

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, May 13, 1975

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

Prayer by Elder Ernest A. Stevens of Freeport.

The journal of yesterday was read and approved.

Papers from the Senate

From the Senate: The following Joint Order: (S. P. 518)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of Mr. Jay E. Alley Upon His Retirement May 12, 1975, Following 28 Years of Dedicated Public Service as City Clerk of the City of Bangor

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

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

Came from the Senate read and passed.

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

Reports of Committees
Ought Not to Pass

Committee on Appropriations and Financial Affairs reporting "Ought Not to Pass" on Bill "An Act Providing Funds to Improve the Dental Health of Adults in Maine" (S. P. 336) (L. D. 1124)

Committee on Appropriations and Financial Affairs reporting "Ought Not to Pass" on Bill "An Act to Establish a Zero Base Budget for the State" (S. P. 434) (L. D. 1426)

Committee on State Government reporting "Ought Not to Pass" on Resolve, Authorizing the State Director of Public Improvements to Lease Land in Augusta to the Maine State Employees Credit Union for the Erection of an Office Building (S. P. 308) (L. D. 1039)

Committee on State Government reporting "Ought Not to Pass" on Resolution, Proposing an Amendment to the Constitution to Provide for Selection of the Executive Council by Popular Election in such Areas as Provided by Law (S. P. 463) (L. D. 1516)

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

Leave to Withdraw

Committee on Appropriations and Financial Affairs reporting Leave to Withdraw on Bill "An Act Appropriating Funds for the Continuation of Sheltered Group Care Homes for Girls" (S. P. 341) (L. D. 1143)

Committee on Appropriations and Financial Affairs reporting Leave to Withdraw on Bill "An Act to Appropriate Funds to Enable the Bureau of Parks and Recreation to Develop the Kennebec River Greenbelt" (S. P. 436) (L. D. 1421)

Committee on Business Legislation reporting Leave to Withdraw on Bill "An Act Relating to Credit Insurance Payments under the Maine Consumer Credit Code" (S. P. 199) (L. D. 666)

Committee on Business Legislation

reporting Leave to Withdraw on Bill "An Act Relating to Student Loans under the Maine Consumer Credit Code" (H. P. 403) (L. D. 1288)

Committee on Education reporting Leave to Withdraw on Bill "An Act Concerning Construction for the University of Maine Funded by Nonstate Moneys" (S. P. 435) (L. D. 1420)

Committee on State Government reporting Leave to Withdraw on Bill "An Act to Establish Revised Boundaries for the Master Plan of the Capitol Complex at Augusta" (S. P. 343) (L. D. 1235)

Committee on Taxation reporting Leave to Withdraw on Bill "An Act to Change the Sales Tax Basis on Fuel Oil from Price to Volume" (S. P. 197) (L. D. 665)

Committee on Taxation reporting Leave to Withdraw on Bill "An Act Exempting Certain Energy-Conserving Building Construction Materials from Taxation (Emergency)" (S. P. 461) (L. D. 1514)

Committee on Transportation reporting Leave to Withdraw on Bill "An Act to Change Weight Provisions for Commercial Vehicles" (S. P. 94) (L. D. 265)

Came from the Senate with the Reports read and accepted.

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

Non-Concurrent Matter

Bill "An Act Providing Minimum Retirement Benefits for Certain Teachers" (Emergency) (H. P. 991) (L. D. 1255) on which the Minority "Ought to Pass" as amended by Committee Amendment "A" (H-265) Report of the Committee on Veterans and Retirement was accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (H-265) in the House on May 9.

Came from the Senate with the Majority "Ought Not to Pass" Report of the Committee on Veterans and Retirement read and accepted in non-concurrence.

In the House:

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

Mr. THERIAULT: Mr. Speaker and Members of the House: I move that we recede and concur.

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

Mr. MacEACHERN: Mr. Speaker and Members of the House: I move we insist.

The SPEAKER: The Chair would advise the gentleman the motion to recede and concur does have priority. In order to get to the motion to insist, we must defeat the motion to recede and concur.

Mr. MacEachern of Lincoln requested a division on the motion to recede and concur.

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

A vote of the House was taken.

Thereupon, Mr. Kelleher of Bangor 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 Bangor, Mr. Kelleher.

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: You may recall, this bill was before this House last week and it received substantial support. It is a bill that I consider to be fair because of the fact that the last session of the legislature we were able to pick up 100 or so odd teachers that had worked for the state of Maine and were able to put them on the retirement system, and this involves another six or seven individuals who were overlooked because it is impossible to totally find all these people that qualify. I suggest to this House that you defeat the motion to recede and concur out of fair play.

The SPEAKER: The Chair recognizes the gentleman from Millinocket, Mrs. Laverty.

Mrs. LAVERTY: Mr. Speaker, Ladies and Gentlemen of the House: I would just like to point out once more that these six ladies range in age from 80 to 89, so you can see, their time is short and I hope you will not recede and concur.

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

Mr. JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: I was wondering if possibly I could comment and ask a question of the House Chairman of the committee, the gentleman from Rumford, Mr. Theriault, if we were to defeat this motion to recede and concur then ask to insist and ask for a committee of conference, if possibly the situation might be resolved?

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, poses a question through the Chair to the gentleman from Rumford, Mr. Theriault, who may answer if he so desires.

The Chair recognizes that gentleman.

Mr. THERIAULT: Mr. Speaker and Members of the House: In answer to the question, I have no way of knowing that definitely, but I don't believe they would change their minds.

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

Mr. LYNCH: Mr. Speaker, Ladies and Gentlemen of the House: At the present time, there are 2,416 of these retired teachers who made very little, if any, contribution to the retirement system. The state is now contributing approximately \$3 million a year to fund this program. We must be nearing the end of these teachers; the list is growing shorter every year. We have had 35 and 40, now it is dwindling, we have got six. As soon as this program is finished, then we will start on state employees. Anybody who has worked for the state for any time at all will be looking for a minimum retirement of \$100 a month. If you want to use the retirement system as a welfare system, then I think you ought to put an adequate supply of dollars behind it.

The SPEAKER: The pending question is on the motion of the gentleman from Rumford, Mr. Theriault, that the House recede and concur on Bill, "An Act Providing Minimum Retirement Benefits for Certain Teachers," House Paper 991, L. D. 1255. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Berry, P. P.; Boudreau, Bowie, Call, Carey, Connors, Cote, Doak, Drigotas, Durgin, Dyer, Farnham, Fraser, Garsoe, Gauthier, Hewes, Hunter,

Immonen, Jackson, Jalbert, Jensen, Joyce, Leonard, Lewis, Littlefield, Lizotte, Lynch, Martin, A.; McMahon, Morin, Morton, Nadeau, Palmer, Perkins, S.; Quinn, Raymond, Silverman, Sprowl, Susi, Tarr, Theriault, Torrey, Tozier, Truman, Webber.

NAY — Albert, Bachrach, Bagley, Bennett, Berube, Birt, Blodgett, Burns, Bustin, Byers, Carpenter, Carroll, Carter, Chonko, Churchill, Clark, Cooney, Cox, Curran, P.; Curran, R.; Curtis, Dam, Davies, DeVane, Dow, Farley, Fenlason, Finemore, Flanagan, Goodwin, H.; Gould, Gray, Greenlaw, Hall, Henderson, Hennessey, Hobbins, Hughes, Ingegneri, Jacques, Kany, Kauffman, Kelleher, Kelley, Laffin, LaPointe, Laverty, LeBlanc, Lewin, Lovell, MacEachern, Mackel, Mahany, Martin, R.; Maxwell, McBreairey, McKernan, Mills, Mitchell, Najarian, Pelosi, Perkins, T.; Peterson, P.; Peterson, T.; Pierce, Post, Powell, Rideout, Rolde, Rollins, Saunders, Shute, Smith, Snow, Snowe, Strout, Stubbs, Teague, Tierney, Twitchell, Tyndale, Usher, Wagner, Walker, Wilfong, Winship.

ABSENT — Ault, Berry, G. W.; Connolly, Dudley, Faucher, Goodwin, K.; Higgins, Hinds, Hutchings, Kennedy, Lunt, Miskavage, Mulkern, Norris, Peakes, Spencer, Talbot.

Yeas, 45; No, 87; Absent, 17.

The **SPEAKER**: Forty-five having voted in the affirmative and eighty-seven in the negative, with seventeen being absent, the motion does not prevail.

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

Mr. **KELLEHER**: Mr. Speaker and Members of the House: I now move that the House insist and ask for a committee of conference.

Mr. Nadeau of Sanford requested a vote on the motion.

The **SPEAKER**: The pending question is on the motion of the gentleman from Bangor, Mr. Kelleher, that the House insist and ask for a Committee of Conference. 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 13 having voted in the negative, the motion did prevail.

Non-Concurrent Matter

Bill "An Act Providing for the Observance of Memorial Day on May 30th" (S. P. 371) (L. D. 1198) which was enacted in the House on May 5.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

The **SPEAKER**: The Chair recognizes the gentleman from Hampden, Mr. Farnham.

Mr. **FARNHAM**: Mr. Speaker and Members of the House: I move that we recede and concur.

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

Mr. **HEWES**: Mr. Speaker and Members of the House: I would suggest that we defeat this motion so we can then move to insist and ask for a committee of conference and see if something can be worked out. I would ask for a division on the recede and concur motion.

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

A vote of the House was taken.

32 having voted in the affirmative and 82 having voted in the negative, the motion did not prevail.

Thereupon, on motion of Mr. Hewes of Cape Elizabeth, the House voted to insist and ask for a Committee of Conference.

Messages and Documents

The following Communication:

STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA

May 12, 1975

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

After long and careful consideration, I have decided to return L. D. 909, An Act relating to specially designed plates for the Maine National Guard, to the Legislature without my signature.

It was not an easy decision since I have great admiration and respect for the members of the Maine National Guard. My concern is that the bill is discriminatory and that it might set a dangerous precedent for legislatures and governors who will follow. I fear that they would be flooded with requests from groups and organizations from inside and outside state government for specially designed plates.

It has been said that this bill would not cost the state money and that, in fact, it might increase state revenues by some \$3,600. However, I am not convinced that this estimate takes into consideration all the indirect costs such as handling and record-keeping. In any event, I think we should look down the road and see if there would be additional costs if several groups each session came forward with requests for specially designed plates.

I have been told by well-meaning members of the legislature that this bill is "minor" and that it is not worth a veto that might be over-ridden by the legislature. First of all, I do not view any piece of legislation as minor. If it is worthy of the time, effort and money put forth by the legislature to see it through the legislative process then it certainly is worth my time and effort as governor to give it full consideration and to base my decision on what I feel are its merits and demerits, not whether it is a "minor" bill designed to please a particular group.

After carefully weighing the merits and demerits of this piece of legislation, I have decided to return it to the legislature without my signature.

I have tried to make it clear that as an independent governor who has said he will not seek re-election that I do not view a legislative decision on my gubernatorial veto as a victory or defeat.

All my decisions on legislation that has come to my desk this session have been made based strictly on the merits of the legislation. I plan to continue that policy and will view any legislative over-ride only as a co-equal branch of government exercising its rights.

Very truly yours,

Signed:

JAMES B. LONGLEY
Governor

The Communication was read and ordered placed on file administratively.

The **SPEAKER**: The pending question now before the House is, shall this Bill become law notwithstanding the objections of the Governor.

The **SPEAKER**: The Chair recognizes

the gentleman from Corinth, Mr. Strout.

Mr. **STROUT**: Mr. Speaker and Members of the House: Before I give my testimony, did I understand you to say two thirds of the members present and voting?

The **SPEAKER**: The Chair would answer in the affirmative.

The Chair recognizes the same gentleman.

Mr. **STROUT**: Mr. Speaker, Ladies and Gentlemen of the House: I somewhat feel reluctant to rise this morning and I also apologize to the men and women of this House for putting us in this particular situation. When I sponsored this L. D., I did not interpret that we would be faced with this procedure this morning. However, I feel as sponsor of L. D. 909, "An Act Relating to Specially Designed Registration Plates for the Maine National Guard" I feel it is necessary for me to speak. I would like to express my reasons why I feel this bill should become law.

I was asked at the beginning of the session to sponsor a free plate, which I refused to sponsor. I went to the Director of Motor-Vehicle and asked him to give me some information concerning this L. D., of which we together drafted a reasonable request which in my estimation does no harm to anyone. Upon certification of the Adjutant General, for an additional fee of \$5, each active or retired member would be able to obtain a National Guard plate.

When the hearing was held, no one opposed this bill. Members of the National Guard expressed their desire for this legislation and it came out of committee with an almost unanimous "ought to pass" report, with only one member signing against and has been explained on the floor of the House previously why he signed the "ought not to pass" report.

This bill passed this body and the other body and was sent to the Governor. Three days before this bill was enacted in the other body, I heard rumors that the Governor had reservations about this bill. At that time and for the past ten days I have tried to get only five minutes with the Governor to try to find out what his problems were with this bill and explain to me what his intention were. At this particular time I would add, which I didn't have in my notes, that for ten days I tried to get just five minutes, just five minutes of his time. I went to his aides; I asked them, was there any time during the 24-hour period that the Governor could give me the courtesy, as sponsor, to meet with him. As of last night at six-thirty, when the message was delivered to me that he was going to veto the bill, I did not receive that courtesy. At quarter of nine this morning, I was in the legislative halls. One of the Governor's aides came to me and asked if I would see the Governor because he would like to see me. My answer, and I don't mind stating it this morning on the floor of the House, is that I would object to seeing the Governor, because for 10 days previous he hadn't had the time to discuss with me whether this bill was valid or not valid. But here this morning, after he has vetoed it, he wanted to see me. Why, I don't know.

To go a little bit further, it seems strange to me that he was able to find time to talk with opponents of this matter concerning this L. D. I feel that I have always been fair to the members of this House and the other body, and I hope to continue to do so in the future, and I am not one to dwell on an issue, and if by discussion I find that I am wrong, I would be the first to concede. However, today, I feel the Governor used

me unfairly and I believe I deserve, as sponsor of the bill, a fair and reasonable request which I never received.

