

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Seventh
Legislature*

OF THE

STATE OF MAINE

Volume II

May 21, 1975 to July 2, 1975

Index

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Friday, June 27, 1975

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

Prayer by Representative Louis Jalbert of Lewiston.

The journal of yesterday was read and approved.

Petitions, Bills and Resolves

The following Bill and Resolve were received and, upon recommendation of a majority of the Committee on Reference of Bills, were approved for appearance on the House Calendar:

Bill "An Act Relating to Purchases of Spirituous, Vinous and Malt Beverages by Licensees for Resale" (Emergency) (H. P. 1779) (Presented by Mr. Garsoe of Cumberland) (Approved for introduction by a Majority of the Committee on Reference of Bills pursuant to Joint Rule 10)

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

Mr. MAXWELL: Mr. Speaker, Ladies and Gentlemen of the House: As Chairman of Liquor Control, I would like to have this fully explained. I understand that they haven't even been printed yet, is that true?

The SPEAKER: The Chair would announce that the Bill is in the process of being printed.

Mr. MAXWELL: Mr. Speaker, I would hope in that case that someone would table it until later in today.

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

Mr. McKERNAN: Mr. Speaker, Ladies and Gentlemen of the House: Some of you may have read in the papers about some of the problems, and since the Governor has signed the Kittery Liquor Store bill, unfortunately that won't take effect for 90 days, and if we don't do something right now to take care of the problem, everyone will have bought all of their liquor in the next 90 days to continue to get the same price that they are getting now. I think this is something that we are going to have to do. I hope that we won't table it until later. It will be around here all day going back and forth, hopefully, and you can all get a good look at it before it is finally enacted, but it is really something that we should do today, in my opinion. I think we should let it go through the process and after it is printed and before it is finally enacted, if anybody has any real objection to it, there is going to be plenty of time to take it on at that point.

I think we have found a problem, and since we are here today, we ought to do everything possible to take care of it.

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

Mr. MAXWELL: Mr. Speaker and Members of the House: My only concern was that I noticed in the title it said "and malt beverages." Of course the liquor stores don't sell malt beverages, so I was a little confused.

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

Mr. SUSI: Mr. Speaker, Ladies and Gentlemen of the House: There are still questions in my mind. There were two developments in connection with the Kittery bill: one that licensees would, during the 90 days, still be able to buy down there as they have brought in the past and then the other question which arose in connection with it, which was explained to

us off the record yesterday by the Speaker whereby possibly there might be a situation where licensees might be back billing for the 10 percent which they were apparently entitled to. I would be interested in knowing which or whether it is both of these problems that this legislation deals with.

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

Mr. McKERNAN: Mr. Speaker, Ladies and Gentlemen of the House: It is both. It will cure both loopholes. First of all, the 90 day problem as well as the problem of the way the statutes apparently read, and I want to make it perfectly clear for the record that I am saying only 'apparently' — this is going to have to be tested in court — whether or not any of these licensees were in fact entitled to a 10 percent discount lower than the retail price at Kittery. But this bill says for the future, as of the time this bill is signed by the Governor, if it does pass, that they will not be entitled to any kind of a discount that they are now claiming they have, in other words, 10 percent less than the retail price. That will have to be solved in the courts, but this bill does take care of both loopholes.

Thereupon, under suspension of the rules, the bill was given its two readings without reference to any committee, passed to be engrossed and sent to the Senate.

By unanimous consent, ordered sent forthwith.

Resolve, Authorizing the Commissioner of Mental Health and Corrections to Lease Land in Augusta to the Maine Department of the American Legion (H. P. 1780) (Presented by Mr. Jalbert of Lewiston) (Approved for introduction by a Majority of the Committee on Reference of Bills pursuant to Joint Rule 10)

Under suspension of the rules, the Resolve was given its two readings without reference to any committee, passed to be engrossed and sent to the Senate.

By unanimous consent, ordered sent forthwith.

Orders

On motion of Mr. Albert of Limestone, it was

ORDERED, that Frederick Lunt of Presque Isle be excused June 26th and 27th due to personal reasons.

**Passed to Be Enacted
Emergency Measure**

An Act to Establish the Maine Vocational Development Commission (H. P. 1458) (L. D. 1785) (S. "A" S-380, C. "A" H-533)

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 19 against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

An Act to Provide Funds to Pine Tree Legal Assistance, Inc. for Continued Legal Representation for those in Need (S. P. 133) (L. D. 438) (S. "A" S-378)

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

Mr. Birt of East Millinocket requested a vote on passage to be enacted.

The SPEAKER: The pending question is on passage to be enacted. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken. 72 having voted in the affirmative and 48 having voted in the negative, the motion did prevail.

Signed by the Speaker and sent to the Senate.

An Act Extending Collective Bargaining Rights to University of Maine Employees (S. P. 243) (L. D. 827) (C. "A" S-288, S. "A" S-313, S. "C" S-383)

An Act Creating the Post-secondary Education Commission of Maine (S. P. 334) (L. D. 1160) S. "A" S-379, S. "A" S-248 to C. "A" S-134)

An Act to Create the Maine Fishing Gear Damage Fund (H. P. 1489) (L. D. 1681) (S. "A" S-374)

An Act Relating to School Dropouts and to Potential School Dropouts (H. P. 1442) (L. D. 1702) (S. "A" S-377, H. "A" H-571)

An Act to Establish Uniform Standards for the Measurement of Wood (H. P. 1758) (L. D. 1944) (C. "A" H-845)

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.

By unanimous consent, the preceding Enactors were ordered sent forthwith to the Senate.

Mrs. Berry of Madison was granted unanimous consent to address the House.

Mrs. BERRY: Mr. Seaker and Members of the House: I don't know if all of you have read the Kennebec Journal this morning about the Highway budget. I am very concerned about some of the articles in there that were quoted from one of the members of the committee in that it said that this is a victory simply because we are questioning the budget for the first time. This is not true at all; it has been questioned, I know, for three terms that I have been here, and something I resent very much is that it said that the highway budget is so large and complicated that no one knows enough to make cuts. I think this is a statement that we should be concerned about. I think we have one of the best commissioners in the United States and he is doing his best to cut, and I am sure that he is knowledgeable and it isn't because he doesn't know enough. It is simply because it can't be done at this point. It has been cut and cut and cut.

(Off Record Remarks)

The following paper appearing on Supplement No. 3 was taken up out of order by unanimous consent:

Committee on State Government on Bill "An Act to Provide for Full-time Administrative Officers in the Senate and House of Representatives" (S. P. 209) (L. D. 699) reporting "Ought to Pass" in New Draft (S. P. 503) (L. D. 1859)

Came from the Senate with the Report read and accepted, under suspension of the rules the New Draft was read twice and passed to be engrossed as amended by Senate Amendment "A" (S-385).

In the House, the Report was read. The SPEAKER: The Chair recognizes the gentlexan from Bridgewater, Mr. Finemore.

Mr. FINEMORE: Mr. Speaker, I would like to ask some member of the State Government Committee what the cost is going to be.

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

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

Mr. COONEY: Mr. Speaker and Members of the House: The bill provides for the President of the Senate and the Speaker of the House to appoint a full-time individual here in the House who can be paid up to \$250 a week for their services during the summer to answer ours and constituent inquiries having to do with legislation or other legislative matters.

Thereupon, the Report was accepted in concurrence and the New Draft read once. Senate Amendment "A" (S-385) was read by the Clerk and adopted in concurrence. Under suspension of the rules, the New Draft was read the second time, passed to be engrossed and sent to the Senate.

By unanimous consent, ordered sent forthwith.

(Off Record Remarks)

The following Communication:
State of Maine
EXECUTIVE COUNCIL
Augusta, Maine

June 27, 1975

Honorable John L. Martin
State House
Augusta, Maine

Dear John:

On behalf of the lame duck, all Democratic Executive Council, I congratulate the Legislature on their action of last night in abolishing this 155 year old institution.

Sincerely,

Signed:

CARLE E. CIANCHETTE
Chairman
Executive Council

The Communication was read and ordered placed on file.

(Off Record Remarks)

The following papers appearing on Supplement No. 4 were taken up out of order by unanimous consent:

Mr. Cooney of Sabattus presented the following Joint Order and moved its passage: (H. P. 1781)

WHEREAS, the Legislature has passed to be submitted to the voters for approval a Constitutional amendment abolishing the Executive Council and redistributing its powers and duties; and

WHEREAS, if this Constitutional amendment is passed by the voters its effective date will be January 4, 1977; and

WHEREAS, passage of this Constitutional amendment by the voters will require changes in the Revised Statutes before January 4, 1977 in order to make the statutes conform to the Constitution; and

WHEREAS, such statutory changes require careful study and consideration; now, therefore, be it

ORDERED, the Senate concurring, that the Legislative Council through the Joint Standing Committee on State Government, be directed to study the Maine Revised Statutes with the purpose of amending such statutes to conform with the proposed amendment to the Constitution abolishing the Executive

Council and in conformity with the following directions:

In regard to appointments by the Governor:

1. The statutes shall declare which positions require legislative confirmation;

2. The statutes shall specify which committee shall confirm;

3. The statutes shall specify as many positions as possible requiring legislative approval for a term coterminous with that of the Governor;

4. The statutes shall permit the Governor to withdraw his nomination at any time prior to final confirmation;

5. The statutes shall allow any officeholder to remain in office until his successor is finally confirmed.

In regard to approved transfer of funds, a provision relating to the approval of departmental transfers of funds shall be included in the recommendations of the committee; and be it further

ORDERED, that the Department of the Attorney General and any other state agency from which assistance is requested are respectfully requested to cooperate with the Committee on State Government in this study; and be it further

ORDERED, that the report of the Committee on State Government, along with legislation implementing such report, be submitted to the next session of the 107th Legislature if the proposed Constitutional amendment is approved by the voters in November, 1975; and be it further

ORDERED, upon passage in concurrence that suitable copies of this order be transmitted forthwith to said agencies as notice of this directive.

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

Mr. Cooney of Sabattus presented the following Joint Order and moved its passage: (H. P. 1782)

WHEREAS, the Legislature has proposed for the approval of the voters an amendment to the Constitution providing for the abolition of the Executive Council and redistributing its powers and duties; and

WHEREAS, this Constitutional amendment requires confirmation by the Legislature of the appointment of Justices of the Supreme Judicial Court and other judges; and

WHEREAS, delays in confirmation of the appointment of justices and judges may result in delays within the judicial process; and

WHEREAS, it is the desire of the Legislature that such delays be avoided; now, therefore, be it

ORDERED, the Senate concurring, that the Legislative Council be directed, through the Joint Standing Committee on Judiciary, to examine the proposed constitutional amendment to abolish the Executive Council for the purpose of ascertaining whether any problems relating to delays in the confirmation of appointments of justices and judges will arise therefrom; and be it further

ORDERED, that the judicial branch of State Government is most respectfully requested to cooperate with the committee in this study; and be it further

ORDERED, that if the proposed constitutional amendment is approved by the voters in November, 1975, that the Council report its findings together with any proposed recommendations and necessary implementing legislation to the

next regular or special session of the Legislature following such approval; and be it further

ORDERED, upon passage in concurrence, that suitable copies of this Order be transmitted to the Chief Justice of the Supreme Judicial Court and to the members of the Judicial Council as notice of the request made herein.

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

The following Enactor appearing on Supplement No. 6 was taken up out of order by unanimous consent:

An Act to Provide for Full-time Administrative Officers in the Senate and House of Representatives (S. P. 503) (L. D. 1859) (S. "A" S-385)

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. 108 voted in favor of same and 12 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The following paper appearing on Supplement No. 7 was taken up out of order by unanimous consent:

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act to Extend the Jurisdiction of the Human Rights Commission to Grievances to Ex-Offenders" (H. P. 1114) (L. D. 1416) ask leave to report: that the House recede and that the bill be granted "Leave to Withdraw"; that the Senate recede and that the bill be granted "Leave to Withdraw" in concurrence.

Signed:

Messrs. DAVIES of Orono
CONNOLLY of Portland
McMAHON of Kennebunk

— of the House.

Messrs. CLIFFORD of Androscoggin
SPEERS of Kennebec

— of the Senate.

Report was read and accepted. Thereupon, the House voted to recede and the Bill was granted "Leave to Withdraw."

Sent up for concurrence.

The following papers appearing on Supplement No. 5 were taken up out of order by unanimous consent:

From the Senate the following Joint Order: (S. P. 608)

ORDERED, the House concurring, that Joint Order S. P. 034, adopted January 1, 1975, is rescinded effective June 27, 1975.

Came from the Senate read and passed.

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

Mr. Gray of Rockland presented the following Joint Resolution and moved its adoption: (H. P. 1783) (Cosponsor: Mr. Blodgett of Waldoboro) (Approved for introduction by a Majority of the Committee on Reference of Bills pursuant to Joint Rule 10)

Joint House Resolution Urging the State of Maine, Maine Municipalities and Certain Contractors to Purchase and Use Maine Cement

WHEREAS, the construction industry is one of the major industries of our State, purchasing raw materials worth millions of dollars each year; and

WHEREAS, one of the most important of

these raw materials is cement, used to build bridges, to construct buildings and for countless other purposes; and

WHEREAS, the manufacture of cement is also a major industry in Maine and in the United States, employing hundreds of workers in Maine and many thousands throughout this country; and

WHEREAS, certain foreign manufacturers, subsidized by their governments, are able to sell their cement in the United States at a price pennies a bag cheaper than cement manufactured by unsubsidized American manufacturers; and

WHEREAS, this subsidized competition threatens numerous jobs in Maine and throughout the country; and

WHEREAS, much of the construction accomplished in this State is construction for state and municipal purposes; now, therefore, be it

RESOLVED: That We, the Members of the 107th Legislature in regular session assembled, respectfully request and urge all agencies of this State, all municipalities of this State and all contractors working for this State and for its municipalities to give preference to the purchase and use of Maine cement over foreign cement whenever economically feasible; and be it further

RESOLVED: That upon passage in concurrence, the Secretary of State shall send suitable copies of this resolution to the Governor, to the Maine Municipal Association and to the Associated General Contractors of Maine.

The Resolution was read.

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

Mr. STROUT: Mr. Speaker, I would like to pose a question to the gentleman from Rockland. As I read this, and I hope I am correct, basically, what this order is doing is urging the State of Maine and the contractors to purchase cement within the state, I would imagine providing that there would be bids put out and if somebody out-of-state or in Canada submitted a lower bid, this would in no way jeopardize, at this time, that they could continue to purchase their cement?

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

Mr. GRAY: Mr. Speaker, Ladies and Gentlemen of the House: That is correct. There is no way that we could lock in a bid because it would affect the federal funding, by just asking that the state and the contractors that work for the state and the other contractors in the state, seriously consider the implications of purchasing foreign products that is subsidized by their government and it comes into this state duty free while we have to pay a duty on our cement if we were to enter the Canadian market.

Thereupon, the Joint Resolution was adopted.

By unanimous consent, ordered sent forthwith.

The following papers appearing in Supplement No. 9 were taken up out of order by unanimous consent:

The following Joint Order: (S. P. 508)

ORDERED, the House concurring, that the Joint Rules be amended by adding a new Rule 7 to read as follows:

7F. Limitation. During any regular session of the Legislature, no Member shall be the primary sponsor of more than 10 bills or resolves, excluding those sponsored on behalf of the Governor, without the specific approval of a majority of the Committee on Reference of Bills.

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

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

Mr. KELLEHER: Mr. Speaker, I move that this order be indefinitely postponed.

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

Mr. GARSOE: Mr. Speaker, Ladies and Gentlemen of the House: In the brief time that I have been here, I have had the thought cross my mind from time to time that this state might be better off if we only convened once every five years and one of the reasons that this comes to me from time to time is the unbelievable proliferation of legislation that I think every one of us here would have to admit, is a hazard to the occupation we are engaged in. I think this rule ought to be adopted, I hope you won't indefinitely postpone this, this gives an individual legislator the right to set his priorities for ten bills, ten freebies and beyond that he's got to convince the Reference of Bills Committee that there is merit to excess bills coming in. I think this would be a good discipline for all of us so I hope you won't indefinitely postpone this and give it passage.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: The only people that I want to convince in coming down here that I can do the job is the people back home who elect me and I don't think I want to put handcuffs on myself nor do I want to put handcuffs on any other individual member of this House or the other Body in limiting them to the number of legislations that he or she might want to present. Occasionally some of us sponsor more than ten bills and justifiably so and I don't believe that I should have to go before a legislative council of my peers to indicate why I want to sponsor ten, twelve or fifteen pieces of legislation. I believe that each one of us sincerely present legislation in a manner we feel that is justified and is going to do something for the people of Maine and for the people in our area and with those remarks, I would hope that you support my indefinite postponement motion.

The SPEAKER: The Chair recognizes the gentleman from Winthrop, Mr. Bagley.

Mr. BAGLEY: Mr. Speaker, Ladies and Gentlemen of the House: I just want to call your attention to the sheet that was distributed the other day in regard to the New Brunswick Legislature. They were in session 59 days and they dealt with 91 bills.

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

Mr. LYNCH: Mr. Speaker and Members of the House: I don't believe in limiting the number of bills that a legislator could put into the hopper but I do feel there ought to be some control over the number of bills put in on a particular subject. It has been ridiculous the way bills have gone in here, six, seven and eight bills on the same thing spread out over a period of weeks and duplicate hearings being held on the same subject matter. I think that would be one great improvement.

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

Mr. COONEY: Mr. Speaker, I would pose a question to the Chair. It is my understanding that it would be parliamentarily correct in indefinitely postponing this bill at this time, however, if we were to give it passage it would have

to be tabled for one day and that might postpone adjournment. Is that correct?

The SPEAKER: The Chair would answer in the negative. The rules could be suspended if indefinite postponement does not prevail.

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

Mr. FARLEY: Mr. Speaker, Ladies and Gentlemen of the House: I would go along with the gentleman from Bangor, Mr. Kelleher and indefinitely postpone this Joint Order before us.

First of all, there are 60 odd new members in this House, they run for these jobs obviously because they have legislation that is close to them and it numbers more than ten, I think they probably ran on these issues and talked to people that would use them. In regard to the statement of the gentleman from Livermore Falls, Mr. Lynch, the problem there could be easily solved by the chairman of the committees by getting these numbers together with duplicate bills and working out the best one.

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

Mr. JACKSON: Mr. Speaker and Members of the House: I think this would be a fine idea. We are limited to ten bills, we are unlimited as far as co-sponsoring, co-sponsoring is something that has been very little used, and is a very valuable tool. If you are a co-sponsor to a bill, the prime sponsor can use his co-sponsors as far as promoting the bill and working for the bill which is something that I haven't seen that much done on it. If you figure just on the ten bills per member you're talking 1050 bills and I think this would be a very good idea and I think it would help streamline the legislature.

The SPEAKER: The Chair recognizes the gentlewoman from Brunswick, Mrs. Martin.

Mrs. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I don't believe in quantity, I believe in quality and there was a lot of quantity here but very, very little quality.

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

Mr. STUBBS: Mr. Speaker, Ladies and Gentlemen of the House: In looking at this I would submit that any reduction in size of bills would result in a corresponding rise in the number of proposed amendments to existing bills and so far as I can see, all you are going to do is shift things around here and solve nothing at all.

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

Mr. WAGNER: Mr. Speaker and Members of the House: I share the concern of the gentleman from Livermore Falls, Mr. Lynch, for the proliferation of bills and the duplication of subject matter and I certainly don't know the answer to this but I do not think this is the route to go to address that subject. I don't believe that the framers of the Maine Constitution ever had in mind to give to the leadership of both branches of the legislature, responsibility for setting the priorities of legislative matters and as much as I love and admire our present leadership and respect the responsibility that they carry, I don't believe that we should add this additional burden to them. I don't believe it would be in the nature of the democratic process that we are sent here to represent. I certainly do support indefinite postponement of this measure.

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

Mr. NORRIS: Mr. Speaker and Members of the House: I did a little arithmetic here and actually if you did limit it to ten bills that would be 1840 pieces of legislation that could be allowed to go into the legislature if you combine both branches and plus whatever would be co-sponsored, or plus whatever orders you would put through and report out of committees, certainly that's allowing more legislation than we actually totaled on a single sponsorship and it might mean that a legislator that submitted a lot of legislation would talk to his colleagues or her colleagues who didn't submit so much and they could work it out that way. This doesn't seem to me entirely unreasonable. I don't know that necessarily that it is the way to go, but certainly talking to the taxpayers and to the people at home, the voters again, we talked about them and in my constituency are certain segments that have serious concern about the great numbers of pieces of legislation that they feel are quite fool-hardy that are put before the legislature and the time that it takes, so I simply mention this to bring out the fact that it might be worthwhile to consider this and perhaps not indefinitely postpone it.

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

Mr. QUINN: Mr. Speaker and Members of the House: I feel this proposal should be indefinitely postponed. As one speaker has pointed out already, the cosponsor provision really opens the door so that if you are imaginative and energetic you can get the number in you want and the total gross amount of production that so concerns Mr. Garsoe, the reduction in that would not be achieved. It is true that there is a proliferation of similarity, there's no reason that this couldn't be a function of leadership of both parties to help control and channel that flow. There is no reason that there couldn't be some kind of suspense or subject board put up in legislative research. It is a big huge secret as to what's going on down there now, or it was last December or November when I was filing and if I wanted to find out if somebody else was filing a bill on the proposal to abolish the Executive Council, I couldn't do it. This seems to me to be something administratively that we could take care of. I withdrew a bottle bill but only because I found out in the newspaper that Mr. McKernan was going to put one in. If this information had been available all across the legislative research process, that would have eliminated a great deal of it. It is a function that leadership could perform.

I submitted 24 bills in this session, and I will be very glad to go back to the people in my town and justify the fact, that had the legislature followed my average, we would have been considerably higher than we were now, and Mr. Norris, people may have a valid concern that the people in Brewer don't want any more legislation. I will be glad to defend to the people of Gorham, the number I put in and if they don't like the number I put in, they are perfectly free to choose someone else who will limit himself to ten or to zero as my predecessor had. I have made it a personal rule never to address other people's proposals in a hostile manner and I haven't done it so far in this session but this I feel only fair to call a monstrosity, if it is not unconstitutional, it should be.

