committee do understand the bill and that happens to be what the problem is.

I think that if Mr. McKernan were honest with us, that he could tell us that the committee amendment will take care of the situation. There is absolutely nothing wrong with the committee amendment. The committee amendment is the only route we can go and take care of the situation unless he is willing to put a figure of money on this document.

Now, designee, that is clear enough to anybody, but who is the designee going to be? Why are we asking for a United States Department of Agriculture veterinarian, of which there are only three in the state and then saying you can designee anybody to do this. If you can't make it, go ahead, get anybody to do it. It could do that.

I would be perfectly willing to go along with the good gentleman's amendment if he would put money enough on the amendment to carry it out.

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

Mr. CURRAN: Mr. Speaker, Ladies and Gentlemen of the House: I am a pet owner and have always had a pet and am very fond of animals. Last week, I voted with the vast majority and then I received some telephone calls and gathered up some information that I would like to share with you this morning.

I am going to be supporting the motion of the gentleman from Buxton, Mr. Berry, for a couple of reasons. Under "B" in Mr. McKernan's amendment, it calls for the inoculation against distemper and hepatitis in not more than 30 nor less than 14 days. The veterinary medicine has discovered in the last two years a new drug called Endrocel DM. It is a stress shot; it is a combination of both the distemper and hepatitis. Now, this Endrocel DM must be given within 48 hours of the shipment of that animal, and it is a hundred percent effective. So what we would be doing if we were to pass this amendment, we would be forcing them to

use a drug that is only 50 percent effective. And in that case, I think we might still have the problem.

In Section A we talk about the age of dogs, and he has placed a restriction of eight weeks. In talking with some of the pet store owners in my area, they told me that any of the miniatures, the toy poodles, shouldn't be shipped any less than 12 to 14 weeks, so we really haven't helped that breed of animal. And a St. Bernard is so big by eight weeks, it is very difficult to find a shipping container.

The problem, I think, and it was pointed out to me by several, is with the shipping itself. Airlines do not tag animals the same way that they would ship you and I through on an airline, and what is happening is that many of these dogs are being set aside in airport terminals for two or three days at a time. I think that this is something that the interstate commerce people have to deal with, and I am told that there is going to be an animal welfare act with the interstate commerce coming out in the next 60 days.

The other day, Mr. McKernan referred to developing personality disorders or behavior problems with young puppies being shipped too early. A study at Cornell University says just the opposite is true. When a dog spends a small amount of time with its mother, it becomes less used to that particular environment. The longer he stays with the litter, the more likely he is going to suffer any kind of behavior problems. So for those reasons this morning, and I hope that in the future perhaps we can address some of these particular problems with a piece of legislation that we can all accept, I will be supporting the motion to recede and concur.

Mr. Tyndale of Kennebunkport requested a roll call vote.

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

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

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

#### ROLL CALL

YEA — Albert, Bachrach, Bennett, Berry, G. W.; Berry, P. P.; Berube, Blodgett, Boudreau, Bowie, Burns, Bustin, Carey, Carpenter, Carroll, Carter, Chonko, Clark, Connolly, Cooney, Cote, Curran, P.; Curran, R.; Curtis, Davies, DeVane, Doak, Dow, Drigotas, Dudley, Durgin, Dyer, Farley, Finemore, Flanagan, Fraser, Gauthier, Goodwin, H.; Goodwin, K.; Hall, Hennessey, Hunter, Jacques, Jalbert, Jensen, Kany, Kauffman, Kennedy, LeBlanc, Leonard, Lewin, Lizotte, Lunt, Lynch, MacEachern, Mackel, Mahany, Martin, R.; Maxwell; McBrearty, Mills, Miskavage, Morin, Mulkern, Nadeau, Najarian, Peakes, Pelosi, Peterson, P.; Post, Powell, Raymond, Rollins, Saunders, Shute, Smith, Snow, Spencer, Talbot, Teague, Theriault, Tierney, Torrey, Tozier, Truman, Twitchell, Usher, Wilfong, Winship, The Speaker.

NAY — Ault, Bagley, Birt, Byers, Call, Churchill, Connors, Cox, Dam, Farnham, Garsoe, Gray, Henderson, Hewes, Higgins, Hobbins, Hughes, Hutchings, Immonen, Ingegneri, Jackson, Joyce,

Kelleher, Kelley, Laffin, Laverty, Lewis, Littlefield, Lovell, MacLeod, Martin, A.; McKernan, McMahon, Morton, Norris, Palmer, Perkins, S.; Perkins, T.; Peterson, T.; Pierce, Quinn, Rolde, Silverman, Snowe, Strout, Stubbs, Susi, Tarr, Tyndale, Walker.

ABSENT — Faucher, Fenlason, Gould, Greenlaw, Hinds, LaPointe, Mitchell, Rideout, Sprowl, Wagner, Webber.

Yes, 89; No, 50; Absent, 11.

The SPEAKER: Eighty-nine having voted in the affirmative and fifty in the negative, with eleven being absent, the motion does prevail.

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

Mr. DUDLEY: Mr. Speaker, I now move that we reconsider this vote that was taken, and I hope you all vote against me.

The SPEAKER: The gentleman from Enfield, Mr. Dudley, moves that the House reconsider its action whereby it voted to recede and concur. All in favor of that motion will say aye; those opposed will say nay.

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

#### Orders

On motion of Mr. Albert of Limestone, it was

ORDERED, that Charles Dow of West Gardiner be excused May 1 and 2 for legislative business.

#### 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 Charter of the Winthrop Water District" — Committee on Public Utilities reporting "Ought to Pass" (S. P. 328) (L. D. 1114)

Bill "An Act to Amend the Portland Renewal Authority Law" — Committee on Legal Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (S-93) (S. P. 389) (L. D. 1249)

Bill "An Act to Assist Small Communities in the Development of Recreational Services" — Committee on Legal Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (H-211) (H. P. 1189) (L. D. 1485)

No objections being noted, the above items were ordered to appear on the Consent Calendar of April 30 under listing of Second Day.

#### Consent Calendar

##### Second Day

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

Bill "An Act to Amend the Maine Consumer Credit Code as it Relates to the Refinancing of Single Payment Loans Granted by Supervised Financial Organizations" (Emergency) (H. P. 1063) (L. D. 1343)

Bill "An Act Relating to Application of Payments under the Maine Consumer Credit Code" (H. P. 1065) (L. D. 1345)

Bill "An Act Relating to Default under the Maine Consumer Credit Code" (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) (H. P. 1319) (L. D. 1638)

Bill "An Act Relating to the Training of Cooon Hounds" (H. P. 888) (L. D. 1063)

No objections having been noted at the

end of the Second Legislative Day, were passed to be engrossed and sent to the Senate.

Bill "An Act to Increase the Penalties for Night Hunting" (H. P. 998) (L. D. 1261)

On the request of Mr. Usher of Westbrook, 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 Validate the Election of Municipal Officials in the City of Hallowell in 1971 and 1973" (Emergency) (H. P. 1310) (L. D. 1592)

On the request of Mr. Stubbs of Hallowell, 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 Authorize the Executive Council to Approve or Disapprove Certain Claims Against the State" (H. P. 366) (L. D. 460)

No objections having been noted, was passed to be engrossed and sent to the Senate.

Bill "An Act to Improve Procedures under the State Employees Labor Relations Act" (C. "A" H-201) (H. P. 916) (L. D. 1130)

On the request of Mrs. Najarian of Portland, was removed from the Consent Calendar.

Thereupon, the Report was read and accepted and the Bill read once. Committee Amendment "A" (H-201) was read by the Clerk and adopted and the Bill assigned for second reading tomorrow.

Bill "An Act to Prevent Unfair Discrimination Against Blind Persons Seeking Insurance Coverage" (C. "A" H-203) (H. P. 846) (L. D. 1033)

Resolve, to Reimburse Thomas F. Oechsle of East Holden for Damage to Beehives by Bear (C. "A" H-204) (H. P. 883) (L. D. 1055)

Bill "An Act to Create Hospital Administrative District No. 5 in Piscataquis and Penobscot Counties" (Emergency) (C. "A" H-205) (H. P. 1099) (L. D. 1382)

Bill "An Act Relating to the Appointment of Clerks of the Judicial Courts" (C. "A" H-202) (H. P. 533) (L. D. 671)

Bill "An Act Relating to Cruelty to Animals" (C. "A" S-87) (S. P. 261) (L. D. 858)

Resolve, Permitting Norman W. Frost, Jr. of Fryeburg to Practice as a Public Accountant (S. P. 456) (L. D. 1504)

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

#### Second Reader

##### Tabled and Assigned

Bill "An Act Concerning Listing of Tax Exempt Real Property for Town Reports" (S. P. 496) (L. D. 1843)

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

(On motion of Mr. Birt of East Millinocket, tabled pending passage to be

engrossed and specially assigned for Thursday, May 1.)

#### Second Reader

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. 498) (L. D. 1845)

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

(On motion of Mr. Jacques of Auburn, tabled pending passage to be engrossed and specially assigned for Thursday, May 1.)

#### Passed to Be Engrossed

Bill "An Act Prohibiting County Commissioners, Municipal Officers and School Directors from Appointing Themselves to Certain Offices" (S. P. 497) (L. D. 1844)

Bill "An Act to Facilitate the Incorporation of New Towns" (S. P. 500) (L. D. 1846)

Bill "An Act to Clarify and Make Uniform the Definition of Mobile Home" (H. P. 1544) (L. D. 1861)

Bill "An Act to Permit the Commissioners of Aroostook County to be Paid Traveling Expenses in Addition to their Salaries" (H. P. 1546) (L. D. 1863)

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)

Resolve, to Reimburse Lawrence H. Roberts of So. Portland for Damage to his Automobile Caused by State Ward (H. P. 973) (L. D. 1222)

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

#### Second Reader

##### Tabled and Assigned

Bill "An Act to Require Further Notice of Free Choice of Insurance" (H. P. 1547) (L. D. 1864)

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

The SPEAKER: The Chair recognizes the gentleman from Cape Elizabeth, Mr. Hewes.

Mr. HEWES: Mr. Speaker and Members of the House: As I look at item 9, which is L. D. 1864, it seems to me it is just an additional burden put on the lender. My wife and I recently purchased a home and at the bank there were several forms, of course, that we read and had to sign some and filled out others, and this bill, as I see it, requires a lending institution to provide a list of all insurance agents within a 20-mile radius of the lending institution so that the person borrowing the money may have a choice of all insurance agents.

Now, in Portland — we borrowed the money in Portland — that would include Biddeford and I believe Freeport, and it just seems to me that requiring a list of perhaps a hundred or so names by a lender is too much of a chore for banks to have to do.

I am rather reluctant to move the indefinite postponement of this bill, because I just noticed it now, but I would appreciate it if some member of the Committee on Business Legislation would explain why there is a need for this bill when the yellow pages are readily available and insurance agents generally

advertise throughout their communities.

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

Mr. DeVANE: Mr. Speaker, The sponsor of this bill is not in his seat. There is no explanation for it. I agree wholeheartedly with the gentleman from Cape Elizabeth, but would ask that the item be tabled one legislative day.

Whereupon, on motion of Mrs. Clark of Freeport, tabled pending passage to be engrossed and specially assigned for Thursday, May 1.

### Second Reader

#### Later Today Assigned

Bill "An Act Establishing Educational Requirements for Licensing of Real Estate Brokers" (H. P. 1548) (L. D. 1865)

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

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

Bill "An Act Concerning the Possession of Firearms During the Open Season on Deer" (H. P. 1549) (L. D. 1866)

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

Mr. Churchill of Orland offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-216) was read by the Clerk and adopted.

The SPEAKER: The Chair recognizes the gentleman from Lincoln, Mr. MacEachern.

Mr. MacEACHERN: Mr. Speaker, I move that this bill and all of its accompanying papers be indefinitely postponed and ask for a division.

Mr. Rollins of Dixfield requested a roll call vote.

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

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

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

Mr. MORTON: Mr. Speaker, I would like to pose a question through the Chair to anyone who might answer it. In the bill, it mentions units seven and eight, Wildlife Management Units 7 and 8, could somebody identify those for me?

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

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

Mr. CONNORS: Mr. Speaker and Members of the House: I can't give you the exact boundaries, but it runs somewhere from Lincoln County south to York County on the coast, so many miles inland. Washington and Hancock are 5 and 6, part of Waldo is 6 and then 7 and 8 runs along the coast further south.

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

Mr. KAUFFMAN: Mr. Speaker, Ladies and Gentlemen of the House: I believe Units 7 and 8 take in all of York and Cumberland Counties.

The SPEAKER: The Chair recognizes

the gentleman from Windham, Mr. Peterson.

Mr. PETERSON: Mr. Speaker, I would like to pose a question to anyone who may answer it. Why would we prohibit the carrying of certain firearms in the southern half of the State of Maine and the central and northern half of the State of Maine?

The SPEAKER: The Chair recognizes the gentleman from Unity, Mr. Tozier.

Mr. TOZIER: Mr. Speaker, Ladies and Gentlemen of the House: There was going to be put out to everyone where the areas were to be and they haven't been handed out yet. If we could put this off for maybe ten minutes, I think you would be more clear on the zones.

To answer why it was in only two seven and eight zones would be because up country they hunt cats and animals after they have already killed the deer and in the other zones, there would be no other big game animals to hunt and they just continue on to kill a lot more deer after they have already tagged theirs. I think this happens often in these two zones, even up in the other zones, but at least you have the animals up there to hunt.