His reasons for not signing the bill I believe are not justified. The National Guard of Maine is a highly-trained, well-equipped organization. It has served this state well in time of war. Today it is ready to help out in any emergency, fire, flood, riots and so forth, as well as routine community projects.

Since 1970, I bring to this House, it has saved the state and communities nearly \$900,000 in helping the Bureau of Parks and Recreation, Inland Fisheries and Game, Bureau of Veteran Services, Crippled Children Society, Bureau of Civil Emergency Preparedness and State Y.M.C.A. camps on various construction projects.

Since I sponsored this bill, I have had information come to me that other states give their National Guard members some kind of bonus.

I don't feel today that this bill is doing anyone any harm. All the National Guard is asking for is recognition, recognition that isn't going to cost the State of Maine any money. In fact, as the L. D. proposed, it would bring revenue to the state. In the period of this bill passing these two bodies, there was some reservation in the Governor's Office that there would in fact not be revenue. I went back to the Director of Motor Vehicle, I asked for an itemized list of expenses, I had it drafted, I presented it to the Governor, and the net result for each plate was \$3.76 revenue.

Now, we have 4,400 members in the National Guard. The Governor's reply back is that this revenue would be \$3,600. I submit to you that that is \$3,600 for a thousand plates. I don't think anyone knows here today whether they will purchase 1,000, 2,000, 3,000, or maybe even more. No one knows but what this particular piece of legislation might induce the morale of the National Guard that we might have more members, and this could be additional revenue.

To say no to this piece of legislation is to refuse income which is voluntarily and cheerfully offered. National Guardsmen are interested in performing services whenever and wherever they can. They want to be identified. Favorable consideration of this L. D. is one way we can show them that we are proud of them and their heritage. The plate would be good for their spirit and unit morale and should encourage enlistments.

Mr. Speaker, I have nothing further to say this morning, and I hope that the members of this House will take a few seconds and just think, who really is being affected here? I see no real harm; let's pass this bill.

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

Mr. BUSTIN: Mr. Speaker, Ladies and Gentlemen of the House: It is rare, it seems to me, when an L. D. goes through both branches of our legislature without a really good and substantial reason being advanced for its passage.

This L. D., it seems, has been tied to, generally speaking, what a good job the National Guard does in this state. I have no quarrel with that. I think the National Guard is a fine organization. They have built many projects; they are ready and willing to help in emergencies, as Mr. Strout has indicated. That does not seem to me to be a good and substantial reason for the passage of this L. D.

There are three reasons why it should

not be passed, to my way of thinking. One is that it does set one group of state employees apart from another. Secondly — and I would indicate that those others also do a very good job at what they are doing — the Governor has indicated in his message that it does set a precedent and we very well could be flooded with requests from groups and organizations from inside and outside state government for specially designed plates, all by groups and organizations which also do a very good job at the kind of thing that they are supposed to do.

The third reason that has been advanced earlier in the debate that these license plates are necessary and desirable because of the emergency nature, if we want to get into who should have specially designed plates in order to get places in emergencies, I think before we get to the National Guard, we have to give them to doctors, I think we should give them to fire fighters for their personal cars, for policemen, both state and municipal, to sheriffs, for ambulance drivers and other people who are more apt to be responding to everyday emergencies.

Mr. Speaker, I think the veto of the Governor should be sustained, and I urge a no vote on the pending question.

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

Mr. JACKSON: Mr. Speaker, Ladies and Gentlemen of the House: As you may remember, I tried to bring this back for reconsideration, which was turned down, and I would just like to put some facts in front of you on it and to give you a little more basis to vote on this. I am going to try to stay somewhat neutral on it. I don't want to debate the Governor's actions; I don't think that has any influence on how we should decide this. I think that we should look at the bill itself. I am certainly not putting down the National Guard. I would also point out that I talked with the Secretary of State Department, and there is no added cost for producing these plates and it won't cost them any further trouble.

What I would like to point out in regard to the plates is that this state now has certain special plates. The legislature has a plate, the Senate and the Governor's Council, the State Police and Conservation Department and Transportation. Now, these are plates that are set off by color or state seal. They are fairly distinctive plates. They also have a trailer plate which has a "T". It looks like a regular plate, but it has a "T" on it, a farm plate which, again, looks like a regular plate but has an "F" on it, and commercial which has "Comm" on the side. We have vanity plates, which are applied to — they cost \$5 a year and they are a pain in the neck to the state, but we have them and they seem to be here for good.

We have also set up two new classes of plates which are the handicap plates. We have one for handicapped people and one for handicapped veterans. These are the only plates that is a standard black and white plate with a symbol on it, and that is the little symbol of the wheel chair, and this has a very valid reason, for parking and other problems, to show that there is a handicapped person in the car. If we open it to another type of plate, black and white plate with a device on the plate — now this particular one, as I understand the device, would be a Minuteman on a jet plane. I believe we would be opening the door to a number of groups and special interests in

the state who would want plates with a device on the plate.

I would point out just two groups, and I am sure there are many more, that we have 12,000 firemen in the state. They might well want a plate with a fireman's hat on it. We have 1,556 independent municipal rescue people, and they might want a plate with some kind of a special device, and these are only two. I use this to make a further point, that the total of the firemen and the independent municipal rescue people make 13,556, and I divided that by 5 and I get \$67,780. You combine that with the \$4,300 which is the revenue gain in the bill, and we have \$72,080, which is a good, sizeable chunk of revenue. Possibly we could help fund our educational problems with it.

I think there is a basic decision here. We can use this as a revenue measure and put out as many plates as we can with devices on them, and we can probably have a sizeable revenue income, but my chief objection I think, and I point out again there is no cost to the state, in fact we make money on these, there is no problem in the production of them, but I think we should consider whether we want in Maine to have our license plates with special devices and symbols on them for different groups. I think if we once open the door to this, we are going to see a great many of these groups coming to have this done. Therefore, I hope you will vote no on this question.

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

Mr. LEWIN: Mr. Speaker, Ladies and Gentlemen of the House: First of all, I would like to correct the statement that was made by the gentleman from Augusta, Mr. Bustin. I think he mentioned that the National Guardsmen are state employees. That is not so. Very few of the National Guardsmen are state employees. These guardsmen attending drill as they are required, being a guardsman, are paid by federal funds.

You heard a few words a minute ago about the cost of these plates. Let me share something briefly with you. Last week, a poll was taken of the National Guardsmen in the state ascertaining how many would be willing to pay \$5 for one of these plates. Already 1,000 have signed up for these plates, only too willing to pay the \$5 over and above the regular cost.

I don't think we should mention any more about it. I think the license plates are good, they are appropriate. The National Guardsmen are dedicated soldiers, they are dedicated civilians. Let's pass the bill.

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

Mr. COX: Mr. Speaker, Ladies and Gentlemen of the House: I think I could preface my remarks by saying that I am a retired member of the Maine National Guard with 20 years service.

I would like to address myself to this argument that this would open the door to requests from all sorts of groups and organizations. I call this the open-door argument, and I see this used all the time to defeat good legislation. If we open the door, we will have all of these other people coming in and asking for things.

This argument is valid only if these other organizations are on a footing with the one on which we happen to be speaking. It has been said that these other state employees do not have special plates, and it has been pointed out that the National Guardsmen, except for a few full-time personnel, are employees of the federal government.

Also, on discrimination, the Governor has said this discriminates in favor of one group. Well, it certainly does discriminate in favor of one group. This group wishes to be discriminated in favor in this manner.

Now, let's take some of these other organizations that people would have a place on the same footing as our National Guard. Let's take state employees from the State Highway Department. I don't recall any units of the State Highway Department fighting at Chateau Thierry. I don't recall any House lodger storming the beaches of Anzio; I don't recall any of these other organizations as organizations fighting on New Georgia, the Philippines as the Maine National Guard did and is prepared to do now if called upon. I think this sets this organization definitely apart from all of the other organizations. We might say that there are reservists in the state who might be qualified for plates. But, again, these reservists are set aside from the National Guard. They are not on the same classification as the National Guard. For one thing, they are not called the Maine National Guard. They are strictly under the control of the federal government. They are not organized in units which as units are prepared to move on an hour's notice if necessary. They have to be called up one man at a time. The National Guardsmen is the modern day descendant of the Minutemen who stopped the British.

I would suspect that probably a couple of years before Lexington and Concord the neighbors of some of these National Guardsmen of Back Bay probably ridiculed these men who were out there in the fields drilling and setting themselves apart.

Now, this group depends upon volunteers. There is no draft. You volunteer either to become a commissioned officer or you enlist. When you enlist, you take the same oath that you take in enlisting in the regular Army, except that the words National Guard of the United States are used. You also take another oath to obey the orders of the Governor of the State of Maine when there is a state emergency.

There has always been, at least in my memory, a certain morale problem in the National Guard, and this has been lack of appreciation. If I had a dollar for every time someone has asked me, I see you are going off to another by scout meeting when I put on my uniform to go to drill or to leave for summer field training. Passage of this bill would, I think, be of immeasurable value to the morale of the individual National Guardsmen. We would be showing our appreciation of this man instead of acquainting him with boy scouts, which, by the way, I have no objection to boy scouts. My own boy has been in the boy scouts, but there definitely is a difference between a boy scout troop and an organized military unit that is prepped to defend his country and his state. I think the passage of this bill would extend a measure of support and appreciation which is, I believe, badly needed by the individual members of this organization.

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

Mr. QUINN: Mr. Speaker and Members of the House: The arguments advanced this morning have been good. I particularly thought the gentleman from Yarmouth, Mr. Jackson, presented some interesting figures and he had done some good research. I would have drawn

somewhat different conclusions from them, an income potential of the size that these license plates might bring us certainly is not to be sneezed at. I think it is time for you to put this thing in perspective, and if you will indulge me, I will read you a line from the Governor's letter and he says, "My concern is that the bill is discriminatory and that it might set a dangerous precedent." I lean on this term precedent. I went down this morning, to the Secretary of State's Office, and I dug out the license book which we have down there and I would suggest and I would hope you would agree with me that we already have a precedent for unique or unusual license plates, and that to deny the use of the Guard their own distinctive plate is to be, in effect, a clear discrimination against the Guard.

I will read you some random names of license plates that legally exist in Maine today: Foot, Footsie, Fousie, Goofy, Gootz, Guke, Boogie, Beetle, Bottle, Bungie, Beep, Ching, Chink, Chunk, Doobie, Doodle, Doodie, Hokie, Hong, Honk, Honkey, Hooch, Hosana, Mouse, Mousie, Mouser, Twirp, Turkey, Turnip, Snafu, Sneezzy, Snuggy, Snatch, Waddle, Weasel, Wee, Wee-Wee, Weezy and Whoops, Zak, Zeb, Zee, Zibble, Ziffle, Zig, Zilch and Unreal.

As far as identifying special groups we have some commercial plates. Fox Lumber has their own, WGAN has its own and Pepsi and Coke have one apiece. The U.S. Army is represented by USA, the Air Force by USAF, the Navy by USN, the Reserves by USAR and our fighting Marines by USMC. I suggest this would be clear discrimination against the Guard.

There are, incidentally, I know the gentleman from Waterville, would be interested to know, both a Mayor and a Carey. There are seven Quinns, of one type or another. There is One-Eye, Mud-Pie, Big-Head, Burp, Big-Boy, Big-Boo, Big-S, Big-Dic, Dink, Dick-69, Love, Love-Bug, Mud-Bug, and Hot-Dog. There is Mr., Mrs., Miss., and I will have the ladies know, no Ms. There is a Mr. and Mrs., there is Boys, Girls, Mommy, Daddy, Dogs, Cats, and Puppy.

There is an interesting juxtaposition and I assure you each one of these names appear that happen to fall in an interesting order. They are called See-Me, Ask-Me, Try-It, Oh-Sam, Virgin, I-Dunno, Love-U, Y-Knot, Quick, Oops, At-Last, Did-It, Ow, No-Swet, I-Fix-Em, and Repent.

The veto is a very important weapon in the arsenal of the Governor. As the National Guardsmen would say, it is 155 millimeter Howitzer, it should be reserved for important things. When we arrived here this year, this group was new, we needed to learn, the Governor was new, he needed to learn. We both make mistakes as we proceed forward but I suggest we could help in his training this morning by sending him back this piece of legislation.

The SPEAKER: The Chair recognizes the gentleman from Calais, Mr. Silverman.

Mr. SILVERMAN: Mr. Speaker, Ladies and Gentlemen of the House: After being educated by the professor from Gorham, I, too, who have been lobbied very highly on this bill for one stand or the other, consider if our license plates can have all these fine slogans on them, then why can't our National Guard, who believe it or not, do have a stand of dedication if we ever have an emergency, do have the responsibility of putting in free baseball or sports grounds and so forth, do make bridges in

the State of Maine. If you want to go through the list, they are well deserving of the weekends once a month they spend and now as we, all of a sudden, see a different light, one would think that the National Guard in the State of Maine might be considered a part of the state that deserves a special license plate.

I noticed when I drove into this legislature the beginning of this session, I saw a license plate, for I think, the Transportation Department, I saw a license plate for the Conservation Department, I began to wonder that we have opened it up, wide open, for different types of license plates and I think we should have one policy, either we have one license plate for every one in Maine, as we originally did, or we are going to be able to say no discrimination and allow every unit or person to have the license plate they want. Right now we are allowing everyone to have a license plate they want. We are opening it up to state agencies to have their license plate and, therefore, I would think it be only appropriate to let the National Guard have their license plate and be willing to spend that five dollars to identify themselves in case they went to an emergency, that they might be needed in.

The SPEAKER: The Chair recognizes the gentleman from Old Orchard Beach, Mrs. Morin.

Mrs. MORIN: Mr. Speaker, Ladies and Gentlemen of the House: The main reason for plates is to certify that the owner has paid for his license to operate that particular motor vehicle. What difference does it make what is on it, as long as it is official?

The SPEAKER: The pending question is whether or not this Bill shall become law notwithstanding the objections of the Governor. According to the Constitution, the vote shall be taken by the yeas and nays. All those in favor of this Bill becoming law notwithstanding the objections of the Governor will vote yes; those opposed will vote no.