The SPEAKER: The Chair recognizes

the gentleman from South Portland, Mr. Perkins.

Mr. PERKINS: Mr. Speaker, I merely inquire how the gentleman from Gorham, Mr. Quinn, voted on my order to open up legislative files?

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

Mr. CALL: Mr. Speaker and Members of the House: I, too, feel that this proposal should be indefinitely postponed. I don't think there should be any limitation. I understand that during the special session of the 106th legislature there was a bill or resolution which was passed which would prevent legislation which had failed in the regular session from being presented in the special session. Personally, I think that was a good idea but I point out to you with that restriction, I would not be able to present my chicken bill again in the special session. To return this limitation to ten bills or resolves, I feel very much as does the gentleman from Gorham, Mr. Quinn, I don't feel that there should be any limitation.

We can look at it this way, there are many of us who do not present any bills at all and I don't think that other people should be restricted just because we have, obviously, some eager beavers in this House who stay awake nights thinking of different subjects on which they might present a bill.

Mr. Rollins of Dixfield requested a roll call.

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

Mrs. CLARK: Mr. Speaker, Men and Women of the House: I am afraid I am not as gentle as the gentleman from Gorham, Mr. Quinn, for with reference to this joint order before us, Senate Paper 508, it is indeed the most hairbrain scheme ever come across my desk in the 107th Maine Legislature and I invite you to defeat this Joint Order and support the motion for indefinite postponement resoundingly.

The SPEAKER: A roll call has been requested. In order for the Chair to order a roll call, it must have the expressed desire of one-fifth of the members present and voting. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken and obviously 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 Kennebunk, Mr. McMahon.

Mr. McMAHON: Mr. Speaker and Members of the House: I would just mention to the members of the House that perhaps this proposed order is based on the assumption that annual sessions will pass because this pertains to the regular session and today might be the last day of that session, and the next legislature might adopt different rules.

I thoroughly agree with the motion before us to indefinitely postpone. I was the sponsor this session of many bills, most of which you never heard of because they were very quiet and quietly defeated but that doesn't bother me because those bills came to me from constituents, all of whom came down here and participated in the committee hearings and felt that, at least, they had an opportunity to be heard. If we were limited to ten bills after the tenth constituent showed up, we'd look pretty

silly telling him that we couldn't introduce any more bills because we had reached the magic number of ten, unless we asked our leadership. I agree with the gentlelady, Mrs. Clark this is a very, very foolish order.

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

Mr. LEONARD: Mr. Speaker, Ladies and Gentlemen of the House: I thought this was a good order. I hate to be hairbrain but one of the things that has bothered me this session and I'm, of course, a freshman and probably I will live and learn but it has bothered me to see the bulk of legislation that has come before us and it has bothered me even more that I haven't been able to, in the time afforded me, to review that legislation and there are a few things that have gone through and I've found out since, that if I'd probably read the piece of legislation, I certainly wouldn't have voted for it.

I had many constituents come to me and they asked me to sponsor various pieces of legislation and my first impulse was to do that, but before I did, I went to the department heads that would be affected. I more or less researched their request and in all but about two cases, they were talked out of putting in their request. I have seen before our committee some requests, some bills, that I think the sponsors could have talked their people out of having put in.

I honestly feel, like Mrs. Martin said, that quality is going to beat quantity any day in the week. If we are talking of a professional legislature, I certainly hope we are, I think then we should treat everything in terms of quality and certainly ten bills in any one session is not too small a number. I just can't understand why you would want more, so I will support the order, regardless of whether it is hairbrained or not.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I think that probably I can see through the thinking of this order. I have discussed it with the sponsor on more than one occasion. I presume, Mr. Speaker, I don't want to make the same mistake that I made last week that we are talking about presenting no more than ten bills.

The SPEAKER: The Chair would answer in the affirmative.

Mr. JALBERT: Mr. Speaker, I discussed this with the sponsor of this measure more than once. Without being critical of the leadership which makes up the Reference of Bills Committee, I have held up myself more than once our leadership on one or two of them pending their going to a Reference of Bills Committee. I have hollered on this point loud and long for many, many years.

For instance, a few years ago, I got quite close to the Chairmen of both the other branch and this branch on county government and I prevailed upon them to put out one bill for all the 16 counties wherein it concerns increases in salaries. This year, however, I didn't follow my whole hand through, and it was my hope—and I don't even remember if I mentioned it to any member of the Reference of Bills Committee or the leadership—that they are all coming out under one bill, starting with Androscoggin and ending with York. Why shouldn't, when the bills are presented to the Reference of Bills Committee, they hold all of these bills and then print one bill?

Now, if there is to be 10 or 15 cosponsors, so be it, but in that way, it would save a tremendous amount of money in printing. Also, one bill that comes to my mind is the last time I presented that perennial chestnut, the annual sessions, was about 12 years ago and I had it all right in the other branch but I came within seven votes of having it enacted here, but we had five others who put in the bill. Well, the Reference of Bills Committee should hold these bills. They've been around long enough as leaders to know that there are going to be other bills along the same line. I think what they need — and I am speaking now of the Reference of Bills Committee — they need somebody who will look at all the bills and then suggest to them to get the leadership of both parties together every day for Reference of Bills Committee. I would almost be willing to wager that the average attendance is probably five members out of ten and you can't blame them. I am in no way criticizing them. They are either being held up by some of us on something that is coming up in other matters that are needed, so that is understandable, and that one or two persons could act as a screening committee.

There have been several bills this time we referred to committees and were changed by members of this House or the other body to be referred to committees, not because of the carelessness of the Reference of Bills Committee but because of the many duties they had to perform, and if somebody is really interested in something in the leadership and there are only three or four there, he can talk his way very easily into having a bill referred. I felt this was as good a time to speak about this as anything and I would hope that before we get out of here that the Legislative Council would take up this problem in their deliberations when we finally adjourn, because I think it is a problem that both could save us a lot of time and also could save us a lot of printing, which means the savings of a lot of money.

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

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: I feel that I have to respond to part of what the good gentleman from Lewiston, Mr. Jalbert, said in his remarks. I only respond to that part which pertains to county government.

I think that any legislator who comes down here and sponsors a bill for his county, he does this usually at the request of the commissioners. Now, it sounds offhand like a good idea maybe when you think of it quick that when all of these bills are added into one, that it would be a wonderful thing, there would be just one bill being presented. But the only problem there would be, I don't know how you would operate your hearing, you would have to operate it in relays because I don't care whether it is in this House, the other body or any public hearing that is held in this state or a town meeting or a committee hearing, the people come down from the various parts of the state, they want to say their piece and they are going to say their piece because they have made the trip down. You can sit there as Chairman and say "if you don't have anything new to add, I wish you wouldn't get up and speak" but everybody, in the back of their minds thinks they have something new to add because maybe four hours ago something was said and in the meantime they forgot it.

Going to the one part of the county budget, if it was presented in one bill, we would roughly have 160 people to testify at that one hearing and I just don't know how long it would take 160 people to get their message across. I think we would be there a couple of weeks on one hearing.

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

Mr. COTE: Mr. Speaker, Ladies and Gentlemen of the House: I have been here for a long time. I don't remember one session where I sponsored ten pieces of legislation. You wouldn't be abridging me but you might be abridging the citizens who vote for me, who send me here, if they should ask me to present 10 or 11 pieces of legislation. It hasn't happened but it could happen. Another thing that could happen, my seatmate George, the gentleman from Lewiston, Mr. Call, could get 11 pieces of legislation to present. Being the good fellow that I am, I might get stuck with his chicken bill.

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

Mr. JALBERT: Mr. Speaker, I really don't want to get into a hassle, but if all the county salaries for every office holder in the state comes out under one roof, what the good chairman of the county government committee, he wouldn't have to hold all those hearings at the same time. He could say, on certain days we will hear bills from Androscoggin. I am not suggesting he would hear 160 bills in one afternoon and I would hope he wouldn't think I am doing that. I just figured that we could arrange the schedules in such a way that they would be heard any way that you wanted to hear them, but they wouldn't have to be printed with 1000 copies being printed.

You just stand some morning out there — I come up here quite early most of the time — and you just stand out there and you just see all the departmental heads and all the subdepartmental heads and all the clerks come up here for 20, 25, 30 copies of bills while we can't even get a copy of the bill. I am not trying to tell anybody what to do, I certainly am no county chairman of any committee. I don't tell anybody what to do around here, I make a suggestion. If you want to accept it, accept it; and if you don't knock it down, it's as simple as that. But if you toss one whole thing out under one roof, you should put it in under one roof in the first place.

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

Mr. KAUFFMAN: Mr. Speaker, if Representative Strout were here, he would be voting in the affirmative and I wish to vote in the negative.

The SPEAKER: The gentleman from Kittery, Mr. Kauffman, wishes to pair with the gentleman from Corinth, Mr. Strout. If the gentleman from Corinth, Mr. Strout, were here, he would be voting in the affirmative and if the gentleman from Kittery, Mr. Kauffman, were voting, he would be voting in the negative.

A roll call has been ordered. The pending question is on the motion of the gentleman from Bangor, Mr. Kelleher, that this Joint Order, Senae Paper 508, be indefinitely postponed in non-concurrence. All in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Ault, Bachrach, Bennett, Berry, P. P.; Berube, Birt, Blodgett, Bbudreau, Bowie, Burns, Bustin, Byers, Call, Carey, Carroll, Carter, Chonko, Clark, Connors, Connolly, Cooney, Cote, Cox, Curran, P.;

Curran, R.; Davies, DeVane, Doak, Dow, Drigotas, Durgin, Dyer, Farley, Faucher, Finemore, Fraser, Goodwin, H.; Goodwin, K.; Greenlaw, Hall, Henderson, Hennessey, Hewes, Higgins, Hobbins, Jalbert, Jensen, Joyce, Kany, Kelleher, Kennedy, Laffin, Laverty, LeBlanc, Lewis, Lynch, MacEachern, Martin, R.; Maxwell, McBreairty, McMahon, Mitchell, Morin, Mulhern, Nadeau, Najarian, Peakes, Pearson, Pelosi, Perkins, S.; Pierce, Post, Powell, Quinn, Raymond, Rideout, Rolde, Saunders, Shute, Silverman, Smith, Snowe, Stubbs, Talbot, Tarr, Teague, Theriault, Tierney, Twitchell, Usher, Wagner, Walker, Winship.

NAY — Bagley, Berry, G. W.; Carpenter, Churchill, Curtis, Dam, Farnham, Fenlason, Flanagan, Garsoe, Gauthier, Gould, Gray, Hinds, Hunter, Hutchings, Immonen, Ingegneri, Jackson, Jacques, Leonard, Lewin, Littlefield, Lovell, Mackel, MacLeod, Martin, A.; McKernan, Miskavage, Morton, Norris, Palmer, Perkins, T.; Peterson, P.; Peterson, T.; Rollins, Snow, Spencer, Sprowl, Susi, Torrey, Tozier, Tyndale, Webber.

ABSENT — Albert, Dudley, Hughes, Kelley, LaPointe, Lizotte, Lunt, Mahany, Mills, Truman.

PAIRED — Kauffman, Strout.

Yes, 94; No, 44; Absent, 10; Paired, 2.

The SPEAKER: Ninety-four having voted in the affirmative and forty-four in the negative, with ten being absent and two paired, the motion does prevail.

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

Mr. TALBOT: Mr. Speaker, having voted on the prevailing side, I now move that we reconsider our action whereby this Order was indefinitely postponed and I hope you all vote against me.

The SPEAKER: The gentleman from Portland, Mr. Talbot, moves that we reconsider our action whereby this Order was indefinitely postponed. All in favor of reconsideration will say aye; those opposed will say nay.

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

Committee on Veterans and Retirement reporting "Ought to Pass" as amended by Committee Amendment "A" (S-228) on Bill "An Act Relating to Membership of the Board of Trustees of the Maine State Retirement System" (S. P. 282) (L. D. 996)

Came from the Senate with the Report read and the Bill and accompanying papers indefinitely postponed.

In the House, the Report was read and the Bill and accompanying papers indefinitely postponed in concurrence.

Bill "An Act to Establish the Uniform Crime Victims Reparations Act" (H. P. 1401) (L. D. 1787) which was Enacted in the House on June 18 and passed to be engrossed as amended by Committee Amendment "A" (H-730) as amended by House Amendment "A" (H-747) thereto on June 13.

Came from the Senate with Engrossment reconsidered and the Bill passed to be engrossed as amended by Committee Amendment "A" (H-730) as amended by House Amendment "A" (H-747) thereto and Senate Amendment "A" (S-386) in non-concurrence.

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

The following papers appearing on

Supplement No. 10 were taken up out of order by unanimous consent:

Resolution, Proposing an Amendment to the Constitution to Provide for Annual Sessions of the Legislature and to Change the Date of Convening of the Legislature (H. P. 1510) (L. D. 1827) which was enacted in the House on May 30 and passed to be engrossed as amended by Conference Committee Amendment "A" (H-491) on May 27.

Came from the Senate failing of final enactment in non-concurrence.

On motion of Mr. McKernan of Bangor, the House voted to recede from passage to be engrossed.

On further motion of the same gentleman, the House voted to recede from its action whereby the Conference Committee Report was accepted.

On further motion of the same gentleman, the Report was rejected.

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

House Amendment "C" (H-851) was read by the Clerk.

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

Mr. McKERNAN: Mr. Speaker, briefly, I would just like to explain this. I hate to just run these things through without anyone knowing what we are doing. What this amendment would do would be to limit the second regular session of each legislature and would limit it to emergency matters, budgetary matters, legislation in the Governor's call and orders that were to be studied between sessions and petitions that are initiated by the people. I hope that we would adopt this amendment.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I would like to ask you to read House Amendment "C". It says here "provided, however, that the business of the second regular session of the legislature shall be limited to budgetary matters, legislation in the Governor's call, legislation of an emergency nature admitted by the legislature". Legislation of an emergency measure admitted by the legislature — that means everything that I want to put in and everything you want to put in that in your mind is an emergency. "Legislation referred to committees for study and report by the legislature of first regular session, and legislation presented to the legislature by written petition of the electors under provision of Article 4, Part 3rd, Section 18". Unless I'm mistaken, this amendment here broadens the time and the bills and the measures and the resolves that you could put in even at a regular session of the legislature.

Now we know we have special sessions of the legislature, but I have presented an annual sessions bill four times since I have been here, and I finally learned two things. I was batting my head against the wall with a chestnut, that is the first thing. The second thing, if you want to pass something like this, and I'm not going to mar my record by making a move to indefinitely postpone, but if you want to positively and absolutely be here 'til August or September, pass this one.

The SPEAKER: The pending question is the adoption of House Amendment "C". All in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

Thereupon, Mr. Jalbert of Lewiston requested a roll call vote.

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

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

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

Mr. JALBERT: Mr. Speaker and Members of the House: You know, certainly it isn't my intention to be an obstructionist, I haven't been and I don't want to be; but gosh, if you really look up and look at the money that we spend, probably amounts of (I use the telephone a little bit more than I should sometimes) but gosh, I am here sometimes Saturdays and Sundays, I work evenings like some of you do and I repeat what I said before, this is the talkingest but it is also the most sincere and hardest working House I've ever served in; but we are also spending money that we have no regard for. This is one of the reasons why the people really look upon us and say "what are you doing over there?" Just imagine the days and days and days that we come here at ten o'clock in the morning and we get out at 10:25. Time and again, two or three months, they get out at five, six, seven, eight sometimes anywhere between five and twelve minutes and that is the end of it, they can go through the calendar. This time here, through the way of moving acceptance of item 1 to item 17 and item one on "leave to withdraw" and 17A, the Speaker and with his staff and through the workings of some of the members have saved a tremendous amount of time. The fast speaking of the Speaker and sometimes the fast gavel, which is necessary, in my opinion there, has worked out pretty well.

The reason I asked for a roll call is because I wanted to bother you with a few more minutes. I wish you knew and I wish I could talk to you about what happens to this on the other side. Apparently, really and truly you people probably don't want to go home and we are just going to keep coming back and forth with situations that are impossible.

Now, in my humble opinion, with due respect to the gentleman from Bangor, Mr. McKernan, this amendment doesn't make any sense at all. This forces us to be here longer than the regular session. Why not have an annual session? This doesn't restrict anything at all. Now don't tell me that any one of you can't sweet talk yourself through the leadership to get a bill or two or three or four in because you can. If you haven't got the know-how yet, and I know you have, I'm sure that by just spending a few hours here and there or a few minutes here and there, that you can get it. This is not going to get anywhere, anyway. We are spending money here like it was going out of existence.

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

Mr. FARNHAM: Mr. Speaker, a parliamentary inquiry. I realize that no legislature can increase its own pay. Any pay motions made take effect in the next legislative session and the question in my mind, if this amendment is adopted, if the constitutional amendment is adopted by the people this fall, have we a right to say that this legislature creates a second legislative session or should that date not be advanced to affect only the incoming legislature, or the 108th as it would be? I

think you might run into some possibility of pay problems under this amendment if you declare the next session a regular session. If you are here six months, that \$1,000 that is laying back in the kitty is going to get awfully thin by the middle of June or the first of July.

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

Mr. JALBERT: Mr. Speaker, the \$1000 you get, you get for the first year. It was just arranged that way. You automatically get that \$1000 because there has already been an order put in that we get that money on January 2, 1976. We passed an order that we get \$1000 on January 2, 1976. The order was passed last week. If we come in on the regular days like we're going to come in in September or next week again, if we come back in next January or any subsequent special session, I have been here as many as three special sessions in one day, at the time it was \$5 a day incidentally, and expenses once during the session, but as we come into special sessions now, we get \$25 for the day for expenses and \$25 a day for our pay to be here.

In order for us, on this thing here, if this would ever pass, we cannot vote to raise our salaries. I am talking about protecting yourself. You had better protect yourselves right here and now, and I am positive that order was passed that says that we would receive \$1000 the second day of January 1976. We passed that order. That is not our money for a special session, that is our money for the regular session of the legislature.

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

Mrs. SNOWE: Mr. Speaker, Ladies and Gentlemen of the House: I would like to make one point. I was here in the last special session and as I read over this amendment, it seems to me we considered the very identical matter which is written here. We considered budgetary matters, legislation of the Governor's call, legislation of emergency nature admitted by the legislature, and some of it was questionable whether or not it was emergency anyway, legislation referred to committees for study and report by the legislature in the first regular session and legislation presented to the legislature by written petition. So I don't see what difference it makes.

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

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: I was about to make the same point that the gentlewoman from Auburn has made. The bill that we passed originally, which was put on the Appropriations Table, was an open-ended annual session. There were no limitations on it whatsoever, and that was some of the objection in the other body. This amendment would put restrictions on that we had originally opposed in this House and that are essentially the same as those we place on any special session.

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

Mr. FARLEY: Mr. Speaker, I would pose a question to the gentleman from Bangor. With the adoption of this amendment, would it not open up an avenue for him to introduce legislation which is very, very dear to him?

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

Mr. McKERNAN: Mr. Speaker, Ladies

and Gentlemen of the House: The answer to that question is no, but after you have accepted this, I will be offering another amendment that might in fact do that.

The SPEAKER: The pending question is the adoption of House Amendment "C". A roll call has been ordered. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Ault, Bagley, Bennett, Berube, Birt, Boudreau, Burns, Bustin, Byers, Carpenter, Carroll, Carter, Chonko, Clark, Conners, Connolly, Cote, Cox, Curran, P.; Curtis, Davies, DeVane, Doak, Dow, Drigotas, Durgin, Dyer, Faucher, Fenlason, Finemore, Flanagan, Garsoe, Goodwin, H.; Goodwin, K.; Gould, Gray, Greenlaw, Hall, Henderson, Hennessey, Hewes, Higgins, Hinds, Hobbins, Hutchings, Immonen, Ingegneri, Jackson, Jacques, Joyce, Kany, Kelleher, Kennedy, Laffin, LeBlanc, Leonard, Lewin, Lewis, Lovell, MacEachern, Mackel, MacLeod, Martin, A.; Martin, R.; Maxwell, McBreairty, McKernan, McMahon, Miskavage, Morton, Nadeau, Najarian, Norris, Palmer, Peakes, Pearson, Pelosi, Perkins, S.; Perkins, T.; Peterson, T.; Pierce, Post, Powell, Quinn, Raymond, Rideout, Rolde, Rollins, Saunders, Shute, Silverman, Smith, Snow, Snowe, Sprowl, Stubbs, Susi, Tarr, Teague, Theriault, Tierney, Torrey, Tozier, Tyndale, Usher, Wagner, Walker, Webber, Wilfong, Winship, The Speaker.

NAY — Bachrach, Berry, G. W.; Berry, P. P.; Blodgett, Bowie, Call, Carey, Cooney, Curran, R.; Dam, Farley, Farnham, Fraser, Gauthier, Hunter, Jalbert, Jensen, Laverty, Littlefield, Morin, Mulkern, Peterson, P.; Spencer, Talbot, Twitchell.

ABSENT — Albert, Churchill, Dudley, Hughes, Kauffman, Kelley, LaPointe, Lizotte, Lunt, Lynch, Mahany, Mills, Mitchell, Strout, Truman.

Yes, 111; No, 25; Absent, 15.

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

Mr. McKernan of Bangor offered House Amendment "B" and moved its adoption. House Amendment "B" (H-850) was read by the Clerk.

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

Mr. McKernan: Mr. Speaker, Ladies and Gentlemen of the House: All this amendment says is that if in fact we are going to have annual sessions and we think it's a good idea, why not start it beginning next January? So what it would do is say that the session that we are going to have, which we all know we are going to have in January anyway, shall begin as other annual sessions are going to begin after this is adopted, on the first Wednesday after the first Tuesday of January and it shall be deemed the second regular session. In other words, legislation introduced would be limited by the amendment which we just adopted, which was the ones that we have gone over and in answer to the gentleman's question from Biddeford, if in fact people decided to go out on any issue and get 35,000 or 40,000 signatures, that wouldn't mean that that legislation wouldn't be able to be introduced to this session of the legislature in January as well as the other things that are listed in the constitutional amendment.

