

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

Saturday, June 28, 1975

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

Prayer by Representative Edward C. Kelleher of Bangor.

The journal of yesterday was read and approved.

**Papers from the Senate
Non-Concurrent Matters**

An Act to Create a Full-time Board of Environmental Protection (H. P. 931) (L. D. 1175) which was enacted in the House on May 30 and passed to be engrossed and passed to be engrossed as amended by Committee Amendment "A" (H-365) as amended by House Amendment "A" (H-421) thereto on May 21.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

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

Mr. FARNHAM: Mr. Speaker, I move we insist and would speak very briefly to my motion.

The SPEAKER: The gentleman from Hampden, Mr. Farnham, moves that the House insist.

The gentleman may proceed.

Mr. FARNHAM: Mr. Speaker, Ladies and Gentlemen of the House: This is a bill that came out of State Government with a unanimous report. It was backed by all of leadership and apparently there was some confusion among the workmen last night at the other end of the hall, and I think if we send it back down it will come back in the position it should.

Thereupon, the House voted to insist.

Resolve, to Appropriate Funds to the Western Somerset Historical Society (H. P. 1336) (L. D. 1646) which was enacted in the House on June 6 and passed to be engrossed as amended by Committee Amendment "A" (H-566) on June 2.

Came from the Senate indefinitely postponed in non-concurrence.

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

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 finally passed in the House on June 27 and passed to be engrossed as amended by House Amendment "C" (H-851) on June 27.

Came from the Senate Failing of Final Passage in non-concurrence.

In the House: On motion of Mr. Rolde of York, the House voted to recede from passage to be enacted.

On further motion of the same gentleman, the House voted to recede from passage to be engrossed.

Under suspension of the rules, the House reconsidered its action whereby Conference Committee Amendment "A" was indefinitely postponed.

Thereupon, Conference Committee Amendment "A" was adopted.

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

An Act Pertaining to the Disposition of the Facilities at the Women's Correctional Center at Skowhegan (H. P. 1441) (L. D. 1745) which was enacted in the House on

June 20 and passed to be engrossed as amended by Committee Amendment "A" (H-790) on June 19.

Came from the Senate with Engrossment reconsidered and the Bill passed to be engrossed as amended by Committee Amendment "A" (H-790) as amended by Senate Amendments "A" (S-389) and "B" (S-391) thereto 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: I am not going to make any motion because I realize that at this stage of the game it is too late to try to send things back and forth between the two houses. I do, however, want to say a few words into the record of my feelings on this.

First off, I would like to thank the entire State Government Committee for the excellent work they did in coming up with their Committee Amendment. I think it shows that when a committee really wants to come up with some good work, it can be done, and in this case, the State Government Committee did an excellent job.

I think, too, that even with the two amendments that were put on by the other body, I think actually that part of the propose that I set out back in the 104th to do I think has been done, and that is to stop the sale of these buildings at a loss to the State of Maine or possibly giving the buildings or the facilities away.

I was a little disturbed at first when they put the amendment on to strike out that part of the committee amendment that pertained to the Maine Veterans Home Act, but under Senate Amendment "A", it still allows the Bureau of Public Improvements to maintain the buildings and to lease them out to the government agency or any other agency, firm or corporation to use these facilities.

I am also concerned today, and I think this is really why I would like to get into the record more than anything for BPI to realize that we do know that the appropriation of a little over \$90,000 has been taken off and yet in the Senate Amendment "A", the other body says that the Bureau of Public Improvements shall maintain the buildings at the former Women's Correctional Center at Skowhegan on a standby basis. Well, from what dealings I have had with the BPI in the past, I have always been under the impression they have been very short of funds and I would hope that they do have enough money in their budget or in their account that they can at least keep someone there on the grounds so that these buildings will not be vandalized and stripped. I think we all know that today, even if we are having a house built, you could not use any material or copper tubing laying around because the next morning it wouldn't be there.

For those of you who have never seen the facilities at Skowhegan, I would hate to have you come back in another year or so and maybe make a tour and see all the windows broken out and all the plumbing ripped out and vandalism occur. Right now, the facilities are in good shape and they are not in excellent shape but they are in far better than average shape, and I would hate to see this done. So I would hope that the Bureau of Public Improvements would honor that part of the bill as far as maintaining the buildings on a standby basis until something could be done.

I realize that I had a bill in to create the Veterans Home Act and I withdrew this because I realized at the time that there was no money to fund an operation of this sort. So today I don't make any motion to send this back and forth. I realize that we have done the best we can and the State Government Committee has done the very best that they can, and again I commend them for their excellent work and also, I commend the gentleman whose name appears on Senate "A" and Senate "B" for the excellent work he did.