ROLL CALL

YEAS: Albert, Ault, Bachrach, Bagley, Bennett, Berry, G.W.; Berry, P. P.; Berube, Birt, Blodgett, Boudreau, Bowie, Call, Carpenter, Carroll, Chonko, Churchill, Clark, Connors, Cox, Curran, P.; Curran, R.; Curtis, Dam, DeVane, Doak, Dow, Drigotas, Durgin, Farley, Fenlason, Finemore, Flanagan, Fraser, Garsoe, Goodwin, H.; Gould, Hall, Henderson, Hennessey, Hewes, Hinds, Hunter, Hutchings, Ingegneri, Jacques, Jensen, Kany, Kauffman, Kelley, Laffin, Laverty, LeBlanc, Leonard, Lewin, Lewis, Littlefield, Lovell, Lynch, MacEachern, Mackel, MacLeod, Martin, A.; Martin, R.; Maxwell, McBreairty, McKernan, McMahon, Mills, Miskavage, Mitchell, Morin, Morton, Nadeau, Norris, Palmer, Perkins, T.; Peterson, P.; Pierce, Post, Powell, Quinn, Raymond, Rideout, Rolde, Rollins, Saunders, Shute, Silverman, Snowe, Spencer, Strout, Stubbs, Susi, Tarr, Teague, Theriault, Tierney, Torrey, Tozier, Usher, Wagner, Walker, Winship and The Speaker.

NAYS: Burns, Bustin, Byers, Carey, Carter, Cooney, Cote, Davies, Dudley, Dyer, Farnham, Gauthier, Gray, Greenlaw, Hobbs, Hughes, Immonen, Jackson, Jalbert, Joyce, Kelleher, LaPointe, Lizotte, Mahany, Najarian, Peakes, Pelosi, Perkins, S.; Peterson, T.; Smith, Snow, Sprawl, Truman, Twitchell, Tyndale and Wilfong.

Yes, 106; No, 36; Absent, 8.

The SPEAKER: One hundred and six

having voted in the affirmative and thirty-six in the negative, with eight being absent, the veto is not sustained.

Sent up for concurrence.

Orders

Mrs. Clark of Freeport presented the following Joint Order and moved its passage: (H. P. 1581) (Cosponsor: Mr. Kennedy of Gray)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of David Zobel of Gray State Spelling Bee Champion for 1975

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

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

The Order was read and ordered and sent up for concurrence.

House Reports of Committees Ought Not to Pass

Mr. Peterson from the Committee on Fisheries and Wildlife on Bill "An Act to Provide Complimentary Fishing and Hunting Licenses for Retired Game Wardens" (H. P. 1460) (L. D. 1727) reporting "Ought Not to Pass"

Mr. Cooney from the Committee on State Government on Resolution, Proposing an Amendment to the Constitution to Provide an Additional Means for Removal of Judges and Justices of the Several Courts (H. P. 1005) (L. D. 1273) reporting "Ought Not to Pass"

Mr. Pelosi from the Committee on State Government on Bill "An Act to Clarify the Administration of the Department of Manpower Affairs" (H. P. 1366) (L. D. 1781) reporting "Ought Not to Pass"

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

Leave to Withdraw

Mrs. Clark from the Committee on Business Legislation on Bill "An Act to Provide for Staggered Licensing of Hearing Aid Dealers and Fitters" (H. P. 280) (L. D. 332) reporting Leave to Withdraw

Mrs. Boudreau from the Committee on Business Legislation on Bill "An Act to Clarify the Law Regarding Late Payment on Insurance Claims" (H. P. 950) (L. D. 1188) reporting Leave to Withdraw

Mr. DeVane from the Committee on Business Legislation on Bill "An Act Relating to Notice of Consumer Right to Cure" (H. P. 1064) (L. D. 1344) reporting Leave to Withdraw

Mr. Peterson from the Committee on Fisheries and Wildlife on Bill "An Act Increasing Certain Fees for Nonresident Fishing Licenses" (H. P. 644) (L. D. 817) reporting Leave to Withdraw

Mr. Pelosi from the Committee on State Government on Bill "An Act to Authorize the Appointment of a State Poet Laureate" (H. P. 1147) (L. D. 1441) reporting Leave to Withdraw

Mrs. Kany from the Committee on State Government on Resolution, Proposing an Amendment to the Constitution to Allow Municipalities to Provide Limited Property Tax Incentives to Encourage

New Business (H. P. 1365) (L. D. 1666) reporting Leave to Withdraw

Mrs. Berry from the Committee on Local and County Government on Bill "An Act Relating to the Qualifications of Town Managers" (H. P. 1148) (L. D. 1442) reporting Leave to Withdraw

Reports were read and accepted and sent up for concurrence.

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

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: On these items, which we just had "leave to withdraw," there is one item that I would very briefly like to speak on that is Item 9 on Page 6. I did not have it set aside because the agreement that I had made with the State Government Committee was that — and in the note that was sent to me was that I could have a choice of "leave to withdraw" or a "17-A." "17-A" would not have allowed me to get anything on the record. I want the record to mainly show that it was not any action on my part as sponsor of the bill to ask for "leave to withdraw" because I had a choice of "leave to withdraw" or "17-A." The thing that amazed me was with this bill that all it did was a constitutional amendment to the Constitution that would allow municipalities to give limited property tax exemption to any new business located in that municipality, and this is something that is allowed now in our sister-state of New Hampshire and in Vermont. It has also been a very effective tool in the southern states of Alabama, Georgia and down that way of attracting new industry. This was a bill that was supported by the Economic Resources Council of Maine and it had no cost attached to it because it was a constitutional amendment and the Economic Resource Council of Maine supported it because they thought this would be quite a tool to bring new industry into the state and into the various municipalities when any expansion was being considered. The reason that I am amazed at being given a situation of "leave to withdraw" or "17-A" is that, as I have sat here for six years and now starting my seventh, every time legislation comes up, I always hear well, they do it in New Hampshire, they don't do it in New Hampshire, they do it in Vermont or they don't do it in Vermont. It surprises me that sometimes when something good comes down the pike that doesn't cost any money and that might make just a little bit better industrial climate in the State of Maine, that one has to do what was done in this case — ask to "leave to withdraw" so at least they could get in the record on their feelings and this is all I have to say on that.

Ought to Pass Printed Bill

Mr. Peterson from the Committee on Fisheries and Wildlife on Bill "An Act Relating to License Requirements and Fees for Trapping" (H. P. 440) (L. D. 547) reporting "Ought to Pass"

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

Divided Report

Majority Report of the Committee on Judiciary reporting "Ought Not to Pass" on Bill "An Act Relating to Open Containers of Alcoholic Beverages in Motor Vehicles" (H. P. 720) (L. D. 896)

Report was signed by the following members:

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

Messrs. HUGHES of Auburn BENNETT of Caribou HEWES of Cape Elizabeth SPENCER of Standish PERKINS of So. Portland HENDERSON of Bangor GAUTHIER of Sanford HOBBS of Saco

Mrs. MISKAVAGE of Augusta -of the House.

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

Report was signed by the following member:

Mr. McMAHON of Kennebec -of the House.

Report was read. On motion of Mr. Gauthier of Sanford, the Majority "Ought Not to Pass" Report was accepted and sent up for concurrence.

Divided Report

Majority Report of the Committee on State Government reporting "Ought Not to Pass" on Bill "An Act to Insure Citizen, Participation in the Promulgation, Amendment and Repeal of Agency Rules" (H. P. 1379) (L. D. 1775)

Report was signed by the following members:

Messrs. GRAHAM of Cumberland CURTIS of Penobscot -of the Senate.

Messrs. PELOSI of Portland COONEY of Sabattus QUINN of Gorham FARNHAM of Hampden CARPENTER of Houlton WAGNER of Orono

Mrs. KANY of Waterville -of the House.

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

Report was signed by the following members:

Mr. WYMAN of Washington -of the Senate.

Mrs. SNOWE of Auburn Messrs. LEWIN of Augusta STUBBS of Hallowell

-of the House.

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

Mr. COONEY: Mr. Speaker, Ladies and Gentlemen of the House: I move the acceptance of the Majority "Ought not to Pass" Report.

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

Mr. STUBBS: Mr. Speaker, Ladies and Gentlemen of the House: I urge that you vote against the acceptance of the Majority "Ought not to Pass" Report. This is a simple bill. All it would do is insure some public participation in the promulgation of rules and regulations in different state agencies. We all know the problems that we now have today of people being hauled into court and so forth because they have dumped a load of sand on their beach and so on. I think that if there is one thing that is needed and is needed now it is some public input into our rules and regulations that are flowing out of this bureaucracy here in the State Capitol Complex by the hundreds every

week and that is all this bill would do. I urge you to vote against the motion.

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

Mrs. KANY: Mr. Speaker and Members of the House: The reason for those choosing to send out an "Ought not to Pass" Committee Report was that we had several bills before us dealing with this type of thing and this appeared to be a very, very good bill, well drafted and everything else but our committee decided that, some of the members felt, that we really need to thoroughly look at administrative ruling and we felt that perhaps a study order, a very extensive study of administrative rules would be in order and that was our reason for choosing not to send out an "Ought to Pass" on this bill that the entire area is just open and there is a lot of leeway and that we should definitely look into the administrative law.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: I am one of the co-sponsors of this document along with Mrs. Berry and Representative Palmer and Representative Teague of Fairfield. I might suggest to the good lady on the State Government Committee that there was an order presented to this House, the last session, and it failed passage for one reason or another. It seems to me there is no reason why this House should accept the "Ought not to Pass" Report, they should reject it and starting from today, hopefully we could somehow, through the mechanism of this bill, have a review program which I feel is very necessary and I am sure the committee, in its wisdom, supports the idea and the theory that these rules and regulations should be looked into. I submit to this House that in doing it and that it's going to be done, that you would reject the "ought not to pass" report and then accept the "ought to pass" report.

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

Mrs. BERRY: Mr. Speaker and Members of the House: As the gentleman from Bangor has said, I was sponsor of this bill and I would urge you to vote for the "ought to pass". We can have it on the books even if there is a study. If there needs to be a change or repeal, we can always do it.

This bill would have these agencies have hearings, which they do somewhat now, but they're not advertised so that anybody knows that there are hearings coming up. This would let legislators who are interested in a particular bill have a request that the Legislative Information Office are to be notified when bills come up and hearings are coming up so that they can notify their constituents.

We have seen the rules and they don't go along with the same idea as the sponsors of bills from which they result have in mind. I think this would be a good bill. We've seen Freedom Fighters all over the state rear up in opposition to regulations that have come out of the departments. Many times they don't know about the regulations until they have had notice that they are not going according to the law. I think that we should, even though that the committee thinks that we should lay this aside and have an order, I think we should be sure we are going to have something rather than waiting for an order and I would ask that

you would vote for the "ought to pass" report.

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

Mr. DOAK: Mr. Speaker and Members of the House: As a Freshman, I have listened carefully down here to the complaints and to things that have been going on. As a member of the Natural Resources Committee, I believe that most of the legislation which we have listened to and proposed bills have been actually complaints against the rules and regulations that are being promulgated by the commissions that have been set up in this state. Therefore, I would suggest to you that perhaps this is one handle which legislators might have which would give them some control over what is going to happen to a good bill, which had very good intent in it, and then the intent of that bill is changed by rules and regulations formed by the commission.

I read an article just recently in Reader's Digest, we're not only having troubles at the state level, we're having it at the national level by commissions that have been set up, the bureaucracy, if you want to call them that, and they're actually ruling us by decree rather than by statutory way of ruling and governing by a truly representative type of government.

I have listened to many legislators here saying that the intent of their bill had not been carried out, they are very unhappy with their bill even though they worked at it very diligently and did their best to get it formed in the very best manner they could to carry out the intent in which they tried to help this state, and yet we have commissions here now that are changing the intent of those regulations. I just think it is high time that we did something about it legislatively, and if this is the best tool we've got, I suggest we use it. At least, it will give us one handle and maybe the next legislative session, we can get several more handles and perhaps stop some of problems that we have.

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

Mr. COTE: Mr. Speaker and Ladies and Gentlemen of the House: I agree entirely with the last speaker. I will give you one example where the decision made by this body and the other body a few years back when we passed a bill here that it would be legal for fraternities or anyone who wished to buy a barrel of beer that they could have it, dispense with it at their own will. Then the Liquor Commission ruled that it would be illegal to get a pump unless you bought your own pump or your own dispensary (and they cost anywhere from four hundred to a thousand dollars for a dispenser, a barrel of beer) and it was illegal for the beer companies to furnish you with a pump if you bought a barrel through a store from them, so this is the way they thwart laws that we pass here. So I agree that we should reverse the decision and go along with the minority report.

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

Mr. WAGNER: Mr. Speaker and Ladies and Gentlemen of the House: I was a signer of the majority committee report on this matter and I just want to explain that position briefly. I share the feeling of previous speakers, Mr. Doak and others, of the importance of this matter, I think that we all agree that regulations have had a way of growing and getting out of hand and I think it was the consensus of the majority of the committee that this is significant enough problem that it should

be approached in a very responsible way. It should not be dealt with by passing legislation and patching that up and going on from there very much paralleling the problem, that it should be carefully studied and a comprehensive approach to it taken. It is for this reason that I ask you to support the majority report.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: I think that the approach that was taken by the sponsors of this bill was correct. Three of the four sponsors have served previously in other legislatures. We know exactly the intent that we feel that this House should go in and the other body. Our reasoning is good, and due to the fact of laws that have been passed in this body and the other and circumvented by the various departments was one reason why I submitted my name to Mrs. Berry's bill and I am sure that is the reason Mr. Palmer put his name on it, as well as Mr. Teague. I suggest that the time is NOW that we should act upon it and not wait or delay an attempt — and I don't mean it an attempt to delay — but to have recourse in going towards a study.

The State Government Committee in its wisdom can pass an order and study all the bureaus and agencies of this state and I do suggest they do that. But this simply sets up a mechanism that if a department decides to initiate a new rule or regulation, that it gives you and I and more importantly the people of Maine an opportunity to participate in it.

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

Mr. LAPOINTE: Mr. Speaker and Men and Women of the House: This morning I hope that you would go along with the minority report on this particular L. D. and I would like to share with you some of my concerns and some of my reasons for asking you to go along with this particular opinion.