I would urge your adoption of this. I

don't know whether it will finally pass or not, but I think we ought to at least — if we feel annual sessions are the way to go, we might as well start it next January.

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

Mr. KELLEHER: Mr. Speaker, I move indefinite postponement of this amendment.

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

Mr. McMAHON: Mr. Speaker, I have a question I would pose to Mr. McKernan. If this amendment is indefinitely postponed, Amendment "B" but the bill with Amendment "C" is finally approved by the people, when will it take effect?

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

Mr. McKERNAN: Mr. Speaker, in answer to the gentleman's question, the best opinion that we can get is that it would take effect in the 108th Legislature, and that is why we put this in, to have it take effect, make sure that it would take effect the second half of this legislature.

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

Mr. McMAHON: Mr. Speaker, Ladies and Gentlemen of the House: I really hadn't intended to speak on this at all. I can truthfully say that, but I would agree with the gentleman, Mr. Kelleher, I favor indefinite postponement of this and I will tell you why.

The question that was raised about the pay earlier has a direct bearing on this particular amendment because if, in fact, the voters approve annual sessions, and I think with the limitation such as is contained in House Amendment "C" that they will do so, then it will be incumbent upon this legislature next January to restructure the existing pay so that the 108th Legislature will come in here and not be faced with the problem that we might be next January. I also favor indefinite postponement of this amendment for another reason. Although I supported it, and for that reason would like very much to see it back, I would hate to think that the good gentleman from Bangor would be offering this amendment solely for the purpose of reintroducing a bill that both he and I support.

The SPEAKER: The Chair recognizes the gentlewoman from Bath, Mrs. Goodwin.

Mrs. GOODWIN: Mr. Speaker, may I pose a question to the gentleman from Bangor through the Chair?

The SPEAKER: The gentlewoman from Bath may pose her question.

Mrs. GOODWIN: I would like to ask, if this amendment does pass, would it be true that we will not receive \$25 per diem during that regular session in 1976?

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

Mr. McKERNAN: Mr. Speaker, in answer to the gentlelady's question, we would, in fact, have to alter the statutes governing our pay as we are going to have to do if annual sessions pass anyway, and I am sure that because we all want to get paid, we would have no trouble getting two thirds to do that upon our arrival here.

The SPEAKER: The Chair recognizes the gentlewoman from Bath, Mrs. Goodwin.

Mrs. GOODWIN: Mr. Speaker, it is my understanding that the current legislature

cannot change the expenses or the pay of this legislature, only for the 108th. Therefore, if this amendment passes, we will not be paid for the special session and I would urge its indefinite postponement.

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

Mr. McKERNAN: Mr. Speaker, I question whether or not that we cannot raise our pay or whether we cannot change it. I would wonder whether or not if we made it the same as it would be anyway, whether or not that would be within the statutes.

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

Mr. JALBERT: Mr. Speaker, I said exactly that when I spoke just a few minutes ago. That is exactly what I said. Besides that, the gentleman from Bangor, Mr. McKernan, was talking about the 108th Legislature. While he was speaking about his amendment, he mentioned the words '108th Legislature.' Yet, this amendment says the first Tuesday of January, 1976. Now, how are we going to meet when we haven't voted?

The gentleman from Kennebunk, Mr. McMahon, says that he thinks people will accept this. The question that is put to the people under this amendment here, is, shall the Constitution be amended as proposed by a resolution of the legislature to provide annual sessions of the legislature with limits on the matters which may be considered in the regular session of the biennium and to change the date of the convening of the legislature. It doesn't have all these arguments here on the front page, it just has that question there. It just doesn't make any sense. This amendment makes no more sense to me than this first one and I was thinking of going along with a unicameral House the next time but I have changed my mind.

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

Mr. McMAHON: Mr. Speaker, Ladies and Gentlemen of the House: What I said, I think you will remember, is that the people of this state, I believe, will accept this idea of annual sessions with House Amendment "C" attached to it, not with House Amendment "B" attached to it. The good gentleman, Mr. Jalbert, was addressing both in his comments just now and in his earlier comments, I think, to the substance of House Amendment "B", and I agree with him for several reasons.

I definitely support indefinite postponement of House Amendment "B", which would leave the bill in a posture of having House Amendment "C" on it and if the other body accepts that, I also think the people will. That is what I said.

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

Mr. McKERNAN: Mr. Speaker, Ladies and Gentlemen of the House: I certainly, in no way, intended to deprive any of us of our just rewards for serving here. If someone can show me the provision in the Constitution which says not only can you not change the pay but also that we can't change it even if we keep it the same, then I would be more than happy to withdraw this amendment.

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

Mr. TIERNEY: Mr. Speaker, Ladies and Gentlemen of the House: I am not going to comment on the issue, but the

constitutional provision in question is found in Article 4. I had it and I lost it. Maybe, I had better sit down until I find these.

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

Mr. NORRIS: Mr. Speaker, Ladies and Gentlemen of the House: The fact is that there is a prohibition which we checked at the last session when we were talking about the pay increases that does restrict raising the pay, that is raising your own pay, but I would submit that under the statutes, if you are concerned about getting less money, under the statutes now the pay is structured in the statutes for each regular session and so you would be paid in the next regular session the same as you have been paid in this regular session, which would be the \$3,500 that you just received plus the \$1,000 the next year. That is what the statutes say.

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

Mr. TIERNEY: Mr. Speaker, Ladies and Gentlemen of the House: I am somewhat embarrassed, I again refer you to Article 4 of the Constitution, Section 7. It says that Senators and Representatives shall receive such compensation as shall be established by law but no law increasing their compensation shall take effect during the existence of the legislature which enacts it.

The SPEAKER: The pending motion is on the indefinite postponement of House Amendment "B". Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

98 having voted in the affirmative and 18 in the negative, the motion did prevail.

Thereupon, this bill was passed to be engrossed as amended by House Amendment "C" in non-concurrence and sent up for concurrence.

By unanimous consent, ordered sent forthwith.

RESOLVE, Authorizing the Commission of Mental Health and Corrections to Lease Land in Augusta to the Maine Department of the American Legion (H. P. 1780) (L. D. 1947) which under suspension of the rules and without reference to a committee, the Bill was read twice and passed to be engrossed.

Came from the Senate Indefinitely Postponed in non-concurrence.

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

The following papers appearing on Supplement No. 8 were taken up out of order by unanimous consent:

The following Joint Order: (S. P. 610)

WHEREAS, state valuation has increased since 1968 from \$2,820,000,000 to \$4,649,000,000, an average of 17 percent per biennium; and

WHEREAS, predictions by the Bureau of Property Taxation indicate significant future increases in value; and

WHEREAS, there is heavy reliance in Maine statutes on state valuation for distributing more than \$175,000,000 each year in grant-in-aid programs, including education; and

WHEREAS, in a democratic society, the public must have confidence in the accuracy and validity of the valuation base used for taxation and for distribution of state financial resources; and

WHEREAS, there has been no adequate review in recent years of the procedures used by the Bureau of Taxation in establishing state valuation; now, therefore, be it

ORDERED, the House concurring, that

the Legislative Council be authorized to study the subject of this order either through the Joint Standing Committee on Taxation or through the establishment of a Select Committee on State Property Tax Valuation comprised of 8 members to be constituted and appointed as follows: One member of the Senate who serves on the Committee on Taxation to be appointed by the President of the Senate; one member of the House who serves on the Committee on Taxation to be appointed by the Speaker of the House; 3 municipal officials, representing various sized communities and various geographical areas, one of whom shall be a representative of a so-called high valuation town, and 3 members of the general public, all of whom shall be appointed by joint agreement of the President of the Senate and the Speaker of the House; and be it further

ORDERED, that whichever committee is selected to conduct the study shall:

1. Review the procedures by which state valuations are established;

2. Review the validity of the state valuation with respect to a representative sampling of communities;

3. Review the need for a sales certificate to be filed with all real estate transactions;

4. Report its findings to the Governor and the Legislature no later than January 1, 1977 along with recommended administrative action and legislation to implement its findings; and be it further

ORDERED, that whichever committee is selected by the Legislative Council to conduct this study shall be directed to employ outside professional assistance in the implementation of this order and all departments of State Government shall cooperate with the committee in the pursuit of its assigned task; and be it further

ORDERED, that if the Legislative Council establishes the Joint Select Committee on State Property Tax Valuation to conduct this study, that committee shall hold its organizational meeting upon the call of the president and shall choose a chairman from among its membership at that time; and be it further

ORDERED, that if the Legislative Council selects the Joint Select Committee on State Property Tax Valuation to conduct this study, the members of that committee shall serve without compensation, but may be reimbursed for their reasonable expenses in attending meetings, procuring supplies, correspondence and other related and necessary expenditures; and be it further

ORDERED, that if the Legislative Council establishes the Joint Select Committee on State Property Tax Valuation to conduct this study, the Joint Select Committee is authorized to accept funds from any agency of the United States, from any private foundation and from any other private source for the purpose of implementing the purposes of this order; and be it further

ORDERED, that the Legislative Council is authorized, if it deems necessary, to allocate from the Legislative Account the sum of \$25,000 for the purpose of carrying out this order.

Came from the Senate read and passed.

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

Majority Report of the Committee on State Government reporting "Ought Not to Pass" on Resolution, Proposing an Amendment to the Constitution Relating to

the Powers of the Governor and Providing for the Selection of the Members of the Executive Council (S. P. 268) (L. D. 876)

Report was signed by the following members:

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

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

— of the House.

Minority Report of the same Committee reporting "Ought to Pass" as amended by Committee Amendment "A" (S-300) on same Bill.

Report was signed by the following members:

Mr. WYMAN of Washington
— of the Senate.
Mr. FARNHAM of Hampden
— of the House.

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

In the House, the Reports were read.

On motion of Mr. Cooney of Sabattus, the Majority Report was accepted in concurrence.

The following paper appearing on Supplement No. 11 was taken up out of order by unanimous consent:

An Act Relating to Purchases of Spirituous, Vinous and Malt Beverages by Licensees for Resale (H. P. 1779) (L. D. 1946)

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

Mr. Pierce of Waterville requested a roll call vote.

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

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

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

Mr. MCKERNAN: Mr. Speaker, Ladies and Gentlemen of the House: If you read this carefully, on the bottom of the page of the engrossed copy you will see that Section 2, which repeals the law that we just passed takes effect 91 days after. So that means that law will not take effect anyway, so what we are really doing in Errors and Inconsistencies, we are repealing that law and we are taking care of it in this bill so we won't need that law any more. This bill will take effect as an emergency so that what we will in effect be doing is depriving licensees from the right to buy at the Kittery Liquor Store immediately upon the signature of the Governor. The other bill, we have to do something with it because we passed it, but the other bill will be taken care of in Section 2, which, one day after that one takes effect will be repealed.

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

Mr. FARLEY: Mr. Speaker, Ladies and Gentlemen of the House: I just want to be very, very clear on this. Is this to take care of the problem that just occurred in the last two or three days, instead of getting a

25 percent discount, I understand you are entitled by law for 35 percent discount? This is only going to take away that 35 percent, what we have been giving them since 1971?

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

Mr. McKERNAN: Mr. Speaker, Ladies and Gentlemen of the House: The gentleman from Biddeford may not have been here earlier this morning when we went through this, I want to make it clear that we are not saying they were in fact entitled to do that but if they were in fact entitled to more of a discount than they have been receiving, this will take care of it because they no longer will be.

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

Mr. GOODWIN: Mr. Speaker, I have one question on this, does this restrict, let's say, a hotel or a bar in Kittery from buying at the Kittery store completely?

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

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

Mr. McKERNAN: Mr. Speaker, they just can't get the same price that people who buy not for resale could get at that store.

The SPEAKER: The Chair recognizes the gentleman from Wells, Mr. Mackel.

Mr. MACKEL: Mr. Speaker, I do have a question, and just reading this, it indicates that a part thereof is deleted that says "and established at that store the price to which the 10 percent discount in Section 204 will be applicable," those words are deleted and I was just wondering, does this eliminate also the provision for a 10 percent discount there entirely? I wonder if you could explain it?

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

Mr. McKERNAN: Mr. Speaker, Ladies and Gentlemen of the House: In response to the question, I understand that the problem which everyone is saying has occurred in the present law is because of the wording of that section which we struck out and that is, it is questionable whether that means that the 10 percent should apply to the retail price at Kittery as well and what we are saying is that you won't get a 10 percent discount based on the price that the other liquor stores have. They can still buy at a 10 percent discount from the retail price at the other liquor stores.

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

Mr. HEWES: Mr. Speaker, Ladies and Gentlemen of the House: I was here when the law was passed establishing the discount price at the Kittery Liquor Store and it was not the intent at that time, as debated on the floor, to permit licensees to benefit from the lowered price.

Now, the gentleman from Wells, Mr. Mackel, made reference to the present law, which is set forth in Section 1. If you will look at that, you will see that in order for this 10 percent discount on top of the other discount to apply, it had to be with the approval of the commission and the approval of the Commissioner of Finance and Administration, and I am surprised at the Commissioner of Finance and Administration or even the Commission

for that matter, the Liquor Commission, would have allowed this discount and a second additional discount. It doesn't seem right to me.

I certainly hope that you will vote to enact this emergency legislation and in that way, as I understand it, we will be eliminating the present system, which apparently has the approval of the Liquor Commission and the Commissioner of Finance and Administration. I hope that you will vote to enact and do away with what I think is an unfair advantage for the licensee, which was not the intent when this was passed three or four years ago. I might add that I didn't vote for its passage three or four years ago, but I think we should enact this now.

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

Mr. GOODWIN: Mr. Speaker, Ladies and Gentlemen of the House: I am going to vote for this but I do think it is pretty clear. It states right here that no person, partnership or corporation shall purchase liquor from this established store for resale. It just means that no Kittery hotel or bar or whatever, York, or anyone from the southern area is going to be able to buy anything there.

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

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: When the members of the commission were before the Taxation Committee, they said exactly what this bill says, and I said then to them, don't you think this is being kind of hard on the liquor licensee holders in a community, to tell me that I would have to travel to an adjacent community? The answer I got from the commissioner was, "Well, it is only five or six miles to York and it won't hurt them any to travel."

The SPEAKER: A roll call has been ordered. The pending question is on passage to be enacted as an emergency measure. This requires a two-thirds vote of all the members elected to the House: All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Ault, Bachrach, Bagley, Bennett, Berry, G. W.; Birt, Blodgett, Boudreau, Burns, Byers, Carey, Carpenter, Carroll, Chonko, Churchill, Clark, Conners, Connolly, Cooney, Cox, Curran, P.; Curran, R.; Curtis, Davies, DeVane, Doak, Drigotas, Durgin, Farnham, Faucher, Fenlason, Finemore, Flanagan, Fraser, Garsoe, Gauthier, Goodwin, H.; Goodwin, K.; Gould, Gray, Greenlaw, Hall, Henderson, Hennessey, Hewes, Hinds, Hunter, Hutchings, Immonen, Ingegneri, Jackson, Jensen, Joyce, Kany, Kelleher, Kennedy, Laffin, Laverty, LeBlanc, Leonard, Lewin, Lewis, Littlefield, Lovell, MacEachern, Mackel, Martin, A.; Martin, R.; Maxwell, McBreairty, McKernan, Miskavage, Morin, Morton, Mulkern, Najarian, Norris, Palmer, Peakes, Pearson, Pelosi, Perkins, S.; Peterson, P.; Peterson, T.; Raymond, Rideout, Rollins, Saunders, Shute, Silverman, Smith, Snow, Snowe, Spencer, Sprowl, Strout, Stubbs, Susi, Talbot, Tarr, Teague, Theriault, Tierney, Torrey, Tozier, Tyndale, Usher, Wagner, Walker, Webber, Wilfong, Winship, The Speaker.

NAY — Berry, P. P.; Berube, Bowie, Bustin, Call, Carter, Dam, Dow, Dyer, Farley, Higgins, Hobbins, Jacques, Jalbert, MacLeod, McMahon, Nadeau, Perkins, T.; Pierce, Rolde, Twitchell.

ABSENT — Albert, Cote, Dudley,

Hughes, Kauffman, Kelley, LaPointe, Lizotte, Lunt, Lynch, Mahany, Mills, Mitchell, Post, Powell, Quinn, Truman.

Yes, 113; No, 21; Absent, 17.

The SPEAKER: One hundred and thirteen having voted in the affirmative and twenty-one in the negative, with seventeen being absent, the Bill is passed as an emergency measure.

Signed by the Speaker and sent to the Senate.

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

Mr. McKERNAN: Mr. Speaker, Ladies and Gentlemen of the House: I feel that I should put on the record the intent of this legislation, especially after the questions that have been raised by the gentleman from South Berwick, Mr. Goodwin, that is that the intent of this legislation is that licensees and people buying for resale can buy at the Kittery Liquor Store, but they shall have to pay the price that they would pay at the other liquor stores in other words, the 10 percent discount that they are receiving at the other liquor stores, and I am doing this just for the record.

Mr. Susi of Pittsfield was granted unanimous consent to address the House:

Mr. SUSI: Mr. Speaker, Ladies and Gentlemen of the House: As the gentleman from Skowhegan, Mr. Dam, has stated earlier, it certainly wasn't the understanding of the Commission, nor the Taxation Committee that heard this bill, that it would be possible for licensees to buy at Kittery at any price.

After considerable discussion on this very point, it was agreed between the commissioner, his staff person and the members of the Taxation Committee that the bill should be drafted in such a way that no licensee would be able to buy at the Kittery store. That was the very clear intention of the committee, the commissioner and his staff person who was present. So, this is in contradiction to the statement just made by the floor leader.

By unanimous consent, ordered sent forthwith.

(Off Record Remarks)

On motion of Mrs. Najarian of Portland, Recessed until three o'clock in the afternoon.

After Recess

3:00 P.M.

The House was called to order by the Speaker.

Orders of the Day

The Chair laid before the House the first item of Unfinished Business:

An Act Increasing Motor Vehicle Registration Fees. (H. P. 1692) (L. D. 1930) — In House, Failed passage to be enacted, June 26. — In Senate, Enacted in non-concurrence.

Mr. Davies of Orono moved that the House adhere.

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

Mr. STROUT: Mr. Speaker, I move that we recede and concur.

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

Mr. JENSEN: Mr. Speaker, I move that we recede.

Mr. Strout of Corinth requested a division.

The SPEAKER: The Chair recognizes

the gentleman from Nobleboro, Mr. Palmer.

Mr. PALMER: I would like to say just a word or two before we take a vote whether we recede and concur. I have a theory of my own I would like to share with you before we take a vote on this. I hope that we would defeat the motion to recede so that we could recede and concur, my reasons being this, I think if you read the letter from the Governor to Senator Greeley and you read it very, very carefully you will see that, if you ponder over the words slightly and this is my own theory but I want to give it to you for what it is worth, you will note that he speaks on Item 2, he tells about (a) his own preference of the legislatures to approve his budget as submitted and on (b) very unequivocally he says the gasoline tax at one-half cent per gallon would raise sufficient amounts, etc. and he goes on to say that he would in no circumstance sign or he definitely would rather veto a gas tax but if you read on to (c) and you read the words "but I also recognize the right of the legislature to increase registration fees to resolve this problem, however, I do not believe that I could in good conscience, sign a bill taking this approach". Now if I were writing that letter and I'm speaking for myself and I didn't want to say that I would veto that approach and want to commit myself one way or the other, but perhaps I might use this language but to me it means, that perhaps in good conscience he could not sign the bill but the bill might become law without his signature. I am maintaining that is a great possibility here this afternoon and we have come down to the line here now and we have before us a highway bill, an allocation bill, we have a gas tax that the Governor says he will veto, we have already partially funded the budget which the Governor has approved with the exception of Senate Amendments. It just seems to me that in the interest of time and if we can see this way clear that this would be the proper method for the House to take, to recede and concur to let the Governor, indeed, have this registration bill and see if perhaps it might not become law without his signature in which case the budget, as it is written, at the present time, could pass and be properly funded. It would be short indeed by a very small amount.

It is my understanding that the Commissioner has already said he could live with that difference, so I would hope that right now we would not recede but rather that we would defeat the motion and recede and concur. It is a great possibility. I just read those words, I believe they mean something, perhaps they don't but I'm that kind of a person to believe that I'd like to explore that avenue before I completely close the door on it. I think if we don't do that and we suddenly become 151 transportation commissioners in this House and start slicing up a budget, I'm afraid of the consequences also of the great amount of time we shall be involved in finally getting ourselves into concurrence with the other Body so on the basis of that. I do hope we will not recede.

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

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: In relation to what the good gentleman from Nobleboro Mr. Palmer has said, I believe I would agree with the way in which he has interpreted the letter of the Governor to be one hundred percent right and because of that reason, I would hope today that we did not vote to recede and concur.

I, personally, am in favor of the gas tax approach, I'm not in favor of the fee approach at all and, as I read this letter, going a little even beyond what the good gentleman from Nobleboro said, I can almost see where the Governor said that he will let this become law because he says "I felt it was only fair to tell the legislature the basic point on which I will remain firm" and that was on his intention not to sign the gas tax so I would hope today that we did not use this method, this approach to finance the highway budget, of increasing fees. I don't think it's a good bill, I don't think it's a fair bill. Now, the bill on the gas tax was a fair bill, it would have picked up a lot of out-of-state money and take a lot of burden off our own people but to give a \$3 increase in registration fees on automobiles, at this time, I can't vote for it because I know the people in my community, and I'm going to go with their wishes, do not want this bill, and would have taken the gas tax but they do not want this. I would hope today that enough of you feel the same, so that we can hold to the action we took previously.

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

Mr. FRASER: Mr. Speaker and Members of the House: I would hope that we wouldn't recede and concur because, if we do, we are approving this amendment that was put on in the other Body and the Governor has indicated in no mean terms this morning that he would not approve anything like this, as a matter of fact, he is not going to approve anything except the budget as he presented it. We could stay here and argue as long as we want to but we are just delaying the whole thing. If we vote not to recede and concur, then I'm going to move for indefinite postponement of this amendment.