Thereupon, the House voted to recede and concur.

Orders

On motion of Mr. Albert of Limestone, it was

ORDERED, that Stephen Hughes of Auburn be excused June 19, 20, 23, 24, 25, and 26 for health reasons.

Orders of the Day

On motion of Mr. Tierney of Durham, the House reconsidered its action whereby it voted to recede and concur on Bill "An Act to Provide State Relief to Household-ers for Extraordinary Property Tax Burdens" (S. P. 481) (L. D. 1671).

The same gentleman moved that the House insist.

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

Mr. GARSOE: Mr. Speaker and Members of the House: With this body having been in concurrence with the other body, I would like to hear some reasons as to why we should begin to hold fast at this point on an issue that I understand involves \$20 million a year.

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

Mr. TIERNEY: Mr. Speaker and Members of the House: The bill in question is the circuit breaker bill which this House debated at great length the other day. At the time we debated the bill and gave overwhelming support to it, you will recall that none of us knew that the bill was going to go to the Appropriations Table.

The bill received a unanimous "Ought to pass" Report from the Taxation Committee, but through some inadvertance, the bill ended up on the Appropriations Table, and in the late hours last night, which some of us may remember and some of us may not be able to remember, the bill receded and concurred under the hammer. There was a very close vote in the other body on this. Some people would still like to talk about it and like to discuss it. I see no reason why we can't do so. It is an issue which goes out to the people in referendum, and I certainly don't see any reason why the people shouldn't be allowed to vote on such an important item.

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

Mr. MacLEOD: Mr. Speaker, Ladies and Gentlemen of the House: I think as we get down here to the waning hours of the session, that we certainly have studied legislation, we went through a trying day yesterday trying to satisfy ourselves, our constituents and the Governor on a highway allocation act that we were hard pressed to fund. We have seen a discontinuance of many programs. We have a condition in the state with the economy not at its greatest, a season that has started now which looks as if it is going to be very good, and I have my fingers crossed, but we are almost into the 4th of

July. We have had many programs which have finally caught up to us here in the legislature which we know have a factor that is very appealing to the older folks, the senior citizens, and goodness knows, I would like to vote for every one of them, but after having sat all winter on a financial committee and worked as hard as we all have to try to come up with substantial programs which we felt that in some conceivable way could be funded, we tried routes which I know that some of you are not in favor of, we have tried other methods which are less favorable. We are now faced, and you are putting through a bill here in the last dying minutes in which you are trying to satisfy L. D. 1994 with \$1.6 million funding on that.

You had a bill which the Governor feels he can give free prescription drugs to the elderly, and I hope and pray to God that he can, but I think it is utterly ridiculous here in the waning moments of this House and the other body to pass a bill or even to put out to referendum which is going to have a cost factor of somewhere in a low figure of \$10 million and the possibility of a high figure of \$20 million. I just think it is irresponsible.

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

Mrs. LEWIS: Mr. Speaker, Ladies and Gentlemen of the House: I think that we would be doing the wrong thing this morning to try to get this bill passed. I am very much in favor of a circuit breaker kind of tax. In fact, I had submitted a bill of my own that would have lowered the age from 60 to 55 for recipients of this elderly householders tax and rent refund and it got a unanimous "ought not to pass" or "leave to withdraw," which I preferred, so imagine my astonishment when something like this came out of the committee which hasn't any age limitation on it at all.

We did pass an order the other day that is going to have the whole property tax situation in our state studied, and I really think that is the best route. We don't know exactly how this particular route would be administered. If you think of it on the order of the elderly householders rent refund now, the reams of paper around that it would take for all of these people to send in papers if they did it the same way; otherwise, it would have to be done another way, so it does involve a study and I think that is the way we should do it and I think we should recede and concur.

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

Mr. PALMER: Mr. Speaker, Men and Women of the House: I would like to say a word as a member of the Educational Subsidy Commission which worked quite diligently all this past year on the education problem, the problem 1994. It is no secret that we did consider this circuitbreaker approach as a part of the solution of the problem that the coastal communities are having on 1994. The conclusion we came to, I believe and which ultimately was the outcome, was that we just at that particular time, as now, did not have the revenues in hand to fully implement the thing.

I think there is no question about the fact that many of us in this House agree that it is a proper approach but I think we also know that we would be fiscally irresponsible to pass it without having, first of all, found a way to fund it and it seems to me it is just something that we are holding out to the voters as saying

"we've done something good for you" and then, in the future, we have to find a way to pay for it. I would much prefer to take the approach of when we face up to the real money crunch problem this state may have, then take this measure back, which is a good measure, it has a great deal of merit but certainly not to put it out and say we are doing something for you and we don't know how we are going to do it.