Number One, I think clearly that the legislature and its police power that has been provided by the Constitution extends to many departments of state government and commissions that were created a tremendous amount of responsibility. On the other hand, the other side of that coin is that in some cases we are viewed as abdicating our responsibility by transferring this police power or transferring this authority, and in essence as a result of sort of a laissez faire attitude towards rules and regulations that have been promulgated by various departments and commissions of state government that we have ourselves created, we have on some cases a sort of government by bureaucracy. This concerns me, this concerns me greatly.

I clearly do not think that this is a liberal or conservative issue. I think this is an issue of responsibility for the legislature. How far do we go in transferring our power to agencies and commissions of state government? Before our committee, or the committee I am a member of, Health and Institutional Services, we have a number of people that come before our committee, not because they're interested in particular pieces of legislation because they thought of it themselves, but more in reaction to rules and regulations that have been promulgated by various departments, particularly, in our case, the Department of Health and Welfare.

We have cases of mobile home parks where rules and regulations have been

developed somewhat arbitrarily. We have a bill before our committee right now on ambulance personnel, emergency medical technicians. It is clear to me that some members of the committee and the people who sponsored the particular bill that is before our committee that it looks like the Department of Health and Welfare overstepped its bounds in promulgating rules and regulations as it relates to emergency medical technicians.

There are other cases of rules and regulations that have been promulgated by departments and boards, licensing agencies and commissions that have been clearly unconstitutional. Out of deference to my friend from Blue Hill, I make reference to the Board of Pharmacy in their prohibition on the advertising of prescription medicines. This has been turned over as an unconstitutional provision in a number of states. Nowhere in our statutes do we have a prohibition on the advertising, or did we have a prohibition on the advertising of prescription medicines. It was clearly a decision of the licensing board or professional board and has proved to be unconstitutional in some cases.

Lastly, of course, we have the federal government, which is a very, very good case in point as it relates to rules and regulations that are promulgated by massive bureaucracies, particularly the Department of Health, Education and Welfare.

In 1972, the fall of 1972, when the Revenue Sharing Act was amended, Casper Weinberger's office promulgated rules and regulations that really flew in the face of what revenue sharing was all about and the transferring of decision-making from the nation to the local level. And for about a year and a half, a number of people were in serious disagreement with rules and regulations that were promulgated by the federal government as it relates to human service programs to be provided in the state of Maine.

Finally, ladies and gentlemen of the House, this morning, we did attempt to address this issue in the 106th Legislature. You freshmen members of the House probably aren't aware of that, but there were a few bills that were submitted that dealt with the whole question of rules and regulations that were promulgated by administrative decree and someone said "Let's study it." The argument that is being put forth this morning now is "Let's study it."

Ladies and gentlemen of the House, the time is here. We have a measure before us right now that deals with the whole issue of rules and regulations. I think it is a sound measure. I hope that you will go along with the minority report.

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

Mr. PALMER: Mr. Speaker and Members of the House: I want to take just a moment to express my support for this measure. I guess I would address just one or two remarks to freshmen members of this legislature and say to you that if you don't believe this is an important piece of legislation, wait until you go home this summer after we've adjourned and you find some of your friendliest people coming to you and saying, "Why did you pass that law? They will have you over the barrel over and over again, and you'll find out as you go back and look that it is nothing more than rules and regulations which you have given the right to some agency to

promulgate without any sort of a review. I have had it happen to me so many, many times. I am not in favor of study commissions to continue this thing because we have study commissions galore here now. We have been waiting for two or three years on some very important ones dealing with this same subject and nothing has been done. I believe this is the proper vehicle, I think it's the proper thing for us to do and I think it's the proper thing for you to be able to say this morning that you do believe in citizen participation in the rules and regulations which are governing their lives.

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

Mr. COONEY: Mr. Speaker, I would like to pose a question through the Chair to the gentleman from Nobleboro, Mr. Palmer. What study order on this subject, is he talking about?

The SPEAKER: The gentleman from Sabattus, Mr. Cooney, has posed a question through the Chair to the gentleman from Nobleboro, Mr. Palmer, who may answer if he so desires.

The Chair recognizes that gentleman.

Mr. PALMER: Mr. Speaker, I could name a dozen if I wanted to take the time of this House, but I will mention one specifically having to do with rules and regulations before Natural Resources Committee which was to recodify all of our rules and regulations and bring them into line because we had so many overlapping areas; and this is exactly what is happening when we further 'snowball' this thing by giving every agency the right to promulgate rules and regulations without regard to those already in existence, and that isn't the only one I can mention. There are many, many others.

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

Mr. DOAK: Mr. Speaker and Members of the House: Just one point I would like to make that I don't believe has been brought forth at this time on this piece of legislation. In my own profession as a master plumber dealing with rules and regulations from the Department of Health and Welfare, I have operated in the dark many times and gone on my own opinion because rules and regulations were changing so fast and so quickly that they couldn't get them out to me in time so that I could work by them. I guess what I'm saying and asking for you to do is to accept the minority report on this, hopefully in some manner to slow down the changes in the rules and regulations that these commissions are putting forth. About the time that we feel out in the field and in this state that we understand this rule and regulation in this commission's edict, if you want to call it that, they change it. I think that it is much like the saying that was said some time ago, "Just about the time you get to the point where you think you know a woman, she changes."

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

Mr. BURNS: Mr. Speaker, Ladies and Gentlemen of the House: This piece of legislation will probably assist us in reinforcing the Constitution of the State of Maine. The Constitution establishes there will be three distinct branches and the legislative branch is empowered to make the laws.

Currently we have three branches in the state of Maine making laws. We attempt to make them here, then the Executive Branch moves in and makes additional laws, then the Justice Department or

Judiciary looks them over and says they are either pro or con. This is one way that we can take a step to reinforce the Constitution of the State of Maine and say to the Executive Branch at least, that we are going to make the laws.

The SPEAKER: The pending question is on the motion of the gentleman from Sabattus, Mr. Cooney, that the House accept the Majority "Ought not to pass" Report. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

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

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

Divided Report Tabled and Assigned

Majority Report of the Committee on Transportation reporting "Ought Not to pass" on Bill "An Act Establishing the Lewiston-Auburn Airport Authority" (H. P. 247) (L. D. 274)

Report was signed by the following members:

Mr. McNALLY of Hancock
-of the Senate.

Messrs. KAUFFMAN of Kittery
FRASER of Mexico
JACQUES of Lewiston
STROUT of Corinth
WEBBER of Belfast
JENSEN of Portland

-of the House.
Minority Report of the same Committee reporting "Ought to Pass" in New Draft (H. P. 1580) (L. D. 1881) on same Bill.

Report was signed by the following members:

Messrs. GREELEY of Waldo
CYR of Aroostook

-of the Senate.

Messrs. LUNT of Presque Isle
ALBERT of Limestone
WINSHIP of Milo

Mrs. BERRY of Madison
-of the House.

Reports were read.

Mr. Fraser of Mexico moved the House accept the Majority "Ought not to pass" Report.

(On motion of Mrs. Snowe of Auburn, tabled pending the motion of Mr. Fraser of Mexico to accept the Majority Report and specially assigned for Thursday, May 15.)

Divided Report

Majority Report of the Committee on Transportation reporting "Ought Not to Pass" on Bill "An Act to Increase Certain Weight Limits for Class 2 and Class 3 Motor Vehicle Licenses" (H. P. 1369) (L. D. 1650)

Report was signed by the following members:

Messrs. GREELEY of Waldo
CYR of Aroostook

-of the Senate.

Messrs. LUNT of Presque Isle
FRASER of Mexico
JACQUES of Lewiston
JENSEN of Portland
ALBERT of Limestone

-of the House.

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

Report was signed by the following members:

Mr. McNALLY of Hancock

-of the Senate.
Messrs. STROUT of Corinth

WEBBER of Belfast
 WINSHIP of Milo
 KAUFFMAN of Kittery
 Mrs. BERRY of Madison
 —of the House.

Reports were read.

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

Mr. FRASER: Mr. Speaker, I move the acceptance of the Majority "Ought not to pass" Report.

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

Mr. GREENLAW: Mr. Speaker, Men and Women of the House: I hope this morning that we will not accept the majority "Ought not to pass" Report so we can accept the Minority "Ought to pass" Report, and I call your attention that it is an almost evenly divided report. It is a majority of 7 "Ought not to pass" and a minority of 6 "Ought to pass".

Perhaps those people who were members of the 106th will remember that we passed legislation establishing license classification, particularly for persons driving primarily trucks, and as the good gentleman from Nobleboro, Mr. Palmer, just indicated a few minutes ago, legislators go home and constituents ask them why they passed this law? I had exactly this experience with some of the small businessmen in the town of Deer Isle and they asked me if I would repeal the law, or introduce a bill that would repeal the law, and I told them that in my best judgment, it would not be possible to repeal the law because I did think it did provide some safety benefits.

I talked with the Motor Vehicle Registration Department and the State Police about the rationale of the law, and I was not completely satisfied with their explanations. So, this legislature, in talking with these same residents of the town of Deer Isle, I suggested that perhaps we try to amend the law that would allow a person to have a Class II or Class III license to drive a vehicle up to the maximum allowable weight on a two-axle vehicle, and this is exactly what this bill does, it raises the weight from 10,000 pounds to 32,000 pounds.

I guess what I basically would ask you to do is to vote against the majority report this morning, because I don't believe that there is any reason why we shouldn't let people that have a valid driver's license in the state to be able to drive anything less than a two-axle vehicle.

The good lady from Madison, Mrs. Berry, at the hearing indicated that she agreed that many young people in the state do, in fact, cut their teeth, if you will, driving trucks. The problem I see with the bill is that in the smaller towns a businessman might want to hire a person for a short period of time and if there is a restriction on the licenses that a person cannot drive a truck over 18,000 gross weight pounds, then not only the employer but the employee will be at a disadvantage.

I do support the safety aspects of the bill. I think it is important that when you have a piece of equipment, it is big and perhaps, a trailer, that there be some specific requirement to hold a special license to drive that vehicle, but I don't think that raising the weight limits on Class II and Class III licenses is going to detract from the safety provisions of this bill. I ask you to vote against the pending motion.

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

Mr. FRASER: Mr. Speaker, Ladies and Gentlemen of the House: This bill was passed in the last session and approved by the Maine Highway Safety Committee and that is just what it is, a safety measure. Farmers or anyone might have trucks weighing 32,000 pounds and they may also want to hire somebody to drive them, but I don't believe it is much of an inconvenience to ask them to show their ability to drive it. That is all this is asking to do and it only comes every two years, so I hope that we will stick to our guns.

The SPEAKER: The pending question is on the motion of the gentleman from Mexico, Mr. Fraser, that the House accept the Majority "Ought not to pass" Report. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

Thereupon, Mr. Greenlaw of Stonington requested a roll call.

The SPEAKER: In order for the Chair to order a roll call, it must have the expressed desire of more than 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 before the House is the motion of the gentleman from Mexico, Mr. Fraser, that the House accept the Majority "Ought not to pass" Report. If you are in favor, you will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Bachrach, Bennett, Berry, P. P.; Berube, Birt, Blodgett, Boudreau, Byers, Call, Carey, Carter, Chonko, Clark, Cote, Cox, Curran, P.; Curran, R.; Doak, Dow, Drigotas, Farley, Farnham, Faucher, Fraser, Gauthier, Hennessey, Hewes, Hobbins, Hughes, Immonen, Ingegeri, Jacques, Jensen, Joyce, Kany, Laverty, Lewis, Littlefield, Lizotte, Lynch, MacEachern, Mahany, Martin, A.; Maxwell, McMahon, Mills, Mitchell, Morton, Nadeau, Najarian, Norris, Pelosi, Peterson, T., Post, Powell, Raymond, Rideout, Saunders, Tarr, Tierney, Truman, Twitchell.

NAY — Ault, Bagley, Berry, G. W.; Bowie, Burns, Bustin, Carroll, Churchill, Conners, Cooney, Curtis, Dam, Davies, DeVane, Dudley, Durgin, Dyer, Fenlason, Finmore, Planagan, Garsoe, Goodwin, H.; Gould, Greenlaw, Hall, Henderson, Hunter, Hutchings, Jackson, Jalbert, Kauffman, Kelleher, Kelley, Kennedy, Laffin, LaPointe, LeBlanc, Leonard, Lewin, Lovell, Mackel, MacLeod, Martin, R.; McBrearty, McKernan, Miskavage, Morin, Palmer, Perkins, S.; Peterson, P.; Pierce, Quinn, Rolde, Rollins, Shute, Silverman, Smith, Snow, Spencer, Sprowl, Stubbs, Teague, Torrey, Usher, Walker, Webber, Wilfong, Winship.

ABSENT — Carpenter, Connolly, Goodwin, K.; Gray, Higgins, Hinds, Lunt, Mulkern, Peakes, Perkins, T.; Snowe, Strout, Susi, Talbot, Theriault, Tozier, Tyndale, Wagner.

Yes, 63; No, 68, Absent, 18.

The SPEAKER: Sixty-three having voted in the affirmative and sixty-eight in the negative, with eighteen being absent, the motion does not prevail.

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

Divided Report

Majority Report of the Committee on

Local and County Government reporting "Ought to Pass" as amended by Committee Amendment "A" (H-314) on Bill "An Act to Establish 2-year Terms for County Commissioners" (H. P. 937) (L. D. 1179).

Report was signed by the following members:

Messrs. JACKSON of Cumberland
 GRAFFAM of Cumberland
 —of the Senate.

Messrs. WALKER of Island Falls
 GRAY of Rockland
 CARPENTER of Houlton

Mrs. KELLEY of Machias
 Mrs. BERRY of Madison

—of the House.

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

Report was signed by the following members:

Mr. CARBONNEAU of Androscoggin
 —of the Senate.

Messrs. HENDERSON of Bangor
 TRUMAN of Biddeford
 DAM of Skowhegan

Mrs. BERUBE of Lewiston
 Mrs. MARTIN of Brunswick

—of the House.

Reports were read.

Mr. Dam of Skowhegan moved the acceptance of the Minority "Ought to pass" Report.

Mr. Gray of Rockland requested a roll call.

The SPEAKER: For the Chair to order a roll call, it must have the expressed desire of more than one fifth of its members present and voting. 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 Chair recognizes the gentleman from Skowhegan, Mr. Dam.