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

Mr. MAXWELL: Mr. Speaker and Members of the House: For what it's worth, this happened to be my bill to start with. That doesn't mean too much but I did think it was fair thing, I thought it was a good way of raising some money, and I was passed a few minutes ago a little piece that was cut out of today's paper and it happens to be my horoscope. It says "you can persuade associates to back almost any reasonable program, it's up to you to set a sensible budget, expensive ideas are easily put into preliminary practice". That's all I think I need to say.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I'll read something a little differently in the letter than Mr. Palmer by going further, on Page 2, because he keeps saying if you will notice on this (a) on Page 1 second item (a) "my own preference to the legislature to approve a budget as submitted". Now if you go further I'm fully aware and I think we all read loud and clear on the gas tax but even on this thing here, you read further "I realize that as Governor I must maintain some flexibility when there is such a time constraint in dealing with problems of this critical nature; however, it's only fair for us to tell the legislature the base in point upon which I will be firm". "So once again, I would plead with the legislature to approve my budget as submitted to you", that's the line "once again I would plead with the legislature to approve my budget to you as submitted and to give us time to further reassess values no later than January and give

towns and cities time to decide what direction they want to take and work out the local control". I don't read that as just letting it go with the signature into law, I read that as a veto.

The SPEAKER: The Chair recognizes the gentleman from Wells, Mr. Mackel.

Mr. MACKEL: Mr. Speaker, just a clarification, please. It says here that "the Senate enacted in non-concurrence" so I presume then if we were to recede and concur we would be in part, enacting this 1930. Is that correct?

The SPEAKER: The Chair would answer in the affirmative, however, the present motion is to recede from our former action which would give the opportunity to the gentleman from Portland, Mr. Jensen to attach an amendment.

The SPEAKER: The Chair will order a division. Those in favor of the motion to recede, you will vote yes; those opposed will vote no.

A vote of the House was taken. 27 having voted in the affirmative and 82 in the negative, the motion to recede did not prevail.

The SPEAKER: The pending question now before the House is the motion of the gentleman from Corinth, Mr. Strout, that the House recede and concur.

Mr. Jensen of Portland requested a roll call.

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

Mr. FAUCHER: Mr. Speaker, Ladies and Gentlemen of the House: I hope you don't go along with this motion. I believe that a couple of days ago you gave the people a tax, I didn't vote for it but some of you did but it is all right, they didn't ask for that but you said the Governor wanted it, but he campaigned on no taxes and I am sure I can call it a tax, I don't care what you call it but I am calling it a tax. If he wants to lie to the people, I am not going to stand here and lie to them, it is still a tax to me and when I go home I am going to find out that it is a tax because people are going to call me and say "what happened now" when they are ready to pay their registration and I'm going to have to answer to them. Now, this is another one we are going to have to answer when we go back and I feel and I know who is going to be tagged with this tax, it is going to be the Democratic party. There are 91 of us here in this House, when we go back home the people are going to say "you Democrats gave it to us, not the Governor, not the Republican party" because we are in the majority and we are the ones who are going to get it when we go back home so I feel we did enough last week. We gave them a tax that they didn't ask for, and we are now going to do the same thing and I hope you don't go along with this.

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

Mr. FRASER: Mr. Speaker and Members of the House: I think that the gentleman from Solon needs to be informed that the bill that was the Governor's bill is the one that we passed and has been enacted in the Senate and the Governor will sign it. This one here was not his and he has said he won't sign it.

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

Mr. PALMER: Mr. Speaker and Members of the House: I regret greatly that we have now injected into this conversation legislature versus the Governor, or Republicans versus

Democrats and I am very clearly stating now that I think we have to try to divorce ourselves from that.

I think the letter we received here today is an attempt, I believe it is an attempt, for him to move off a dead center issue and also to get us to do the same thing. I don't think there is any recrimination inferred in this thing at all. I choose to believe that the Governor is willing, at this point in time, as he says in the letter, "realizing that some flexibility when there is such a time constraint in dealing with problems of this critical measure". I believe he is trying to say as best he can, as clearly as he can without saying it out two and two make four, that here is our chance to perhaps solve the impasse and act not as Republicans and not as Democrats and not legislature versus the Governor but to take the highway problem now and do something with it. We're not very far apart, we're sitting here in the closing hours and we can solve it right now if we do indeed, recede and concur and pass the budget, and I am also certainly sure of this, as sure as I can be, naturally I cannot tell what the Governor will do any more than the gentleman from Mexico can, but in the closing hours as we're closing down now to July 1, if the budget were in front of him, with the Senate amendment on it to take care of the town improvement and the other things that were deleted, if it were on his desk with this, then maybe some things might pass without his signature but I doubt very, very much, at this time, with the tenor of this letter and I may be wrong, that we would see either one of them come back to us tonight.

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

Mr. JACQUES: Mr. Speaker, Ladies and Gentlemen of the House: I don't know if you know but I know something was signed by the Governor this afternoon. The one that we are on now is the truck bill, the truck registration and I don't know if you know that you are on that, 1930 is the truck registration not the fee on registration of automobiles.

The SPEAKER: The Chair would advise the gentleman it is on both.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I know that the gentleman from Nobleboro, Mr. Palmer, knows that even though he holds the title of floor leader of his party, I am not discussing the thing on a partisan basis, I am sure that he has known me too long for that but I will tell you, you believe this, that if he does not veto this and one of his administrative assistants indicated to me that this would be vetoed, but if he does not veto this, he's not going to sign it either. The average people on the street don't know this veto business and law without his signature and this and that, he'll tell the people this, he'll say "I did my best but the legislature passed it." That's exactly what's going to happen. With me it seems very strange that, year in and year out, we have this budget come up, now the appropriations committee came up with a budget to take care of things up to June 30th, then they came up with part I of the budget and then we came up with a supplemental budget, then we are coming up with a wrap-up package. All at once, the day before yesterday or yesterday, sure I know that the thing was around but I hadn't seen it, I didn't know anything about it, you can't be on two committees

and in two places at one time and you spend all your afternoons and every afternoon in the Appropriations Committee, you don't have too much of a chance to know what is going on. All at once, we are plunged into this, we're not plunged into only the big budget for the Highway Department but we are also plunged into the finances and these amendments come flying around and the bills come flying back and forth and the taxes to meet it comes back and forth and you get somewhat confused.

There is one point where I'm not convinced, two or three points where I am not confused. I agree with the gentleman from Solon, Mr. Faucher, a tax is a tax is a tax and this is a tax and he doesn't say in the letter "pass it and I'll sign it". He says in his letter "so once again, I plead with the legislature to approve my budget as submitted and to give us time to further reassess revenues no later than January and to give towns and cities time to decide what direction they want to take in regard to local control". So he does not say here "pass this and I will sign it", he is either going to let this into law without his signature or veto it, then he's going to say "I did my best but the legislature loused me up". You rest assured of that.

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

Mrs. BERRY: Mr. Speaker and Members of the House: I signed this bill out of committee "Ought Not to Pass" but I have second thoughts because of the goings on here and when I come to think of it, the individual, I'm not saying the truck drivers, but perhaps they wouldn't be burdening them so much with this bill as we might with the gas tax and, therefore, I think that I will go along with it. The truckers association have said that they could go along with this bill. This bill does include automobiles, by the way, that's the one to 6000 pounds that Mr. Jacques was asking about.

As far as this letter goes, I can't take much stock in it, I haven't said anything publicly about the Governor before but when he says at the end "if I can be of any service to you, just come to me" in such words, we went to him this morning and we didn't get anywhere and I can't see that going in to him again will get us anywhere and I would like to see that, I, too, can read between the lines that perhaps he wouldn't veto this and, therefore, I am going to vote for it.

I'm a Republican and I'm sure I will get phone calls but it won't be because they think I'm a Democrat because they know what I am, I am sure. I don't think your party has to think that, the majority party has to think that the Democrats will get blamed for it, but I am sure Republicans who voted for it will get just as many calls as the Democrats.

The SPEAKER: The Chair recognizes the gentlewoman from Brunswick, Mrs. Martin.

Mrs. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I agree one hundred percent with Mr. Faucher. I don't know if the man is moving to the middle or the center or whatever you want to call it, but I still am not going to give him any extra money. Let him stew in his own budget, that is the way he wanted it, let him have it, let the people find out just what his budget is and maybe they'll wake up to the fact that we aren't so stupid after all. I don't want him to say to the people that "I told you so, about the House — they have added to my budget" and I don't want

that. I want them to find out that he is adding to the town taxes.

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

Mr. MORTON: Mr. Speaker and Ladies and Gentlemen of the House: I'm not going to attempt to analyze the meaning in the Governor's letter. I rather think that I would agree with the analysis that the gentleman from Nobleboro has given it, however, no one can be sure but I think the gentleman from Lewiston should realize that we appreciate the yeoman's service that the Appropriations Committee did give us on the general fund budget. It was a tremendously fine piece of work, but I submit to you and we applaud them for that, that Transportation Committee has the responsibility of the transportation budget and I think we should accord them as much respect for the work they have done.

Now, it seems to me that we are already living dangerously with respect to the Governor's opinions where the general fund is concerned. He has already come out publicly and said "we have created a tax for the second year of the biennium". I don't necessarily agree with him on that but that's what he said so we are not setting any precedents here this afternoon if we go with this bill.

I'd also point out that the Governor's 907 was a fee increase and I agree with the gentleman from Solon, that's a tax increase, it certainly is, the Governor called it a fee increase but by the same token it does increase the cost for people to utilize the state government. This is another fee increase. It seems to me, it is reasonable to assume that perhaps some of the onus for this one would rub off on the Governor as well as on the legislature but the point remains we took the responsible action in connection with the general fund budget and we are being criticized for that.

I urge you to take responsible action with respect to this budget and go along with the recede and concur motion.

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

Mr. JALBERT: Mr. Speaker, Members of the House: I would like to state that the remarks of the gentleman from Farmington, in my opinion, were a little bit unkind. I could use a little harsher language but he is a friend of mine so I won't. I don't think in any way at all, I implied that the Transportation Department was not doing a job, the Transportation Department did a yeoman's job but I said I'd like to have the budget and I'd like to have it a little quicker. I haven't seen that budget until the last two or three days in the session since I've been here. Now the gentleman from Farmington can say what he wants but those are the facts, as a matter of fact, this is the kind of action that is turning me off completely from dedicated to undedicated revenue.

Believe me, I've been around here longer than the gentleman from Farmington and I know what I'm talking about and I'll tell you just who taught me what I'm talking about, and that was one of the greatest friends I ever had from Farmington, and that's his father, a former Chairman of the Highway Commission. I would say here the gentleman commends the Appropriations Committee for doing their work and says the Transportation Committee has done

their work and then he agrees with the gentleman from Solon, Mr. Faucher, that this is a tax. Well, the gentleman from Farmington, Mr. Morton should remind himself that the Appropriations Committee did their work without a tax and now this is one chicken on the Appropriations Committee that wants to keep right on going without a tax. If this thing comes up here, and says, signed James Bernard Longley, I will sign this thing into law, not let it go into law without my signature, not a veto, then I'll vote for it. Until such time, it's a tax and I want no part of it.

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

Mr. McKERNAN: Mr. Speaker and Ladies and Gentlemen of the House: I will be very brief. I think the question that I have finally resolved in my own mind anyway and I have been trying to keep all of them after funding this budget alive up until now because I felt that I really couldn't make up my mind what the best way to go really was.

I think Mr. Jalbert was really getting at the real question before us though. The question as to whether or not we are going to do anything over what the Governor wants or whether we are going to just give him his budget back. I guess I've decided that we do need to fund the budget of the allocation act as it was presented by the Transportation Committee and therefore, the going question which remains in my mind is how?

I also disagree with those who say that an increase in fees is a tax, it obviously will require more expenditures by the people of this state but I don't think it's the same as a tax when you talk about the gas tax. I've been doing some quick arithmetic and the way my figures come out, it is simply, if we recede and concur and pass this piece of legislation, it will fund the budget and will also cost the people of this state, the citizens of this state about \$3 extra to register their cars. Now if we pass the gas tax at a cent a gallon, the only people that will be spending less money will be those who drive fewer than 4,500 miles in approximately a year and I would say to you, that if you decide that we need to fund this allocation act, totally, that the way to go is with these fees because you are going to hurt the people of the State of Maine a lot less by a \$3 increase than by a cent a gallon because I would guess that most people in this state drive more than 4,500 miles a year so I would say the question is really clear, do you want to cut the allocation act? If you do, fine, don't vote for anything. If, however, you believe that we need the programs back in there, then I say that means you are going to have to come up with a way to fund it and the best way to fund it that is going to have the least impact on the people of the State of Maine is going to be by receding and concurring today and passing this increase in motor vehicle registration.

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

Mr. KELLEHER: Mr. Speaker and Ladies and Gentlemen of the House: I think Mr. Jalbert has stated it quite clearly and frankly, that a tax is a tax. I might suggest to my old colleague from Bangor that perhaps we ought to give the governor a chance in this respect. He has indicated that he is going to be able to save somewhere around \$200 million or \$250 million. Let's accept the budget as it is and leave it just at that. Why not? Why should we turn around and levy a tax as the fees

are on the people of Maine at \$2 or \$3 or \$4 whatever the case is going to be? I'm not one who is going to change my vote here this afternoon and I hope the House holds the vote that they had here yesterday and we just completely demolish this bill as it should be.

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

Mr. PALMER: Mr. Speaker and Members of the House: I should make just one response to the gentleman from Lewiston, Mr. Jalbert and I do this in all kindness and sincerity, but he did make the statement that in the general fund, we had funded this without any tax increase. I say to you, if you are going to call a motor vehicle fee or the fee increase on tents and trailers and motorcycles, if you are going to call it a tax increase then I think the method we used with the corporations in moving up their corporate income tax certainly took some more money somewhere out of one year short, and I would venture to say that the Kittery Liquor Bill was something of the same nature so we didn't really take the general fund and do nothing to it in the terms of injecting new funds. We certainly did inject some new funds and these, I call, along the same lines as far as the Highway Department is concerned. I hope we will recede and concur.

A roll call has been requested.

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

A vote of the House was taken and obviously 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 to recede and concur. Those in favor will vote yes; those opposed will vote no.

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

Mrs. CLARK: Mr. Speaker, I wish to pair with the gentleman from Dexter, Mr. Peakes. If he were here, he would be voting yes and I would be voting no.

The SPEAKER: The gentleman from Freeport, Mrs. Clark, wishes to pair with the gentleman from Dexter, Mr. Peakes, if he was voting, he would be voting yes and Mrs. Clark would be voting no.

ROLL CALL

YEA — Bagley, Berry, G. W.; Berry, P. P.; Boudreau, Bowie, Byers, Curtis, Dudley, Farram, Fenlason, Finmore, Garsoe, Greenlaw, Hall, Hewes, Hunter, Jackson, Kenedy, Laverty, LeBlanc, Lewin, Littlefield, MacLeod, Maxwell, McBreairty, McKernan, Miskavage, Mitchell, Morton, Palmer, Pearson, Perkins, T.; Peterson, P.; Powell, Rollins, Smith, Snow, Snowe, Spencer, Strout, Stubbs, Susi, Tarr, Torrey, Wagner, Walker, Webber, Winship.

NAY — Ault, Bachrach, Bennett, Berube, Birt, Blodgett, Burns, Bustin, Call, Carey, Carpenter, Carroll, Carter, Chonko, Churchill, Connors, Connolly, Cooney, Cote, Cox, Curran, P.; Curran, R.; Dam, Daves, Doak, Dow, Drigotas, Durgin, Dyer, Harley, Faucher, Flanagan, Fraser, Gauthier, Goodwin, H.; Goodwin, K.; Gray, Hencerson, Hennessey, Higgins, Hinds, Hobbins, Hughes, Hutchings, Immonen, Ingneri, Jacques, Jalbert,

Jensen, Joyce, Kany, Kelleher, Kelley, Laffin, Leonard, Lewis, Lovell, MacEachern, Mackel, Martin, A.; McMahon, Morin, Mulhern, Nadeau, Najarian, Pelosi, Perkins, S.; Peterson, T.; Pierce, Post, Raymond, Rideout, Rolde, Saunders, Shute, Silverman, Sprowl, Talbot, Teague, Theriault, Tierney, Tozier, Twitchell, Tyndale, Usher, Wilfong, The Speaker.

ABSENT — Albert, DeVane, Gould, Kauffman, LaPointe, Lizotte, Lunt, Lynch, Mahany, Martin, R.; Mills, Norris, Quinn, Truman.

PAIRED — Clark, Peakes.

Yes, 48; No, 87; Absent, 14; Paired, 2.

The SPEAKER: Forty-eight having voted in the affirmative and eighty-seven in the negative, fourteen being absent and two paired, the motion did not prevail.

Thereupon, the House voted to Adhere.

By unanimous consent, ordered sent forthwith.

The Chair laid before the House the second item of Unfinished Business:

An Act to Make Allocations from the Highway Fund for the Fiscal Years Ending June 30, 1977. (S. P. 577) (L. D. 1928) (Emergency)

On motion of Mr. Fraser of Mexico, under suspension of the rules, moves that the House reconsider its action whereby this bill was passed to be engrossed.

The same gentleman, under suspension of the rules, further moves that we reconsider our action whereby Senate Amendment "A" was adopted.

The same gentleman moves that Senate Amendment "A" be indefinitely postponed.

Mr. Palmer of Nobleboro requested a roll call.

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

Mr. STROUT: Mr. Speaker, Ladies and Gentlemen of the House: First I will say that I hope you will vote against indefinite postponement of Senate Amendment "A". This is the amendment that a good many of us have worked for months to get included into the budget that took care of the problems that would solve the winter maintenance and the town road improvement for the small towns in this state.

This afternoon I kept quiet on Registration Fee Bill because I saw people in this House vote against an increase of \$3 for registration on automobiles when yesterday, you raised motorcycles from 15 to \$10, you raised camp trailers from \$5 to \$10, you raised boat trailers from \$2 to \$5, it went through here with flying colors but today you couldn't raise automobiles \$3. If this amendment is defeated, I would today make a move to indefinitely postpone the whole Highway Allocation, send this allocation downstairs and let the Governor come up with something that he can take care of the programs in this state, but also a fair share to the towns. I don't think we have received that and I submit to you that we keep this amendment to the bill and if we can't find it some way, I think on Tuesday morning of next week we ought to shut highways, all the trucks, all the police services, let them come to a screeching halt and then let the Governor of this state come up with a solution to try to tell these people who work in the Highway Department where they are going to get their paycheck come next Friday.

I think it's as simple as that and I would hope today that if we did indefinitely postpone Senate Amendment "A" that

when the budget comes up for the 101, that there will be at least 51 votes in the negative.

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

Mr. GREENLAW: Mr. Speaker, Men and Women of the House: I, too, would like to pose two or three questions through the Chair to anyone who might be able to answer them. The first one is, apparently we are only going to have one fee increase bill and apparently the gas tax and the registration fee bill are dead. The first question I have is, how much short are we in the allocation act? The second question is, if we indefinitely postpone Senate Amendment "A" and that Senate Amendment "A" includes town road improvement and winter maintenance and snow removal, are there other amendments that will be offered that will include those particular programs back into the allocation act?

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

Mr. JENSEN: Mr. Speaker and Ladies and Gentlemen of the House: In response to Mr. Greenlaw's questions, in order for either of the amendments to be offered that hopefully will be considered this afternoon, we've got to indefinitely postpone Senate Amendment "A". Presently with Senate Amendment "A", the budget is \$6.4 million out of balance so those programs that you are referring to, town road improvement, winter maintenance, special state aid construction, etc. are there but there is an increase somewhere. If you want to consider those programs, what you've got to do is kill this amendment and approve either one of the amendments that are going to be coming up thereafter.

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

A vote of the House was taken and obviously 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 York, Mr. Rolde.

Mr. ROLDE: Mr. Speaker, and Ladies and Gentlemen of the House: There is quite a bit of confusion about exactly what postponing this amendment means and, basically, it is my understanding that if we postpone Senate Amendment "A", we are basically putting the budget back in balance and we are doing specifically what the Governor has asked, which is to put the burden back on the towns. As he says in his letter "as Governor, my first priority is still to stand on the budget, as was submitted. Specifically, as you know, this means excluding the town aid program from the budget.

In this regard, I would only say I feel it is about time that the towns and cities begin expressing a willingness to practice what they have been preaching in regard to local controls. I do not believe towns and cities can continue to insist on complete local control and continue to run to the state and federal governments to solve their problems."

So, the Governor when he proposed the original budget, cut the local towns out in regard to town road improvement and snow plowing. What is included in Senate Amendment "A" is a restoration of these

programs because the Transportation Committee felt that it was our duty, as a state, to fund these programs. Now, we have got to kill this amendment in order to keep the budget back in balance, however, if we do kill it, then another amendment will be offered by Mr. Winship from Milo which will restore at least part of this program and that is the snow plowing money. So that is where we stand right now but we have got to take action to put the budget back in balance and that means indefinitely postponing Senate Amendment "A".

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

Mr. JENSEN: Mr. Speaker and Members of the House: If I could just add one thing. This amendment certainly do all that Mr. Rolde says, it will do one other thing though. If we indefinitely postpone the amendment, we open up the option of both restoring part of what has been cut out by the Governor's budget, i.e., the winter maintenance to the towns. We also have the option, through an amendment that myself and an amendment that Mr. Peterson will offer, which will allow at least a substantial reallocation of the general road improvement money.

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

Mr. JALBERT: Mr. Speaker and Members of the House: We also have another option. We can just agree with him and we can tell him to answer the 400 odd towns.

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

Mr. GAUTHIER: Mr. Speaker, Ladies and Gentlemen of the House: When I was elected here last January and before I came down here, I was told by my people that I represent, to go down there and back the Governor, back his program, back his budget and this and that and I think today, after reading his letter here, that if he wants to do this, instead of blaming us, let's put it back in his hands and let him take the blame.