On motion of Mr. Carey of Waterville, tabled pending the motion of Mr. MacEachern of Lincoln to indefinitely postpone the bill and all accompanying papers and later today assigned.

Bill "An Act Relating to Sales Tax Interest and Penalties" (H. P. 1550) (L. D. 1867)

Bill "An Act Relating to the Definition of a Real Estate Broker" (H. P. 685) (L. D. 869)

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

Bill "An Act to Designate the Honeybee as the Official Insect for the State of Maine" (H. P. 721) (L. D. 897)

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

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

Mrs. LEWIS: Mr. Speaker, Ladies and Gentlemen of the House: This is something I am not crazy about doing because I am sure that the children who testified for this bill to make the honey-bee the state insect were adorable, just as cartoon pictures of honey-bees make them look adorable creatures too, but this doesn't alter the fact that bees are lethal. Many, many Maine people and summer visitors suffer every year from bee stings and, in fact, the allergic reaction to the venom is more severe each time a person is stung and it is not uncommon for a person who has an extreme allergy to die from such a sting. One of my constituents telephoned me and asked me, if this state insect thing was for real. When I assured her that it was, she told me of a child she knew who had died from a bee sting. I have had an article from this years April 21st issue of U.S. News and World Report distributed and I hope that everyone here will read it. It could prove to be very important. It is an interview with a noted allergist, Doctor Robert E. Riceman. He gives advice on what precautions to take and what treatment to use, if a person does have an allergic reaction to an insect sting. I know that the bee is a very useful insect.

Orchardist and I believe blueberry growers depend on it for pollination but I do question the advisability of naming this dangerous insect, our State Insect. In fact, since there is no great clamoring from the people that this legislature designate this insect or any insect, as our State Insect, I would move that this bill and its accompanying papers be indefinitely postponed.

The SPEAKER: The gentlewoman from Auburn, Mrs. Lewis, moves that this bill and all accompanying papers be indefinitely postponed.

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

Mr. McMAHON: Mr. Speaker, Ladies and Gentlemen of the House: I rise with some trepidation but nevertheless I do rise in defense of this bill. This seems to be the day for animals and insects in this body, but I do hope you will remember the circumstances for the introduction of this bill and the others that we are discussing today.

I have had prepared and distributed a fact-sheet on the value of the honey-bee to the State of Maine and the reasons why I feel it should be designated the State Insect.

The list was extracted from the testimony of the fourth grade students from Kennebunk, who testified on behalf of this bill, and at whose request, I introduced it. I would call your attention especially to reasons one, four, five and six. Perhaps, especially, to reason one. I do hope you read the fact-sheet before voting on this matter.

In anticipation of the gentlelady's comments today and those comments indicated her opposition to this bill, because of the fact that honey-bees might sting people, I would simply point out to the gentlelady that any bee might sting, just as any dog might bite or any person might take another's life. In anticipation of this line of thinking, I have prevailed upon the students, who were involved in this bill, to contact Mr. William Jordan, the bee supplier and the Professor at Westbrook Junior College and at University of Maine, Portland-Gorham. He also is the instructor in a course of bee-keeping and I would read to you the following information: "all honey-bees are not offensive stingers. They are like any other animal and that when provoked, teased, cornered, endangered, they will then attack." He further went on to state that without honey-bees, Maine would not have any economic value in the berry crops, especially blueberries, and the apple crop would be greatly diminished.

I beg your indulgence for one more moment while I read to you an article that appeared in this month's Readers Digest which will reinforce the comments contained in the factsheet. It is entitled "Good and Faithful Servant" and it appears on Page 131 of the Readers Digest. "Consider the bee. He has five eyes, three simple ones on the top of his head, two compound ones with thousands of lenses, and he has 5,000 nostrils, nose enough to smell an apple tree two miles away. He has two sets of wings which can be hooked together in flight so they flap as one, 16,000 times a minute and no matter how he zig zags, his dizzy dance of the flowers, he always beelines it back to his hive, home and his job there. He may be a street cleaner, a water carrier, a nurse, a sentry, a mason, an engineer or an air conditioner. If he is the last, he may fan 12 hours at a



stretch in the hive, on top of 12 hours spent gathering nectar outside of it. Busy as a bee, is no overstatement. He literally works himself to death, all for the single teaspoon of honey, spread upon your breakfast toast, the entire quota of his few short weeks of life. A one pound jar of honey on your table represents 50,000 miles as the bee flies or girdling of our globe, twice around. Let us not take the bee so much for granted again. All his dipping into dandelions and daisies and snapdragons is no joyous game but an instinctual obedience to an ordinance of nature that commands, while the earth remaineth seed-time and harvest shall not cease. There are 100,000 species of plants which could never properly form seeds without the bee. Without him our bread would not be sweet. Indeed, there would be no bread or wine either, so in many churches, beeswax candles are used at the traditional service of bread breaking and wine drinking. It is a way of paying tribute to our good and faithful servant, the bee."

Mr. Speaker, I request a division on the motion.

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

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: I suppose you wouldn't call me an authority on bees, but I have 22 hives of bees right next door to me, they are less than 150 feet from my house. The lady from Auburn, Mrs. Lewis, has stated how vicious they are. Let me tell you that we sit down and we have a picnic area outdoors, a small one, and we have a nice fireplace out doors, we go out there Sundays, we have a lunch and have visitors in. The bees will light on practically everything that is on that table and I have never seen them take any dish or anything with them yet. The bees are all controlled by ladies, I should think that is much more reason she should go along because they are controlled by ladies and these ladies are pushers. If one doesn't work, he is called a drone, he is picked up by his wings, by two bees, one on each side, and you can see it happen if you stay there two or three hours, they will carry him up to quite a height as far as they can go, beyond your eyesight and they will drop him and kill him. I should think this morning that you would go along — there is nothing that is more pleasant to watch work, then bees, because they do a wonderful, wonderful job. These bees — there wasn't any buckwheat within about three miles of their hive and last year about half of the honey that come out of those hives were buckwheat honey, so you can see they travel quite a distance. They don't have to have papers to cross into Canada, they fly into Canada, back and forth free, which most of us can't do and you will find that these things are great workers. I would feel that we had done a great justice to the State of Maine to make the honeybee the insect of the state. I don't even classify them as an insect personally. I think they are a very clean little bug that flies, and as I tell you, any time you go by my place on a Sunday or a warm afternoon, I can show you bees that will fly right up and almost crawl up your coat sleeve and none of them has ever stung any of us yet.

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

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House: At the risk of being accused by the gentleman in the

other corner that perhaps the balmy breezes of spring have touched me once more, I do want to recite a little bit of poetry which really expresses the reason why I favor the bee. I have a very dear friend who is a constituent of mine and wrote this little note to me the other day when she was answering some other questions about legislative matters before the 107th and she gave me these words. She is an orchardist incidentally and she said, "I am for the bee, bee works for me. Busy Bee by the apples, you see." I think he is a great, great worker for the State of Maine in our apple industry and I certainly want to propose his passage this morning as our State Insect.

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

Mrs. BERRY: Mr. Speaker, Ladies and Gentlemen of the House: I am very glad that a bee can smell an apple tree for two miles, being in the orchard business, but to stand by the pupils of North Anson, which in the first place contacted me about this bill, I would like to ask Mr. Finemore, from Bridgewater, where his bees came from? Are they Maine bees or did you send away for them?

I say that a honeybee that does so much good for the people of Maine are cultivated bees. They are not Maine bees. Most everybody who has beehives send away for their bees and, therefore, we are not necessarily voting for a native of Maine. They come from out-of-state, generally, and I think we should consider this. I watch the bees in the orchard but I also watch butterflies on my flowers and, to me, they are much more beautiful than the honeybee.

The SPEAKER: The gentlewoman from Madison, Mrs. Berry, poses a question through the Chair to the gentleman from Bridgewater, Mr. Finemore, who may answer if he so desires.

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

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: I am very pleased she asked that question. I didn't state they were my bees, they belong to the neighbor next door but they are less than 150 feet from my house. They are Maine bees. They do hold a dual citizenship. They can work in Canada or in the United States and, therefore, their parents under the parental law, probably their parents were born in Canada because they do have a dual citizenship.

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

Mr. DUDLEY: Mr. Speaker, Ladies and Gentlemen of the House: I think there is a lot that can be said about bees. I have always liked to have a crew that worked like them. We always spoke about busy as a bee because you know they were doing something if they were as busy as a bee. While I am on my feet, the bees in my area mostly come from Italy and they are called Italian bees and they gather more honey than some of the Maine bees. I was once known as a bee tamer myself. I have never been stung by one and I have handled a lot of them. I will say, in all honesty, that bees do know people because I have had people visiting me that got stung by a bee and I worked with them daily and I never was stung by a bee. I feel sure that they do know the people that are around daily. In other words, they distinguish you or the smell of you from some stranger. When we speak about a Maine bee, and these bees can come from

anywhere around the world, but the most active and the ones we have in our area are Italian bees, and they are a little bigger than our Maine bee. They gather more honey and I understand they sting harder but they never stung me. If we get on with our work, we would be as busy as a bee.

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

Mr. QUINN: Mr. Speaker and Members of the House: As a member of the committee who signed the majority report, I would address one thing that the gentlewoman from Auburn, Mrs. Lewis said. She said there is no public outcry for this. If memory serves me, those young people brought in a petition of 3300 validated signatures, including some prominent politicians, among them a U.S. Senator, all of whom were imploring the bee. Finally, as an observer of the legislative process, I should think after all the money we have put into beehives that the least we could do is make it the State Insect.

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

Mr. LOVELL: Mr. Speaker, Ladies and Gentlemen of the House: I am not a beekeeper, I am a pharmacist. However, I come from Waldoboro, Maine and my father was a beekeeper for 50 years and he wrote many books, "Honey Plants of North America", the "Flower and the Bee," and many articles, — he spent his entire life on research work on flowers and bees. I remember when I was a youngster, that people used to come to our house and he would go to the hives and get bees and sting the person for arthritis — they had arthritis in the shoulder — he would get the bee and sting them and the venom of the bee helped cure or helped the pain of the arthritis. Now, as a pharmacist, I might say to the gentlelady, that in every drug store we have a bee sting kit. All you have got to do if you are allergic to the venom of the bee sting, just step into your local drug store, get a prescription and you get a bee sting kit and you have no problem. I hope the gentleman from Kennebunk, Mr. McMahon's bill passes.

The SPEAKER: The pending question is on the motion of the gentlewoman from Auburn, Mrs. Lewis, that this bill and all its accompanying papers be indefinitely postponed. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

10 having voted in the affirmative and 103 having voted in the negative, the motion did not prevail.

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

#### Second Reader Later Today Assigned

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

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

Mr. Quinn of Gorham offered House Amendment "C" and moved for its adoption.

House Amendment "C" (H-207) was read by the Clerk.

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

Mr. MAXWELL: Mr. Speaker, Ladies and Gentlemen of the House: I would like to move indefinite postponement of House Amendment "C" and I would hope that you would all support me.

The SPEAKER: The Chair recognizes

the gentleman from Gorham, Mr. Quinn.

Mr. QUINN: Mr. Speaker, Ladies and Gentlemen of the House: Just to reiterate briefly before the vote is taken, this essentially is an attempt to reform one of the inequities in our tax system. It is objected to currently by some people who enjoy this exemption in towns that are at a low ratio. If you wish to know how it applies to your town — if your ratio is at 100 percent, there will be absolutely no change in the present exemption allowed any veteran. If you live in the town of Sebago, where your ratio is at 10 percent, your veterans are enjoying an exemption of \$35,000 on their houses, while the veterans in Portland are only enjoying \$3,500. I suggest that this is a definite inequity among veterans themselves and we should abolish it. If we subsequently feel that our veterans should have more money, then let's address that question fairly to all veterans equally all across the state. I would urge you to vote against the motion to indefinitely postpone.

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

Mr. LEONARD: Mr. Speaker, Ladies and Gentlemen of the House: I have spoken quite a bit on this bill and I would like to say that although the veterans in my area will probably hang me, this certainly — the "just" value on the proposed amendment now brings the bill in line where it should have been originally and that was what I was really after. I would just like to say I support the amendment.

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

Mr. CHURCHILL: I hate to disagree with our Representative Quinn because I think he has done an excellent job in explaining this but if we go along with what Mr. Quinn is asking, we are following right in line with what Maine Municipal desires for. I think we better indefinitely postpone this.

The SPEAKER: The pending question is on the motion of the gentleman from Jay, Mr. Maxwell, that House Amendment "C" be indefinitely postponed. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

Mr. Norris of Brewer requested a roll call vote.

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

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

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

Mr. DUDLEY: Mr. Speaker, Ladies and Gentlemen of the House: I support the indefinite postponement of this. I think it is another step against Home Rule. I think that each municipality now has control of their percentage when they assess taxes. I think it should be that way. The value of property is different from one area to another and so are exemptions. I think it should be that way. I think a bill like this with the amendment is against Home Rule. I think I would like to go back to it wherever possible.

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

Mr. QUINN: Mr. Speaker, Ladies and

Gentlemen of the House: To answer the gentleman from Enfield, Mr. Dudley, I would further suggest that if Enfield wishes to give its veterans money, let Enfield do so. Enfield, in 1974, was at 20 percent, which means that the veterans in Enfield are, in fact, getting a five times which is \$17,500 exemption in actual property value for their homes, as opposed to a veteran in the town in the same county of Dexter which is 100 percent. I suggest that if Enfield wishes to give their veteran's exemptions then let Enfield do it, let not the state do it.