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: Very briefly, I will explain why the two reports. This so happens to be the first divided report out of Local and County Government but there was a feeling — it was a close report, 7 to 6 — and what the report does, the majority report is a four-year staggered term and the minority report is a two-year term, and this is for County Commissioners. There was a strong feeling, a unanimous feeling in the committee itself, that there should be a change in the commissioner's terms. It should be reduced from the six year and either brought to a four-year or a two-year level. Primarily this is one reason why the report is before you the way it is, because it brings out both terms at the same time.

While I have signed the two-year report, I signed this because it was my belief that by making it two years it would bring the county commissioners back a little more to the people and they will be a little more responsive to the people and they wouldn't get isolated or insulated away from these people after the election for five or six years. I think really though that what it does, it leaves it up to the individual judgment of each one of you whether you want to go with the two-year or the four-year term.

Personally, I don't have that much hangup one way or the other. I did want to get it on the floor in this way so that we would have a chance, as a body, to debate which way we wanted to go, but it was the unanimous feeling of the committee that we should make a change, whether it is a two-year or four-year, it is going to be up to you people here.

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

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: No doubt I have had contact with county commissioners, I believe that is what he is talking about here, I hope it is anyway, of any man, maybe, in this House. I have worked with them. Being familiar with unorganized towns, I have worked with them. Being familiar with town form of government, I have worked with them.

I believe that any county commissioner, who is willing to put his time in for what the county commissioners get for salary and meet the number of times they meet, travel the distance they travel without mileage, that they deserve to have a six-year term. If you were running now in my district, in Aroostook County, we are voting by districts, we are the first one to have districts, and right up to the present time, the regular commissioners get \$1,800 a year and they travel from Madawaska to Houlton when they have a meeting with no mileage whatsoever, and of course they get mileage when they travel to an unorganized town, but I think to ask them and to request them and to force them to run every two years, or every four years, is ridiculous and at this time I move for indefinite postponement of this bill and all its accompanying papers.

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

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: I would hope that we do not indefinitely postpone today. I would like to see, personally, a change. I would like to see the term either reduced to four years or two years, and it is a strange thing that and it may be again, as I have said many times, maybe it is because I come from a county that is entirely different from the rest of the State of Maine because I have two county commissioners that happen to be in the opposition party from myself, and that is the Republican Party. I have one that happens to be a Democrat, but we get along very well. We don't have any squabbles, or the commissioners don't, with the legislative delegations; the commissioners don't have any squabbles with the town managers or the selectmen of the various communities and it so happens that just before this bill came out that I had coffee with the commissioners one night last week, and they suggested that maybe a change ought to be made, that they thought six years was too much, that there ought to be a change either for four or for two. They favor the four-year term.

Now, as far as traveling and running for elections and traveling back and forth in the counties, not being paid, this was true up to a certain time, but now we have had bills in and we have allowed the commissioners in Aroostook County to be reimbursed for their travel expenses and I am sure that as we go along through future sessions that the commissioners of the other counties will be in with the same bills to ask for reimbursement for their travel.

Again, speaking for the county commissioners in my county, I go along with Mr. Finemore. I think maybe he might have a county that might be put in with another five or six that might be unique because my commissioners work hard and I am sure, as he says, that his commissioners work hard. But I am also sure that as I have sat on Local and County Government Committee this year and the last session also, I have seen the

commissioners of the various counties come before the committee and testify and then I look at the salary schedule that is set up and I see almost \$6,000 for a salary, and when I asked those commissioners about how long do you put in in your office a week, the answer was, two hours. So, being real generous and big hearted like I am, I said, well, I wouldn't want to call it just two hours, I would like to give you a little better time, so let's call it two and a half hours.

Well, \$6,000 for two and a half hours work a week is pretty good pay, \$6,000 a year, and I think these people get this because they become insulated. They run for election and the minute they get elected, they have gone astray. They are not responsive to the people, they don't go back to the communities and meet with the municipal officers and some of the commissioners in the various counties don't even entertain the suggestions of the people that pay their salaries.

I think the first of this session that the House, quite a few members, thought that I was real gung-ho and real pro county government. Well, I am in favor of county government. I am not in favor of abolishing it, but I think that this session is a chance for us to start making some changes where we're going to make county government really responsive to the people, where we're going to make it really efficient and operative and where we're going to take it out of the category of a little stray orphan wandering around within the statutes and sometime not even abiding by the statutes, but going their own way with overdrafts and unauthorized expenditures. I think today with this vehicle that is before us, that this is the first step that we can take to bring county government back into the fold.

I personally believe and I strongly believe that county government is a layer of government that is necessary, but I think, too, that in some areas it has gone way too far out on a limb and it has gone too far out on a limb because we in past sessions have allowed it to do this. So today I ask you, I will say I don't ask you, I plead with this House to accept either one version, the two-year version or the four-year version of this bill because by doing this we will strengthen the county government, we will not be forced later on into regionalism or into district government and this will bring the commissioners back to the people.

Now, the good commissioners, and there are many, there are 48, and I say many (48 is a goodly number) there are a goodly number of commissioners in this state from the counties that support this legislation and they are good commissioners. They have not appeared to oppose this; we did not have any great opposition to this. If they had not wanted it, they would have all come down and appeared for it, as they do on the various bills and when you work with county bills or municipal bills, you don't have to worry about people showing up because they show up in good force because they have the time and they are actually either on the payroll or they're going to be reimbursed for the time they come. It is not like when I have got a little newspaper boy that is coming for nothing.

But this is a good bill, either version, and I would hope that we would not indefinitely postpone it, because if we do, I can see then where we are going to have trouble in the future, and this will only strengthen the

argument to eliminate county government because they are not responsive. This is a bill to bring them back where they should be, to the people and to the municipalities.

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

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: The gentleman from Skowhegan, Mr. Dam, has just stated he is not against county form of government. Well, if he isn't, he is doing a very, very good job of trying to kill the county form of government. Up in our county, the Garden of Maine, we have very fine commissioners, and I figure I've had more municipal experience than most anyone in this House, county experience. I am not saying that as bragging, I am just explaining it, and I believe that it takes two to four years to get a man so he understands county commissioners and to take it away from him in that time and ask him to go back and run every two years is way out, way out, there's no use of talking.

This bill right here didn't deserve even to be in the House, to ask us to cut down. What are you going to do, I wonder, what is the answer going to be? What are we going to do take the next man up in Aroostook County when his time runs out, are we going to elect him for two years, have one serving for four and one for two more? How are we going to do it? Are we going to cut them all off now and start in brand new?

This bill needs a lot of work. I don't care who tells you this bill is a good bill, it is not for county commissioners. County commissioners deserve a six-year term and if he doesn't deserve it, we should never have set it up that way in the first place.

If you want to kill county form of government, which maybe some do in the House, if you do, this is the greatest way to start it right here. You will not get as good people, you will not get lawyers. We got one lawyer in Aroostook County who is doing a very, very fine job, we have two Democrats and one Republican in Aroostook and we are proud of every one of them. We have one engineer on ours, we have an engineer, a lawyer, and a farmer, and I know well that they will not run again on a two-year term and spend the money each year to run. I hope this morning you will go along with indefinite postponement.

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

Mr. LAFFIN: Mr. Speaker, Ladies and Gentlemen of the House: I am awfully glad that Aroostook County has such good commissioners up there and am very glad that Mr. Finemore is so friendly with them all. However, I am from Cumberland County and I don't hold those sentiments as good as he does apparently. Two years is plenty for county commissioners; in fact, its more than enough. I would like very much to see county commissioners go to two years, I would hate to see some members in this legislature elected for six years, but some of them do get elected time and time again; but that's fine, at least they go back to the people and the people have the choice to say whether they want them or not. If they're here for six years, they deserve it because the people have put them here, but to elect one

election for six years on county commissioners who are overpaid, who take money from one account to another — and that is as much as I am going to say on what they do.

I firmly believe that answering to the people is greatest form of democracy that we can hold in this country and an election as often, as often, is the true will of the people and if they are good enough, they will get elected for two more years, and if they're not good enough, the people will say we don't want you, and so be it, and I am for two years.

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

Mrs. BERRY: Mr. Speaker and Members of the House: I would urge you to vote for the majority report, which would be a four-year term. I would like to say that I come from that unique county that the gentleman from Skowhegan has spoken about. I am sure you must know that our commissioners do a fine job because I don't think this gentleman, regardless of who they were, would commend anybody unless they were in regards to town and county government, but I would like to urge you to vote for the majority report, which is four years.

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

Mr. FINEMORE: Mr. Speaker, could I ask a question?

The SPEAKER: The gentleman may pose his question.

Mr. FINEMORE: Mr. Speaker, there's been some discussion. Now, the young lady just said the majority report. Well, as I read the majority report, if I am reading it correctly, this is a two-year term rather than a four-year term, and the second report, I find is very confusing anyway. In this minority report of the committee "ought to pass," it doesn't say how many years it is for. It could be for one, it could be for ten. I wish someone would explain that to me.

Mr. Speaker, I would ask for 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 Bangor, Mr. Henderson.

Mr. HENDERSON: Mr. Speaker and Members of the House: I am afraid because there's some confusion on this that I would like just to make a brief comment, although I hope to speak later on when we have the chance to vote on four-year or two-year terms.

The issue before us now is whether we can even get a chance to vote on some sort of change in the terms, so I urge not to vote for indefinite postponement, so that we can at least get at the unanimous committee's consensus that we have some change in the terms of county commissioners.

I would point out that the committee is not at all concerned with the complete abolition of county government but, on the other hand, it is not at all happy with the way things are and one of the reasons that county government has come under attack in the recent years is that it has been very rigid and has not been able to adapt to the

new kinds of demands that are being put upon it in some kind of large area-wide governments, so we are concerned that some changes are made; otherwise, it being so rigid it may be that we will have no intermediate stop between the state and the municipality. So I would urge you to defeat this motion so that we can get to the issue of making our county commissioners more responsive.

The SPEAKER: A roll call has been ordered. The pending question is on the motion of the gentleman from Bridgewater, Mr. Finemore, that this Bill and all accompanying papers be indefinitely postponed. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Ault, Bagley, Bennett, Cote, Curtis, Durgin, Fenlason, Finemore, Flanagan, Fraser, Immonen, Mahany, Mills, Norris, Rollins, Silverman, Sprowl, Stubbs.

NAY — Bachrach, Berry, G. W.; Berry, P. P.; Berube, Birt, Blodgett, Boudreau, Bowie, Burns, Bustin, Byers, Call, Carey, Carpenter, Carroll, Carter, Chonko, Churchill, Clark, Conners, Cooney, Cox, Curran, P.; Curran, R.; Dam, Davies, DeVane, Doak, Dow, Drigotas, Dudley, Dyer, Farley, Farnham, Faucher, Garsoe, Gauthier, Goodwin, H.; Goodwin, K.; Gould, Gray, Greenlaw, Hall, Henderson, Hennessey, Hewes, Hinds, Hobbins, Hughes, Hunter, Hutchings, Ingegneri, Jackson, Jacques, Jalbert, Jensen, Joyce, Kany, Kauffman, Kelleher, Kelley, Kennedy, Laffin, LaPointe, Laverty, LeBlanc, Leonard, Lewin, Lewis, Lizotte, Lovell, MacEachern, Mackel, MacLeod, Martin, A.; Martin, R.; Maxwell, McBreairty, McKernan, McMahon, Miskavage, Mitchell, Morin, Morton, Nadeau, Najarian, Palmer, Pelosi, Perkins, S.; Perkins, T.; Peterson, P.; Peterson, T.; Pierce, Post, Powell, Quinn, Raymond, Rideout, Rolde, Saunders, Shute, Smith, Snow, Snowe, Spencer, Strout, Tarr, Teague, Theriault, Tierney, Torrey, Tozier, Truman, Twitchell, Tyndale, Usher, Wagner, Walker, Webber, Wilfong, Winship.

ABSENT — Connolly, Higgins, Littlefield, Lunt, Lynch, Mulhern, Peakes, Susi, Talbot.

Yes, 19; No, 121; Absent, 10.

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

The pending question now before the House is on the motion of the gentleman from Skowhegan, Mr. Dam, that the House accept the Minority "Ought to pass" Report. A roll call has been ordered.

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

Mr. CHURCHILL: Mr. Speaker, I would like to ask a question through the Chair. If we vote for the minority, is this for a four-year term and if so, would two be going off and one remaining on under this minority report?

The SPEAKER: The gentleman from Orland, Mr. Churchill has posed a question through the Chair to anyone who may answer if they so desire.

The SPEAKER: The Chair recognizes the gentleman from Rockland, Mr. Gray.

Mr. GRAY: Mr. Speaker, Ladies and Gentlemen of the House: The minority report, if you accept the minority report, it would reduce it from six years to two years. Now, it was the unanimous opinion

of the committee that a change was in order; however, it was the opinion of the majority of the committee that a reduction from six years to two years was too drastic, keeping in mind that there are only three commissioners and all three could be turned out and eliminate any continuity whatsoever. As it stands now, at least you'll have at least one experienced commissioner one year and the next year, or within the next two years, you could turn out two commissioners out of office which would still leave you with at least some experience. So it was the majority opinion of the committee that a reduction from six years to four years would be in order and this is what Committee Amendment "A" does.

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

Mr. HENDERSON: Mr. Speaker, the question before us now, just to clarify it, I believe is the minority "ought to pass" report, which is for the two-year term and that is the issue which we have before us. I think some of us were concerned about the fact that sometimes you have two and sometimes you have one running and that it would be a bit muddled and the fact that many other municipal and state officers are, of course, elected for two-year terms, this House, the other body, the U.S. Congress, as far as that goes, we were concerned with responsiveness. I think I have said that I also felt that the fact that there was a two-year term would keep the commissioners much more closely in touch with the people. I don't think they'll be turned out. Most people who are elected to a public office are returned time and again, if they wish to run, whether it is a two-year term or otherwise, if they do a good job, that's the point. If they keep in contact with their people, if they make a real effort, then there's not going to be any problem with continuity, and we are concerned that there really be responsiveness at this point so that when there comes, if they do, other responsibilities, that there will be a feel that they are supporting the public's point of view, they will be able to take on responsibilities and they won't be greeted with suspicions.