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

Mrs. CLARK: I would like to pair with the gentleman from Dexter, Mr. Peakes. If Mr. Peakes were here, he would be voting in the affirmative and I would be voting in the negative.

The SPEAKER: The gentlewoman from Freeport, Mrs. Clark wishes to pair with the gentleman from Dexter, Mr. Peakes. If Mr. Peakes were present, he would be voting no and the gentlewoman from Freeport would be voting yes.

The SPEAKER: The pending question is indefinite postponement of Senate Amendment "A". Those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Bachrach, Bagley, Bennett, Berry, G. W.; Berry, P. P.; Berube, Birt, Boudreau, Burns, Bustin, Carey, Carpenter, Carter, Chonko, Churchill, Connors, Connolly, Cooney, Cote, Cox, Curran, P.; Curran, R.; Davies, DeVane, Drigotas, Dudley, Dyer, Farley, Faucher, Fenlason, Flanagan, Fraser, Garsoe, Gauthier, Goodwin, K.; Gray, Hall, Henderson, Hennessey, Higgins, Hinds, Hobbins, Hughes, Ingegneri, Jackson, Jacques, Jalbert, Jensen, Joyce, Kany, Kelleher, Kennedy, Laffin, Laverty, LeBlanc, Lewin, Lewis, Lovell, Mackel, Martin, A.; Maxwell, McBreairty, McMahon, Miskavage, Mitchell, Mulkern, Nadeau, Najarian, Pearson, Pelosi,

Perkins, S.; Pierce, Post, Powell, Raymond, Rideout, Rolde, Rollins, Saunders, Smith, Snowe, Spencer, Sprowl, Susi, Talbot, Tarr, Theriault, Tierney, Twitchell, Tyndale, Usher, Webber, Wilfong, Winship, The Speaker.

NAY — Ault, Blodgett, Bowie, Byers, Call, Carroll, Curtis, Dam, Doak, Dow, Durgin, Farnham, Finemore, Greenlaw, Hewes, Hunter, Hutchings, Immonen, Kelley, Leonard, Littlefield, MacEachern, MacLeod, McKernan, Morin, Morton, Palmer, Perkins, T.; Peterson, P.; Peterson, T.; Shute, Silverman, Snow, Strout, Stubbs, Teague, Torrey, Tozier, Wagner, Walker.

ABSENT — Albert, Goodwin, H.; Gould, Kauffman, LaPointe, Lizotte, Lunt, Lynch, Mahany, Martin, R.; Mills, Norris, Quinn, Truman.

PAIRED — Clark, Peakes.

Yes, 95; No, 40; Absent 14, Paired, 2.

The SPEAKER: Ninety-five having voted in the affirmative and forty in the negative, fourteen being absent and two paired, the motion does prevail.

Mr. Winship of Milo offered House Amendment "C" and moved its adoption.

House Amendment "C" (H-846) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Milo, Mr. Winship.

Mr. WINSHIP: Mr. Speaker, Ladies and Gentlemen of the House: I just want to explain to the people that this was gone over and this 6.4 million underfunded, before that Senate Amendment was taken off and that is why some of these things were changed in here and there were many small ones that were changed because of the \$600,000 that had to be added for the other half of the Blue Cross and Blue Shield which, of course, had to be funded after we passed the fund for the rest of the employees and as Mr. Rolde told you \$850,000 of the year in the biennium has been left in here to reimburse the towns for snow removal.

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

Mr. FAUCHER: Mr. Speaker, and Ladies and Gentlemen of the House: I don't have anything against Mr. Winship, I think he is a wonderful gentleman but I believe now we have the budget balanced and we shouldn't take any more amendments. We should leave it like that, it is already balanced, it is what the Governor wanted and I think we should leave it that way.

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

Mr. MORTON: Mr. Speaker, I would like to pose a question to the Chair. Do I understand that this amendment unbalances the budget or does it just change the figures around?

The SPEAKER: The Chair would answer that it reallocates figures.

Mr. MORTON: Then, Mr. Speaker, may I ask a further question? Did I understand correctly that the \$600,000 for the health and insurances in this reallocation, so what, in effect, we have done, Mr. Speaker, is remove everything that was in Senate Amendment "A" except the one item, \$850,000 for snow removal, so we have removed ski trails, town road improvement, special state aid, traffic marking and bike ways.

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

Mr. KELLEHER: Mr. Speaker, I would just like to ask the gentleman one question

on the bond retirement, I think there is a shift of \$700,000 and I'd like to know how they were able to do it over there?

The SPEAKER: The Chair recognizes the gentleman from Milo, Mr. Winship.

Mr. WINSHIP: Mr. Speaker, I'm not sure, this is Roger's figure. He went over this and said there was \$1 million in the two years of the biennium; \$500,000 in each one that he could live with and he is the one that got those figures for me.

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

Mr. SUSI: Mr. Speaker, Ladies and Gentlemen of the House: The way I trace this highway budget back sometime several months ago, the Governor and his people met with the people from the Department of Transportation, they went over all their figures and they cut out winter maintenance and T.R.I. money for the towns and I think that decision was probably made on the basis that you couldn't responsibly cut that department any further on any of the other items.

I'm sure they didn't take on the positions where they knew they would be antagonizing some 400 odd towns in this state by depriving them of funds they have always had unless it was a situation where they just couldn't justify taking more money from the department for its operation. As of right now, we are in a position where we have approved the Governor's budget as he submitted it to us and financed it accordingly and it looks to me as though we are, contrary to all judgment by those who have been better acquainted with the transportation budget, making further cuts in other items so as to put back some money to the towns and, in effect, let the Governor off the hook on what is a serious damaging action that he's made on all of the towns in the State of Maine, and my reaction is all no, no, no. I just don't feel like bailing him out of his troubles and putting money back to the towns and further crippling a department that he and his own people have recognized are cut to a minimum. I, for one, will not vote for tinkering with this any more. It's his baby, let him live with it.

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

Mr. JENSEN: Mr. Speaker, Ladies and Gentlemen of the House: I'd ask you to vote against this amendment if you'd like to see town road improvement funds put back in. If you feel as Mr. Susi does, I think you'd vote against it, if you feel, however, that you want winter maintenance for the towns and town road improvement to be in the budget, send it back to the towns so as not to increase the property tax and place an undue burden on a regressive tax, then I ask you to vote against Mr. Winship's amendment. I ask you instead, afterwards, to vote for two amendments which will be forthcoming, Amendment "E" and Amendment "F". I think you have a sheet reprinted which was put on your desks this afternoon which explains where the cuts are going to occur in that amendment. Many of the same cuts that have occurred in Mr. Winship's amendment are also occurring within the amendment Mr. Peterson and myself are going to attempt to offer afterwards.

I'd ask you to take a look at it and if you'd like town road improvement money and winter maintenance money to be in the budget to go back to the towns to relieve the property tax of the additional burden that would be caused, I'd ask you to vote no.

The SPEAKER: The Chair recognizes

the gentleman from South Portland, Mr. Hinds.

Mr. HINDS: Mr. Speaker and Ladies and Gentlemen of the House: I think that we should support House Amendment "C" today and this amendment has been thought out by the Transportation Committee, at least some of them and the Commissioner of Transportation, and I think we have less chance of getting ourselves in trouble with cuts than we do with some of the other amendments that are on our desks here today and in order to stop this stalemate, we are at a stalemate, we are faced with doing something if we want to adjourn this session sometime during this month and I think we should support this amendment and pass the bill to be enacted.

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

Mr. STROUT: Mr. Speaker, Ladies and Gentlemen of the House: I'll be very brief. I'm going to oppose this amendment today. I feel that even though I have spoken out for the towns in this state that I'm concerned to cut down on the winter maintenance that is proposed in this amendment. It looks to me as though we are going to run into very serious problems in the upcoming biennium when we could be faced with some of the very safety hazards on the state roads and I would ask you to vote to defeat this measure.

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

Mr. GREENLAW: Mr. Speaker, Men and Women of the House: I guess I would disagree with my good friend from Pittsfield, Mr. Susi in his previous remarks. I don't think it's a question of whether or not we are going to bail out the Governor. I think it is a question of whether or not we are going to put added expense back on the property tax and I think this legislature has gone on record on a number of occasions as saying we are not going to put additional burdens back on the property tax. Now, apparently, we are not going to have a gas tax in this session and are not willing to increase registration fees but I also am not willing to put additional burden back on the towns even though members of this legislature may think we are bailing out the Governor. I'm not concerned about bailing out the Governor, I'm concerned about responsibility of this legislature and it seems to me that our responsibility is to fund the programs that the towns have previously counted on, so I don't know whether we should support this particular amendment or not but I think if, not this amendment, that either one or a combination of both of the amendments that the gentleman from Windham, Mr. Peterson intends to offer and also the one of the gentleman from Portland, Mr. Jensen.

I hope you do seriously consider this as we try to put this Allocation Act together before we adjourn. Mr. Speaker, when the vote is taken, I request the Ayes and Nays.

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

Mr. PETERSON: Mr. Speaker, Men and Women of the House: Today we are not in a very comfortable position. I, myself, am in an extremely uneasy situation, I have tried to tackle this budget in a responsible manner and in a reasonable manner.

Yesterday afternoon we met with Commissioner Mallar, we talked about the budget and it does seem like it is an apparent bare-bones budget but there is

one item, my amendment, that I will be offering if we do indefinitely postpone this amendment, and believe me I'm not sure no matter what we do today, whether we will be right or wrong, I don't think any of us do. I think we are in a very tough situation, I think times are tight and all of us are trying to do their best. I know Mr. Susi feels strongly about his convictions and I feel as strongly about my convictions.

My amendment makes the same cuts as Mr. Winship's amendment, there's only one difference, we deduct \$2,700,000 from the summer maintenance program. It is my understanding that it is budgeted \$20 odd million for the first year of the biennium and \$20 odd million the second year of the biennium for summer maintenance. My amendment reduces that total \$40 million figure by 5 percent, that's it. Now that summer maintenance is made up principally of three parts, one-third of it is the skinny mix program, which in no way, I want to jeopardize. I think that's a very important program. The Statement of Fact in my amendment, I know it's not law but it is an attempt to indicate my intent that the commissioner not make any cuts there. The other third is the filling of pot holes with bituminous materials. That area, we do not want to cut either, but the third area is the area where they mow areas along side the highway. Your sign replacement, your replacement of guard rails. Now this probably would not be done in the manner it is being done today, it wouldn't be done as quickly and it might not be done as thoroughly. Instead of cutting the grass at three inches, it might be cut at four inches and replacing the signs, it might not be done so frequently. I think this is a reasonable recommendation, if it doesn't work out, I don't know, but this is my best attempt and if you do defeat the pending amendment, we will offer this and if you defeat either one of the two amendments to be offered, then I would support Mr. Winship's amendment on a reconsideration motion.

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

Mr. FRASER: Mr. Speaker, Members of the House: The gentleman from Windham, Mr. Peterson, is not in favor of Mr. Winship's amendment because it takes out part of the regular program and I can't see where he is going to do much better and he's only talking about \$2.5 million where we need \$6,400,000. and any other amendments that are offered to take out another \$4 million is going to take up more services, I suppose dividing it up in two amendments doesn't make it look so bad but the difference is there just the same. You take \$6 million out of budget in order to fill another hole, you've got to cut some services somewhere. Looking at the whole thing, I'm not too fussy about even Mr. Winship's amendment because it takes yesterday but what there is left here today, I prefer his.

A roll call has been requested.

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

A vote of the House was taken and obviously 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 gentlewoman from Owls Head, Mrs. Post.

Mrs. POST: Mr. Speaker, I have a question I'd like to pose through the Chair to a member of the Transportation Committee if I could. I think in comparing the House Amendment to the original L. D. it seems there has been approximately \$700,000 found in surplus if you look at Section II, the amount of surplus that is going to be used to pay for a bond retirement, and I'd like to ask where that money came from and perhaps is there any more?

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

Mr. FRASER: In answer to the good lady, that is an amount of money that has to clear the budget every year, every time there is a budget because if we don't put money in there for bond retirement they'll probably foreclose.

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

Mr. JENSEN: Mr. Speaker: In answer to Mrs. Post's question, I think if you compare in the original bill on Page 4, item 0359 that's \$4,040,000 the first year, \$4,565,000 the second year with what is in the amendment. The amendment is reduced on that line to \$3,690,000 the first year, \$4,215,000 the second year. Now, go on to the next page, Page 5,0359 under current services, highway bond retirement, in the bill it's \$750,000 the first year, \$615,000 the second year. In the amendment, that's been increased to \$1,100,000 the first year and \$965,000 the second year, that is the question that I raised before and I don't remember exactly what the answer was that was given to me by the department but it appears to be a game of musical chairs where you are just changing it from one line within the budget to another and I don't understand the reason for it but I don't believe it is additional money that has been found.

A roll call was ordered.

The SPEAKER: The pending question before the House is the adoption of House Amendment "C". Those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Ault, Bennett, Berry, G. W.; Blodgett, Bowie, Carpenter, Carroll, Clark, Connors, Cote, Cox, Curtis, Dow, Dudley, Durgin, Farnham, Fenlason, Finmore, Flanagan, Fraser, Hall, Higgins, Hinds, Hunter, Immonen, Kelley, Kennedy, Laverty, LeBlanc, Leonard, Lewin, Littlefield, Mackel, Maxwell, McMahon, Pearson, Powell, Rideout, Rolde, Rollins, Saunders, Shute, Smith, Sprowl, Stubbs, Teague, Theriault, Tierney, Wagner, Winship, The Speaker.

NAY — Bagley, Berry, P. P.; Berube, Birt, Boudreau, Burns, Bustin, Byers, Call, Carey, Carter, Chonko, Churchill, Connolly, Cooney, Curran, P.; Curran, R.; Dam, Davies, DeVane, Doak, Drigotas, Dyer, Farley, Faucher, Garsoe, Goodwin, H.; Goodwin, K.; Gray, Greenlaw, Henderson, hennessee, Hewes, Hobbs, Hutchings, Ingegneri, Jackson, Jacques, Jalbert, Jensen, Joyce, Kany, Kelleher, Laffin, Lewis, Lovell, MacEachern, MacLeod, Martin, A.; McBreaity, McKernan, Miskavage, Mitchell, Morton, Mulkern, Nadeau, Najarian, Palmer, Pelosi, Perkins, S.; Perkins, T.; Peterson, P.; Peterson, T.; Pierce, Post, Raymond, Silverman, Snow, Snowe, Spencer, Strout, Susi, Talbot, Tarr, Torrey, Tozier, Twitchell, Usher, Walker, Webber, Wilfong.

ABSENT — Albert, Bachrach, Gauthier, Gould, Hughes, Kauffman, LaPointe, Lizotte, Lunt, Lynch, Mahany, Martin, R.; Mills, Morin, Norris, Peakes, Quinn, Truman, Tyndale.

Yes, 51; No, 81; Absent, 19.

The SPEAKER: Fifty-one having voted in the affirmative and eighty-one in the negative and nineteen being absent, the motion does not prevail.

Mr. Jensen of Portland offered House Amendment "F" and moved its adoption.

House Amendment "F" (H-852) was read by the Clerk.

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

Mr. JENSEN: Mr. Speaker, Ladies and Gentlemen of the House: This amendment in conjunction with the amendment Mr. Peterson will offer afterwards, if it succeeds, will do, in essence, I think what we have been talking about over the last week or so. It will reinstitute general road improvement, it will reinstitute local winter maintenance, it will cut state aid construction in special hardship cases, it will cut summer maintenance and it will reduce funds which have been suggested by the department. If you wish to fund these two programs, then I would ask you to vote in favor of my motion.

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

Mr. MORTON: Mr. Speaker, I would like to address a question to the gentleman from Portland, the question is, has this been gone over with the Department of Transportation that they had any input to this in any way?

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

Mr. JENSEN: Mr. Speaker, in response to the gentleman, the answer is yes, the department has seen the biggest part of this. They haven't seen it as it was finally amended, I suspect what they have not seen is summer maintenance reduction because it didn't occur until this morning or this afternoon, there just wasn't time; however, the other cuts were either suggested by the department or they were aware of them.

The SPEAKER: The Chair recognizes the gentleman from Perham, Mr. McBreaity.

Mr. McBREAITY: Mr. Speaker and Members of the House: Our Governor claims he is not a politician, I believe he is one of the shrewdest politicians I ever saw or heard of. I agree with Mr. Susi. I strongly feel we should let the Governor live with his budget and turn down all amendments. When people realize that the Governor's fee bill got half the money needed from just a few and the towns have to pay the rest, people might realize where the problem is.

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

Mr. DeVANE: Mr. Speaker, I move the indefinite postponement of this amendment and would ask for the yeas and nays.

The SPEAKER: The Chair recognizes the gentleman from Blue Hill, Mr. Perkins.

Mr. PERKINS: Mr. Speaker, an observation if I may. The Governor, in his letter, has said to us that these towns, if they favor home rule, must go back. I'm sure my towns would favor going back to home rule and they would trade the

education subsidy for the highway subsidy.

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

Mr. BURNS: Mr. Speaker, Ladies and Gentlemen, of the House: I wrestled with this problem for a long time. I was ready to go for the gas tax because I thought that was a responsible way to go. I thought we would be copping out and playing politics if we go with the Governor and the Governor's budget. Mr. Longley told us today that this is what he wants to do. I am in favor of indefinite postponement of all amendments and let it ride.

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 Windham, Mr. Peterson.

Mr. PETERSON: Mr. Speaker, Men and Women of the House: I wish that you would look at House Amendment "F" very carefully. I support it; it goes in conjunction with House Amendment "E". We have made very strident attempts to see that this budget is in balance, we tried to make responsible cuts. The cuts that my amendment propose are less than five percent of summer maintenance, that is less than five percent of \$40 million. I don't think that we should lose our heads and blame this all on the gentleman down on the second floor. I think that we have an obligation to the communities. If you defeat this amendment and my amendment, as I said before, I would support Mr. Winship's amendment; but these amendments try to put back in snow removal and town road improvement. I think we made responsible cuts and I don't think they will cripple the highway department. I urge your support.

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

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House: Throughout the entire debate and consideration of the highway budget, I like to think that I have acted responsibly in that I have voted at one time or another for the fee bill, for the increased registration and for the gas tax. I also feel and know that I wanted to see put back into the budget the items which the Governor had cut from that budget. We have had the opportunity in this House, we have put those items back in and we have not seen fit to fund them.

At this particular point in time, with the respect that I have, and I do have respect for all three of the gentlemen who have these amendments, I do not believe in having three or four more Commissioners of Transportation. I think the present one worked on the original budget very, very diligently, I think it should be left alone. If we cannot find a way to put the snow removal and maintenance back into the budget, if we cannot stand up and fund it, then I think we should cut it out as we have and give the Governor his budget; not with vindictiveness but because we, ourselves, couldn't agree on what we wanted to do.

The SPEAKER: A roll call has been ordered. The pending question is on the motion of the gentleman from Ellsworth, Mr. DeVane, that House Amendment "F"

be indefinitely postponed. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Bagley, Bennett, Berry, G. W.; Berry, P. P.; Berube, Birt, Blodgett, Boudreau, Burns, Bustin, Byers, Call, Carey, Carpenter, Carroll, Carter, Connors, Cote, Cox, Curran, R.; Curtis, Dam, DeVane, Dow, Drigotas, Dudley, Durgin, Dyer, Farley, Faucher, Fenlason, Finemore, Flanagan, Fraser, Garsoe, Gray, Hall, Hennessey, Higgins, Hinds, Hunter, Hutchings, Immonen, Jackson, Jacques, Jalbert, Joyce, Kelleher, Laffin, Laverty, LeBlanc, Lewin, Lewis, Littlefield, Lovell, MacEachern, MacLeod, Martin, A.; Maxwell, McBreairty, McKernan, Miskavage, Morton, Nadeau, Najarian, Palmer, Pelosi, Perkins, S.; Perkins, T.; Peterson, P.; Pierce, Raymond, Rideout, Rolde, Rollins, Saunders, Shute, Smith, Snow, Snowe, Sprowl, Stubbs, Susi, Talbot, Tarr, Teague, Theriault, Torrey, Twitchell, Usher, Walker, Webber, Winship.

NAY — Ault, Bachrach, Bowie, Chonko, Churchill, Clark, Cooney, Curran, P.; Davies, Doak, Goodwin, H.; Goodwin, K.; Greenlaw, Henderson, Hewes, Hobbins, Ingegneri, Jensen, Kelley, Kennedy, Leonard, Mackel, McMahon, Mitchell, Mulkern, Pearson, Peterson, T.; Post, Powell, Silverman, Spencer, Strout, Tierney, Tozier, Wagner, Wilfong.

ABSENT — Albert, Connolly, Farnham, Gauthier, Gould, Hughes, Kany, Kauffman, LaPointe, Lizotte, Lunt, Lynch, Mahany, Martin, R.; Mills, Morin, Norris, Peakes, Quinn, Truman, Tyndale.

Yes, 93; No, 36; Absent, 21.

The SPEAKER: Ninety-three having voted in the affirmative and thirty-six in the negative, with twenty-one being absent, the motion does prevail.

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

Mr. JENSEN: Mr. Speaker, I would pose a question to anyone who may answer it. There is \$600,000 in costs to the highway department to pay for the Blue Cross-Blue Shield that we gave state employees. Is that within this budget and if so, where is it?

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

Mr. FRASER: Mr. Speaker, in our talk this morning, I understood that it was not in the budget. Somehow Mr. Mallar will have to find a way to put it in.

The SPEAKER: The Chair recognizes the gentleman from Milo, Mr. Winship.

Mr. WINSHIP: Mr. Speaker and Members of the House: It is in this Allocation Act, which is Amendment "C" that I had, the total funding of the highway for two years is in this. This is the Allocation Act.

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

Mr. JENSEN: Mr. Speaker, that being the case, if the money is not in there, then I think, as Mr. Palmer has said, we have got to be responsible. I think we have got to make sure that money is in there. I don't think we can pass a budget with a \$600,000 cut necessary within that department without knowing where it is. I think what we are doing, we are giving our legislative power to produce budgets, to set priorities, to a bureaucrat.