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

Mr. MULKERN: Mr. Speaker, Ladies and Gentlemen of the House: When this bill was debated the other day and I made my motion to indefinitely postpone the entire bill, this is what I was trying to get at. The amendment that Mr. Quinn has presented, I think, completely satisfies me.

I talked to the members of our own Taxation Department, Mr. Halperin down in Taxation, and he said, if we put this thing back to \$3,500 and put "just" value on it, he said, this will make it equitable and fair and I think we should go along with this today.

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

Mr. NORRIS: Mr. Speaker, Ladies and Gentlemen of the House: Very briefly, I haven't been involved in this but we started out with a bill to benefit the veterans to increase their tax relief and we have ended up now this morning with an amendment, that instead of increasing is going to decrease some veteran's chance for tax relief and I don't know that I am opposed to that but I think it is kind of a backward way to do it. If we wanted to put a bill in to equalize this thing, I think it should have been done but certainly not under the guise of increasing the tax exemptions for veterans, because we are doing just opposite of that now in some certain areas. I would hope that you would indefinitely postpone this amendment.

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

Mr. MORTON: Mr. Speaker, Ladies and Gentlemen of the House: I support the contention of the gentleman from Brewer and I support the indefinite postponement motion.

The gentleman from Gorham, Mr. Quinn, has made a very fine exposition of this and what it does. However, the movement to a \$7,000 exemption does two things. First of all, it recognizes the tremendous increase in property valuations that have occurred over the years, and second, it enumerates to some extent the harsh imposition, and I am in complete agreement with it by the way, of the "just" value consideration. That is the way it should have been from the very first but at this particular point in time, if we are going to that, and I think we should, it only seems fair and reasonable that we take a burden off some of the veterans who are going to be hit very hard by that and realizing that we are going to favor some and hurt some. This is a little bit of the middle of the road way to go, it seems to me. I would hope that you will indefinitely postpone this amendment.

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

Mr. WAGNER: Mr. Speaker, Ladies and Gentlemen of the House: In response to the

previous two speakers, there is no way that we can construe this as not taking away a tax benefit to veterans. It reduces the maximum amount is what it amounts to. At \$3,500 exemption on 100 percent, at a mill rate at about 30, this amounts to about \$100 tax exemption. What this bill does is remove the potential for this intent of \$100 deduction being increased to \$1,000 deduction in a town that is on a 10 percent evaluation, I think this is only equitable. I myself am a veteran. Our local delegation, legislative delegation, the town councilors in the town I live in discussed this at a meeting. Most of the officials there were themselves veterans but didn't feel this was fair to increase this veteran's exemption.

I have right around the corner from me where I live in Orono, there is a retired family who are living on social security benefits, do not happen to be veterans, the husband is hospitalized and is having a hard time to maintain a small, modest home which he has lived in all his life. The large veteran's exemption has the effect of shifting the property tax burden to people like this. It is not based on ability to pay, so I would strongly urge the adoption of this amendment and recognize that we are recognizing the service of veterans by giving them this minimum of \$100 exemption, but just adjusting an inequity that exists under this.

The SPEAKER: The Chair recognizes the gentleman from Limerick, Mr. Carroll.

Mr. CARROLL: Mr. Speaker, Ladies and Gentlemen of the House: I think we have had some words of wisdom here this morning, but what disturbs me is, the Bureau of Taxation over here in the office building, their method of arriving at values. They do not have an economic formula cranked into their value, all they have is a hard and fast rule of valuation as set by the people who ride down the pike, loaded with gold they made in the big city, and they crank it here into our towns, upping our valuation, constantly upping it because they are using sales as a method of arriving at valuation. I would urge you to vote against the gentleman from Gorham, who I have a great deal of respect for, but I think he puts too much wisdom on the other side of this building. What I mean in that, I am talking about the Bureau of Taxation. I think the Bureau of Taxation has got to get their house in order, because one of these days they are going to be taken into the courts because of the system that they arrive at on just valuation.

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

Mr. LEONARD: Mr. Speaker and Members of the House: To correct or clear up any misunderstanding, the percentage of valuation that we have been talking about, the percentage on just valuation is not a figure that will come out of the State Tax Assessor's Office. It is a figure that is put on by your local assessors. Each year when you make up your assessment book, you do make a determination, the assessors make a determination of what percentage that book is of true market value. Therefore, the State Tax Office has little or nothing to do with this just value clause.

Another thing I would like to point out though is putting in the just value and bringing the \$3500 exemption, or the \$7000 proposed, down to \$500 where it was



before, I seriously question the fiscal note. I think that you will find that things will level off in the future and that the state will probably be asked for less than it has in the past to reimburse these municipalities for veteran's exemptions that went over the 3 percent clause. So I think ultimately we will be not only saving the local municipalities moneys, we will also be saving the state moneys as well. Certainly I don't want anybody to think that we are kind of using the back door approach here. Of course, none of us that have probably spoken on this bill have had any intention of introducing the bill in the first place, although it was one of those things that I was very concerned with before I even ran for the legislature, but introducing the just value was accepted and supported by the veterans when we had the \$7,000 figure on, so I can't see why now this would turn around, just because we are retaining this \$3,500 that they had before, why they would now protest the just value. They have already accepted that. They have already said that that was a good idea, fair and equitable to all veterans.

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

Mr. NORRIS: Mr. Speaker, Ladies and Gentlemen of the House: To answer the gentleman's question, some veterans will now have to pay more taxes than they have been paying in the past. That is why they would object to it. When you change from \$3,500 to \$7,000 and from \$7,000 back to \$3,500, then that means there is a segment of those veterans who will have to pay more taxes than they are paying today. That is my objection to it. This started out as an increase, and it is ending up as a sizeable decrease in some areas to the veterans.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: Just is a word like one of these words that can mean a lot of things, like reasonable. To different people it means different things.

Let me say just valuation. The valuation on real estate changes something like the stock market does, almost on a daily basis. I haven't been an assessor recently, but for over 20 years I was an assessor. In other words, what is valuation. It is the liquidation value, what you could sell the property for today, what you can sell it for if you advertise 10 years in the paper and look for a sucker, or what is valuation? So this word just is a very unreasonable word, in my opinion, because it has a lot of meaning and can be changed on a daily basis. So you ask a man who is assessing, how are you valuing this, on liquidation if the man had to sell tomorrow or he could advertise for 10 years and sell? This is a very broad program. In different towns it means different things.

For instance, in the little town I represent, and I represent many of them, they have got a little mill there and all of a sudden the mill goes down and it goes down maybe on a two-day notice flat. The property in that town will automatically — the just value is changed considerably. So it is kind of a floating word.

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

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: I will try and see if I can put this, or at least answer the question that was raised by the gentleman from Woolwich, Mr. Leonard. As it was explained to me, let's take a veteran under the current situation who has a \$35,000 house, or a house worth \$35,000, who is living

in a town where the valuation, for example, say, is 10 percent and he has a veteran's exemption, the existing veteran's exemption of \$3,500. If his \$35,000 house is valued at 10 percent, therefore that would be \$3,500, and with his \$3,500 exemption, he would have to pay no taxes. If the bill is passed with the amendment, or if the bill is passed in any form, by going to just value it would go to 100 percent valuation. Therefore, on his \$35,000 house you would subtract only his \$3,500 exemption. So the man in a town who right now would be paying no taxes would have to pay taxes on \$35,000 minus \$3,500.

The veterans organizations themselves were willing to accept this, even though it would place a burden on some veterans with a sort of trade-off of raising the exemption from \$3,500 to \$7,000. So I think that explains why some veterans could be very badly hurt by this bill.

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

Mr. COX: Mr. Speaker, Ladies and Gentlemen of the House: I would like to concur with the remarks of the other gentleman from Brewer, Mr. Norris. I would like to point out that regardless of the long discussions we have had about the philosophies of just valuation and valuation techniques, if this amendment is passed, it will in effect reduce this tax exemption of most veterans. And I would submit that if we want to do away with or reduce veteran's exemptions, we should do it with a bill to reduce exemptions, not with a bill entitled to increase veteran's exemptions.

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

Mr. CAREY: Mr. Speaker and Members of the House: I have had delivered this morning an amendment that I had prepared, and it pretty much follows the thinking that the House has had all along, and it might be the compromise that this House is looking for as we go along. It would increase veteran's exemptions to \$5,000 with just valuation. If anybody is interested in getting this reproduced and it can be tabled until later in today's session, I may get it back in its reproduced form for consideration.

Thereupon, on motion of Mr. Kelleher of Bangor, tabled pending the motion of Mr. Maxwell of Jay to indefinitely postpone House Amendment "C" and later today assigned. (A roll call ordered)

#### Amended Bills

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) (C. "A" S-90)

Resolve, to Reimburse W. E. Emery of North Anson for Loss of Livestock by Coyotes and Bear (H. P. 1090) (L. D. 1369) (C. "A" H-200)

Were reported by the Committee on Bills in the Second Reading, read the second time, the Senate Paper was passed to be engrossed as amended by Committee Amendment "A" in concurrence and the House Paper was passed to be engrossed as amended by Committee Amendment "A" and sent up for concurrence.

#### Passed to Be Enacted Emergency Measure

An Act to Revise Certain Provisions of the Maine Health Facilities Authority Act (H. P. 1027) (L. D. 1306)

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. 115 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

An Act to Revise the Maine Medical Laboratory Act (H. P. 1522) (L. D. 1835)

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

#### Passed to Be Enacted

An Act Concerning the Registration of Certain Pickup Trucks (S. P. 117) (L. D. 382)

An Act to Clarify Market and Public Opinion Research Services under the Unemployment Compensation Law (H. P. 383) (L. D. 476)

An Act Relating to Compensation and Benefits under the State Classified Service (H. P. 406) (L. D. 495)

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

#### Enactor

##### Tabled and Assigned

An Act to Amend the Protection and Improvement of Air Statutes (H. P. 694) (L. D. 881)

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

(On motion of Mr. Hunter of Clinton, tabled pending passage to be enacted and specially assigned for Thursday, May 1.)

An Act Relating to Registration of Certain Vehicles under the Motor Vehicle Laws (H. P. 813) (L. D. 984)

An Act to Extend the Back Bay Sanctuary, Portland (H. P. 1501) (L. D. 1824)

An Act to Clarify the Licensing Requirement for Structures of 60,000 square feet under the Site Location Act (H. P. 1519) (L. D. 1832)

An Act Concerning Construction and Repair of Fishways (H. P. 1523) (L. D. 1836)

An Act to Amend the Alewife Fising Laws Relating to Municipalities (H. P. 1524) (L. D. 1837)

#### Finally Passed

Resolve, to Reimburse Eugene W. Downer of Magalloway Plantation for Automobile Damage Due to Highway Construction (H. P. 1028) (L. D. 1317)

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

#### Orders of the Day

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

Bill "An Act 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) — In the House, passed to be engrossed as amended by Committee Amendment "A" (H-183) on April 24. — In the Senate — Majority "Ought Not to Pass" Report of the Committee on State Government accepted in non-concurrence.

Tabled — April 28 by Mr. Davies of Orono.

Pending — Further consideration.

On motion of Mrs. Post of Owls Head, the House voted to insist and ask for a Committee of Conference.

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

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) — In the House, referred to the Committee on Legal Affairs. In the Senate, was referred to the Committee on Local and County Government in non-concurrence.

Tabled — April 28 by Mr. Dam of Skowhegan.

Pending — Further consideration.

On motion of Mr. Dam of Skowhegan, the House voted to recede and concur.

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

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

Tabled — April 28 by Mr. Conners of Franklin.

Pending — Passage to be enacted.

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

Mr. CONNERS: Mr. Speaker, Ladies and Gentlemen of the House: I make the motion that this be recommitted to the Committee on Business Legislation and have them rework it.

The SPEAKER: The pending question is on the motion of the gentleman from Franklin, Mr. Conners, that this be recommitted to the Committee on Business Legislation in non-concurrence. The Chair will order a vote. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

91 having voted in the affirmative and 2 having voted in the negative, the motion did prevail.

Sent up for concurrence.

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

Bill "An Act to Change Weights and Related Provisions for Commercial Vehicles" (H. P. 1223) (L. D. 1211) — In House, indefinitely postponed on April 1. — In Senate, passed to be engrossed as amended by Senate Amendment "D" (S-84) in non-concurrence. — In House, receded and concurred, April 25.

Tabled — April 25 by Mr. Goodwin of South Berwick.

Pending — Motion of Mr. Jensen of Portland to reconsider action whereby the House voted to recede and concur.

The SPEAKER: The pending question is on the motion of the gentleman from Portland, Mr. Jensen, that the House reconsider its action whereby it voted to recede and concur. The Chair will order a vote. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

Mr. Jensen of Portland requested a roll call vote.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call, it must have the expressed desire of

one fifth of the members present and voting. All those desiring a roll call vote will vote yes; those opposed will vote no.

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

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

Mr. JENSEN: Mr. Speaker, Ladies and Gentlemen of the House: The reason I asked for reconsideration was for the purpose of offering two House Amendments. Last week, when the bill came up, I was under the impression that once the motion was made to recede and concur, another gentleman would get up and table it. As it turned out, that other gentleman did not do that. It went under the hammer without my realization that was going to happen.

I would ask that the members of the House would vote yes to reconsider for the purpose of offering these two amendments, and at that point if you wish to do otherwise, go ahead.