What we are really trying to do is put some new fire into this segment of our state government structure which has been all too neglected and as a result is getting close to being beyond repair. The question, I think, is whether we are willing to put some real new life into it and I hope you will vote for the six-member minority "ought to pass" report.

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

Mr. FRASER: Mr. Speaker and Members of the House: I, along with most others here, seem to be confused with this report. First they tell us that the majority report is for two years and the minority is four years and now they tell us that the both of them are for two years and the belief seems to be that the commissioners with shorter terms will be closer to the people and a two-year term, believe me, will keep them closer to the people because in the last year of their two years, they will be campaigning.

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

Mr. CARPENTER: Mr. Speaker, Ladies and Gentlemen of the House: I would urge acceptance of the majority "ought to pass"

as amended by Committee Amendment "A" which will provide for four-year terms. As many people of the committee have said, we felt that not only getting back to the people and responsiveness to the people but if you get a bad commissioner now, you have to wait such a long time before the people have a chance to vote on the man and put him out of office. To bring it back to four years would make him a little more responsive and as the gentleman from Bangor, Mr. Henderson, has said, it will make for a little bit of a repair of county government before it gets too far to repair.

So I would urge the defeat of the minority report, which will put it all the way back to two years, and the acceptance of the majority report for four years.

The SPEAKER: The Chair recognizes the gentleman from Rockland, Mr. Gray.

Mr. GRAY: Mr. Speaker, Ladies and Gentlemen of the House: To add to the confusion: The majority report, which is on your calendar now for two years has been amended to four years, so if you want to reduce the county commissioner's term to four years, then you would vote against the minority report so you would vote nay on the pending motion.

The SPEAKER: A roll call has been ordered. The pending question is on the motion of the gentleman from Skowhegan, Mr. Dam, that the House accept the Minority "Ought to pass" Report. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Bachrach, Berube, Bustin, Call, Carey, Carter, Cooney, Curran, P.; Dam, Davies, Doak, Drigotas, Dyer, Farley, Faucher, Gauthier, Goodwin, H.; Greenlaw, Henderson, Hennessey, Hewes, Hobbins, Hughes, Ingegneri, Jacques, Jensen, Joyce, Kany, Kauffman, Kelleher, Kennedy, Laffin, LaPointe, Leonard, Lewis, Lizotte, MacEachern, Mackel, Martin, A.; Maxwell, McMahan, Mills, Morin, Nadeau, Najarian, Pelosi, Peterson, T.; Powell, Quinn, Raymond, Rideout, Rolde, Smith, Snow, Snowe, Spencer, Tierney, Tozier, Truman, Twitchell, Tyndale, Wagner, Wilfong.

NAY — Albert, Ault, Bagley, Bennett, Berry, G. W.; Berry, P. P.; Birt, Blodgett, Boudreau, Bowie, Burns, Byers, Carpenter, Carroll, Chonko, Churchill, Clark, Connors, Cote, Cox, Curran, R.; Curtis, DeVane, Dow, Dudley, Durgin, Farnham, Fenlason, Finemore, Flanagan, Fraser, Garsoe, Goodwin, K.; Gould, Gray, Hall, Hinds, Hunter, Hutchings, Immonen, Jackson, Jalbert, Kelley, Laverty, LeBlanc, Lewin, Lovell, MacLeod, Mahany, Martin, R.; McBairty, McKernan, Miskavage, Mitchell, Morton, Norris, Palmer, Perkins, S.; Perkins, T.; Peterson, P.; Pierce, Post, Rollins, Saunders, Shute, Silverman, Sprowl, Strout, Stubbs, Tarr, Teague, Theriault, Torrey, Usher, Walker, Webber, Winship.

ABSENT — Connolly, Higgins, Littlefield, Lunt, Lynch, Mulkern, Peakes, Susi, Talbot.

Yes, 63; No, 77; Absent, 9.

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

Thereupon, on motion of Mr. Dam of Skowhegan, the Majority "Ought to pass" Report was accepted and the Bill read once. Committee Amendment "A" (H-314) was read by the Clerk and adopted and the Bill assigned for second reading tomorrow.

Divided Report

Majority Report of the Committee on Business Legislation reporting "Ought to Pass" on Bill "An Act Relating to the Registration of Accountants" (H. P. 989) (L. D. 1254)

Report was signed by the following members:

Mr. REEVES of Kennebec
— of the Senate.

Mrs. CLARK of Freeport
Messrs. RIDEOUT of Mapleton

PEAKES of Dexter
BOWIE of Gardiner
HIGGINS of Scarborough
TIERNEY of Durham

— of the House.

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

Report was signed by the following members:

Messrs. THOMAS of Kennebec
JOHNSTON of Aroostook

— of the Senate.

Mrs. BOUDREAU of Portland
Mrs. BYERS of Newcastle

Messrs. PIERCE of Waterville
DeVANE of Ellsworth

— of the House.

Reports were read.

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

Mrs. CLARK: Mr. Speaker and Members of the House: I move the House accept the Majority "Ought to Pass" Report.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I wish to speak against the Majority Report, the Minority Report should be accepted in this House, and it was only about seven years ago, about, I am not going to be exact, that these people all got together and I know several accountants and I know several from both sides and worked out what was a reasonable agreement and agreeable to both sides. In my area there are quite a few, for both sides represented here and they are satisfied with the law as it is now. I am sure that there is a small group of people that want to change it. I don't think that we should bend every time some two or three people want to change a law that is working well. I am sure this is working well as it is, so I hope eventually, we will accept the Minority Report. I know if you have talked to any of your people in this area they will carry out what I am telling you as being true, there is a very small group of people that want to change it. I ask for a roll call, while I am on my feet.

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

Mr. PALMER: Mr. Speaker and Members of the House: I wonder if Mrs. Clark or somebody from the Committee would take just a moment and explain this bill to us more carefully.

The SPEAKER: The gentleman from Nobleboro, Mr. Palmer, poses a question through the Chair to the gentleman from Freeport, Mrs. Clark, who may answer if she so desires.

The Chair recognizes that gentleman.

Mrs. CLARK: Mr. Speaker, Men and Women of the House: L. D. 1254 simply would repeal a statutory provision whereby public accountants would no longer be able to sit for a public accountant examination following the year June 1974. This would simply allow those people who

aspire to achieve a level of certification and expertise in the field of accountancy to be certified by the State of Maine and be licensed to practice in the area of public accountancy.

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

Mr. GAUTHIER: Mr. Speaker, Ladies and Gentlemen of the House: I would like to agree with what Mr. Dudley told you a few minutes ago. I was a member of the Business Legislation Committee on this bill when it was heard and passed in 1967. After many battles at the various hearings and we had many hearings that had been held between CPA's and Public Accountants, nothing had been resolved until April 19, 1967. We finally got both together again and had another public hearing on that and our committee had a compromise that was suggested and the Business Legislation Committee asked the 35 or 40 accountants at the hearing to stand and see if they supported the compromise. All of them, 35 or 40 accountants at the time, all but one, accepted the compromise. This was done and it was received and it received the unanimous support of the committee and the bill was passed. I would hope that you would not vote to change the present law that we now have on the books, because it took a long time to put it there and apparently it was agreed by both at that time and I know it was because I was on that committee. I hope that you accept the Minority Report "Ought not to Pass".

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

Mr. NORRIS: Mr. Speaker, Ladies and Gentlemen of the House: I will be very, very brief because I think everything has been said about this that should. I understand there were very few people in favor of this that appeared before the committee. Certainly this profession has worked out the difficulties as the good gentleman from Sanford, Mr. Gauthier, has said, over the years, and they are working very well together and this is an extreme minority of this profession that wants to change it. So, I would hope that you would vote against the report and accept the Minority Report.

The SPEAKER: The Chair recognizes the gentleman from Belfast, Mr. Webber.

Mr. WEBBER: Mr. Speaker, Ladies and Gentlemen of the House: I agree with the previous speaker on that. It is a small minority and since 1967 when that law went into effect, there has been only 19 in this time up to 1974, apply and take an exam for public accountant which is only about 2.7 per year. It is a very small minority and my biggest objection to it is the way it is now, you have a standard there, if you go backward, you are lowering your standard and I hope you defeat the bill.

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

Mrs. CLARK: Mr. Speaker, Men and Women of the House: I find it very interesting that people would allege that we would be lowering our standards should public accountants be allowed to take an examination that would certify them for practicing within the State of Maine. Actually, all this bill does is allow for the continuation of a two-tiered license level of accountancy in this state. It does provide for licensing and strict regulation. I would suggest that we have two-tiered licensing in other areas of professions within this

state, for example in the nursing profession, we have not only degree nurses but we have registered nurses, and we have licensed practical nurses. All of those nurses have received certification requirements at those levels and are operating within the areas granted by those certification licenses. The same can be applied to accountants. Not all accountants can achieve that admirable and indeed it is, level of proficiency as certified public accountants, but there are a number of our citizens across the state who can achieve a public accountant certification and I would suggest that rather than placing barriers to this area that we, in fact, erase barriers and allow those people to receive this second-tier certification.

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 call was ordered.

The SPEAKER: The pending question is on the motion of the gentlewoman from Freeport, Mrs. Clark, that the House accept the Majority "Ought to Pass" Report on Bill, "An Act Relating to the Registration of Accountants," House Paper 989, L. D. 1254. All in favor of that motion will vote yes, those opposed will vote no.

ROLL CALL

YEA — Bachrach, Berry, P. P.; Birt, Bowie, Burns, Carpenter, Chonko, Clark, Cooney, Davies, Farnham, Goodwin, K.; Henderson, Hughes, Immonen, Ingegneri, Jackson, Joyce, Kennedy, LaPointe, Leonard, Martin, A.; Mitchell, Post, Powell, Quinn, Rideout, Snow, Spencer, Stubbs, Theriault, Tierney, Torrey, Wilfong, Winship.

NAY — Albert, Ault, Bagley, Bennett, Berry, G. W.; Berube, Blodgett, Boudreau, Bustin, Byers, Call, Carey, Carroll, Carter, Churchill, Connors, Cote, Cox, Curran, P.; Curran, R.; Curtis, Dam, DeVane, Doak, Dow, Drigotas, Dudley, Durgin, Dyer, Farley, Faucher, Fenlason, Finemore, Flanagan, Fraser, Garsoe, Gauthier, Goodwin, H.; Gould, Gray, Greenlaw, Hall, Hennessey, Hewes, Hinds, Hobbins, Hunt, Hutchings, Jacques, Jalbert, Jensen, Kauffman, Kelleher, Kelley, Laffin, Laverty, LeBlanc, Lewin, Lewis, Lovell, Lynch, MacEachern, Mackel, MacLeod, Mahany, Maxwell, McBreaarty, McKernan, McMahan, Miskavage, Morin, Morton, Nadeau, Najarian, Norris, Palmer, Pelosi, Perkins, S.; Perkins, T.; Peterson, P.; Pierce, Raymond, Rolde, Rollins, Shute, Silverman, Smith, Snowe, Sprowl, Strout, Teague, Tozier, Truman, Twitchell, Tyndale, Usher, Walker, Webber.

ABSENT — Connolly, Higgins, Kany, Littlefield, Lizotte, Lunt, Martin, R.; Mills, Mulkern, Peakes, Peterson, T.; Saunders, Susi, Talbot, Tarr.

Yes, 36; No, 98; Absent, 16.

The SPEAKER: Thirty-six having voted in the affirmative and ninety-eight in the negative, with sixteen being absent, the motion did not prevail.

Thereupon the Minority "Ought not to Pass" Report was accepted.

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

Mr. NORRIS: Mr. Speaker, Ladies and Gentlemen of the House: Having voted on the prevailing side, I move

reconsideration and hope you vote against me.

The SPEAKER: The gentleman from Brewer, Mr. Norris, moves the House reconsider its action whereby the House accepted the Minority "Ought not to Pass" Report. All in favor of that motion will say yes; those opposed will say nay.

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

Sent up for concurrence.

Divided Report

Majority Report of the Committee on State Government reporting "Ought to Pass" as amended by Committee Amendment "A" (H-326) on Bill "An Act to Facilitate Operation of the Coastal Island Registry and to Establish Criteria for State Title in Coastal Islands" (H. P. 965) (L. D. 1209)

Report was signed by the following members:

Mrs. KANY of Waterville
Messrs. LEWIN of Augusta
FARNHAM of Hampden
COONEY of Sabattus
WAGNER of Orono
STUBBS of Hallowell
PELOSI of Portland
CARPENTER of Houlton
QUINN of Gorham
Mrs. SNOWE of Auburn

— of the House.

Minority Report of the same Committee reporting "Ought to Pass" as amended by Committee Amendment "B" (H-327) on same Bill.

Report was signed by the following members:

Messrs. CURTIS of Penobscot
GRAHAM of Cumberland
WYMAN of Washington

— of the Senate.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Sabattus, Mr. Cooney.
Mr. COONEY: Mr. Speaker, Ladies and Gentlemen of the House: I move acceptance of the Majority "Ought to Pass" Report.

The SPEAKER: The gentleman from Sabattus, Mr. Cooney, moves the House accept the Majority "Ought to Pass" Report.

The Chair recognizes that same gentleman.

Mr. COONEY: Mr. Speaker, Ladies and Gentlemen of the House: I think that we can all see that this particular measure is a candidate for non-concurrence if the House votes with the House members and I would explain to you a little bit of the background on this measure because it is kind of a fascinating subject and it involves the Coastal Island Registry which was established, I believe, two sessions ago. Maine originally owned the coastal islands, they were part of the wildlands of Maine and years ago, we decided that they were worthless little things out in the sea and they ought to be sold, if anybody ever wanted to buy them so we started selling our islands. Then, along about a few years ago, we decided, well let's not sell them any more, so we didn't sell any more islands. Then just a few years ago, somebody asked a question, how many islands does the state have? Nobody knew. So, we established the Coastal Island Registry, which set about the task of mapping and charting and trying to figure out who owned all the islands. Well, in this interim period, where nobody knew, there were some pretty clever people, who know how to steal islands. You say, well, how do

you steal an island? What you do is you go out and you find one of these things and you check at the Registry of Deeds of the appropriate county to find out if anybody has registered a deed. The state hadn't registered any deeds on these things, they were their islands but they didn't know where they were and so people filed deeds and claimed the islands. Oh, there weren't a lot of them but we are still finding them and what they do is, they go and they file the deed and frequently the problem becomes more complex because the deed is willed to somebody else in the family and it is subdivided and sold. I believe one fellow from New York, as I recall the story, even he claimed an island, registered the deed and then gave the island to a non-profit organization and claimed a tax deduction for the gift. So, the whole problem has become one of tracking these things down and regaining proper state ownership of them.