The SPEAKER: The Chair would answer that if the gentleman had voted for House Amendment "C" it would not have been a problem.

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

Mr. PALMER: Mr. Speaker, to say that had we passed even the motor vehicle fee and left the budget as it was, we would have had somewhat of a deficiency which could have been taken care of, I believe it was \$1.2 million, and the Commissioner could have taken care of it. So if he had taken care of \$1.2 million then, I am sure he can take care of \$600,000 now and I am sure he will.

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

Mr. BURNS: Mr. Speaker and Ladies and gentlemen of the House, the Bill on the Blue Cross-Blue Shield, I think went through here some time ago, it was signed into law some time ago. This letter is dated June 27th, that is today and he said he wants his budget back intact and he has it.

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

Mr. GOODWIN: Mr. Speaker and Men and Women of the House: Something that Mr. Palmer from Nobleboro has just said kind of bothers me about being able to find \$1.2 million just like that I don't quite understand that. I thought the department heads, and I thought the Honorable Governor had given us a bare bones budget. I am not really sure about what he means about being able to find \$1.2 million or being able to find \$600,000. This kind of bothers me, I think that we ought to take a little harder look — I had hoped the Transportation Committee would take a little harder look at this.

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

Mr. FRASER: Mr. Speaker and Members of the House: The amendment proposed to us earlier this afternoon calls for five or six million to be pruned out of the budget as it is, and I'm sure that Mr. Mallar can find \$600,000.

The SPEAKER: The Chair recognizes the gentleman from Milo, Mr. Winship.

Mr. WINSHIP: Mr. Speaker, Ladies and Gentlemen of the House: These other appropriations, allocations that were cut will make up for this snow removal and the \$600,000 for the Blue Cross and Blue Shield. This is a balanced budget without any additional funds. When you passed the fee bill, this took care of all of this and those figures are in this.

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

Mr. PETERSON: Mr. Speaker, I would move reconsideration whereby we indefinitely postponed House Amendment "C".

I did vote against amendment "C" because I wanted to have an opportunity to present my amendment and Mr. Jensen to have an opportunity to present his amendment. We have done that. Mr. Jensen's amendment has been indefinitely postponed. I think the responsible thing to do is to adopt Mr. Winship's amendment, Amendment "C" and send it back to the other body.

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

Mr. STROUT: Mr. Speaker, I would like to pose a question, first off. This bill would be going back for the engrossing, it is not up for enactment?

The SPEAKER: The Chair would answer that prior to engrossing it would have to go to the other body.

Mr. STROUT: Mr. Speaker, Ladies and Gentlemen of the House: It is my understanding, as of June 27, 1975, that L.D. 917 was killed in the other body and I would just like to relate to you that I think

before we get up to enactment on this, that maybe we should reconsider the amendment that was offered by the gentleman from Milo, Mr. Winship.

I am going to read a couple paragraphs from the Attorney General's Office: "Following your receipt of my letter of June 3 concerning the referenced bill, we had a conversation in which you requested additional information. Specifically you asked to be advised whether in the event the funding provisions for winter maintenance in L.D. 1332 is not enacted, such funding is possible by some other means?" Before I go any further I would say that if you defeated his amendment and did not put the winter maintenance for town ways back in, then I am going to tell you what would be the following: "After we talked I had a telephone conversation with Assistant Attorney General Asa C. Richardson from the Department of Transportation and he tells me that if L.D. 1332 is not enacted to provide funding for winter maintenance on accepted ways and if L.D. 917 is likewise not enacted so that the state remains obligated for winter maintenance on accepted ways, then there will be insufficient funds for the Department of Transportation to fully perform winter maintenance."

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

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: I would hope you would not vote for reconsideration because, as the good gentleman from Anson said, evidently the money must be in the budget because the Governor's letter dated June 27th asked us to leave the budget intact. I would hope that we would maintain our same position and we would not vote for reconsideration and would still hold our position of having not adopted Amendment "C" and I would hope that we would stand firm.

The SPEAKER: The pending question is on the motion of the gentleman from Windham, Mr. Peterson, that the House reconsider its action whereby it failed to adopt House Amendment "C". All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

Thereupon, Mr. Sprowl of Hope requested a roll call vote.

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

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

The SPEAKER: The Chair recognizes the gentleman from Hope, Mr. Sprowl.

Mr. SPROWL: Mr. Speaker, I would like to know if this hasn't been funded by the fee bill that we passed. Isn't this amendment funded at this point?

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

Mr. PALMER: Mr. Speaker and Members of the House: I think the method of funding for Blue Cross Blue Shield which is passed for the employees could be funded and will be taken care of in the Governor's budget regardless of whether we have it carefully delineated here or not. The money is there and I think the gentleman from Mexico, Mr. Fraser, made that statement. We do not have to reconsider this motion just for that one purpose.

I want to add just a remark or two. It is

not the way I wanted to go originally but I think that all things are the art of compromise and people working together in a reasonable fashion, but I think we've had before us, and I don't want us to lose sight of it right now on this vote, we had before us several alternatives, one which was the Governor's budget which did cut out certain amounts of money for the towns and which counted on the fee bill, which has been passed and signed, to fund it. So the Governor's budget, as he originally gave it to us, without any money for the towns, the town road improvement and the winter maintenance, etc., with the fee bill which has been passed and signed has been fully funded. We had that route to go, that is the route the Governor wanted to go.

We had another route we could go, which was to pass the gasoline tax. We did not do that and I am sure we are not going to do it; at least that is my appraisal of the situation at the present moment.

The third way we had to go was to increase the registration fees and put back in the money for the towns and we wanted to put back in the money for the towns and we didn't want to pay for it unless we turned around and redid the Governor's budget. I believe that even though it was not my first choice in the beginning, as we have defeated these amendments, we have been doing the responsible thing and we should end up giving the Governor his budget. We are on record, the people know that this House and the Senate wanted to go back and give the towns back their money. We failed, not alone because of Governor Longley, but because we also did not face up to the situation of being willing to pay for it. I hope we will not reconsider.

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

Mr. GOODWIN: Mr. Speaker, Men and Women of the House: I would hope that you would go along to reconsider so we can pass House Amendment "C". I am not all that happy about it but I do think that we have got to take a responsible position. To throw the thing back in the Governor's lap as he wanted it, if we know it is wrong, I feel is very irresponsible and strikes politics at highest order, blaming the other fellow so that we can look good. I would rather look responsible than look politically good.

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

Mrs. POST: Mr. Speaker and Men and Women of the House: I am not going to urge you to vote one way or the other on this particular motion because I'm undecided, but I have a point that I would like to raise because it bothers me. I think as we have been discussing all this over the last couple of days and especially the last few hours, when this budget was originally presented to us a few months ago, it was called a bare bones budget and there was no extra money and that was before anybody knew about the \$600,000 that was going to be needed for the Blue Cross-Blue Shield, and there wasn't any extra money available for the plowing of town roads, but now you know we are told that we can find that extra \$600,000. Now that we know about the Blue Cross-Blue Shield, we can take this budget which used to be bare-bones and now has a \$600,000 surplus somewhere and we can take this budget and find the \$600,000. Well, if we can find the \$600,000 now, why was it back then we couldn't find the \$600,000 and a little bit more, which leads me to believe

that I think that we need to adopt some of these amendments which will make some cuts in the transportation budget and at the same time provide the services for our communities.

I didn't come up here to represent Governor Longley and I didn't come up here to represent the Department of Transportation, I came up here to represent the people in my community and their needs and part of their needs is snow removal and town roads.

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

Mr. STROUT: Mr. Speaker, Ladies and Gentlemen of the House: The reason that I said I hope you will reconsider Mr. Winship's amendment, I think there are two very plain things here. His amendment does not increase the budget, all we have done is change things around and we still have the same proposal that the Governor gave us, and the way I see it today, I am very sincere in saying that if you don't adopt his amendment, we are going to be short \$1,700,000 for winter maintenance, because the state of Maine is going to be obligated to take care of winter maintenance for town ways. It is as simple as that; it is on the statutes. If you don't want to pass the amendment, you are still going to maintain town ways, winter maintenance, only you are going to be short \$1.7 million.

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

Mr. HINDS: Mr. Speaker, Ladies and Gentlemen of the House: If the members of the House are worrying about funding the Blue-Cross Blue Shield which was not known it was going to be funded until the other supplemental act was passed by the legislature, it can be done within the budget by the Department of Transportation going to the Governor and Council and requesting a change in allotments, so it can be done in your original budget if we do not reconsider this amendment and they can get this Blue Cross-Blue Shield money. I have just discussed this with the Commissioner of Transportation and he says that it can be done that way.

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

Mr. GREENLAW: Mr. Speakers, Ladies and Gentlemen of the House: I would like to urge you to please reconsider House Amendment "C" this afternoon. When the vote was taken to adopt it, I voted against it because I favored Mr. Peterson's amendment; his was defeated and now I think we ought to adopt this particular amendment.

I think one thing I would like to point out that has not been mentioned by the most previous speakers is the fact that Mr. Winship's amendment replaces the winter maintenance, and if we are not going to give the towns the town road improvement funds, I think the least we can do is reallocate some of the present budget. Now, this does not put the budget out of balance, it reallocates certain accounts and includes snow removal reimbursement. It also puts the Blue Cross-Blue Shield payments back in. I think Mr. Hinds is probably correct; I think the Commissioner can go to the Governor and Council and can get this appropriation, but I think the responsible thing to do this afternoon is to place it in the budget if we are going to be responsible legislators instead of trying to pass

comments back and forth about who is being responsible and who is being irresponsible. I urge you, please, to vote to reconsider this amendment.

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

Mr. SUSI: Mr. Speaker, Ladies and Gentlemen of the House: I hope you don't vote to reconsider. I think this is part of a much larger ball game. The gentleman from Stonington made the remark that if you followed my suggestion, it would mean additional burden on the property tax, and that is true, if that position prevailed which I don't expect it will at all.

I don't know that there is anyone in this body any more committed than I am for this state to assume a more progressive position in its tax policy. During the years that I have been here I have tried to work in this direction. I think we have had considerable success and now, not just in this instance but with general assistance and in many other instances, there is an attempt being made to put us into a more regressive posture, in big steps. Many others have made the same analysis. I think that we have been in retreat all during this session of the legislature. I think we have been straining our ears to hear every whisper out of the Executive quarters. I think just today one after another of us got up, trying to interpret the meaning of one man's thoughts as expressed in a letter and ready to jump in any direction to respond to that.

I think that before we reverse this trend that is being attempted on this, we're going to have to stand and take some ground and I think this is as good a time as any, right here on this issue, and I think that we have a lot of people out there who are already to support us if we will just furnish them a little leadership. We have an opportunity here now to say we're all done fooling and trying to cover up your tracks, we are going to take a position on this right now, and you take a taste of what this means and see if they want it. If they want it, then we lose, but I don't believe they do want it, I think they will go with us and that we will have our people again. We know them, as 180 legislators we know the people of Maine better than any one person does. I hope you vote not to reconsider.

The SPEAKER: A roll call has been ordered. The pending question is on the motion of the gentleman from Windham, Mr. Peterson, that the House reconsider its action whereby it failed to adopt House Amendment "C". All in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Ault, Bachrach, Blodgett, Carpenter, Carroll, Chonko, Clark, Conners, Cooney, Curtis, Davies, Durgin, Farnham, Fenlason, Finemore, Flanagan, Fraser, Goodwin, H.; Goodwin, K.; Greenlaw, Hall, Henderson, Higgins, Hobbins, Hunter, Hutchings, Immonen, Jackson, Jensen, Kelley, Kennedy, LeBlanc, Leonard, Littlefield, Mackel, MacLeod, McMahon, Mitchell, Pearson, Perkins, T.; Peterson, T.; Post, Powell, Rolde, Rollins, Shute, Silverman, Smith, Spencer, Sprowl, Strout, Stubbs, Tierney, Tozier, Wagner, Wilfong, Winship, The Speaker.

NAY — Bagley, Berry, G. W.; Berry, P. P.; Berube, Birt, Boudreau, Bowie, Burns, Bustin, Byers, Call, Carey, Carter, Churchill, Cote, Cox, Curran, P.; Curran, R.; Dam, DeVane, Doak, Dow, Drigotas, Dudley, Dyer, Farley, Faucher, Garsoe, Gray, Hennessey, Hewes, Hinds, Hughes, Ingegneri, Jacques, Jalbert, Joyce, Kany, Kelleher, Laffin, Laverty, Lewin, Lewis,

Lovell, MacEachern, Martin, A.; Maxwell, McBreairty, McKernan, Miskavage, Morton, Mulkern, Nadeau, Najarian, Palmer, Pelosi, Perkins, S.; Peterson, P.; Pierce, Raymond, Rideout, Saunders, Snow, Snowe, Susi, Talbot, Tarr, Teague, Theriault, Torrey, Twitchell, Usher, Walker, Webber.

ABSENT — Albert, Connolly, Gauthier, Gould, Kauffman, LaPointe, Lizotte, Lunt, Lynch, Mahany, Martin, R.; Mills, Morin, Norris, Peakes, Quinn, Truman, Tyndale. Yes, 59; No, 74; Absent, 18.

The **SPEAKER**: Fifty-nine having voted in the affirmative and seventy-four in the negative, with eighteen being absent, the motion does not prevail.

Mr. Davies of Orono requested a roll call vote on passage to be engrossed.

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

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

The **SPEAKER**: The pending question is on passage to be engrossed in non-concurrence. All in favor of this Bill being passed to be engrossed will vote yes; those opposed will vote no.

ROLL CALL

YEA — Bagley, Bennett, Berry, G. W.; Berry, P. P.; Berube, Birt, Blodgett, Boudreau, Bowie, Burns, Bustin, Call, Carey, Carpenter, Carroll, Carter, Chonio, Churchill, Clark, Cote, Cox, Curran, P.; Curran, R.; Curtis, Dam, DeVane, Doak, Dow, Drigotas, Dudley, Durgin, Dyer, Farley, Faucher, Fenlason, Finemore, Flanagan, Fraser, Garsoe, Goodwin, K.; Hennessey, Hewes, Higgins, Hinds, Hughes, Immonen, Ingegneri, Jackson, Jacques, Jalbert, Joyce, Kany, Laffin, Laverty, LeBlanc, Lewin, Lewis, Littlefield, Lovell, MacEachern, Mackel, MacLeod, Maxwell, McBreairty, McKernan, McMahon, Miskavage, Morton, Mulkern, Nadeau, Najarian, Palmer, Pelosi, Perkins, S.; Peterson, P.; Powell, Raymond, Rolde, Rollins, Saunders, Snowe, Sprowl, Susi, Talbot, Tarr, Teague, Theriault, Torrey, Twitchell, Walker, Webber.

NAY — Ault, Bachrach, Connors, Cooney, Davies, Farnham, Goodwin, H.; Gray, Greenlaw, Hall, Henderson, Hobbins, Hunter, Hutchings, Jensen, Kelleher, Kelley, Kennedy, Leonard, Martin, A.; Mitchell, Pearson, Perkins, T.; Peterson, T.; Pierce, Post, Rideout, Shute, Silverman, Smith, Snow, Spencer, Strout, Stubbs, Tierney, Tozier, Usher, Wagner, Wilfong, Winship, The Speaker.

ABSENT — Albert, Byers, Connolly, Gauthier, Gould, Kauffman, LaPointe, Lizotte, Lunt, Lynch, Mahany, Martin, R.; Mills, Morin, Norris, Peakes, Quinn, Truman, Tyndale.

Yes, 91; No, 41; Absent, 19.

The **SPEAKER**: Ninety-one having voted in the affirmative and forty-one in the negative, with nineteen being absent, the motion does prevail.

By unanimous consent, ordered sent forthwith to the Senate.

The following paper appearing on Supplement No. 14 was taken up out of order by unanimous consent:

Resolution, Proposing an Amendemnt to the Constitution to Provide for Annual Sessions of the Legislature with Limits on the Matters which may be Considered in

the Second Regular Session of Each Biennium and to change the Date of Convening of the Legislature (H. P. 1510) (L. D. 1827) (H. "C" H-851)

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. 103 voted in favor of same and 10 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

By unanimous consent, ordered sent forthwith.

The following paper appearing on Supplement No. 12 was taken up out of order by unanimous consent:

An Act Relating to Public Compensation to the Victims of Crime (H. P. 1401) (L. D. 1787) (H. "A" H-747, S. "A" S-386, C. "A" H-730)

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

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

Mr. **BIRT**: Mr. Speaker, Ladies and Gentlemen of the House: I am not a hundred percent sure that I am going in the right direction in the motion that I am going to make, but I think I am going to make a motion to indefinitely postpone this bill.

I think this is another area that we are getting into that someday we may be sorry. I could be right and I could be wrong. I think there is an appropriation, as I remember, of \$30,000 on this, which \$18,400 goes to hire two people. I can envision someday down the road that this could be a very expensive piece of legislation.

The day may come when we may have to do that type of thing but I think until such time as we do, I don't know that I want to embark on this plan. I would move for indefinite postponement of this bill.

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

Mrs. **NAJARIAN**: Mr. Speaker, the amendment reduces the appropriation from \$83,000 in the first year and \$85,000 in the second year to \$50,000 only in the second year and I hope you will not indefinitely postpone this bill.

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

Mr. **HEWES**: Mr. Speaker, Ladies and Gentlemen of the House: I would support the motion of the good gentleman from East Millinocket, Mr. Birt, to indefinitely postpone this. As the good lady from Portland just said, the appropriation has been cut way down. Originally the appropriation was \$300,000, and it was gradually cut down and I don't think it will perform the work that was originally intended.

This is a bill that would allow people whose property has been damaged or people who had been hurt by criminals to receive state compensation. I think the wrongdoer is the one who should do the compensating. I have seen how AFDC matters have worked and the father is supposed to reimburse the state for support wherein state paid for the AFDC beneficiary and the father doesn't do that, and I don't think it in our best interest to pass the law at this time and I hope you

will support the indefinite postponement of this motion.

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

Mr. **COTE**: Mr. Speaker, Ladies and Gentlemen of the House: I support this bill. We gave in this House this morning \$50,000 to the poor lawyers for the Pine Tree Legal, and I guess we can compensate those people who get hurt when a crime occurs.

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

Mr. **ROLDE**: Mr. Speaker, Ladies and Gentlemen of the House: I, too, hope that you won't indefinitely postpone this bill. In many of the debates that we have on law and order measure here I heard the cry very often, we are coddling the criminals, we never think of the victims. This is a bill that thinks of the victims and I think it is a very important and a very innovative bill and I hope you will not vote to kill it today.

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

Mr. **BURNS**: Mr. Speaker, Ladies and Gentlemen of the House: I would just like to remind you of the remarks that I made on this when it went through before. It is an excellent piece of legislation. I wish that I could support it because it is something that we need, but we just flat can't fund this. We have just finished dealing with 1994, and if this goes through, we are going to be opening up the whole thing all over again.

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

Mr. **DUDLEY**: Mr. Speaker, Ladies and Gentlemen of the House: This is another bill to really deceive the people and I think it deceives some of us. The original bill and the financing of this was a lot of money. What it has been cut down to, I hope nobody just puts personnel on and set it up so they will be in a position for current services next year and try to get \$400,000. I think when we get ready to finance it, we could pass this, but I don't think it right to hire people for personnel, start something that we don't have anything to finance it with. In other words, give them a job with nothing to do, that is about what it amounts to. It just deceives people and I think it deceives some people in the House.

I very definitely support the motion to indefinitely postpone until such time we can possibly fund it. Without funding, we are not getting anywhere, just hiring personnel and making a job for somebody and then if anyone applies for the funds, there are no funds.

The **SPEAKER**: The Chair recognizes the gentleman from Winslow, Mr. Carter.

Mr. **CARTER**: Mr. Speaker, Ladies and Gentlemen of the House: I hope at this point that the House will remain consistent in its actions. First of all, I would like to remind you that this talk about funding, in my mind, is not valid for several reasons: Number one, if you will take a look at one of the previous bills that we passed this morning, enacted for the Maine Vocational Development Commission, that amount was cut down from \$400,000 to \$10,000 for two years. I heard nobody speak in opposition to the bill about adequate funding.

Secondly, this bill has an appropriation of \$50,000 and the bill becomes effective only in the second year of the biennium. Yesterday, I did a little skating, I called on the Director of LDEGA, Jack Leet, and asked him about this bill and the end result was that he told me that they were very much interested in it and suggested that I

contact the regional director, which I did, Mr. Ray Boggs.

Consequently, if you will look at the amendment that was added on this afternoon, Senate Amendment 386, you will note that there has been a sentence added and I quote, "the board shall be authorized to accept and administer according to law loans, grants or other funds or gifts from the federal government and from other sources, public or private for carrying out its functions under this chapter." This means that there is a very distinct possibility that federal funds will be available and we have an entire year to work on it.

As it has been pointed out to you before, this is one of the bills, I think probably one of the only bills in this session that is going to benefit all the people of the State of Maine. It is not any special group. The only thing that you might say is special about this group is they are the unfortunate, innocent victims of crime and it applies only for out-of-pocket expenses, which means it is over and above insurances or workman's comp., social security, etc. Consequently, it is not going to require as much money as some people think it will. It applies only for loss of income in excess of \$100 a week and for medical expenses over and above what is not covered by insurance.

I think this is an excellent bill, it is true that it is heading in a new direction and its a direction, incidentally, that has been recommended by the President of this country in the past several weeks and I think we would be doing the right thing by enacting this bill and I would hope that you would remain consistent and vote for enactment of this bill. I would request the yeas and nays when the vote is taken.

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

Mr. LAFFIN: Mr. Speaker, Ladies and Gentlemen of the House: I certainly hope that we will not postpone this bill. Last week, the President of the United States, through Congress, appropriated money for victims of crimes and it is going in the right direction. I don't have the facts and figures with me because they were filed and they are in my car, I didn't know we were going to talk on this today. Being a freshman, I will have to accept that blame. But I certainly support this bill, it is a good bill and it is showing the people of this state that this legislature has some consideration for the victims of other people in this state.