The SPEAKER: A roll call has been ordered. The pending question is on the motion of the gentleman from Portland, Mr. Jensen, that the House reconsider its action whereby it voted to recede and concur. All in favor of that motion will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Ault, Bachrach, Bennett, Berry, P. P.; Blodgett, Boudreau, Call, Carey, Chonko, Clark, Conners, Connolly, Cooney, Cox, Curran, P.; Curtis, Davies, DeVane, Farley, Flanagan, Gauthier, Goodwin, H.; Goodwin, K.; Greenlaw, Henderson, Hobbins, Hughes, Ingegneri, Jensen, Joyce, Kany, Kelleher, Kelley, Kennedy, Laffin, LaPointe, Leonard, Lizotte, Lunt, Martin, A.; Martin, R.; McMahon, Mulhern, Nadeau, Peakes, Pelosi, Perkins, S.; Perkins, T.; Peterson, T.; Post, Quinn, Raymond, Rolde, Snow, Spencer, Talbot, Tierney, Tozier, Truman, Twitchell, Tyndale, Usher, Wagner, Wilfong.

NAY — Albert, Bagley, Berry, G. W.; Berube, Bowie, Burns, Bustin, Byers, Carpenter, Carroll, Carter, Churchill, Cote, Curran, R.; Dam, Doak, Dow, Drigotas, Dudley, Durgin, Dyer, Farnham, Faucher, Fenlason, Finemore, Fraser, Garsoe, Gray, Hall, Hennessey, Hewes, Higgins, Hunter, Hutchings, Immonen, Jackson, Jacques, Kauffman, Laverty, LeBlanc, Lewin, Lovell, Lynch, MacEachern, MacLeod, Mahany, Maxwell, McBreairty, McKernan, Mills, Miskavage, Morin, Morton, Norris, Palmer, Peterson, P.; Pierce, Powell, Rollins, Saunders, Shute, Silverman, Smith, Snowe, Sprowl, Strout, Stubbs, Tarr, Teague, Theriault, Walker, Winship.

ABSENT — Gould, Hinds, Jalbert, Littlefield, Mitchell, Najarian, Rideout, Susi, Torrey, Webber.

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

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

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

Bill "An Act to Equalize the Retail Price of Alcoholic Beverages throughout the State" (H. P. 403) (L. D. 492)

Tabled — April 25 by Mrs. Najarian of Portland.

Pending — Passage to be engrossed.

On motion of Mr. Kelleher of Bangor, receded pending passage to be engrossed

and specially assigned for Thursday, May 1.

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

Bill "An Act to Require Nonresidents of Maine to Use the Services of a Maine Guide when Hunting in Washington County" (H. P. 371) (L. D. 465)

Tabled — April 25 by Mrs. Najarian of Portland.

Pending — Passage to be engrossed.

Mrs. Kelley of Machias offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-214) was read by the Clerk and adopted.

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

Mr. DOW: Mr. Speaker and Members of the House: I move this bill and all accompanying papers be indefinitely postponed and I would like to speak very briefly to my motion.

The SPEAKER: The gentleman from West Gardiner, Mr. Dow, moves that this bill and all its accompanying papers be indefinitely postponed.

The gentleman may proceed.

Mr. DOW: Mr. Speaker and Members of the House: This bill, of course, is to have guides only in Washington County. I really think there is an area only around Machias, sportsmen around Machias, that are looking for this particular piece of legislation. I have an idea that what it will do is restrict the hunting in Washington County and push some of the hunters, out-of-state hunters into other areas of the state, and in our area here, I don't really think that we can stand too much more hunting from out-of-state hunters.

Again, as I mentioned, this piece of legislation is sponsored by one club in Machias, and I had a call from another sportsmen's club in the northern part of Washington County, and they are not in favor of this. If we are going to have required guides in this state, I think it should be all over the state, not just one area.

When the vote is taken, I would like to have a division.

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

Mrs. KELLEY: Mr. Speaker and Members of the House: I will admit, as Mr. Dow says, that this did originate with the sportsmen's club in Machias, and they take in an area around that town. They put a lot of work in on this and they would like to try this as a pilot program and see how it would work for Washington County. The purpose of this originally was to keep the land protected a little better from people who come in there from out of state and leave a lot of their bottles and cans and what have you around, so I would oppose the motion of Mr. Dow and I would like to see Washington County have a chance to try this out and see how it would work. If they have problems with it, I am sure that somebody will bring it back to be repealed or to put amendments on it at another session.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Under ordinary circumstances, I wouldn't rise to oppose the lovely who just spoke, but setting aside the bottles and cans, the last time I went hunting with five people, we left \$1,450 in Washington County.

The SPEAKER: The Chair recognizes

the gentleman from Eastport, Mr. Mills.

Mr. MILLS: Mr. Speaker and Members of the House: That may have been so when he was up there, but he hasn't been up recently with anything else.

Ladies and gentlemen of the House, there are other things that can be said here, the attitude that it is only one place that it originated, with the gentlemen that compose the Machias club. It has been talked about across the county, and I have got responses, especially over the last weekend, the phone calls I received from the people in the various parts of Washington County, which is a very large county, supporting the attempt to set this up as a pilot program.

The people who own the blueberry fields, and they pay quite a huge tax in Washington County, have contacted me, and these people come in from out of state and they have been rampaging through the blueberry fields, they have camped in the blueberry fields and they have left their debris and everything else behind, which is a very costly thing for the people who run the blueberry fields to maintain. It doesn't apply to any one group in the blueberry barons because that is a multiple purpose organization, it is multiple owned across the county.

And Danforth and Vanceboro, I have had phone calls over the weekend to speak for this bill and see if it cannot be adopted for Washington County alone. So I would oppose the indefinite postponement because I think there are people who would like to have the private privilege of coming into Washington County when they won't let you into their own area in other parts of the state. They have their own type of law, which is not printed, but it is very repulsive when you try to enter their territory.

I would ask the House to go along against the indefinite postponement and give us a chance to live in Washington County.

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

Mr. PERKINS: Mr. Speaker, I would like to pose a question to anyone who might answer it, and that is, does this mean that if my brother comes up from Maryland to go hunting with me, that we have got to have a guide?

The SPEAKER: The gentleman from South Portland, Mr. Perkins, poses a question through the Chair to any member who may care to answer.

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

Mrs. KELLEY: Mr. Speaker, this only means if they are going into Washington County, but my amendment does show that if you have property in Washington County you are exempt and also if you have any mothers, fathers and inlaws. So, no, unless they are coming to Washington County, they do not need the guide unless they are going to come down there.

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

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: I oppose the indefinite postponement of this bill, but I would like to mention to the gentleman from Lewiston, Mr. Jalbert, that must have been a better game than I usually play in.

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

Mr. LAPOINTE: Mr. Speaker, I would like to pose a question to anyone who may

answer it. Does the amendment include hemophiliacs?

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

A vote of the House was taken. 66 having voted in the affirmative and 53 having voted in the negative, the motion did prevail.

Sent up for concurrence.

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

House Report -- "Ought to Pass" — Committee on Education on Bill "An Act Relating to Access to Written Records Concerning Elementary and Secondary School Pupils" (H. P. 975) (L. D. 1269)

Tabled — April 25 by Mr. Lynch of Livermore Falls.

Pending — Acceptance of Committee Report.

On motion of Mr. Lynch of Livermore Falls, retabled pending acceptance of the Committee Report and specially assigned for Thursday, May 1.

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

Bill "An Act Creating the Dickey-Lincoln Power Authority" (S. P. 189) (L. D. 662) (S. "A" S-75) (S. "B" S-77)

Tabled — April 25 by Mr. Davies of Orono.

Pending — Passage to be engrossed.

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

Mr. GREENLAW: Mr. Speaker, Men and Women of the House: The Way things seem to be going here this morning, I am not sure whether this is the day to debate this bill. But you may recall, a week or so ago this bill came flying through this body. There was no objection to it on the first reader and the second reader was about to go through and we had it set aside and tabled. I think we ought to take a close look at this bill this morning. This is the Dickey-Lincoln Power Authority Bill.

I would refresh your memories. It was a majority "ought not to pass" report of 11 to 2. Nine of the "ought not to pass" signers were from this body, and I just think it stands to reason that some of the people that signed the "ought not to pass" report, of which I was one, ought to explain the reasons why this body ought to give this bill some serious consideration.

I think there has been very little consideration given by this legislature, which I think is unfortunate, to alternative sources of power, and I think this is one alternative source of power that the state may look to in the future.

We all know that this particular item has been the subject of discussion in the halls of the Congress of the United States for a great period of time and there is a great difference of opinion on whether or not Dickey-Lincoln is, in fact, a viable and worthwhile project. It is a complex subject. I, frankly, have not been able to read as much on the issue as I would have liked to. The Energy Committee had tentatively scheduled a visit to the area, and that had to be postponed; and we simply haven't had the time to make a subsequent visit.

The reasons why I signed the "ought not to pass" report were two reasons, one was because I didn't see that the bill before us really accomplished a great deal.

Secondly, I didn't see that there were any funds for the establishment of the commission that this bill creates.

I would call your attention to the two amendments the other body adopted which, perhaps, may put a different light on this bill, and one of the amendments, I believe it is Senate Amendment "B", states that this bill will not actually take effect until three things have happened, the first being that there be positive results of an environmental impact study. The second, that the cost benefit ratio study which is being reactivated and taking place provide some favorable results. And thirdly, that after these two issues are favorably resolved, if the federal government does not act on it for a year, then this legislation would come into effect and would become operative.

I don't know if that is a particularly good way to approach this question. I have, subsequent to signing the "ought not to pass" report, talked with a number of the members of the Aroostook County delegation, and I am informed and told that they are strongly behind this bill, and I would perhaps ask, before we vote on this this morning, that some members of the Aroostook County delegation would shed some additional light on this matter so that perhaps we can vote on it more intelligently than we would otherwise.

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

Mr. FARLEY: Mr. Speaker, Ladies and Gentlemen of the House: As you all know, the Energy Committee is a new committee, and its major objective was to hear proposed legislation in regard to new sources of energy and report these sources to this body. If we are going to seriously consider legislation in regard to productive windmills, energy producing windmills, then I would hope that this House would give serious consideration to this legislation before you that would produce millions of kilowatts of new energy.

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

Mr. JACKSON: Mr. Speaker, Ladies and Gentlemen of the House: I am on the Energy Committee and one of the signers of "ought not to pass" on this bill. But there is one thing that I would like to point out, and that is on Senate Amendment "A", which is from the other body, what we have done in effect is we have taken the bill that had an "Ought not to pass" from the majority of the committee and we sort of patched it up so we can let it go through. We have shifted the burden here to a corps of engineers and we have said that the corps of engineers will run studies and if the studies show feasibility, we will then accept this bill and then we will go ahead with it if the federal government doesn't act in one year.

First I would point out, the federal government rarely acts in one year after a study is finished, so that will throw it back in our laps.

And second, I personally question the corps of engineers. They have done studies up here before. One of their things was they found that the interest rate — they used an interest rate of 2 percent, which I don't think even at the time they did it was reasonable. They also have the reputation of indulging in large projects that keep them busy. They are at this point draining large areas of wetlands in North Dakota. They have dug them and things like this,

and I really question if we in the State of Maine want to put ourselves dependent on the decision of the corps of engineers to decide whether we will get into a project of this size or not.

I will move the indefinite postponement of the bill and all accompanying papers.

The SPEAKER: The gentleman from Yarmouth, Mr. Jackson, moves that this bill and all accompanying papers be indefinitely postponed.

The Chair recognizes the gentleman from East Millinocket, Mr. Birt.

Mr. BIRT: Mr. Speaker and Members of the House: I support the motion of the gentleman from Yarmouth, Mr. Jackson. For quite a long while I have taken a look at this particular project and wonder whether it will do what many of the people think it will do in the idea that it will give large amounts of power. What I can understand from this study, and it is over a long period of time, actually the amount of firm power that will be available for the State of Maine is actually very small, somewhere in the neighborhood of 35,000 kilowatts, provided you have got a firm water base all the year round.

Most of this power, peaking power, which is intended about 725,000 kilowatts of it, is peaking power that will be generated for about two hours a day and sent to Massachusetts.

Now, the comments that have been made by the gentleman from Stonington, Mr. Greenlaw, and also some of the comments that have been made by Mr. Jackson, it appears that we are passing a piece of legislation right now which problematically might want to go into operation after a lot of other factors have been determined. It seems to me that before we go into that type of an operation or that type of consideration, we should have all of the facts before us, have the information from the corps of engineers and the other environmental studies and various factors that should be done and at that time bring it before the legislature and then we will take a good look as to whether we want to go into the idea of developing a project up at Dickey-Lincoln.

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

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

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I am sure many of you find it strange that I am getting off the rostrum to speak on this particular piece of legislation, but I don't think any of you ought to find it strange that I represent that area and as a result I feel that it is my right and my duty, as a matter of fact, to do just that.

There is no question that this issue generates at times a very emotional, a very high pitched approach, to solving the problems of energy resources at this time. I think there are a number of points, however, that ought to be answered directly that have been raised today, and I will try to do that and I hope that when I am through you will find reasons to change your position if you have decided to oppose the bill at this time.