The bill before you simply clarifies some language in the Coastal Island Registry Law. The difference between the good Senators and the good House members is one simple provision, should there be a penalty for stealing an island? The House members unanimously agree that there should be a penalty. The penalty proposed in the bill is up to six months in jail and up to \$1000 fine, which I think is a pretty small penalty for stealing an island. The Senate members don't think there should be a penalty. I put it to you and ask you to accept the Majority Report.

Thereupon the Majority "Ought to Pass" Report was accepted and the Bill read once. Committee Amendment "A" (H-326) was read by the Clerk and adopted and assigned for second reading tomorrow.

Consent Calendar

First Day

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

Bill "An Act to Insure the Conservation of Endangered Species in the State of Maine" — Committee on Fisheries and Wildlife reporting "Ought to Pass" (H. P. 1204) (L. D. 1767)

Bill "An Act to Make Allocations from the Maine Coastal Protection Fund for the Fiscal Years Ending June 30, 1976 and June 30 1977" (Emergency) — Committee on Appropriations and Financial Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (H-313) (H. P. 706) (L. D. 885)

Bill "An Act to Improve the Enforcement of the Federal Flammable Fabrics Act" — Committee on Business Legislation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-318) (H. P. 1293) (L. D. 1600)

Bill "An Act Relating to the Revised Enforcement of Foreign Judgments Act" — Committee on Judiciary reporting "Ought to Pass" as amended by Committee Amendment "A" (H-321) (H. P. 1161) (L. D. 1460)

Bill "An Act to Establish County Commissioner Districts in Lincoln County" — Committee on Local and County Government reporting "Ought to Pass" as amended by Committee Amendment "A" (H-310) (H. P. 997) (L. D. 1260)

Bill "An Act to Incorporate the Town of Rockwood" — Committee on Local and County Government reporting "Ought to Pass" as amended by Committee Amendment "A" (H-309) (H. P. 966) (L. D. 1218)

Bill "An Act Converting Allagash Plantation into the Town of Allagash" — Committee on Local and County Government reporting "Ought to Pass" as amended by Committee Amendment "A" (H-308) (H. P. 1276) (L. D. 1647)

No objection being noted, the above items were ordered to appear on the Consent Calendar of May 14 under listing of the Second Day.

Bill "An Act to Authorize the Appropriation of Funds for Full-time County Administrators" — Committee on Local and County Government reporting "Ought to Pass" as amended by Committee Amendment "A" (H-307) (H. P. 919) (L. D. 1132)

On the objection of Mr. Farley of Biddeford, was removed from the Consent Calendar.

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

Mr. FARLEY: Mr. Speaker and Members of the House: Would it be in order to ask for indefinite postponement of this bill at this time?

The SPEAKER: The Chair would advise the gentleman that the motion to indefinitely postpone is in order.

The Chair recognizes the same gentleman.

Mr. FARLEY: Mr. Speaker and Members of the House: I would then ask for the indefinite postponement of this Bill and all its accompanying papers.

Under the County Budget system now, through the state going through the county delegation to approve or disapprove of the county budget it is within the power of the legislature now to grant that the county administrative post is justified. He has gone through this with the York County Delegation. The delegation to a man, with the exception of one out of 21 in the county, decided it was not in order to hire a county commissioner, the need for a county administrator, and I would ask that you go along with the motion to indefinitely postpone and leave it up to the county delegation if there is any need for a county administrator in every county.

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

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: I rise in opposition to the motion of the gentleman from Biddeford, Mr. Farley, for indefinite postponement. This is a unanimous committee report and several of the counties now are using county administrators. One county is using a person under the title of Executive Secretary. Now, three of these positions are being funded under the Federal CETA Program the others are being picked up in the county budgets. Actually, there is nothing in the statutes at this time that really give the county commissioners the right to hire an administrator. This would give them that authority, but this goes a little further than that. This sets up qualifications for the administrator, these qualifications are set up very similar to the guidelines of the qualifications of a town manager that appear in the statutes today. This also goes a little farther by saying "that should the commissioners hire an administrator that their salary will be reduced fifty percent but no less than \$1,500." This allows the counties to retain the commissioner's — they would get at least \$1,500 and the others would get half of the salary — this keeps it in line with the statutes and with the delegation of

authority and at the same time, it puts a full-time administrator in the county commissioner's office. Now, if we pass this bill today, the primary thing that we are doing is really, in the end, as far as the salaries are concerned and to make it in the statutes that they are empowered to hire an administrator. If we don't pass the bill today, the counties that have administrators, will continue to have them, whether they are being paid for by the counties with the approval of the delegation or whether they are being paid under Federal funds. If they are being paid under Federal funds and this will expire maybe in June or sometime this summer, I am sure that these administrators, so called, will not go off the payroll. I am sure they will be retained at the county level, and it is now these administrators who are hired, there are no qualifications to be met. It can be anyone needing a job, it could be a friend, a relative, whatever you want. This is a good bill. This is a good move and it's a move in the right direction. Again, it's going along with the same thing as reducing York County Commissioners' terms — it's an effort to strengthen county government and make it efficient and that is all this bill is, so I ask you people today, do not vote for Indefinite Postponement. Let it go through the process, when it gets to the Second Reader, if there are parts in it you don't like or parts you want added in, then offer your amendments at that time. But let's at least keep it alive until it gets to the Second Reader so that you will all have a chance to study it and understand what we are doing.

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

Mr. FARLEY: Mr. Speaker and Ladies and Gentlemen of the House: There is no need for this piece of legislation, the county commissioners, at the present time, have a perfect right to put these people in the budget, they feel there's a need for one. As I said before, we have one in York County. The delegation, with the exception of one out of twenty-one, the York County Delegation, voted not to fund this position. This man is filling the job, he has been notified by registered mail that he is not a line item on our budget and never has been. I don't know who is going to pay this gentleman. I have a bill before County Government to pay him before the first of May with the ultimatum that it was the agreement of the county delegation that this position wasn't to be funded but he continues to serve at the county commissioner's pleasure. I state to you all that the law is quite clear. If the position is not a line item on the county budget, it won't be funded. The county commissioners persist on keeping that man on. As I stated before, any delegation that wants to hire a county administrator can do so, when the budget is first formed of the meeting of your delegation. There is no need for this bill.

In regard to the people hired by CETA, that is not county money, that is federal money, to pick these positions and if we allow them to start there, you know they are going to appear on the budget the next time around.

I would urge you again to vote for Indefinite Postponement of this bill.

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

Mr. CARPENTER: Mr. Speaker and Ladies and Gentlemen of the House: While I agree with the gentleman from Skowhegan, Mr. Dam that we should take

a look at this and I think everybody in this House concerned with this bill and should think about possible further amendments to possibly moving to Indefinitely Postpone this bill. I have a bill currently being held in County Government co-sponsored by the gentleman from Bridgewater, Mr. Finemore with the unanimous consent of the Aroostook County Delegation to allow Aroostook County to hire a full-time administrator. I do not think this is necessarily necessary for all counties and the part of this amendment that I object to, I guess, more strongly, is the ultimatum on the county commissioner's salary. We, in the Aroostook County Delegation, have voted on the county commissioner's salaries and in order to fund most of our county administrator's or our proposed county administrator's salary, in order to fund most of that salary, the chief administrative officer of the county took a large salary decrease, the other county commissioners were given a cost-of-living increase, we picked up almost enough money to fund the entire salary of the county administrator, providing that the Legislature passes my bill. We talked extensively here for the last two days about Home Rule, well, this is a bit of Home Rule that I think you're taking away from, not only your county commissioner's, but also your county delegation. If they think your commissioner's are doing a good job and are spending a lot of time in the administration of the county, perhaps they need an increase or a decrease but this bill is going to tie you into a fairly specific amount of money, so I will be offering you an amendment to this at a later date or a move to kill the bill.

I would ask everybody in the House to give this serious consideration in the next day or so.

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

Mr. LAFFIN: Mr. Speaker, Ladies and Gentlemen of the House: It was stated here early this morning from my good friend from Skowhegan, Mr. Dam, they work two hours or two and one-half hours a day, well, I'd question that they work that long. It seems as though every time somebody gets elected or an administrator, they always have to have an assistant. Cumberland County has taxed our cities and towns double, the people of Cumberland County have got to pay double this year. In fact, I think its more than double, but I'm not sure, but it was at one time and they added seventy some odd thousand dollars more on, so I didn't read any more, but every time somebody gets elected, they have to have an administrator to do their work for them, and we elect them to do their job — and this is getting preposterous, everytime somebody gets elected, they have to have an assistant or then somebody else has to have an assistant and this is costing the taxpayers of Cumberland County a lot of money. We need county commissioner's, naturally, but I think we should draw the line. We elect them to do the job and why do they have to have so many assistants that is costing more money? And these federal programs, when they run out, we are stuck with it, and I certainly don't want to see any more money spent in Cumberland County. The people of Westbrook are going to be taxed now double of a budget. Really in the City of Westbrook, we don't even need the county outside the courts. Nevertheless, we are

part of the county, so we have to accept it and we've got a white elephant in Portland that they are building that wasn't told to the people the way it should have been told. There's a lot to this county government and I don't want to get involved in it because I could talk all day on some of the things we should do or shouldn't do within the county but I would urge this to be defeated. I realize it's a small item and I certainly would support the gentleman from Biddeford on this.

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

Mr. DAM: Mr. Speaker and Ladies and Gentlemen of the House: Once again, I'm going to run over this and this time I'm going to be very brief. What this does is merely empower the counties to have an administrative assistant or a business administrator. Also, on the first page of the amendment, "if the commissioners want this administrator, they will discuss his salary with the legislative delegation". It does not say that every county has an administrator. Now, the other thing, if your commissioners hire an administrator, they must discuss the salary with the delegation, if they want it. This allows those counties to have one that wants one. This is still a further control here. When the budget comes up again, supposing your county commissioners have strayed like the little orphan and gone their own way and added one without legislative delegation approval, take it out of the budget. It is as simple as that but for those counties that want this, this is all it is. It lets the county commissioners, with the approval of the delegation, set the salary, lets the county commissioners hire and the main thing is, it sets up qualifications. Again, the same qualifications of a town manager, that they will be hired, he shall be chosen solely on the basis of his executive and administrative qualifications with special reference to his actual experience or his knowledge of the duties of office. This takes out the aunts, the uncles, the sisters, the brothers, the cousins, the in-laws and the out-laws. This puts in qualified people if your county wants it. This is permissive and that's all it is. Some counties will use it, some counties will not, but it's a good vehicle. We should, I think, go to Second Reader and the gentleman from Houlton, I have no objection to the amendment that is going to be offered and if they want to offer the amendment, we should do it at this time but this is a good vehicle, it's something that the counties that want the administrator need, and we should not vote for Indefinite Postponement.

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

Mr. Farley of Biddeford was granted permission to speak a third time.

Mr. FARLEY: Mr. Speaker and Ladies and Gentlemen of the House: The amendment doesn't say what Mr. Dam is saying. The amendment says the county commissioners of all counties are authorized and empowered to appropriate funds for the hiring of a full-time county administrator. They hire them. The only thing the delegation can discuss is the salary.

I urge this House to kill this bill. We have no need for this legislation. The county commissioners, in discussion with the delegation, have the right to do this now.

All it is, is putting another man on the budget. I would ask you again and back to the gentleman from Houlton, Mr. Carpenter, I can't conceivably see any amendment that would help this bill.

I would ask and urge again to Indefinitely Postpone this bill.

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

Mr. GAUTHIER: Mr. Speaker, Ladies and Gentlemen of the House: Mr. Farley has mentioned to you that the delegation has the right to do this. I would like to know if the York County Commissioners' contacted the delegation of York County when they appointed their assistant before doing what they did.

The SPEAKER: The gentleman from Sanford, Mr. Gauthier, has posed a question through the Chair to any member who may answer if they so desire.

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

Mr. Truman of Biddeford requested a roll call.

The SPEAKER: The Chair will recognize the gentleman from Biddeford, Mr. Farley, to respond to the question of the gentleman from Sanford, Mr. Gauthier.

Mr. FARLEY: Mr. Speaker, Ladies and Gentlemen of the House: In response to the gentleman from Sanford, no, they did not. They merely hired them, the three commissioners got together, hired them, on the initial budget they sent to the delegation which the commissioners sent one copy, by the way, and for the rest of the delegation to get a copy of the budget, we had to call back in Alfred, then he wasn't on that budget, the county administrator, and then by the 20th of February, they slipped the budget down and we had been discussing it already and I gave my copy of that budget to Representative Carroll of Limerick to look at and he informed me that the gentleman was placed on that budget there. They never informed the delegation that they hired a county administrator or, even you know — asked what our feeling was. They merely slipped him on the budget, the last minute budget, and tried to get him funded that way.

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

Mr. GAUTHIER: Mr. Speaker, Ladies and Gentlemen of the House: Mr. Dam, has a very good amendment. I think that if they have to come to the delegation before they do anything like this, they should come to the delegation and get the approval. Furthermore, these gentlemen are paid \$4,000 each year for six years and if they're going to have an administrator to do their work, there's no reason why that the people in the county should be taxed double. If you're going to pay for the administrator, \$150.00 a week and also pay \$4,000 I think Mr. Dam's amendment is very good to cut it to \$1,500.00 for their salaries, and I would move in that direction.