The SPEAKER: The pending question before the House is on the motion of the gentleman from East Millinocket, Mr. Birt, that L. D. 1787 be indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

27 having voted in the affirmative, and 95 in the negative, the motion did not prevail.

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

The following paper appearing on Supplement No. 15 was taken up out of order by unanimous consent:

An Act Increasing the State Gasoline Tax (Emergency) (H. P. 1055) (L. D. 1332) which Failed of Enactment in the House on June 26 (Having been passed to be engrossed as amended by Committee Amendment "A" (H743) on June 25).

Came from the Senate passed to be Enacted in non-concurrence.

In the House:

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

Mr. FAUCHER: I move that we adhere and would ask for a roll call.

The SPEAKER: In order for the Chair to order a roll call, it must have the expressed desire of one fifth of the members present and voting. Those in favor 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 on the motion of the gentleman from Solon, Mr. Faucher, that the House adhere. Those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Ault, Bachrach, Bennett, Berry, G. W.; Berry, P. P.; Berube, Birt, Boudreau, Bowie, Burns, Bustin, Call, Carey, Carpenter, Carter, Chonko, Churchill, Clark, Connors, Cote, Curran, P.; Curran, R.; Curtis, Dam, Davies, Doak, Dow, Drigotas, Dudley, Durgin, Dyer, Farley, Faucher, Finemore, Flanagan, Garsoe, Goodwin, H.; Goodwin, K.; Gray, Hall, Henderson, Hennessey, Hewes, Higgins, Hinds, Hobbins, Hughes, Jackson, Jacques, Jalbert, Jensen, Joyce, Kany, Kelleher, Kennedy, Laffin, Laverty, Leonard, Lewin, Lewis, Lovell, MacEachern, Mackel, Martin, A.; McBreairty, McKernan; McMahan, Mitchell, Mulkern, Nadeau, Najarian, Palmer, Pearson, Pelosi, Perkins, S.; Peterson, P.; Peterson, T.; Pierce, Post, Powell, Raymond, Rideout, Rolde, Saunders, Silverman, Smith, Snowe, Spencer, Talbot, Tarr, Teague, Theriault, Tierney, Torrey, Tozier, Twitchell, Usher, Walker, Wilfong, The Speaker.

NAY — Bagley, Byers, Cox, DeVane, Farnham, Fenlason, Fraser, Greenlaw, Hunter, Hutchings, Immonen, Ingegneri, Kelley, MacLeod, Maxwell, Morton, Perkins, T.; Rollins, Shute, Snow, Stubbs, Susi, Wagner.

ABSENT — Albert, Blodgett, Carroll, Connolly, Cooney, Gauthier, Gould, Kauffman, LaPointe, LeBlanc, Littlefield, Lizotte, Lunt, Lynch, Mahany, Martin, R.; Mills, Miskavage, Morin, Norris, Peakes, Quinn, Sprowl, Strout, Truman, Tyndale, Webber, Winship.

Yes, 100; No, 23; Absent, 28.

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

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

Mr. GOODWIN: Mr. Speaker, I move that we reconsider and hope that you all vote against me.

The SPEAKER: The gentleman from South Berwick, Mr. Goodwin, having voted on the prevailing side, now moves that we reconsider our action whereby the House voted to adhere. Those in favor will say yes; those opposed will say no.

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

The following paper appearing on Supplement No. 13 was taken up out of order by unanimous consent:

The following Joint Order: (S. P. 612)

WHEREAS, the Honorable Jane Callan Kilroy of Portland served as a Member of the Legislature for many years, and during that time was an inspiration to its members; and

WHEREAS, she was noted for her sunny wit, her helpful smile, and her kind advice; and

WHEREAS, during the last days of previous legislative sessions, she often led the Legislature in song, its members gathered in the rotunda of the state house, their voices lifted in fond remembrance of the contests and glories of the session almost past; and

WHEREAS, it is most appropriate for the Legislature to show its respect and admiration for her in a manner which she would have appreciated and enjoyed; now, therefore, be it

ORDERED, the House concurring, that, in honor of Representative Jane Callan Kilroy who inspired us so often to find melodies and soaring song, a piano be moved into the rotunda of the state house during the 107th legislative day of the Legislature, to enable Legislators and passers-by to commemorate in music the glorious session almost past; and be it further

ORDERED, that upon passage in concurrence, a delegation composed of 2 Senators appointed by the President of the Senate and 2 Representatives appointed by the Speaker of the House be sent forthwith to bring a suitable piano into the rotunda to carry out the purposes of this Order.

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

Thereupon, the Speaker appointed the gentleman from Waterville, Mr. Carey and the gentleman from Westbrook, Mr. Laffin, to perform the duties described in the order.

The following paper appearing on Supplement No. 16 was taken up out of order by unanimous consent:

Committee on Appropriations and Financial Affairs reporting "Ought to Pass" — pursuant to Joint Order S. P. 601 on Bill "An Act Making Additional Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1976 and June 30, 1977" (S. P. 609) (L. D. 1945)

Came from the Senate with the Report read and accepted and under suspension of the rules, the Bill read twice and passed to be engrossed as amended by Senate Amendment "A" (S-387).

In the House, the Report was read.

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

Mr. MCKERNAN: Mr. Speaker, Ladies and Gentlemen of the House: I hope that we would accept this. The bill was printed and on our desks when we got here this morning, it is L. D. 1945.

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

Mr. AULT: Mr. Speaker, Ladies and Gentlemen of the House: I have a question on Page 3 relative to \$25,000 for the Saco River Corridor Commission, and I would like to know what the money is going to be spent for and specifically I would like to know if any of it is going to be used to reimburse Mr. Carey's friend, the high paid lobbyist who was up here lobbying for the Saco River Corridor against the Arrowhead development?

The SPEAKER: The gentleman from Wayne, Mr. Ault, has posed a question through the Chair to any member of the Appropriations Committee who might care to answer.

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

Mr. SMITH: Mr. Speaker, Ladies and

Gentlemen of the House: The \$25,000 to which the gentleman from Wayne, Mr. Ault referred is for operating expenses for the Saco River Corridor Commission as I understand it. I would point out that the language that appears under that place on Page 3 that he is talking about, it has been deleted by the Senate Amendment and it is \$25,000 in the first year for the Saco River Corridor Commission.

Thereupon, the Report was accepted and the bill read once. Senate Amendment "A" (S-387) was read by the Clerk and adopted.

Under suspension of the rules, the Bill was read a second time and passed to be engrossed in concurrence.

By unanimous consent, ordered sent forthwith.

Mr. Morton of Farmington was granted unanimous consent to address the House:

Mr. MORTON: Mr. Speaker, Ladies and Gentlemen of the House: I have no intention of doing it with this bill, of course, but I would point out that under Education and Cultural Services, the items on All Other are a \$102,285. I think I recall that that is about \$10,000 short because it does not include the original amount that was transferred by the Appropriations Committee prior to getting the bill where we transferred the 5½.

Mr. Smith of Dover-Foxcroft was granted unanimous consent to address the House:

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: I am not sure that that question is absolutely clear to me but I will interpret it as I understood it. It may not be accurate and can be corrected later by the gentleman from Farmington if I am not correct.

If he is referring to the deferral of payment to the Teacher's Retirement System, which was at issue in the supplemental act, it is my understanding that this \$102,000 is the interest figured in its entirety and is not short at all. Some people were doing some figuring on the interest on their own and they were coming up with erroneous figures because they didn't realize that the entire amount was going to be withheld — only part of the amount the entire year was going to be withheld and in fact over the period of the first fiscal year the amount was going to increase and it was not going to be at the highest level for the entire period. So this cut the interest back considerably and I understand that this is now an accurate reflection without any shortage at all.

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

Mr. JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: I think the figures as given by Mr. Morton were his figures when he figured the interest of the \$400,000 and that \$10,000 would be picked up later on. It is not involved. The only \$102,000 we concern ourselves with is the \$5,400,000. The \$400,000 interest will be taken care of when we come back in September.

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

Mr. FARNHAM: Mr. Speaker, a question to anyone who may care to answer. I note under the Sternmen's part of the bill, Page 3, that it shows a revenue loss of \$14,300 and I can't understand why it would show a revenue loss?

The SPEAKER: The gentleman from Hampden, Mr. Farnham, has posed a

question through the Chair to anyone who may care to answer.

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

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: I think the gentleman may be misreading that, I don't see a revenue loss on the Sternmen's item. I see in the first year a blank and the second year \$14,000; there is no revenue loss that I see there.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert, who may proceed on the record.

Mr. JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: I can see where the gentleman from Hampden would be confused. The bill is passed with no funds, now we are funding it.

The SPEAKER: The Chair recognizes the gentleman from Hampden, Mr. Farnham, who may proceed on the record.

Mr. FARNHAM: Mr. Speaker, I would ask what is funding needed for? These people have been paying income taxes and now that they are going to be considered self-employed it does not reduce their liability for income taxes unless they are going to pretend that they don't have any income and don't file any income tax return.

Mr. Susi of Pittsfield was granted unanimous consent to address the House.

Mr. SUSI: Mr. Speaker, Ladies and Gentlemen of the House: In answer to the question, the bill was heard before the Taxation Committee and the explanation was made to the committee at the hearings by the head of the Income Tax Division that we do no auditing of personal income taxes in Maine at the present time. If this bill were enacted, which it was, then the Taxation Bureau felt that they would have to audit in these instances and so they needed a man to do this.

(Off Record Remarks)

On motion of Mr. Rolde of York,
Recessed until the sounding of the gong.

After Recess 7:40 p.m.

The House was called to order by the Speaker.

The following paper appearing on Supplement No. 17 was taken up out of order by unanimous consent.

An Act to Raise the Tax on Beer, Wine and Other Alcoholic Beverages to Provide Operating Funds for Alcohol Treatment Facilities (H. P. 773) (L. D. 944) which was Enacted in the House on June 11 and passed to be engrossed on June 11.

Came from the Senate indefinitely postponed in non-concurrence.

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

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: The hour is late and I will be very brief, but into the record I would like to get one statement. This, again, will show the people of the State of Maine how the lobbyist effort works. This was one of the best bills that we have had come before the Taxation Committee this session. It has put the burden for the funding of the alcoholic treatment centers directly on the cause of the need for the treatment centers, and that is the alcohol. But the lobbying effort has done their work and tonight we are killing the bill.

I am not going to ask you to make any different motion. I am not going to ask you to insist or anything like that, but I do want the record to show that the lobbying effort has worked very well in the State of Maine, and we are killing one of the best bills that has come before the Taxation Committee this session.

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

Mr. MULHERN: Mr. Speaker, I am going to be very brief, but I entirely concur with the remarks of the former speaker. I think this is one of the best bills we had. I have not voted previously for lowering the drinking age or doing any of these things because I didn't feel as though they were really attacking the problem at the source. I felt that this bill was an excellent piece of legislation, and I hate to see it go down the drain, but for the sake of getting things done, I won't make any motion unless somebody else wants to.

Thereupon, the House voted to recede and concur.

The following items appearing on supplement No. 18 were taken up order by unanimous consent:

An Act to Remove the Town of Medway from the Maine Forestry District (H. P. 228) (L. D. 284) which was enacted in the House on June 18 and passed to be engrossed as amended by House Amendment "A" (H-66) on March 12.

Came from the Senate indefinitely postponed in non-concurrence.

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

An Act to Exempt Incorporated Fire Fighters Associations from the Sales Tax (H. P. 156) (L. D. 191) which was enacted in the House on February 21 and passed to be engrossed on February 12.

Came from the Senate indefinitely postponed in non-concurrence.

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

The following items appearing on Supplement No. 19 were taken up out of order by unanimous consent:

An Act to Exempt Nonprofit Health Care Corporations from Sales Tax on Medical Supplies and Equipment Donated to Patients (H. P. 74) (L. D. 86) which was enacted in the House on April 22 and passed to be engrossed on April 15.

Came from the Senate indefinitely postponed in non-concurrence.

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

An Act to Exempt Nonprofit Historical Societies and Museums from Payment of Sales Tax (H. P. 1326) (L. D. 1627) which was enacted in the House on May 14 and passed to be engrossed on May 7.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

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

Mr. DAM: Mr. Speaker and Members of the House: When we started out on the first supplement, we hit something that was really a little dear to my heart and this one I will give a little more time.

Again, for the record, I would like to put in a few brief remarks that this bill, what it really did, was merely ask for a sales tax exemption for the historical and museum

societies in the State of Maine. These are societies that are trying to preserve a few of the historical buildings in the State of Maine. They are working on limited funds. The work is done in a great part — in fact, all the work is done by volunteers and a great part is done in the after work hours of these people. A lot of the work is done by older people. They go into these old one-room school buildings at nighttime, after supper, they scrub the woodwork, they scrub the floors, they try to restore that building and they try to keep it as a museum or historical site.

They work strictly on donations, very little donations at that. This bill did not have a very big price tag, if I can remember right, and they were not asking for too much, but they were asking for a helping hand. It surprises me that today, when actually we are on the eve of celebrating the 200th birthday of the United States of America, on the eve of the bicentennial celebration, that the other body could see fit not to grant a few hundred dollars to these organizations in their endeavor to maintain the buildings in the State of Maine.

In my years that I have spent on this earth and more than half of my life is already gone, as I have travelled across the state, more and more I have seen our small towns, towns that are being torn down, and even in the cities — and this little group of people that joined together, they try to save a building.

As I read about the State of Pennsylvania, through their legislature, they grant funds to these organizations to renovate and restore the buildings, and it surprises me that in a state like the State of Maine, where we should be proud of her heritage, we should be proud of our past and we should look to the future of the state and try to save some of the past heritage, it makes me wonder, when I see bills like this postponed, if this bicentennial celebration that is coming up in 1976, isn't it more of a mercenary affair than really an affair to preserve the heritage of our country and preserve a little of our illustrious past.

Again, on this bill, I am not going to ask for any motion, but it does disturb me when only a few hundred dollars could make a difference of whether these organizations are going to be able to renovate and retain these buildings for — and I won't say our children, because I am not married, but I will say for your children and their children and for the future.

Into the record today, I would like to put one thing, that in the little town four miles north of me, the Town of Cornville, on July 1 of this year, because of a group of interested citizens, asking no money from the federal government, no money from the taxpayers, again, one of these volunteer organizations saw fit to renovate a school that was over 80 years old and turn it into a town hall. To my knowledge, there is only one person from that first class that attended that school, and that first class consisted of six people, there is one person living today in a nursing home in Skowhegan, but because these people, the same people who have asked for this tax exemption, saw fit to go out on their own and restore this building and put it back into condition and to maintain this building and to keep it for the future generations, a town hall for the town of Cornville, this is what the people are asking for in this bill. They didn't ask for twenty, thirty or forty thousand dollars, they asked for a few lousy dollars.

Now, we cannot maintain the heritage of this country and of this state if we deny this, but evidently the other body has seen fit to deny it. At first, back two or three weeks ago, I thought of wanting to run for the other body, but when I read something like this, no—

The SPEAKER: Would the gentleman please confine his remarks to the bill.

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

Mr. WAGNER: Mr. Speaker, Ladies and Gentlemen of the House: It is a rare occasion when I can rise to endorse the position of the gentleman from Skowhegan, but tonight, I want to rise and endorse his position very heartily. He is absolutely right in saying that we should be providing a subsidy to these volunteer, non-profit historical societies in their hard fought efforts to maintain the heritage of our people rather than begrudging them this very small pittance of a sales tax exemption. He is absolutely right and I think we should be ashamed as legislators for taking this stand.

I would like to ask the Chair if it would be an obstructionist position to ask for a motion to adhere on this. I don't want in any way to be an obstructionist, but it galls me to have to vote to recede and concur in this action.

The SPEAKER: The pending question is to recede and concur. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

41 having voted in the affirmative and 27 having voted in the negative, the motion did prevail.

The following papers appearing on Supplement No. 20 were taken up out of order by unanimous consent:

An Act to Equalize the Offset of Workmen's Compensation Benefits Against Certain Retirement and Social Security Benefits (H. P. 1450) (L. D. 1721) which was enacted in the House on June 2 and passed to be engrossed as amended by Committee Amendment "A" (H-454) on May 27.

Came from the Senate having passed to be enacted on June 2, recalled from the Governor pursuant to Joint Order (S. P. 556) with enactment reconsidered, indefinitely postponed in non-concurrence.

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

Resolve, Proposing Study of the Implementation of State Ferry Service on Casco Bay (H. P. 1154) (L. D. 1448) which was enacted in the House on June 25 and passed to be engrossed as amended by Committee Amendment "A" (H-631) on June 4.

Came from the Senate indefinitely postponed in non-concurrence.

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

The following papers appearing on Supplement No. 21 were taken up out of order by unanimous consent:

An Act Exempting Machinery and Equipment used for Manufacturing and Research from Sales and Use Tax (H. P. 1325) (L. D. 1626) which was enacted in the House on May 29 and passed to be engrossed on May 22.

Came from the Senate indefinitely postponed in non-concurrence.

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

An Act to Exempt Scouting Supplies and

Equipment from State Sales Tax (H. P. 521) (L. D. 638) which was enacted in the House on April 16 and passed to be engrossed on April 9.

Came from the Senate indefinitely postponed in non-concurrence.

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

The following papers appearing on Supplement No. 22 were taken up out of order by unanimous consent:

An Act to Exempt Fuel Adjustment Charges from the Sales Tax (H. P. 189) (L. D. 266) which was enacted in the House on April 7 and passed to be engrossed on March 26.

Came from the Senate indefinitely postponed in non-concurrence.

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

An Act Exempting Alcohol and Drug Abuse Centers from Payment of State Sales Tax (Emergency) (S. P. 265) (L. D. 864) which was enacted in the House on May 20 and passed to be engrossed on May 15.

Came from the Senate indefinitely postponed in non-concurrence.

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

The following papers appearing on Supplement No. 23 were taken up out of order by unanimous consent:

An Act to Exempt New Machinery, Equipment and Supplies Used in Agricultural Production from the Sales Tax (H. P. 386) (L. D. 479) which was passed to be enacted in the House on May 30 and passed to be engrossed on May 20.

Came from the Senate indefinitely postponed in non-concurrence.

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

An Act Providing Funds for a Fishway to Sherman Lake Outlet in Newcastle (H. P. 221) (L. D. 277) which was passed to be enacted in the House on March 24 and passed to be engrossed on March 14.

Came from the Senate indefinitely postponed in non-concurrence.

In the House: On motion of Mrs. Byers of Newcastle, the House voted to recede and concur.

The following papers appearing on Supplement No. 24 were taken up out of order by unanimous consent:

An Act to Eliminate Certain Sales Taxes to Patients in Hospitals (H. P. 378) (L. D. 471) which was enacted in the House on March 24 and passed to be engrossed on March 12.

Came from the Senate indefinitely postponed in non-concurrence.

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

An Act Concerning Graves of Revolutionary War Veterans (H. P. 64) (L. D. 76) which was enacted in the House on March 24 and passed to be engrossed on March 14.

Came from the Senate indefinitely postponed in non-concurrence.

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

Mr. WILFONG: Mr. Speaker, I would move that we adhere.

I will just read the Statement of Fact. "The purpose of this bill is to provide a grant for grave markers for veterans of

the American Revolution." It is a \$500 figure, and I think that is a small amount of money for those people.

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

Mr. KELLEHER: Mr. Speaker, I move that the House recede and concur.

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 would not recede and concur. I would hope that we would vote to adhere. It might not actually do any good, but I think it would put the record of the House in the proper perspective. I think it would let the people of the State of Maine know that we do have concern for our war veterans. Actually, when you think of it, \$500 out of \$700 million spent in this state in the budget, to ask for \$500 a year for two years, I wouldn't even want to try to break this down into a percentage.

If we don't have any respect for the past, I just wonder where the future is leading us. As the good gentleman from Stow, Mr. Wilfong said, this is only a grant for grave markers of veterans of the American Revolution. This I don't think is asking too much. It is true that some of those people died a natural death, but it could also be true that some of them made the supreme sacrifice, and to ask for \$500 from the people of this State of Maine, I don't think is asking too much. Maybe the other body wouldn't change their minds, maybe it would still go down the drain, but I would like to see the House go on record as voting to adhere on this bill.

The SPEAKER: The Chair will order a vote. The pending question is on the motion of the gentleman from Bangor, Mr. Kelleher, 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. Dam of Skowhegan requested a roll call vote.

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

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

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

ROLL CALL

YEA — Bagley, Bennett, Berube, Boudreau, Bowie, Call, Carey, Carpenter, Carroll, Carter, Chonko, Churchill, Curran, P.; DeVane, Doak, Drigotas, Dudley, Dyer, Farley, Farnham, Fenlason, Finemore, Flanagan, Fraser, Garsoe, Goodwin, K.; Hennessey, Hewes, Higgins, Hunter, Immonen, Jackson, Kelleher, LeBlanc, Lewis, Littlefield, MacEachern, MacLeod, Maxwell, McBreairty, McMahon, Miskavage, Najarian, Palmer, Pelosi, Perkins, T.; Peterson, P.; Rideout, Rolde, Shute, Smith, Snow, Snowe, Spencer, Sprowl, Susi, Theriault, Torrey, The Speaker.

NAY — Ault, Berry, G. W.; Berry, P. P.; Burns, Byers, Clark, Connors, Cox, Curtis, Dam, Davies, Durgin, Faucher, Goodwin, H.; Hall, Henderson, Hinds, Hobbins, Hughes, Hutchings, Ingegnieri, Jensen, Joyce, Kelley, LaPointe, Laverly, Lewin, Lovell, Mackel, Mitchell, Mulkern,

Nadeau, Pearson, Perkins, S.; Post, Rollins, Saunders, Strout, Stubbs, Talbot, Tarr, Teague, Tierney, Twitchell, Usher, Wagner, Wilfong, Winship.

ABSENT — Albert, Bachrach, Birt, Blodgett, Bustin, Connolly, Cooney, Cote, Curran, R.; Dow, Gauthier, Gould, Gray, Greenlaw, Jacques, Jalbert, Kany, Kauffman, Kennedy, Laffin, Leonard, Lizotte, Lunt, Lynch, Mahany, Martin, A.; Martin, R.; McKernan, Mills, Morin, Morton, Norris, Peakes, Peterson, T.; Pierce, Powell, Quinn, Raymond, Silverman, Tozier, Truman, Tyndale, Walker, Webber.