I think first of all I would like to start off

by indicating that in 1965 I first became involved with this project, in part because I represented the area at that time and in part because I believed then as I do now that hydro-electric power is one of the ways to solve the energy problems of this country. Second, I guess at that time I believed very strongly that one of the greatest problems facing Aroostook County, because of the lack of capabilities of getting and attracting new industry, was due in part to two things — one, transportation and, secondly, the high cost of electricity. That has not changed all that much, except that because of the way that the fuel adjustment deals today, we in Aroostook County are somewhat better than the rest of you in the State of Maine, since Maine Public Service gets most of its power from water power, most of it in New Brunswick, one in the power dam that they own outright, owned entirely by Maine Public and the rest of that power being generated by power presently being generated by the New Brunswick Power Commission. As a result of that, we now have a little bit lower power than you people in central and southern Maine, and you can't share that, at least at the time being. But it does point out the one problem that we face. We in Aroostook at this point are very dependent upon Canadian power. If anything ever happens at any time to close off the source of electrical power, we may well be in a serious problem at that time.

I would like to address myself to the problem which has been raised earlier today by the gentleman from Yarmouth, Mr. Jackson, in which he says that he doesn't have much faith in the Army Corps of Engineers. Well, I guess that may be a possibility. I don't quite believe that they happen to be the largest beaver builders in the world, in part generated by a former colleague of a member of this House last year, the gentleman from Caribou, and I don't happen to believe that they are the most incapable either. I happen to believe that they have done rather capable work in the past, and I think they will continue to do so.

I do think, however, it is important to keep one thing in mind, that this legislation, the way that it is now drafted with the Senate Amendments, specifies very carefully that the environmental impact must be taken into consideration. The environmental impact under a new federal law requires that that impact study be done in part by the Army Corps, but secondly by someone else. And some of you, as I have, have already been contacted by a group of researchers from Harvard primarily, who form what is called Meta Systems Incorporated of Cambridge, Massachusetts. Their entire purpose is to put together the environmental impact approach and take a look at what the impacts are. I think once we see that, we will be satisfied and so will the Army Corps of Engineers, we will be satisfied with that report.

Second, we may point out, as the gentleman from Stonington, Mr. Greenlaw, has indicated, that really this doesn't make all that much difference. Well, that may in fact be true, but in particular to the gentleman from Yarmouth, Mr. Jackson, and to others who represent coastal communities, I would simply point out to all of you that the 200 mile limit that we passed in this body has absolutely no effect whatsoever, and yet we passed that. And we passed it for one

good reason, we passed it because we want to emphasize the point that that was what our support was and that was our reason, and that is why I support this piece of legislation here today.

The gentleman from East Millinocket, Mr. Birt, indicated perhaps that this won't generate as much power and it may go out of state. What he didn't tell you is that he happens to be involved in managing a hydro plant for Great Northern Paper Company in East Millinocket, and he knows the value of hydro power and he can tell us what the value is, and I can tell you also that that is not the issue here today. The issue is whether or not we believe strongly and we believe at all that hydro power ought to be an alternate source of power, and if we don't think that it ought to be, we ought to strongly consider selling part of Maine to the Arabs in order to participate in getting some of the oil that we need to keep Central Maine Power operating and Bangor Hydro. Those are the alternatives we have. They have been difficult ones, but they are ones that we have to face.

So, Mr. Speaker, I ask that you vote against the pending motion of indefinite postponement and when the vote is taken, I ask for the yeas and nays.

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

Mr. BIRT: Mr. Speaker and Members of the House: Just to correct one statement that was made, I have worked around power generation most of my life, but I am not a part of management, don't ever expect to be part of management and am absolutely certain I never will.

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

Mr. DUDLEY: Mr. Speaker, Ladies and Gentlemen of the House: I am for Lincoln-Dickey and I would like to see it done with federal funds and I don't see how this will promote it any. I am not concerned about the environment and all these other things, I think they should be considered, but what I am concerned about is starting any new commissions of any kind. I don't care what the commission is involved in and I think the people of this state voted just recently that they didn't want to get involved in public power, quite decisively. We had a very good candidate on the Democratic side that ran for Governor with that in his background, and he was soundly defeated and I think this is what defeated him. So, I think these two things spell out plainly to me that the people support my thinking. Most of them that I talked with would like to see the project done with federal money, but they do not want to get the state involved to the extent of any more commissions and this type of thing. I think the vote of the people is enough to decide me how I feel about it and I hope this does get indefinitely postponed.

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

Mr. CONNOLLY: Mr. Speaker, Ladies and Gentlemen of the House: I am one of the members of the Energy Committee who voted "ought not to pass" on this bill and I haven't changed my mind at all. I support the motion by Mr. Jackson for indefinite postponement and let me tell you briefly why.

I think that this bill, if we were to pass this bill in its amended form, really all we



would be doing would be passing a resolution of support for the concept of the Dickey-Lincoln Project. Two things have to happen before Dickey-Lincoln can be built. First, the Environmental Impact Study has to be undertaken and it has to be shown that there won't be a significant impact on the environment in that part of the state and then, after that is done, we have to have the federal government decide they are willing to give the State of Maine the money to build Dickey-Lincoln.

Now, when I explained that position to people who were pushing for this bill in the last few days, the response that I got was, well, let's pass the bill anyway because a lot of people in that part of the state would like to see Dickey-Lincoln built and if we support the bill, then we will be indicating to them we are on their side. I just think that that is a bad turn to take, that we are, in effect, deceiving the people, that we are perpetuating a hoax. By passing this bill, I think a lot of people are going to think that Dickey-Lincoln should be built. I think this legislation can be introduced at a later time if the environmental impact study shows it to be favorable.

I would hope that you would vote against the bill and support the motion of indefinite postponement.

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

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: I hope we will all gather together here and vote against the indefinite postponement of this bill. The previous speaker has just said that now is not the time and we should wait a little later. If this oil situation keeps on, probably we will wish we had hydro power.

What I would like to say this morning is that we are furnishing the watersheds for power that we are buying back from Canada. We have, not necessarily an exact watershed, but the Tobique Dam that is on the same river, Grand Falls is right on that river and our water is running down there and furnishing the dam. We come to Beechwood again where there is a big dam, where we are buying our power from Maine Public Service and paying the Canadian Government. We have another dam at Mactaquac, — these dams, as Mactaquac, is probably the fifth or sixth largest dam in the world today and it is all watershed from the State of Maine. It seems to me we should have at least one more hydro power.

In Aroostook County, if I am correct, and someone can correct me if I am wrong, I probably might be, I think there is only one little plant that is using oil and that is the Maine Public Service which has a little plant at Caribou, and that is the only one that is under diesel production today and the rest are all hydro plants.

If you would take Senate Amendment S-75, there is the three sections there what is being asked for and I will just read you the Statement of Fact. This amendment assures that the bill will create a standby authority, that is an authority which is only activated upon favorable reports from the Army Corps of Engineers of Economic Feasibility. They are not asking for too much in this bill. What is the sense of waiting until we need something done and then rush down here and make emergency legislation to do it? Why not be ready for it? Even if this laid still and we were able to get our power at a medium rate for the people, for 10 years it wouldn't do any harm if this bill was on the books,

but if it isn't on the books and we need it next year or next January or February, we aren't going to be able to get it.

Let's vote against this indefinite postponement this morning.

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

Mr. FARLEY: Mr. Speaker, Ladies and Gentlemen of the House: Just to correct Representative Connolly for a second here. There is now available in the area of \$20 billion out of the federal government for new sources of energy. Now, everybody is going to be fighting for this money and I think we need this authority to have an opportunity to put our hands in the moneybag.

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

Mr. JACKSON: Mr. Speaker, Ladies and Gentlemen of the House: You are going to get a little tired of me before I finish — I have a couple of other things, but I would like to say that my initial objection is allowing the corps of engineers and other people out-of-state to decide what Maine will do in this particular issue instead of Maine deciding. I think we have put the question aside and begged it off to someone else to make the decision.

There has been a good deal said here about power potential and I think you should consider, too, that this is something that is highly in question and it has been debated for many, many years and it is not all a rosy question of having a tremendous amount of peaking power or even to back up to the Passamaquoddy Project. We had a great deal of mail in the committee from people who were worried about the watershed of the river, the fishing, the wild area, the timber, concern that the lake itself would be so shallow that when power was drawn from it, it would throw the level down to an extent that you would have a tremendous mud flat area around the lake which would ruin it as far as tourist resorts and this type of thing.

I think power is one question but there is some other very important questions tied to this and I don't think it should be approached this way.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: First, in comment to the remarks of the gentleman from Yarmouth, Mr. Jackson, I would point out very quickly to the members of the House that the letters generated were generated by a group formed in Boston, not an inside group. They were formed by a group called "Save the St. John." They were made up of a group of people, most of them professors at Harvard, most of them who of course generate tremendously high salaries in the greater Boston area and they have generated the mail which the members of the committee receive. The reason that I can tell you that is because I, under my business address and my business name, wrote to this committee called "Save the St. John" in Boston to inquire for material which they had, and I got that material and found it most interesting for people who had never visited the St. John Valley. Most of them had never seen the St. John River. Most of them lived next to that very clean river in Boston, it goes through Cambridge, and they were attempting to tell me whether or not my river was clean and how I ought to

handle that one. I pointed out to some of them that they ought to go back to Boston and try to solve the problem that they have there which they themselves have created.

People indicate and talk about environmental damage. If anyone doubts for a moment about the impact economically and environmentally that we had last year, I have available in my office all of the files and all of the pictures taken during the flood and there is enough damage there, I think anyone quickly would realize the tremendous, unbelievable destruction that an uncontrolled river can have, and people talk about the problem of the lake, one of the problems that the St. John River has, if we want to hit that particular problem, is that it does not have a headwater to control it like the Fish River, for example, that dumps into the St. John, like the Allagash that is controlled by the higher lakes up above.

While I am on the Allagash River, I would quickly point out that one of the things which we did in 1966 was to pass the Allagash Wilderness Waterway Act and provided the power to the Commissioner of then Parks and Recreation to negotiate with the Canadian Government, in particular the New Brunswick Power Commission, for the reconstruction of the dam, which we constructed, because we had to in order to allow canoeists to use the river throughout the summer months, those people from Boston. We did that, and when we did that, the New Brunswick Power Commission now reimburses the state "X" dollars every year in a contract as a result of the added water that they have on a yearly basis during the summer months to generate more power in Canada, because it generates availability of new water that they can use to generate hydro power. So, when we talk about the problems, and I know the committee was heavily lobbied, and I well understand and sympathize with the members of the committee, but I would simply note that that lobbying job was done for the most part by a group of people who ought to clean what they have first.

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

Mr. DeVANE: Mr. Speaker, Ladies and Gentlemen of the House: I would like to address a single argument forwarded by Mr. Jackson, something each of you know and I simply would like to point it out, that the persons in this body and in this state that are opposed to the Dickey-Lincoln project now and have been for some time and who now proposes an objection that is something that we should decide ourselves would be the first people if the proposition were before us that the State of Maine, exclusive of other people's expertise and judgment or whatever decided it, would point out that as the principal impediment. It is absolutely ludicrous to suggest that the safeguards that this proposition called for in terms of study by the Army Corps of Engineers and by independent persons is not in order. It is absolutely in order and it would be the first objection if it weren't in there.

The SPEAKER pro tem: The Chair recognizes the gentleman from South Portland, Mr. Hinds.

Mr. HINDS: Mr. Speaker, Ladies and Gentlemen of the House: I support the motion to indefinitely postpone this bill. I got quite an education on Public Power vs. Private Power fight in the 1973 referendum



that we had in this state. I worked for the Citizen's Committee against the Power Authority of Maine and I learned quite a bit about the issue.

I would just like to point out that this bill is very similar in nature and very similar in wording to the bill that was defeated by the people on a 2 to 1 vote in November of 1973 and it has a similar statewide authorities and power that the state has in many sections of the bill. On page 5 of the bill, you will notice that under Section 5 the only state board that anyone has to appeal to or appear before or get rulings, licenses or orders from is the Environmental Improvement Commission. No other state board or agency would have any control over this particular enterprise. On Page 6 of the bill, you will find out that surveys, under Section 11, they can enter upon any lands, waters, premises for the purpose of making such surveys, soundings, borings, and examinations as the authority may deem necessary or convenient in the exercise of its powers and such entries shall not be deemed a trespass nor shall an entry for such purposes be deemed an entry under any condemnation proceedings, providing the authority shall pay for any actual damages, etc.

Over on Page 7, and these sections are all identical to the bill that was defeated in November, under Section 3607, incidental powers, the authority shall have the power to vacate or relocate any public highway affected by the construction of the project. This is without the approval of the Highway Commission or the Highway Department or anything, they will just have that authority. Also, in that same section, there is a section about the taking up and making study surveys and soundings where they can come on anyone's land and it shall not be deemed a trespass in any way. Over on Page 13, the state can consent subject to the approval of the Governor and Council that the authority may use any state lands, including public highways, lands lying under water, or any other lands in this state that the state happens to own.

So, for these and many other reasons, I do support the motion to indefinitely postpone and when the vote is taken, I request a roll call.

The SPEAKER pro tem: The Chair recognizes the gentleman from Limerick, Mr. Carroll.

Mr. CARROLL: Mr. Speaker, Ladies and Gentlemen of the House; In 1965, I stood here at the same seat, before the same podium, and fought for public power. I fought for public power because having traveled around with the United States Army, I visited Virginia, and I had the privilege of living with a family who had a very small light bill. They had a lovely big greenhouse and that was all TVA power. Now, I came back to my lovely little state, hoping to stay here until my hair turned gray and I was laid away, but I do have a problem, I am assessed \$25 per month right now, surcharge, on my light bill and I think everybody else in this House is paying a surcharge. The Central Maine Power Company spent \$173,000 to defeat the referendum that was defeated last November and I think they have got that back plus a lot of interest, because I have paid them \$25 a month and I don't know how much I am going to start paying them in the future.