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 Biddeford, Mr. Farley, that Bill "An Act to Authorize the Appropriation of Funds for Full-time County Administrators," House Paper 919, L. D. 1132, and all accompanying papers be indefinitely postponed. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Ault, Bagley, Berry, P. P.; Birt, Bowie, Call, Carey, Carroll, Carter, Chonko, Churchill, Clark, Conners, Cox, DeVane, Drigotas, Dudley, Durgin, Dyer, Farley, Farnham, Flanagan, Garsoe, Gauthier, Goodwin, H.; Hall, Hobbins, Hughes, Hunter, Hutchings, Ingegneri, Jackson, Jacques, Joyce, Kany, Kauffman, Laffin, Lewin, Lewis, Lovell, Lynch, MacEachern, Mackel, MacLeod, McBreairey, McKernan, McMahan, Miskavage, Mitchell, Morin, Najarian, Perkins, S.; Pierce, Raymond, Rideout, Rollins, Silverman, Snowe, Sprowl, Stubbs, Teague, Theriault, Tierney, Torrey, Tozier, Truman, Twitchell, Usher, Wilfong.

NAY — Bachrach, Bennett, Berry, G. W.; Berube, Blodgett, Boudreau, Burns, Bustin, Byers, Carpenter, Cote, Curran, P.; Curran, R.; Curtis, Dam, Davies, Doak, Dow, Faucher, Fenlason, Finemore, Fraser, Goodwin, K.; Gould, Gray, Greenlaw, Henderson, Hennessey, Hewes, Hinds, Immonen, Jalbert, Kelleher, Kelley, Kennedy, Laverty, LeBlanc, Leonard, Mahany, Martin, A.; Maxwell, Mills, Norris, Palmer, Pelosi, Perkins, T.; Peterson, P.; Peterson, T.; Post, Powell, Quinn, Shute, Smith, Snow, Spencer, Tyndale, Wagner, Walker, Webber, Winship.

ABSENT — Connolly, Cooney, Higgins, Jensen, LaPointe, Littlefield, Lizotte, Lunt, Martin, R.; Morton, Mulkern, Nadeau, Peakes, Rolde, Saunders, Strout, Susi, Talbot, Tarr.

Yes, 70; No, 60; Absent, 20.

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

(H. P. 1056) (L. D. 1340) Bill "An Act Relating to Retention of Certain Charges by the Register of Probate of Aroostook County" — Committee on Local and County Government reporting "Ought to Pass" as amended by Committee Amendment "A" (H-312)

(H. P. 116) (L. D. 152) Bill "An Act to Require a Second Election on Any Adoption, Revision or Amendment of a Municipal Charter Invalidated Because of Procedural Error" — Committee on Local and County Government reporting "Ought to Pass" as amended by Committee Amendment "A" (H-311)

(H. P. 785) (L. D. 956) Bill "An Act Establishing a Fee for Approved Blanks and Forms Furnished by Registers of Probate" — Committee on Local and County Government reporting "Ought to Pass" as amended by Committee Amendment "A" (H-306)

(H. P. 852) (L. D. 1041) Bill "An Act to Increase Costs and Fees Taxed and Allowed in the District Court" — Committee on Judiciary reporting "Ought to Pass" as amended by Committee Amendment "A" (H-319)

(H. P. 675) (L. D. 850) Bill "An Act to Facilitate the Entrance of Municipalities into the Federal Flood Insurance Program" — Committee on Local and County Government reporting "Ought to

Pass" as amended by Committee Amendment "A" (H-330)

(H. P. 974) (L. D. 1314) Bill "An Act to Include Village Corporations Under the Provisions for Home Rule" — Committee on Local and County Government reporting "Ought to Pass" as amended by Committee Amendment "A" (H-329)

(H. P. 1002) (L. D. 1281) Bill "An Act Creating Franklin County Commissioner Districts" — Committee on Local and County Government reporting "Ought to Pass" on amended by Committee Amendment "A" (H-328)

(S. P. 339) (L. D. 1127) Bill "An Act to Provide for the Transcription of Testimony Taken in Investigation of Consumer Complaints in Order to Protect Constitutional Rights" — Committee on Judiciary reporting "Ought to Pass" as amended by Committee Amendment "A" (S-132)

No objections being noted, the above items were ordered to appear on the Consent Calendar of May 14 under listing of the Second Day.

**Consent Calendar
Second Day**

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

(H. P. 1560) (L. D. 1870) Bill "An Act Relating to the Borrowing Capacity of East Range II Community School District"

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

Tabled and Assigned

(H. P. 1375) (L. D. 1688) Bill "An Act Further Defining the Definition of 'North American Indians Residing in Maine'"

On the request of Mr. Hewes of Cape Elizabeth, was removed from the Consent Calendar.

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

Mr. HEWES: Mr. Speaker, Ladies and Gentlemen of the House: I have some questions about L.D. 1688, which is a definition of North American Indians residing in Maine. As I read it, it changes — and if I could get some questions answered I would appreciate it — a person to be included as a North American Indian, his parents or grandparents need not have resided in Maine under this change, and I'm wondering if non-Maine native Indians will decide that if Maine has greater benefits than some other jurisdiction, they might move into this jurisdiction, into Maine, so as to reap the benefits that were intended to be passed for Maine natives, as I see it. In fact, it seems to me that this would enlarge the number of recipients, and that perhaps a fiscal note should be added.

The SPEAKER: The Chair recognizes the gentleman from Solon, Mr. Faucher.

Mr. FAUCHER: Mr. Speaker, Ladies and Gentlemen of the House: This is a bill that I introduced for the late Representative Joe Binnette of Old Town, but if somebody would be good enough to table this bill, I will give a call to our Representative Nicholas of the Indian Reservation so he could come down and explain this bill in full.

Thereupon, on the motion of Mrs. Najarian of Portland, tabled pending acceptance of the Committee Report and specially assigned for Thursday, May 15.

(H. P. 1177) (L. D. 1480) Bill "An Act

Relating to Cancellation of Insurance Policies under the Maine Consumer Credit Code"

(H. P. 905) (L. D. 1104) Bill "An Act to Clarify the Power of the Commissioner of Transportation and the Chief of the Maine State Police to Regulate Speed Limits"

(H. P. 1215) (L. D. 1529) Bill "An Act Relating to Eligibility of Benefits under the Employment Security Law" (C. "A" H-291)

(H. P. 739) (L. D. 911) Bill "An Act to Permit the Continuation of Mediation Services" (C. "A" H-294)

(H. P. 930) (L. D. 1156) Bill "An Act Regarding Late Payment of Insurance Claims" (C. "A" H-295)

(H. P. 1440) (L. D. 1789) Bill "An Act Creating the Bureau of Central Computer Services within the Department of Finance and Administration" (C. "A" H-296)

Bill "An Act to Repeal Exclusions Granted under the Consumer Credit Code to Certain Loans Made by Supervised Financial Institutions" (C. "A" H-293) (H. P. 606) (L. D. 749)

Mr. Dyer of South Portland objected and subsequently withdrew his objection.

Bill "An Act to Permit the Use of Weirs and Eel Traps in Certain Washington County Waters" (C. "A" H-297) (H. P. 1145) (L. D. 1439)

Bill "An Act Relating to the Exclusion or Modification of Warranties on used Consumer Goods" (C. "A" H-292) (H. P. 810) (L. D. 999)

Bill "An Act Relating to Definition of Automobile Graveyard" (S. P. 401) (L. D. 1287)

Bill "An Act to Expand Transportation Services of the Bureau of Maine's Elderly and to Provide Transportation of Blind, Disabled and Handicapped Persons" (C. "A" S-126) (S. P. 466) (L. D. 1519)

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.

Passed to Be Engrossed

Bill "An Act to Provide for Prompt Determinations under all of the Statutes Administered by the Department of Environmental Protection" (S. P. 515) (L. D. 1877)

Bill "An Act Relating to Reserve Valuation Standards for Life Insurance and Annuity Contracts and Nonforfeiture Benefits of Life Insurance Policies" (H. P. 1576) (L. D. 1879)

Bill "An Act Relating to Sales Tax on Aircraft and Sales Tax Exemption on Trade-in Credit for Aircraft" (H. P. 1188) (L. D. 1484)

Bill "An Act to Exempt Community Based Mental Retardation Services from the Sales Tax" (H. P. 1255) (L. D. 1551)

Bill "An Act Designating Family Day Care as a Priority Social Service" (H. P. 1207) (L. D. 1500)

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 Providing for the Establishment of a Pilot Project in Bilingual Education" (H. P. 1428) (L. D. 1779)

Was reported by the Committee on Bills

in the Second Reading and read the second time.

(On motion of Mrs. Najarian of Portland, tabled pending passage to be engrossed and tomorrow assigned.)

**Second Reader
Tabled and Assigned**

Bill "An Act Concerning the Furnishing of Updated Voting Lists by Registrars (H. P. 1020) (L. D. 1299)

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

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

Mrs. NAJARIAN: Mr. Speaker, the sponsor of this particular L. D. had to go to Portland to attend hearings and he wants to add an amendment and asked that it be tabled for one day.

Thereupon, on the motion of Mr. Rolde of York, tabled pending the passage to be engrossed and tomorrow assigned.

RESOLVE, to Reimburse Brian a Hinkley of Wilton for Injuries Received in the State Forestry Building at Weld (H. P. 1481) (L. D. 1772)

Was 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 Relating to State, County and Municipal Procurement of Engineering, Architectural and Construction Consultant Services" (H. P. 1342) (L. D. 1770)

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

Mr. Carter of Winslow offered House Amendment "A" and move its adoption.

House Amendment "A" (H-335) was read by the Clerk.

Thereupon, on the motion of Mr. Norris of Brewer, tabled pending adoption of House Amendment "A" and specially assigned for Thursday, May 15.

**Second Reader
Tabled and Assigned**

Bill "An Act to Authorize the Board of Registration in Medicine to Conduct Medical Education Programs" (S. P. 430) (L. D. 1417)

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

On motion of Mr. Goodwin of Berwick, tabled pending passage to be engrossed and specially assigned for Thursday, May 15.

Amended Bills

Bill "An Act to Facilitate the Collection of Real Estate Taxes on House Trailers" (H. P. 672) (L. D. 847) (C. "A" H-290)

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

Mrs. Boudreau offered House Amendment and moved its adoption.

House Amendment "A" (H-333) was read by the Clerk and adopted.

On motion of the same gentlewoman, the House reconsidered its action whereby Committee Amendment "A" was adopted and on further motion of the same gentlewoman, the Amendment was indefinitely postponed.

Thereupon, the Bill was passed to be engrossed as amended by House

Amendment "A" and sent up for concurrence.

**Amended Bill
Tabled and Assigned**

Bill "An Act to Allow Nonprofit, Volunteer and Educational Organizations to Operate Games of Chance without a License from the Maine State Police" (H. P. 316) (L. D. 394) (C. "A" H-269)

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

(On motion of Mr. Palmer of Nobleboro tabled pending passage to be engrossed and tomorrow assigned.)

**Passed to Be Enacted
Emergency Measure**

An Act to Clarify Provisions Concerning Travel Expenses of Members of Boards and Commissions (S. P. 385) (L. D. 1240)

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. 113 voted in favor of same and one against, and accordingly, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Establish Bailiffs for the Maine District Court (S. P. 409) (L. D. 1291)

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. 110 voted in favor of same and 6 against and accordingly, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Amend the Charter of the Aroostook-Prestile Treatment District (S. P. 467) (L. D. 1562)

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, the accordingly the bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Include the Right to Use Submerged Lands as Part of Environmental Licensing (H. P. 567) (L. D. 703)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and two-thirds vote of all the members elected to the House being necessary a total was taken. 109 voted in favor of same and 7 against, and accordingly, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act Concerning the Maine Consumer Credit Code and the Insurance Statutes (H. P. 789) (L. D. 962)

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. 106 voted in favor of same and 2 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Establish the Department of Electric Works Within the Town of Madison (H. P. 1240) (L. D. 1737)

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.

Passed to Be Enacted

An Act Concerning the Definition of Monthly Billing Cycle under the Maine Consumer Credit Code (S. P. 162) (L. D. 536)

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

Enactor

Tabled and Assigned

An Act to Provide for the Appointment of Deputy District Attorneys (S. P. 321) (L. D. 1098)

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

(On motion of Mr. Jacques of Lewiston, tabled pending passage to be enacted and specially assigned for Thursday, May 15.)

An Act Concerning the Fee for a First-time Real Estate Broker's License (S. P. 404) (L. D. 1289)

An Act Redesignating the Department of Health and Welfare as the Department of Human Services and the Bureau of Human Services as the Bureau of Resource Development (S. P. 428) (L. D. 1394)

An Act to Clarify Provisions of the Election Laws (H. P. 27) (L. D. 35)

An Act Providing Compensation for Public Members of the Maine Municipal Bond Bank (H. P. 872) (L. D. 1078)

An Act Relating to Access to Written Records Concerning Elementary and Secondary School Pupils (H. P. 975) (L. D. 1269)

An Act to Allow the Seed Potato Board to Test Foundation Seed Potatoes and to Sell Potatoes Grown on Land Owned by that Board (H. P. 1016) (L. D. 1296)

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 Permit Payment of Fines by Offers in Compromise From Beer and Wine Wholesale Licensees and Holders of Certificates of Approval in Lieu of Suspension (H. P. 1072) (L. D. 1352)

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

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

Mr. CAREY: Mr. Speaker, Ladies and Gentlemen of the House: I am sorry I didn't get here sooner but I just got word

that the gentleman from Bangor, Mr. Kelleher, wanted to speak on this and has an amendment he is preparing but he has gone to a hearing in Portland and I wish somebody would table this for a couple of days.

Thereupon, on the motion of Mrs. Najarian of Portland tabled pending passage to be enacted and tomorrow assigned.

An Act Relating to Clarification of Interlocking Loans under the Maine Consumer Credit Code (H. P. 1180) (L. D. 1481)

An Act to Provide Retirement Credit for Superior Court Justices for Time of Services as a District Court Judge (H. P. 1200) (L. D. 1495)

An Act Pertaining to the Qualifications of Elevator Mechanics (H. P. 1448) (L. D. 1703)

Finally Passed

RESOLVE, Authorizing the Director of the Bureau of Forestry to Convey the Interest of the State in and to Certain Land in Medford, Piscataquis County (H. P. 181) (L. D. 231)

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.

Off Record Remarks

On motion of Mr. Rolde of York, Adjourned until nine o'clock tomorrow morning.