Yes, 59; No, 48; Absent, 44.

The SPEAKER: Fifty-nine having voted in the affirmative and forty eight in the negative, with forty-four being absent, the motion does prevail.

An Act Increasing the Number of Official Court Reporters (S. P. 127) (L. D. 413) which was enacted in the House on March 4 and passed to be engrossed on February 26.

Came from the Senate indefinitely postponed in non-concurrence.

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

The following papers appearing on Supplement No. 25 were taken up out of order by unanimous consent:

An Act to Provide Excise Tax Refund for Construction and Operation of Breweries within the State (H. P. 369) (L. D. 463) which was passed to be enacted in the House on May 2 and passed to be engrossed on April 9.

Came from the Senate indefinitely postponed in non-concurrence.

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

An Act Relating to Educational Benefits for Dependents of Veterans and Prisoners of War and those Missing in Action (S. P. 118) (L. D. 383) which was passed to be enacted in the House on June 4 and passed to be engrossed as amended by Senate Amendment "A" (S-213) on May 30.

Came from the Senate indefinitely postponed in non-concurrence.

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

The following papers appearing on Supplement No. 26 were taken up out of order by unanimous consent:

Resolve, Providing for Purchase of Copies of Town Histories (H. P. 1381) (L. D. 1410) which was passed to be enacted in the House on April 14 and passed to be engrossed April 7.

Came from the Senate indefinitely postponed in non-concurrence.

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

An Act Relating to the Income Limitation of the Elderly Householders Tax and Rent Refund Act (H. P. 418) (L. D. 504) which was passed to be enacted in the House on June 18 and passed to be engrossed on May 16.

Came from the Senate indefinitely postponed in non-concurrence.

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

The following papers appearing on Supplement No. 27 were taken up out of order by unanimous consent:

An Act to Require the Bureau of

Purchases to Publish a Manual on State Purchasing (S. P. 323) (L. D. 1100) which was enacted in the House on April 28 and passed to be engrossed as amended by Committee Amendment "A" (S-60) on April 23.

Came from the Senate indefinitely postponed in non-concurrence.

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

An Act to Provide a Cost-of-living Increase to Supplemental Security Income Recipients (S. P. 349) (L. D. 1149) which was enacted in the House on May 27 and passed to be engrossed on May 21.

Came from the Senate indefinitely postponed in non-concurrence.

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

An Act to Expand Transportation Services of the Bureau of Maine's Elderly and to Provide Transportation of Blind, Disabled and Handicapped Persons (S. P. 466) (L. D. 1519) which was enacted in the House on May 16 and passed to be engrossed as amended by Committee Amendment "A" (S-126) on May 13.

Came from the Senate indefinitely postponed in non-concurrence.

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

The following papers appearing on Supplement No. 28 were taken up out of order by unanimous consent:

An Act to Amend the Taxing Provisions under the Catastrophic Illness and Medically Indigent Program (H. P. 1162) (L. D. 1461) which was enacted in the House on June 2 and passed to be engrossed as amended by Committee Amendment "A" (H-455) on May 27.

Came from the Senate indefinitely postponed in non-concurrence.

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

An Act to Create a Commission to Prepare a Revision of the Eminent Domain Statutes (S. P. 426) (L. D. 1392) which was enacted in the House on May 28 and passed to be engrossed as amended by Committee Amendment "A" (S-157) on May 22.

Came from the Senate indefinitely postponed in non-concurrence.

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

An Act Establishing a Consumer Complaint Office within the Public Utilities Commission (H. P. 1019) (L. D. 1298) which was enacted in the House on June 3 and passed to be engrossed as amended by Committee Amendment "A" (H-465) on May 28.

Came from the Senate indefinitely postponed in non-concurrence.

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

The following papers appearing on Supplement No. 29 were taken up out of order by unanimous consent:

An Act to Amend Certain Eligibility Dates for the Pay Adjustment Granted to Certain State Employees and Officers (S. P. 412) (L. D. 1311) which was enacted in the House on June 9 and passed to be engrossed as amended by Committee Amendment "A" (S-229) on June 4.

Came from the Senate indefinitely postponed in non-concurrence.

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

An Act Making A Supplemental Appropriation for the Supplemental Security Income Programs for the Purpose of Increasing the Base Rate for Boarding Home Care (H. P. 477) (L. D. 597) which was enacted in the House on May 1 and passed to be engrossed as amended by Committee Amendment "A" (H-192) on April 24.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

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

Mrs. BERRY: Mr. Speaker and Members of the House: I regret seeing this bill go down the drain. It seems ridiculous as a state, when we are crying — state institutions, it costs about \$10,000 a year and yet we can get individuals homes to care for them for about \$2,200. I regret very much to see this, and I am not the one that will make the motion to recede and concur.

Thereupon, the House voted to recede and concur.

An Act Relating to the Employment of Veterinarians by the Commissioner of Agriculture to Ensure Compliance with the Harness Racing Statutes (H. P. 616) (L. D. 761) which was enacted in the House on April 25 and passed to be engrossed on April 18.

Came from the Senate indefinitely postponed in non-concurrence.

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

The following papers appearing on Supplement No. 30 were taken up out of order by unanimous consent:

An Act to Authorize the Leasing of Space in the Cumberland County Building by the Supreme Judiciary Court (H. P. 1283) (L. D. 1579) which was passed to be enacted in the House on June 4 and passed to be engrossed on May 29.

Came from the Senate indefinitely postponed in non-concurrence.

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

An Act to Require the Executive Council to Inform the Governor and the Legislature of its Activities (H. P. 1483) (L. D. 1620) which was passed to be enacted in the House on April 21 and passed to be engrossed on April 14.

Came from the Senate indefinitely postponed in non-concurrence.

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

The following papers appearing on Supplement No. 31 were taken up out of order by unanimous consent:

An Act to Create a Non-geographic School Administrative Unit for the Bureau of Corrections (H. P. 645) (L. D. 797) which was passed to be enacted in the House on April 8 and passed to be engrossed on April 1.

Came from the Senate indefinitely postponed in non-concurrence.

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

An Act to Exempt Community Based Mental Retardation Services from the Sales Tax (H. P. 1255) (L. D. 1551) which was passed to be enacted in the House May

20 and passed to be engrossed on May 13.

Came from the Senate indefinitely postponed in non-concurrence.

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

By unanimous consent, all matters were ordered sent forthwith to the Senate.

The following papers appearing on Supplement No. 33 were taken up out of order by unanimous consent:

An Act Increasing the Number of Associate Justices of the Supreme Judicial Court (S. P. 147) (L. D. 510) which was enacted in the House on May 23 and passed to be engrossed as amended by Conference Committee Amendment "A" (H-373) on May 19.

Came from the Senate indefinitely postponed in non-concurrence.

In the House: On motion of Mr. Hewes of Cape Elizabeth, the House voted to recede and concur.

An Act to Require the Owners of Foster Homes and of Nursing Institutions to Account for Funds Belonging to Persons Entrusted to their Care (S. P. 81) (L. D. 254) which was enacted in the House on May 28 and passed to be engrossed as amended by Committee Amendment "A" (S-159) on May 22.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

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

Mr. CHURCHILL: Mr. Speaker, Ladies and Gentlemen of the House: I think it is rather ridiculous on item number two, because this is an area that we have needed for years. I didn't see any appropriation on this. They have been missing funds for years on these persons entrusted in their care in nursing institutions. I know it is ridiculous to stand up here and comment, but I think it is rather ridiculous that we have to indefinitely postpone this.

Thereupon, the House voted to recede and concur.

An Act Concerning the Municipal Valuation Appeals Board and Procedures for Municipal Appeals (H. P. 1015) (L. D. 1520) which was enacted in the House on June 20 and passed to be engrossed as amended by Committee Amendment "A" (H-449) as amended by Senate Amendment "A" (S-345) thereto on June 20.

Came from the Senate indefinitely postponed in non-concurrence.

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

Mr. Goodwin of South Berwick was granted unanimous consent to address the House.

Mr. GOODWIN: Mr. Speaker, I would just like to answer Mr. Churchill on item two on the last supplemental we had. That was a bill that was heard before Health and Institutional Services, and you are right, it did not have a price tag on it but it was a convenient way for the department to kill the bill, by saying it would cost them money to implement it.

The following papers appearing on Supplement No. 34 were taken up out of order by unanimous consent:

An Act to Provide Funds for the Continuation of Children's Mental Health Services within the State of Maine (H. P.

623) (L. D. 777) which was enacted in the House on April 23 and passed to be engrossed as amended by Committee Amendment "A" (H-156) on April 16.

Came from the Senate indefinitely postponed in non-concurrence.

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

An Act to Provide State Relief to Household Holders for Extraordinary Property Tax Burdens (S. P. 481) (L. D. 1671) which was enacted in the House on June 19 and passed to be engrossed as amended by Committee Amendment "A" (S-321) as amended by Senate Amendment "A" (S-330) thereto on June 18.

Came from the Senate indefinitely postponed in non-concurrence.

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

The following papers appearing on Supplement No. 35 were taken up out of order by unanimous consent:

An Act to Provide for Marine Resource Education by the Department of Marine Resources (S. P. 222) (L. D. 735) which was passed to be enacted in the House on April 1 and passed to be engrossed as amended by Committee Amendment "A" (S-31) on March 25.

Came from the Senate indefinitely postponed in non-concurrence.

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

An Act Making Financial Aid Formulae Consistent with the 100% State Valuation (H. P. 648) (L. D. 800) which was passed to be enacted in the House on June 9 and passed to be engrossed as amended by Committee Amendment "A" (H-590) on June 3.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

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

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: Again, on this bill, I don't intend to make any motion, but I would like to have the record show that in this session of the 107th Legislature, in the regular session, that we have really put a burden on our small towns across the State of Maine.

I would also like to have the record show that by not passing some of these bills, especially with the reimbursement for the welfare programs in the State of Maine, that, again, we have put a burden on the communities, the reason being for this that under the original formula that was adopted by the State of Maine, that again, we have put a burden on the communities, the reason being for this that under the original formula that was adopted by the State of Maine, these were based on a 50 per cent valuation of the property in the state. But since the State of Maine has gone to 100 per cent valuation, this actually cuts the state contribution by 50 per cent and it raises the town contribution to the various programs in the State of Maine.

When we started out, we had a great concern for the property taxpayers in the State of Maine. It has turned out, at least in the waning hours of this regular session of the 107th that we have seen fit to increase the burden to the taxpayers of the State of Maine.

Again, as I said, I will not make any motion on this bill, but I do want the record to show that we have turned the burden of

payment from the state, which could have been done from a broad-base tax, back to the communities that have to rely entirely on property tax. On the one hand, while we are trying to enact legislation to grant relief for the elderly, on the other hand, we are turning around and forcing the communities to maintain a high tax on their real estate property in order to fund these programs. If this is the way of the state balancing the budget or presenting a balanced budget, I don't think this is proper in any manner. I don't think it is proper to turn this burden over to the towns, but in these waning hours there is no other way, so I am not going to oppose this bill but I merely wanted it to show in the record.

Thereupon, the House voted to recede and concur.

The following papers appearing on Supplement No. 36 were taken up out of order by unanimous consent:

(Item 1) An Act Making Additional Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1976 and June 30, 1977 (S. P. 609) (L. D. 1945).

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. 104 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.

By unanimous consent, ordered sent forthwith.

An Act Relating to General Fund Aid to Local School Units (H. P. 1784) Emergency (Presented by Mr. Smith of Dover-Foxcroft) (Approved for introduction by a Majority of the Committee on Reference of Bills pursuant to Joint Rule 10)

Under suspension of the rules, the Bill was read twice.

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

Mr. MCKERNAN: Mr. Speaker and Members of the House: What this bill does is to allow the Commissioner of the Department of Education to write the transfer money from the first quarter of the next year to this year in order to take care of any deficits which may occur.

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

Mr. DAM: Mr. Speaker, I would pose a question through the Chair to anyone who may care to answer. How would this be proposed that we pick up this deficit in the next fiscal year if we are borrowing from the next fiscal year to fund the previous fiscal year?

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

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House: There is money available in the next fiscal year to cover this which was not available in this fiscal year.

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

Mr. CAREY: Mr. Speaker, the money that is available is not touching onto the teachers' retirement that we are also going to move up. But I am particularly concerned, originally the thought was that the money would come out of — at least \$900,000 might possibly come out of the

school construction money. Is it my understanding now, Mr. Speaker, that there is not to be?

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

Mrs. NAJARIAN: Mr. Speaker and Members of the House: This \$1.6 million deficit was made up of four different categories. The first category was \$500,000 which was due to school construction costs, and that can be funded from unissued but authorized bonds.

The second part of the deficit was for special education which the legislature has committed itself to pay in the current year in which those costs are created.

The third deficit was for increased enrollments. Apparently in previous years they have declined between April and October and they based their estimates on that decline and this year it didn't happen. The fourth was capital outlay and the Attorney General has ruled only that part of the deficit due to school construction costs, bonds can be used for only that and that's about \$500,000 of the \$1.6 million deficit so the rest of it has to be made up some other way and apparently the Governor and the Commissioner and part of the leadership has agreed that this is the way to fund the deficit for now, by transferring those funds from one year to the other.

The SPEAKER: The Chair recognizes the gentleman from Blue Hill, Mr. Perkins.

Mr. PERKINS: Mr. Speaker, a question through the Chair, I'd like to ask anyone who may answer, what the total deficit for 1994 is for the year, at this point?

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

Mr. PALMER: At this particular point, the problem centers around a \$1.67 million deficit.

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

Mr. ROLDE: I think to more fully answer the gentleman from Blue Hill, the original deficit was \$20.5 and then you would add \$1.6.

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

Mr. CAREY: Mr. Speaker, I understood the gentlelady from Portland, Mrs. Najarian to say that there was a \$500,000 deficit in capital outlay?

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

Mrs. NAJARIAN: No, there was a \$500,000 deficit in school construction. I don't have the paper in front of me right now; have carried it around with me all week and now that I need it, I don't have it. It was about \$287,000 for student increased enrollments and about \$300,000 for special ed and then the capital outlay made up the remainder but only \$500,000 of that deficit can be paid with school bonds so that leaves the remainder about \$1 million or a little bit more to be paid out of the general fund.

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

Mr. CAREY: In following up on that, Mr. Speaker, it seems strange to me that there would have been such a shortage that would be discovered, at this time, on capital outlays since at the end of October, I attended the meeting when the Department of Education and the State

Board of Education declared a moratorium on school spending, on capital outlay, and to my knowledge, that was never lifted, so that should have been known at least by the end of December, if not sooner.

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

Mr. PALMER: Mr. Speaker, I recognize what the gentleman from Waterville is saying but I think we have to draw a very fine line here. Capital outlay as opposed to dead service and there is a fine line there because, at the particular time, when they stopped expenditures and were talking about dead service, not capital outlay, and the capital outlay refers to such things as typewriters and desks and chairs, as opposed to new construction.

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

Mr. DeVANE: Mr. Speaker, Members of the House: Since we have been speaking on the record, no one has spoken of the inevitable result of failure of passage of this act and I wonder since we are speaking on the record, if somebody would tell us again what would happen if this act is not passed?

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

Mr. ROLDE: Mr. Speaker and Ladies and Gentlemen of the House: I think one of the proposals that the Governor made was simply to pro-rate this deficit back to the towns and I suspect that is what he would do. I understand, I was not at the leadership meeting when this was discussed, but that this is a proposal that the Governor has given his assent to this particular deficit financing type arrangement but I suspect that if we do not pass this bill, he will then just pro-rate it back to the towns.

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

Mr. PALMER: Mr. Speaker and Members of the House: it is my understanding, too, that it will amount to 8 percent so actually what's going to happen if we do not face up to this, we will place back on the towns the additional burden on the property tax.

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

Mr. DeVANE: 8 sir, or 08?

Mr. PALMER: 08.

The SPEAKER: The Chair recognizes the gentleman from Wells, Mr. Mackel.

Mr. MACKEL: Mr. Speaker, Ladies and Gentlemen: I do believe that we have passed enough down to the towns and I would suggest we go ahead with this.

The SPEAKER: The Chair recognizes the gentleman from Sough Berwick, Mr. Goodwin.

Mr. GOODWIN: Mr. Speaker, as I understand it, will we be taking this bill up for final enactment tomorrow?

The SPEAKER: The Chair would answer in the affirmative.

Mr. GOODWIN: Would this be an emergency measure or not?

The SPEAKER: The Chair would answer in the affirmative.

Mr. GOODWIN: So it will take 101 votes?

The SPEAKER: The Chair would answer in the affirmative.

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

Mr. DeVANE: Mr. Speaker, if this act

were to fail passage, municipalities and school districts will find their subsidy reduced by .08 percent. Is that correct?

The SPEAKER: The Chair would answer in the affirmative.

Mr. DeVANE: What effect would that have, sir, on towns which are pay-ins? Will they then pay in accordingly .08 percent more?

The SPEAKER: The Chair would answer in the affirmative.

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

Mr. FARNHAM: Mr. Speaker, Ladies and Gentlemen: I think all of us are aware that in the total budget for the State of Maine, there is an awful lot of hocus-pocus and I don't see any other outlet but to go along with this bill.

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

Mrs. BERRY: Mr. Speaker and Members of the House: I believe there could be a solution in one way, I think we could put a moratorium on school buildings for a couple of years. I'm sure it wouldn't hurt too many people and I think we've hurt a lot of people by not passing some of the legislation that has been on the Appropriations Table.

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

Mr. GOODWIN: Mr. Speaker, I have a question, I didn't quite understand the answer of the question from Mr. DeVane of Ellsworth. It seems to me that if it was pro-rated back, would not the towns that are receiving money just have to spend .08 less?

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

Mr. GARSOE: I think the letter you had reproduced from Sawin Millett indicates there would be an across the board rope pro-ration of the allocation going back to the towns of eight tenths of one percent.

I would just like to add to the record in response to the gentleman from Skowhegan's remarks that I think this amount brings something approaching \$7 million that the state has now paid in to avoid throwing the burden back on the property tax. This doubles the amount that the gentleman refers to on the general assistance situation where we have deferred responding to that so I think as you consider the efforts we have made across the board, that we have been reasonable.

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

Mr. FINEMORE: Mr. Speaker and Ladies and Gentlemen of the House: This is just simple, plain arithmetic. The check that is due the towns for so-called subsidy on June 30th, will be eight tenths of one percent less than what it should be. The only thing the towns can do at that time because their budget for their part of the year to be used up, will be taking it out of the next year's, the '75 and '76 part of their school budget and continue on and cut it out of something else. There is no time now to raise that money so they are just going to be short that much money and they are going to cut services that much if we don't pass this bill. I think any member who has ever been on a school board and figured school budgets will tell you the same thing I have.

The SPEAKER: The Chair recognizes

the gentleman from Skowhegan, Mr. Dam.

Mr. DAM: Mr. Speaker and Ladies and Gentlemen of the House: I am a little concerned with this and if I think I've gathered right from the talks that have been given by the various members and I'm sure someone will correct me if I'm wrong, is that what we are going to do is take \$1.6 million from the first quarter in the next fiscal year to fund a deficit in this year's budget. Now, if we do this, what assurance do we have that in the next fiscal year, there is going to be ample money to cover that which we have taken out now to fund the school budget? I think that really the thing that concerns me more than anything, are we or are we not building ourselves into a bigger deficit with the education budget than what we really realize?

Now, the testimony of some of the previous speakers has said the commissioner has assured us of this and assured us of that and I fully well realize that Sawin Millett has not been a commissioner long enough and he did not create the problem that we had with the original L. D. 1994. It was done under a previous administrator but I think what really bothers me is that, are we sure the Department of Education has the right figures, are we sure that they have done enough research into this so that we know we do have ample money in the next fiscal year when we move ahead and borrow this money and start moving it back into this year to fund the deficit, or are we really merely prolonging the agony of facing up to reality that we are going to have a bigger deficit in future years and we are going to find some other means or some other ways or some other mechanism for funding L. D. 1994, which is now 1452. I think this is where my real concern is because, in the past, we have been told these stories by the Department of Education but it seems as though every day we face a new crisis in the field of education as far as the funding. I think, too, the same reason that I am really disturbed with this and I have been disturbed right along is the method of financing that the Department of Education is using, they have led a lot of the small towns to believe that they are getting 100 percent financing on their new school construction but, at the same time, always leaving that little loophole open where they can revert the whole problem back to the community or back to the district and that is when the state funds its share and they ask the community to fund the other 50 percent under the Community Funding Share. I'm just wondering if we keep borrowing this money to take it from one year to move it back so we can keep erasing these deficits actually by deficit financing because when you borrow from what you anticipate it really is deficit financing, I'm just wondering that if we continually do this, are we someday going to really wake up to find that we have a real used deficit and we have to go back to the communities and say "that no longer can the state pay you back for the 50 percent of that construction part that you bonded at a local level but you are going to have to pick this up yourself in your local budget" and I think this is what really concerns me, so I think, Mr. Speaker, I would pose a question to any member of the Education Committee or the Appropriations Committee that might want to answer, are we assured that by borrowing this money now from the next quarter of next year's budget that we are

going to be able to get this money to go back without finding some other ways of increasing the burden upon the people?

Thereupon, the bill was passed to be engrossed without reference to any committee in concurrence.

The following papers appearing on Supplement No. 32 were taken up out of order by unanimous consent:

An Act to Increase the Maximum Permitted Compensation of Directors of School Administrative Districts (H. P. 570) (L. D. 706) which was passed to be enacted in the House on April 8 and passed to be engrossed April 1.

Came from the Senate indefinitely postponed in non-concurrence.

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

An Act to Exempt Incorporated Nonprofit Volunteer Literacy Programs from the Sales Tax (H. P. 790) (L. D. 963) which was passed to be enacted in the House on May 5 and passed to be engrossed on April 28.

Came from the Senate indefinitely postponed in non-concurrence.

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

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