I urge you all, I urge you all to remember what that gentleman over in that corner, said. He was an employee of that power company and he got some of

that \$173,000 and I am standing here now every month paying it back. So I urge you all to do your job because you know that we have 57 dams right now in the State of Maine that are not being used. We have 27 of them with hydro facilities that is not generating power and we are buying oil from the Middle East to generate power. Somewhere, somehow, this is mismanagement.

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

Mr. MCKERNAN: Mr. Speaker, Ladies and Gentlemen of the House: I would like to pose a question to the gentleman from Limerick, Mr. Carroll. Does he have any facts that would back up the fact that part of that \$173,000 is now being used to buy him in his \$25 charge?

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

Mrs. KANY: Mr. Speaker, Ladies and Gentlemen of the House: There have been several people mentioning that public power referendum and perhaps this is too bad this is entered in here, but I would just like to point out that public power was defeated just before the effects of the Apec Oil Embargo was solved and before Maine spent a winter with reduced thermostats and gasolineless Sundays and before it was realized by most of us in Maine that our energy sources are not limitless, and I urge you to support this bill.

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

Mr. HENDERSON: Mr. Speaker, Ladies and Gentlemen of the House: During the public power business, I was much in favor of that and worked very hard for the establishment of the Public Power Authority, but I feel the issue before us today has only tangentially anything to do with whether this is a public power issue or not — The issue is whether we ought to give some general support to the construction of the Dickey-Lincoln Power Project and I, for one, have not been convinced that that is something we ought to do at this time. For one thing, I think the whole question of whether that power, once generated, would actually benefit the state is something that I have not been convinced of. I am not sure whether the flooding of the 88,000 acres of woodland is something that is a net benefit, considering the potential value of that land over many years. I think the problems of flooding on the St. John may be well solved, as somebody suggested, for two or three million dollars of dikes and other kinds of projects that would solve that problem. This is going to cost a half a billion dollars or more as far as we can see.

There seems to be so many questions, environmental, economic and energy related, that I think this House ought to indefinitely postpone at this time until we finally decide that this is something we really need.

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

Mr. CARPENTER: Mr. Speaker, Ladies and Gentlemen of the House: I wasn't aware that the Public vs. Private Power referendum was before the House this morning, and even though it seems to be, I will address myself to the bill, creation of the Dickey-Lincoln Power Authority.

I wish, as the gentleman from Eagle

Lake, Mr. Martin, has mentioned, I wish that some of the people, friends of the St. John, people who want to save the St. John's and some of the other folks around the area who are opposed to this study or this standby authority, would come up to Aroostook County, would come up the St. John Valley. As a matter of fact, I wish they would have come up last year when the floods and in previous years when the floods even destroyed towns and homes. We realize we need something to control this river. All we are asking for, in this particular piece of legislation, is an authority, a standby authority that is going to be there if we need it. We are not asking to destroy 88,000 thousand acres of woodland, we are not asking to destroy a lot of hunting, a lot of fishing, all we are asking is an authority, a standby authority that if the economic feasibility factors are such, if the environmental factors are such, then this authority could assist. I think we need to take a real hard look at what the issue is before the House.

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

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: As another veteran of the public power fight, I have searched my memory and I remember at the time a statement was made by the citizens group that was against public power and I don't know if this actual statement was made by the gentleman from South Portland, that while they were opposed to a power authority in Maine, they would welcome a federal attempt to build the Dickey-Lincoln Dam. I think it should be pointed out that in recent years, or very recently, the private power companies, who were always so deathly opposed to Dickey-Lincoln, have changed their position and they now no longer oppose and this is why it has received increased support down in Washington. I think one of the reasons that they have dropped their opposition to public financing of such a large power producing operation is their own trouble in raising their rate high enough to generate the capital they need to build their own facilities. We have seen something like this happen in New York State where Con-Edison has actually gone to the State of New York and asked the State of New York to take over two of their generating plants because they were no longer able to operate them.

I think there is a feeling, even on those who were opposed to public power, that Dickey-Lincoln might be worth looking into because of the economic factors and the inability or increasing inability of private companies to generate the fantastic amount of capital that is needed for these sort of facilities.

The SPEAKER pro tem: The Chair recognizes the gentleman from Portland, Mr. LaPointe.

Mr. LAPOINTE: Mr. Speaker, Ladies and Gentlemen of the House: Would the Clerk read the committee report please?

The Committee Report was read by the Clerk.

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

Mr. JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: I don't think this item relates itself as some might think to the public power situation at all. The good people from the county, so called, are, as I understand it, unanimously in favor of this. It is mainly to set up an

authority. It is mainly the beginning of deciding where we are going, yes or no. I am voting for this for two reasons. The first reason is because I want to save the state some money. If this is not passed now, it is coming back, it is going to be reintroduced, the bill is going to be reprinted, it is going to be heard again, it is going to be debated again, it is going to run into thousands and thousands and thousands of dollars. It is going to be year in and year out, year in and year out. I think we ought to settle it once and for all and pass this measure once and for all.

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

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: I have been sitting here listening to this thing. I have heard it before in this House and as my memory goes back, the last time we had a strong debate, pro and con, on this same subject, it was defeated at that time and shortly after that, the project in New Brunswick was instigated, backed up by the Wall Street money to build the Mactaquac Dam. Then the next session around they got the authority to run a power line down across the State of Maine to feed New York or Massachusetts. Now as we go along here, we find opposition to this. I am commencing to wonder what else Canada and Wall Street wants out of this one.

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

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

At this point, Speaker Martin returned to the rostrum.

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

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

The SPEAKER: The pending question before the House is the motion of the gentleman from Yarmouth, Mr. Jackson, that the House indefinitely postpone Bill "An Act Creating the Dickey-Lincoln Power Authority," Senate Paper 189, L. D. 662, and all accompanying papers. All in favor of that motion will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Ault, Berry, G. W.; Birt, Bowie, Burns, Byers, Call, Connors, Connolly, Dow, Dudley, Durgin, Farnham, Gray, Henderson, Hewes, Higgins, Hinds, Hunter, Hutchings, Immonen, Jackson, Kelleher, Kelley, LaPointe, Laverty, Lewis, MacLeod, McKernan, McMahon, Morton, Palmer, Perkins, S.; Perkins, T.; Peterson, T.; Rollins, Shute, Snowe, Spencer, Sprowl, Stubbs, Talbot, Teague, Tierney, Torrey, Twitchell, Tyndale.

NAY — Albert, Bachrach, Bagley, Berry, P. P.; Berube, Blodgett, Boudreau, Bustin, Carey, Carpenter, Carroll, Carter, Chonko, Churchill, Clark, Cooney, Cote, Cox, Curran, P.; Curran, R.; Curtis, Dam, DeVane, Doak, Drigotas, Dyer, Farley, Faucher, Fenlason, Finemore, Flanagan, Fraser, Garsoe, Gauthier, Goodwin, H.; Goodwin, K.; Greenlaw, Hall, Hennessey,

Hobbins, Hughes, Jacques, Jalbert, Jensen, Joyce, Kany, Kauffman, Kennedy, Laffin, LeBlanc, Leonard, Lewin, Lizotte, Lovell, Lunt, Lynch, MacEachern, Mahany, Martin, A.; Martin, R.; Maxwell, McBreairty, Mills, Miskavage, Morin, Mulkern, Nadeau, Najarian, Norris, Pelosi, Peterson, P.; Pierce, Powell, Quinn, Raymond, Rolde, Saunders, Silverman, Smith, Snow, Theriault, Tozier, Truman, Usher, Wagner, Walker, Wilfong, Winship, The Speaker.

ABSENT — Bennett, Davies, Gould, Ingegneri, Littlefield, Mackel, Mitchell, Peakes, Post, Rideout, Strout, Susi, Webber.

Yes, 47; No, 90; Absent, 13.

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

Thereupon, the Bill was passed to be engrossed as amended by Senate Amendment "A" and Senate Amendment "B" in concurrence.

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

Bill "An Act Increasing the Number of Associate Justices of the Supreme Judicial Court" (Emergency) (S. P. 147) (L. D. 510) — In House, failed passage to be engrossed April 23. — In Senate, insisted on action whereby the Bill was passed to be engrossed in non-concurrence.

Tabled — April 25 by Mr. Hewes of Cape Elizabeth

Pending — Further consideration.

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

Mr. GAUTHIER: Mr. Speaker and Members of the House: I move that we recede and concur with the Senate.

The SPEAKER: The Chair recognizes the gentleman from Cape Elizabeth, Mr. Hewes.

Mr. HEWES: Mr. Speaker and Members of the House: I don't know how successful an attempt to block the recede and concur motion will be, but I appreciate that this bill has been lobbied very hard the last few days. Initially, the opponents of the bill received about 30 odd votes, then it was 60 odd, and then it was more than 70 last time. I would like to point out that I feel that this bill will be eventually passed by the Appropriations Table if it passes this House and will be signed by the Governor, so the Governor may appoint a new Supreme Judicial Court Justice. I feel this bill will be used as a substitute for court reform and the taking over of, by the state, of the Superior Court. I don't think it should be passed at this time. I am not critical of the particular six Supreme Judicial Court Judges we have now, who are very industrious, but I would merely point out that, although their work load on appeal matters has increased substantially in the last few years, their single justice work has decreased. I am opposed to the motion to recede and concur but I realize that if we do recede and concur it will take 101 votes when the matter come back to us later this week.

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

Mr. GAUTHIER: Mr. Speaker, Ladies and Gentlemen of the House: I don't think we need 101 votes. I think that we passed an amendment here that took the emergency off.

The SPEAKER: The Chair recognizes

the gentleman from Augusta, Mrs. Miskavage.

Mrs. MISKAVAGE: Mr. Speaker, Ladies and Gentlemen of the House: I hope you will go along with the motion of my good friend the gentleman from Sanford, Mr. Gauthier, to recede and concur with the Senate. When I realized last Friday the bill stood a good change of dying between the houses, it seemed like a good idea to collect a few statistics and try to get a clear picture of exactly what's going on in Supreme Judicial Court.

The office of that court's Administrative Assistant gave the following figures: In 1964, the court had 64 appeals; in 1974, there were 223 appeals. In ten years, the workload had tripled, yet in 1964 there were six judges, in 1974, still six judges. In 1964, the judges wrote 57 decisions; in 1974 they wrote 133 decisions. Again the figure had almost tripled — again the same number of judges. How is it possible to do three times the amount of work in 1974 as was done in 1964? It isn't — not really. To be sure the judges now have law clerks to do the tedious, time-consuming research they once had to do themselves, but this is only a small part of it. The researched material has to be read, evaluated and incorporated into a decision which has ramifications over and above its actual effect on the people involved in the case. Material is drawn from these decisions to be used by judges in Superior Court to charge a jury, and by the judges in district court.

I can remember when I worked in the Attorney General's Office, these decisions were circulated among the staff and each one read and initialed so that every opinion that went out of that office reflected up-to-the-minute changes in the law.

Laws change constantly. We in this legislature, make substantial changes. We add, repeal and amend. Each one of these new laws has the potential to create more litigation and more work for our judges, yet we don't consider the judicial impact of our bills the way we do the environmental impact or the financial impact. I think if we consider all the legislation which has gone out of these halls in the past ten years and the workload it has created for our judiciary, we can justify an additional supreme court justice.

In Maine, each justice averages 21 decisions per year; the national average is 17. Simple arithmetic will tell you that an additional justice would take up the slack just enough to allow the rest to fall back on the national average, but this will not be the case. Not only have they been gradually falling behind in their work, but it is projected 1975 will bring 40 more appeals than there were in 1974.

Criminal matters have precedence over civil matters. Traditionally in this country, when it is possible, a person may be deprived of his freedom, we try to make sure he has a speedy trial because it is a serious matter to deprive a man of his freedom. Therefore, when the decision of a lower court in a criminal matter is appealed, it is heard as quickly as possible in the higher court so that guilt or innocence can be established and the appellant, either put behind bars or given his freedom. It is not only time consuming to prepare a case for supreme court, with the present backlog it takes anywhere from 8 months to a year before a case can finally be resolved which is why we can read in the paper one day that a person has been sentenced from 4 to 6 years in State Prison

and the next day and from 8 months to a year thereafter, we see him on the streets, because he's out on bail awaiting results of his appeal.

It takes anywhere from 12 to 14 months for a decision on a civil case and since criminal cases have priority, civil cases are piling up. People throughout the country are litigation conscious and at this point in time, no one knows where it's going to end. Until some way is found to stop or to slow it down, it looks like we'll just have to keep authorizing additional personnel to take care of the work load. Through my research on this matter, I am firmly convinced that such is the case with this bill, and I am hopeful that you will agree with me that it should receive passage.

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

Mr. PERKINS: Mr. Speaker and Members of the House: I would just like to add a couple additional points that have not been reiterated today. I know this bill has been debated heavily and I am sure that we are all rather tired of it. However, the structures of the court in terms of numbers has been the same since the early 1930's. We are talking about six justices today as compared to the same number back in the early 1930's. Back at that time, five of those members would make a decision, the sixth would act as Chief Justice and you never could have the problem that has developed in the past two years where you could have three decided one way and three decide the other. I have made reference to this the last time I spoke on it and it is critical. If the Supreme Judicial Court renders a decision which is split, meaning three and three, we have no decision or we have a decision that will support any position we want. Therefore, I think it is critical that we have an additional justice in order to avoid that one problem alone. I do think, with the numbers of cases that we have as a backlog, and it is my understanding, it is well over 100 cases now waiting to be decided with the importance of those decisions it is equally important that we find a means by which we can eliminate it or reduce it. Therefore, I would hope that you would go along with the motion to recede and concur.