I hope we will go along and indefinitely postpone it and certainly, surely, give it support when the proper time comes, when we can do it in a fiscally, responsible manner.

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

Mr. SUSI: Mr. Speaker, Ladies and Gentlemen of the House: I am a member of the Taxation Committee and the Taxation Committee gave a unanimous

"Ought to Pass" Report on this bill. If we, in the Taxation Committee sat here this morning while this bill is under consideration without at all exposing to you our attitude on this bill, the conclusion might be made that we had changed our mind on the subject. I don't believe that's so at all. There was considerable consideration given to this subject of a circuit-breaker bill, it was a unanimous report and to my knowledge, no one has changed his mind on it.

Now, I think it is obvious to all of us that this issue is mixed up with the political aspirations of a person or persons and given the makeup the legislature, I'm going to say the bill won't survive but I would, as an individual legislator, like to recommend to you, the basic concept of the circuit-breaker as a potential part of the tax structure of the State of Maine. I think it would be a move forward and, at some time, the political climate will be right here so that we can have this legislation and I hope that you keep a receptive attitude towards it.

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

Mr. MORTON: Mr. Speaker and Members of the House: I agree completely with the previous speaker and with the floor leader in the left hand corner because I think the concept of the circuit-breaker in the property tax area is coming. I don't think this is just the time for it, unfortunately, but I think this idea is coming. We are making progress in Maine with reduction of property tax burden and substituting for it a broader base tax. We passed some laws in this session which would certainly make a much better assessment of the property tax likely in the very near future and I certainly support the concept of this, I did in the committee, as the gentleman from Pittsfield pointed out, it was a unanimous committee vote. I still feel that it is a good concept.

This morning, I am not going to vote to keep it alive because I don't feel that that is going to be anything but an exercise in frustration but you can rest assured that the next time it is brought forward, you will find me in support of it.

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

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: I hope today you will go along with the motion to insist and keep this bill alive. I, too, as a member of the Educational Subsidy Commission, and we wrestled with the problem, gave it to the committee on taxation. I was very surprised when the committee came out unanimously with this particular approach and I support it. We supported it

before and I hope you will stay with your previous action.

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

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: I, too, would hope today that we would go along with the motion to insist. Last evening, I listened to the debate in the other Body on this and it was a close vote. There were quite a few of the members of that Body who were not present so I think today that if we did send it back that we might at least get a little different feeling from that Body or a little more representative feeling than was taken on this last night and I think that it is something that is needed and I think the time is here, right now, to take a stand on the issue and we can do this today by voting to insist and at least send it back to the other Body one more time.

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

Mr. GARSOE: Mr. Speaker, Ladies and Gentlemen of the House: I hope you will support the unanimous report of the Appropriations Committee and refuse to insist in this matter. Following that, I hope someone would move to recede and concur. I think we would be perpetrating a fraud on the people of this state to put this out to referendum. What we will end up doing is having a solution being put forth to the people without any of the mechanics of how we are going to accomplish it. There's no doubt in the world that this is going to create a \$40 million deficit on the part of the state and this is not the proper way to achieve, undoubtedly, desirable results. I think we've got the cart before the horse and in the waning days of this 107th, I would hope we wouldn't besmirch our record, so let's put this one to rest.

The SPEAKER: The Chair recognizes the gentleman from Van Buren, Mr. LeBlanc.

Mr. LeBLANC: Mr. Speaker and Members of the House: I, too, as a member of the subsidy commission that studied all this last summer and we found that it would be almost unworkable at this time to go that route. I think the route to go in the future, if we want to solve the problems, is to increase the state's share from 50 to 60 percent. That would solve all of our tax problems. I will vote this morning to recede and concur.

The SPEAKER: The pending motion before the House is the motion to insist. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

Mr. Rolde of York requested 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 Chair recognizes the gentleman from Durham, Mr. Tierney.

Mr. TIERNEY: Mr. Speaker and Members of the House: I would like to urge this House to insist on this very important issue. The arguments you've heard this morning are red herrings. We've heard that we should not enact something in the waning hours but the only reason this bill is in the waning hours is because of a maneuver which would up it on the appropriation table which would bring it

back in the waning hours so we could get up and say "don't pass it because we are in the waning hours". The bill was studied at length by the Committee on Taxation. The Committee on Appropriation's meeting at the very end have said all of a sudden that they don't like the bill, without hearing, with just discussions. I'm very concerned about that, very concerned, but to talk to the substance of the bill.