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

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: I would simply point out that the day last week, I believe, when we initially killed this bill was the day that we passed an order asking the Supreme Court to rule on the Constitutionality of our proposed education bill. We also are hoping that they will act immediately because we can not act on that education bill until they make that ruling. So, this is the sort of pressures we have been putting on them. I know in a meeting that the leadership had earlier in the year with the Justices of the Supreme Court, they felt that this bill was essential to them.

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

Mr. SPENCER: Mr. Speaker, Ladies and Gentlemen of the House: In researching this bill, I spoke to three members of the court to ask them to go over their schedules so that I could get some idea of the kind of workload they were carrying. Each justice spends two weeks out of a month when the court is in session hearing cases. Another week is

spent preparing to hear the cases that are coming up, which leaves them evenings and a little over a week, generally, in which they can write their opinions. The backlog, as has been stated on the floor of this House many times, is now over a year and the judges on the court, I think, are becoming more and more demoralized with this unmanageable work-load which they can never get ahead of. They are completing their opinions now on cases which they heard a year ago and they have facing them a years worth of cases plus all the cases that they are going to hear. I think that we have got to take action to get this whole court system working so that the cases are disposed of quickly and that justice is handed down at a reasonable time. I think that this bill is essential and I would hope that all of the members of this legislature who have constituents who are concerned about the problems of law and order in our society and the problems of crime, and the problems of mal-administration in the courts, will support this bill and the Court Reform Act which is coming up later in this session.

The SPEAKER: The Chair attempts to enlighten the House on the parliamentary hassle in which we now find ourselves. This body backed it up from engrossment, amended it, and at that point, failed of engrossment, with the amendment. It was sent to the other body, where that body voted to insist, without House Amendment "B". That means, therefore, that if we recede and concur, we are back to the original with the emergency preamble or the emergency section on the bill. The Chair would advise the gentleman from Sanford and members of the House who take that position that the only thing, in terms of working it out parliamentarily would be to insist and ask for a Committee of Conference, if that is the desirable thing to do.

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

Mr. JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: Possibly the easiest way would be to table this thing for one day and then amend it again and then.

The SPEAKER: The amendment apparently proponents would attempt to place on the bill already was adopted once and that amendment, if once rejected by this body, would not be in order again under our rules.

On motion of Mr. Rolde of York, retabled pending the motion of Mr. Gauthier of Sanford that the House recede and concur and specially assigned for Thursday, May 1.

Mr. Jalbert of Lewiston was granted unanimous consent to address the House.

Mr. JALBERT: Mr. Speaker and Members of the House: I do not want to take undue advantage during the debate when the gentleman from York, Mr. Rolde, the Majority Floor Leader, mentioned the pending question that is before the court on the education bill. I meant this morning, Mr. Speaker, to discuss this with you as well as the gentleman from Nobleboro, and the gentleman from York, Mr. Rolde. I spoke Sunday night with the Chief Justice of the Maine Judicial Court about the matter and he told me that at the moment that the court had received the measure he had instructed them to start working on it. As you know, Mr. Speaker, the court meets next Monday in session where they are going to hear bills. He told me to call him

back this morning, which I did before I left the House and he assured me that we would hear. The court has dropped everything and is devoting all of its time, all of them, on the educational measure and that we would hear at the latest Thursday afternoon, so you would have it Friday morning.

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

Bill "An Act to Establish County Commissioner Districts in Cumberland County" (H. P. 223) (L. D. 279)

Tabled — April 25 by Mr. Higgins of Scarborough.

Pending — Passage to be engrossed.

Mr. Higgins of Scarborough offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-197) was read by the Clerk.

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

Mr. HIGGINS: Mr. Speaker and Members of the House: Very simply and quickly, what this amendment does is provide for four-year staggered terms for the county commissioners in Cumberland County. This amendment I drew up; it is my bill, but through a degree of compromise and cooperation through two or three other people that sponsored Cumberland County Commissioner District bills, this bill of mine came out without the amendment that the two other sponsors and I had agreed on. We thought we were going to have my bill amended with the four-year staggered terms so that everyone might be satisfied. I move for the adoption.

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

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: In regard to L. D. 279, To Establish County Commissioners Districts in Cumberland County, the Committee on Local and County Government did have a bill before it which would have done the same thing as this bill would with the amendment on. However, it was our feeling to come out with a bill for the establishment for the Cumberland County Commissioner Districts and to give 17-A treatment to the other bill, and that we did.

We do have two bills in our committee now and they will be coming out within a week. The first one to hit you people will be a uniform bill establishing commissioner terms in all the counties of the state for two years. This can be amended to make it three years or four years, whatever you people want to do, but I don't feel that it is right to change the term of officers in one county without making them uniform throughout the state. We have pretty nearly, by the end of the session, we will pretty nearly have all the counties in the state, if we don't have them all we will be very close, in commissioner districts. I would ask that we do not adopt this amendment on this bill because we will have a bill coming before us which will do exactly what Mr. Higgins would like to do with the amendment. With that in mind, Mr. Speaker, I move the indefinite postponement of this amendment.

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

Mrs. CLARK: Mr. Speaker, Men and Women of the House: I do not support the motion on the floor to indefinitely postpone

this amendment, for I do support the adoption of the amendment on the bill. I believe that the commissioners in Cumberland County should have a four-year term to make their terms conform with the four-year terms of all other elected county officials in Cumberland County. That concept was incorporated in a bill which I cosponsored with the Representative from Portland, Mr. Jensen, which did receive 17-A treatment from the Committee on Local and County Government, for Cumberland County legislators who did sponsor Representative Commissioner Districts within the county did agree that Representative Higgins' bill is the bill which reflects the compromise measure of all the other bills before the Joint Legislative Standing Committee.

I hope that you do not indefinitely postpone the amendment before you today.

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

Mr. HIGGINS: Mr. Speaker and Members of the House: Since the chairman of the Local and County Government Committee seems to think that the bill he holds in committee is a good bill, and I do too, but under deference of whether or not it may be passed by this body I would ask that maybe somebody table this bill and the amendment for a couple of days, or until the bill that he has in his committee can be acted upon. Then we can work on Cumberland County individually if it is necessary.

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

Mrs. CLARK: Mr. Speaker and Members of the House: Mr. Jensen from Portland and I sponsored a bill, which we presented to the Committee on Local and County Government, which would have provided for commissioner districts within Cumberland County and at the same time provide for four-year terms for county commissioners.

On motion of Mr. Palmer of Nobleboro, tabled pending the motion of the gentleman from Skowhegan, Mr. Dam, to indefinitely postpone House Amendment "A" and specially assigned for Thursday, May 1.

#### (Off Record Remarks)

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

Bill "An Act to Provide for Supervision of Elections by Municipal Clerks" (H. P. 907) (L. D. 1106) (C. "A" H-191)

Tabled — April 25 by Mr. Farnham of Hampden.

Pending — Passage to be engrossed.

On motion of Mr. Dow of West Gardiner, retabled and pending passage to be engrossed and specially assigned for Thursday, May 1.

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

Joint Order, Relative to Study of Sales Tax Statute. (H. P. 1543)

Tabled — April 25 by Mr. Finemore of Bridgewater.

Pending — Passage.

On motion of Mr. Finemore of Bridgewater, retabled pending passage and specially assigned for Thursday, May 1.

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

Bill "An Act Establishing Educational Requirements for Licensing of Real Estate Brokers" (H. P. 1548) (L. D. 1865)

Tabled — by Mr. Jackson of Yarmouth.

Pending — Passage to be engrossed.

On motion of Mr. Jackson of Yarmouth, retabled pending passage to be engrossed and specially assigned for Thursday, May 1.

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

Bill "An Act Concerning the Possession of Firearms During the Open Season on Deer" (H. P. 1594) (L. D. 1866)

Tabled — By Mr. Churchill of Orland.

Pending — Motion of Mr. MacEachern to indefinitely postpone. (Roll Call Ordered)

On motion of Mr. Dow of West Gardiner, retabled pending the motion of Mr. MacEachern to indefinitely postpone and specially assigned for Thursday, May 1.

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

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

Tabled — By Mr. Kelleher of Bangor.

Pending — Motion of Mr. Maxwell of Jay to indefinitely postpone House Amendment "C" (Roll Call Ordered)

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

Mr. QUINN: Mr. Speaker and Members of the House: The issue on which we are about to vote is item "C" which reduces the last figure to \$3,500, which is the same figure. It is my understanding that Mr. Carey has prepared another amendment which will call for the figure to be \$5,000, generally speaking a compromise. As the author of Amendment "C" which is now before you I would urge that we at least take a vote seriously on it, whether we are for it or against it, realizing that if it fails we can then let Mr. Carey submit his amendment for \$5,000.

The SPEAKER: A roll call has been ordered. The pending question is on the motion of the gentleman from May, Mr. Maxwell, that the House indefinitely postpone House Amendment "C". All in favor of that motion will vote yes; those opposed will vote no.

#### ROLL CALL

YEAS: Albert, Bagley, Berube, Birt, Burns, Byers, Call, Carpenter, Carroll, Carter, Chonko, Churchill, Clark, Connors, Cooney, Cox, Curtis, Drigotas, Farnham, Faucher, Finemore, Goodwin, K.; Greenlaw, Hewes, Immonen, Ingegneri, Jacques, Jalbert, Laffin, Laverty, LeBlanc, Lewin, Lewis, Littlefield, Lovell, Lunt, Lynch, MacEachern, MacLeod, Mahany, Maxwell, McKernan, McMahon, Mills, Miskavage, Morin, Morton, Norris, Palmer Peakes, Perkins, S.; Perkins, T.; Peterson, P.; Powell, Quinn, Raymond, Rolde, Saunders, Smith, Snowe, Spencer, Sprowl, Strout, Teague, Torrey, Tozier, Twitchell, Walker, Wilfong and Winship.

NAYS — Ault, Bachrach, Bennett, Berry, G.W.; Berry, P.P.; Boudreau, Bowie, Bustin, Carey, Connolly, Cote, Curran, P.; Curran, R.; Davies, Dow, Fraser, Garsoe, Gauthier, Henderson, Hobbins, Hunter, Jackson, Jensen, Joyce, Kany, Kauffman, Kelleher, Kelley, Kennedy, LaPointe, Leonard, Lizotte, Mackel, Martin, A.; Martin, R.;

McBreairty, Mulker, Nadeau, Najarian, Pelosi, Peterson, T.; Pierce, Post, Stubbs, Talbot, Tarr, Theriault, Truman, Usher and Wagner.

ABSENT — Blodgett, Dam, DeVane, Doak, Dudley, Durgin, Dyer, Farley, Fenlason, Flanagan, Goodwin, H.; Gould, Gray, Hall, Hennessey, Higgins, Hinds, Hughes, Hutchings, Mitchell, Rideout, Rollins, Shute, Silverman, Snow, Susi, Tierney, Tyndale and Webber.

Yes, 70; No, 50; Absent, 29.

The SPEAKER: Seventy having voted in the affirmative and fifty in the negative, with twenty-nine being absent, the motion did prevail.

Mr. Carey of Waterville offered House Amendment "D" and moved its adoption.

House Amendment "D" (H-224) was read by the Clerk.

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

Mr. MAXWELL: Mr. Speaker, Ladies and Gentlemen of the House: I would hope that we would indefinitely postpone this amendment also. I would hope that my bill could be left as it is, that the \$7,000 could remain intact and that we could finally pass it to aid those veterans who need this item very much.

The SPEAKER: The gentleman from Jay, Mr. Maxwell, moves House Amendment "D" be indefinitely postponed.

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

Mr. MULKERN: Mr. Speaker, Ladies and Gentlemen of the House: I would hope that you will not go along with the motion to postpone House Amendment "D". I think this is a fair compromise. It does what the title of the bill says it will do. It does increase the veteran's property tax exemption. It puts just value into the bill and it won't create as much of a burden on these communities that are near 100 per cent evaluation. So I wish you would go along with this fair compromise amendment today.

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

Mr. CAREY: Mr. Speaker, Ladies and Gentlemen of the House: You have been, I think, quite familiar with the actions of the Freedom Fighters over the last month or so and basically their objection is not only to the Maine Municipal Association, it is a big objection to the way we legislate in this legislature and take away prerogatives from the municipalities, strip away their tax base completely their only source of income, the property tax.

I would point out that I am a veteran; I am getting somewhere along that age to collecting on this — the gentlemen in the back row have already pointed out I am there. I would also point out to you that I am a municipal official. What the City of Waterville would lose under Mr. Maxwell's proposal, based on the number of people who are now filing, is some \$28,000. As we get closer to the day when all of the World War II veterans will be collecting, the sum that we would lose would be substantially more. My amendment does not touch the World War II veteran, as had been the thought of municipal officials originally when we decided to work out some type of a compromise. Originally, World War II veterans would have been excluded from collecting, we would have left it to the World War I veteran and it would have been an unfairness to World War II veterans. But this is a bill which my city



could live with, in spite of the fact that we would be losing revenue, and I would strongly urge you to oppose the motion to indefinitely postpone.

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

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: When this bill was first presented to the House I was in opposition to the figure of \$7,000. I talked to various people and also talked to the people back home, both veterans and non veterans and this is the figure that they are willing to accept. I think that this is a very fair figure, allowing for inflation and everything else in our economy that has affected this state and our general welfare. I am opposed to the indefinite postponement of this bill. I believe we ought to accept this figure of \$5,000.

Mr. Peterson of Windham requested a roll call vote.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Jay, Mr. Maxwell, that the House indefinitely postpone House Amendment "D". All in favor of that motion will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Berry, G. W.; Burns, Call, Carter, Cox, Curtis, Dam, Fraser, Garsoe, Ingegneri, Laffin, Maxwell, Palmer, Perkins, S.; Tierney.

NAY — Albert, Ault, Bachrach, Bagley, Bennett, Berry, P. P.; Berube, Birt, Boudreau, Bowie, Bustin, Byers, Carey, Carpenter, Carroll, Chonko, Churchill, Clark, Conners, Connolly, Cooney, Cote, Curran, P.; Curran, R.; Davies, Dow, Drigotas, Farley, Farnham, Finemore, Gauthier, Goodwin, H.; Goodwin, K.; Greenlaw, Henderson, Hewes, Hobbins, Hunter, Immonen, Jackson, Jacques, Jalbert, Jensen, Joyce, Kany, Kauffman, Kelleher, Kelley, Kennedy, LaPointe, Laverty, LeBlanc, Leonard, Lewin, Lewis, Littlefield, Lizotte, Lovell, Lunt, Lynch, MacEachern, Mackel, MacLeod, Mahany, Martin, A.; Martin, R.; McBreairty, McKernan, McMahon, Mills, Miskavage, Morin, Morton, Mulkern, Nadeau, Najarian, Norris, Peakes, Pelosi, Perkins, T.; Peterson, P.; Peterson, T.; Pierce, Post, Powell, Quinn, Raymond, Rolde, Saunders, Smith, Snow, Snowe, Spencer, Sprowl, Strout, Stubbs, Talbot, Tarr, Teague, Theriault, Torrey, Tozier, Truman, Twitchell, Usher, Wagner, Walker, Wilfong, Winship.

ABSENT — Blodgett, DeVane, Doak, Dudley, Durgin, Dyer, Faucher, Fenlason, Flanagan, Gould, Gray, Hall, Hennessey, Higgins, Hinds, Hughes, Hutchings, Mitchell, Rideout, Rollins, Shute, Silverman, Susi, Tyndale, Webber.

Yes, 15; No, 109; Absent, 25.

The SPEAKER: Fifteen having voted in the affirmative, and one hundred and nine in the negative, with twenty-five being absent, the motion does not prevail.

Thereupon, House Amendment "D" was adopted.

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

Mr. MAXWELL: Mr. Speaker, Ladies and Gentlemen of the House: This is my

bill and I am going to do something that is unheard of, I am going to move that the whole bill and all accompanying paper be indefinitely postponed.

The SPEAKER: The Gentleman from Jay, Mr. Maxwell, moves that this bill and all accompanying papers be indefinitely postponed.

Mr. LeBlanc of Van Buren requested a roll call vote.

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

Mr. CAREY: Mr. Speaker, Ladies and Gentlemen of the House: We are trying to do something for veterans. The communities are making an effort to compromise, and I would hope in the good sense that the legislature might prevail with, that we do something for the veterans here and I would hope you vote against the motion to indefinitely postpone.

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

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: As a member of the Taxation Committee that handled this, I think we would be remiss if we indefinitely postponed this bill at this time, due to the fact that we are asking for just value. If we pass it with just value alone we are doing the veterans a favor. We aren't hurting the towns or cities too much now, even with the \$5,000 that the amendment has in it. I hope you will vote against the indefinite postponement of this bill.

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

Mr. MORTON: Mr. Speaker, Ladies and Gentlemen of the House: I echo the sentiments of the gentleman from Bridgewater, Mr. Finemore. I feel as though we have tried hard to get this at \$7,000. I voted for it right straight through and I believe it was the right figure, but I also realize the inevitable and I would certainly hate to see this bill die. I think we are at a position now where we can allow it to live. We are doing something for the veterans. We are certainly improving the equity of the tax structure, and I am sure it is a good move.

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

Mr. LAPOINTE: Mr. Speaker, Ladies and Gentlemen of the House: As an individual who submitted an amendment to this bill way back when, I would hope that you would vote against the motion to indefinitely postpone. I think that this measure has been worked on, the question of just value is a fair one. The exemption provided for in Mr. Carey's amendment is a fair one. I hope you would vote against the motion to indefinitely postpone this afternoon.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Jay, Mr. Maxwell, that the House indefinitely postpone Bill "An Act to Increase the Veteran's Property Tax Exemption,"

House Paper 1174, L. D. 1172. and all accompanying papers. All in favor of that motion will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Chonko, Cox, Curran, P.; Curran, R., Fraser, Garsoe, Kany, Kauffman, Laffin, Lewis, Maxwell, Palmer, Theriault.

NAY — Albert, Ault, Bachrach, Bagley, Bennett, Berry, G. W.; Berry, P. P.; Berube, Birt, Boudreau, Bowie, Burns, Bustin, Byers, Call, Carey, Carpenter, Carroll, Churchill, Clark, Conners, Connolly, Cooney, Cote, Dam, Davies, Dow, Drigotas, Farley, Farnham, Finemore, Gauthier, Goodwin, H.; Goodwin, K.; Greenlaw, Henderson, Hewes, Hobbins, Hunter, Immonen, Ingegneri, Jackson, Jacques, Jalbert, Jensen, Joyce, Kelleher, Kelley, Kennedy, LaPointe, Laverty, LeBlanc, Leonard, Lewin, Littlefield, Lizotte, Lovell, Lunt, Lynch, MacEachern, Mackel, MacLeod, Mahany, Martin, A.; Martin, R.; McBreairty, McKernan, McMahon, Mills, Miskavage, Morin, Morton, Mulkern, Nadeau, Najarian, Norris, Peakes, Pelosi, Perkins, S.; Perkins, T.; Peterson, P.; Peterson, T.; Pierce, Post, Powell, Quinn, Raymond, Rolde, Saunders, Shute, Smith, Snow, Snowe, Spencer, Sprowl, Strout, Stubbs, Talbot, Tarr, Teague, Tierney, Torrey, Tozier, Truman, Twitchell, Usher, Wagner, Walker, Wilfong, Winship.

ABSENT — Blodgett, Carter, DeVane, Doak, Dudley, Durgin, Dyer, Faucher, Fenlason, Flanagan, Gould, Gray, Hall, Hennessey, Higgins, Hinds, Hughes, Hutchings, Mitchell, Rideout, Rollins, Silverman, Susi, Tyndale, Webber.

Yes, 14; No, 110; Absent, 25.

The SPEAKER: Fourteen having voted in the affirmative and one hundred and ten in the negative, with twenty-five being absent, the motion does not prevail.

Thereupon the Bill was passed to be engrossed as amended by House Amendment "D" and sent up for concurrence.

On motion of Mr. LeBlanc of Van Buren, the House reconsidered its action whereby An Act Relating to State Subsidy for Units with Federally Impacted Students, H. P. 107, L. D. 104, was passed to be enacted.

On further motion of the same gentleman, under suspension of the rules, the House reconsidered its action whereby the Bill was passed to be engrossed.

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

House Amendment "A" (H-213) was read by the Clerk and adopted.

The Bill was passed to be engrossed as amended by House Amendment "A" in non-concurrence and sent up for concurrence.

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

Mr. JACKSON: Mr. Speaker, is the House in possession of L. D. 909?

The SPEAKER: The Chair would answer in the affirmative. An Act Relating to Specially Designed Registration Plates for the Maine National Guard, House Paper 733, L. D. 909, is in the possession of the House.

The gentleman may proceed.

Mr. JACKSON: Mr. Speaker, I would request that we reconsider our action whereby it was passed to be enacted.

The SPEAKER: The gentleman from



Yarmouth, Mr. Jackson, moves that the House reconsider its action whereby this bill was passed to be enacted.

Mr. Strout of Corinth requested a vote on the motion.

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

Mr. JACKSON: Mr. Speaker, I would ask that this be tabled for two legislative days.

Thereupon, Mr. Strout of Corinth requested a division.

The SPEAKER: The pending question is on the motion of the gentleman from Yarmouth, Mr. Jackson, that this matter be tabled pending his motion to reconsider passage to be enacted and specially assigned for Thursday, May 1. All in favor of tabling for two legislative days will vote yes; those opposed will vote no.

A vote of the House was taken.

Thereupon, Mr. Strout of Corinth requested a roll call vote.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Yarmouth, Mr. Jackson, that this matter be tabled pending his motion to reconsider passage to be enacted and specially assigned for Thursday, May 1. All in favor of that motion will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Albert, Auff, Bachrach, Bagley, Berry, P. P.; Boudreau, Bowie, Bustin, Byers, Call, Carey, Carpenter, Chonko, Clark, Conners, Connolly, Cooney, Cote, Davies, Dow Drigotas, Farnham, Faucher, Goodwin, H.; Goodwin, K.; Greenlaw, Hobbins, Hunter, Immonen, Jackson, Joyce, Kelleher, Kelley, Laffin, Leonard, Lovell, MacEachern, Mackel, Mahony, Maxwell, McKernan, Mulkern, Najarian, Peakes, Pelosi, Perkins, S.; Peterson, P.; Peterson, T.; Pierce, Post, Powell, Rolde, Saunders, Shute, Smith, Snow, Snowe, Sprowl, Tierney, Torrey, Truman, Tyndale, Walker, Wilfong.

NAY — Bennett, Berry, G. W.; Berube, Birt, Burns, Carroll, Churchill, Cox, Curran, P.; Curran, R.; Curtis, Dam, Farley, Finemore, Fraser, Garsoe, Henderson, Hewes, Ingegneri, Jacques, Jalbert, Jensen, Kany, Kauffman, Kennedy, LaPointe, Laverty, LeBlanc, Lewin, Lewis, Littlefield, Lizotte, Lunt, Lynch, MacLeod, Martin, A.; Martin, R.; McBreairty, McMahon, Mills, Miskavage, Morin, Morton, Nadeau, Norris, Perkins, T.; Quinn, Raymond, Rollins, Spencer, Strout, Stubbs, Tarr, Teague, Theriault, Tozier, Twitchell, Usher, Wagner, Winship.

ABSENT — Blodgett, Carter, DeVane, Doak, Dudley, Durgin, Dyer, Fenlason, Flanagan, Gauthier, Gould, Gray, Hall, Hennessey, Higgins, Hinds, Hughes, Hutchings, Mitchell, Palmer, Rideout, Silverman, Susi, Talbot, Webber.

Yes, 64; No, 60; Absent, 25.

The SPEAKER: Sixty-four having voted in the affirmative and sixty in the negative, with twenty-five being absent, the motion does prevail.

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

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: Just a couple of things I wanted to discuss. First of all, I will call your attention to a report that was on your desks. I know you don't need any more reading material, but this is something prepared by myself and presented along with Representative Linwood Palmer, which is a report of our trip to Washington last Friday and Saturday to a meeting of the National Council of State Legislatures. These trips to Washington most often are junkets, but this particular one was very well run. We met with the leaders of all the 50 states and we had meetings with President Ford, Secretary of State Kissinger, Speaker of the House Albert, Senators Muskie, Jackson and so forth, and it was an extremely well run conference. It opened our eyes to the needs of the states for input into federal legislation and organizing more effectively to make our wishes as states known to the federal government, so if you do have a chance, I hope you will look at it.

While I am on my feet, I would also like to put in the record some further statements that have been made on the controversy of the budget deficit that we discussed yesterday. These particularly come from an AP story in today's paper, and they add still further dimension to the fiscal situation we are in and I quote: "The total deficit in these two accounts, therefore, is approximately \$20 million. Longley claims there are surplus revenues in his budget of \$8 million, which can be applied to the deficits in the debt service in education accounts to come up with a \$12 million deficit figure.

"The Legislative Finance Office, however, projects that state revenues during the two years of the budget will be \$15 million less than Longley estimates. This would mean that \$7 million would have to be added to the \$20 million deficit for a total of \$27 million.

"William Garside, Legislative Finance Officer, said his office sticks by the figures submitted to the Appropriations Committee earlier in the session.

"He said that with overestimates of revenues and underestimates of cost reflected in the appropriations called for in the Longley budget, there is a \$50 million deficit in the budget.

"Meanwhile, John Salisbury of the Maine Municipal Association said the Longley budget shifts a large tax burden to cities and towns.

"As the budget now stands, municipalities would have to raise nearly \$30 million more this year than last year, not counting increased costs of municipal services not funded by the state, he said.

"Salisbury said localities have to raise \$17.5 million more for education this year, not counting the deficit in the state education account.

"If the \$7.5 million deficit in the education account for fiscal 1976 is shifted to the localities by decreasing state support for local education from 50 percent to 45 percent, the cities and towns would have to raise that amount in taxes.

"The MMA officials said the budget also cuts \$2.3 million a year in road improvement and snow plowing aid and conservatively calls for cities and towns to pay \$1.5 million more per year in general assistance welfare. The increased cost in shifting tax burdens from the state to the localities add up to \$28.8 million, he said."

On motion of Mr. Berry of Buxton, Adjourned until nine o'clock tomorrow morning.