I would like to make two points. The first has to do with the issue of whether we really want to give property tax relief to the people of Maine, and in doing so, to assume a more progressive system of taxation because, if that's our goal, we have to do it and it's always going to be hard because, and I hate to sound like Mr. Dudley this morning, but every time we pass a program, we create a new constituency and some of those programs are very near to my heart and yet that constituency is created in a form, a new pressure group which will continue to be here, and in many cases very legitimately be here, to ask for a state of the tax dollar five, but the constituency that isn't here, except in our own conscience, it's the low income property taxpayer of this state.

The second point I want to make deals with the statement just made by my good friend, Mr. LeBlanc. He said we can solve all of our problems if we just change the educational subsidy, well, that is wrong. All that does is to freeze in all the inequities which we all admit exist. Their complaints have been legitimate and we've all wrenched ourselves and even though they were defeated this session, does not mean that they were wrong.

L. D. 1994 tried to equate property taxations by eliminating the geographical distribution of assessments within this state. This bill is the necessary and obvious compliment to the L. D. 1994 philosophy because it provides the same tax break, not based on where you live, but based on your income. The two bills go together. I certainly hope that this House would insist.

The SPEAKER: A roll call has been ordered. The pending motion before the House is the motion to insist. Those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Bachrach, Bennett, Berry, P. P.; Blodgett, Boudreau, Bustin, Carpenter, Carter, Chonko, Churchill, Clark, Cooney, Cote, Cox, Curran, P.; Curran, R.; Dam, Davies, Dow, Drigotas, Farley, Flanagan, Fraser, Goodwin, H.; Goodwin, K.; Hall, Henderson, Hennessey, Hobbins, Hughes, Ingegneri, Jacques, Jensen, Joyce, Kelleher, Laffin, LaPointe, MacEachern, Maxwell, Mitchell, Nadeau, Najarian, Pearson, Pelosi, Peterson, T.; Quinn, Rolde, Saunders, Shute, Snow, Spencer, Strout, Talbot, Theriault, Tierney, Tozier, Usher, Wagner, Wilfong, Winship, The Speaker.

NAY — Ault, Bagley, Berry, G. W.; Birt, Bowie, Burns, Byers, Call, Carey, Connors, Curtis, DeVane, Doak, Durgin, Dyer, Farnham, Faucher, Fenlason, Finemore, Garsoe, Gauthier, Gray, Greenlaw, Hewes, Hinds, Hunter, Hutchings, Immonen, Jackson, Jalbert, Kelley, Lavery, LeBlanc, Leonard, Lewin, Lewis, Littlefield, Lovell, Mackel, MacLeod, McBreaarty, McKernan, Miskavage, Morton, Palmer, Perkins, S.; Perkins, T.; Peterson, P.; Pierce, Raymond, Rideout, Rollins, Snowe,

Sprowl, Stubbs, Susi, Tarr, Teague, Torrey, Twitchell.

ABSENT — Albert, Berube, Carroll, Connolly, Dudley, Gould, Higgins, Kany, Kauffman, Kennedy, Lizotte, Lunt, Lynch, Mahany, Martin, A.; Martin, R.; McMahon, Mills, Morin, Mulkern, Norris, Peakes, Post, Powell, Silverman, Smith, Truman, Tyndale, Walker, Webber.

Yes, 61; No, 60; Absent, 30.

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

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

Mr. KELLEHER: Mr. Speaker, having voted on the prevailing side, I move that we reconsider our action whereby we insisted.

The SPEAKER: The gentleman from Bangor, Mr. Kelleher, moves that we reconsider our action whereby this Body voted to insist.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I wanted to speak in the first place. I was ordered down but I just can't sit here. In the first place, I would like to suggest to the gentleman, Mr. Tierney from Durham, that I don't like the expression red herring. I have heard it over the years, I don't think he knows what the expression means, and later on, I would like to discuss it with him. I don't like it and I am no part of any "red herring" legislation.

Now, this thing here has been studied and studied. You want to do this, you are ready to change the state's share from 50 to 60 percent, there is no age limit on this thing. The Legislative Finance Office looked into this thing and they have got — if we are going to put something out to the people, let's put it out to the people honestly with the proper question, let's tell them that if they vote for this, future costs will be \$20 million a year. Now those are the cold turkey facts.

If you want to recess and you want to call the Taxation Department, you want to call the finance department across the way, you want to talk to the Legislative Finance Office, ask them. I voted for this thing at first, but when I saw the costs and the ramifications I got off the bandwagon and I got off quick. Now, this thing here is gone. This is not a good measure. As a matter of fact, it is not an honest piece of legislation. It was my understanding that anything, whether it was present costs or future costs, would have the price tags on it, this was a future cost, if this passes by the referendum of \$20 million a year and when you vote, just think about that.

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

Mr. COX: Mr. Speaker and Members of the House: As a member of the Taxation Committee which did some studying on this, I would like to point out a few things. Some of these have already been pointed out but I would like to do it in a little different manner. The first thing is, these are not new taxes, these taxes are going to be raised whether we raise them by the circuit-breaker or whether we raise them by the property tax, but what we will be doing if this is passed, is shifting the burden from property tax to income tax. That portion of the burden which is bonded by those who are least able to bear it. If we do not pass this circuit-breaker, there will still be this cost of \$20 million to the people of the State of Maine except that instead of

being bonded by the income tax, it will be bonded by those property tax payers who are least able to pay it.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Let me tell you another thing. When we land here two years from now, we are already committed to \$15 million on the inventory tax, \$15 million per year, that is for starters. I don't know what 1994 or 1452 is yelping about and we are going to have the normal increases in expenditures. We are faced when we land here with at least a \$50 million before we start, we are not talking about the special session, I'm talking about what goes on, and I think probably some of you might be amazed when we hear the figures of how we are doing for this month, and last month, on around July 10, but I want you to understand that on the inventory tax it takes effect and we are faced with that problem and it's \$15 million a year: Now, federal government, state, county, local, it all spells itself money, it all spells itself tax and it all spells itself as coming out of your pockets.

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

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: I completely support all of the remarks that the gentleman from Lewiston has just made. I think he thoroughly and completely understands the subject and the problems we are faced with. I think we should look down the road a little bit and also probably look what we have done to some of our taxes.

Down through the years, I have watched continual erosion of property tax by transferring it to other areas and a good example of that is just what he spoke about on the inventory tax. We've also done the same thing with the sales tax. I was looking at a bill this session and it was numbered 36 in that particular section of the sales tax, 36 exemptions of the sales tax law at the time that one was considered and there were about 10 considered that day. Down in the southern parts of the country where the sales tax originated, they have left the sales tax alone. The sales tax has not had any exemptions, and in some cases, they have a lower sales tax and that includes everything that you buy and I sometimes wonder if this isn't the proper way to go at it. I think if we are going to do anything, in any way, to transfer any taxes from property tax or any other area to the income tax, we should hesitate for a couple or three years until we get our house in order to find out just where we are on the inventory tax, and in my own mind, I am completely convinced that we haven't reached a plateau on the funding of 1994. We funded a good deal of that this year out of a \$25 million bond issue which we passed last November. I understand we may have a million dollars left out of that \$25 million. I don't know what the exact cost is going to be on 1994 and I'm not sure that anybody in the state does right now, as to how much of it is going to come out of the income tax. I think the attempt to pass anything that might transfer from one tax to another, particularly on the income tax, at this time, until we fully find out where we are going, would be a very serious mistake.

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

Mr. INGEGNERI: Mr. Speaker, Ladies

and Gentlemen of the House: It requires a great deal of temerity to follow the good gentleman from Lewiston because he has a habit of speaking in very strong terms and Mr. Tierney probably felt a little bit non-plus and perhaps even chastised but I would like to say, without any fear today, that the argument of "let us look down the road; let us wait three years." That is an old time technique to put off something that you should face right now and not three years or six years from now. The British Empire kept the Continent of India, three hundred years in subservience, always with "let us wait, let us wait until you are ready for self government". You are not ready for government until you begin self-governing and that's all there is to it and we would have had the slaves still with us because there were also the moderates, the pragmatic ones who said "let us wait, let us wait until these children know how to take care of themselves". There comes a time when you have to face what is that little hand cloud over the horizon which will become a tremendous cloud and I think that the circuit breaker reform, the time has come for that.

I sat on the Education Committee and we heard the evidence of the great disparity that existed between a current income and asset wealth. All you have to do is to think of some of those little old ladies living along the coast whose properties have gone up 700 and 800 percent because of land speculation and, at the same time, that they have this property going up and the property taxes going up, they are fixed in with a social security income or a little bit of a retirement income which is completely out of proportion to this and I urge you and I urge you with emotion to think of this. This does not have a price tag right now for the simple reason that it is going to referendum and the people will consider it and we will begin something on it perhaps in 1977. We are talking from the status quo now, from today's parametist and I believe that the parametist even three months from now or six months from now will be entirely different.

We know that we have to consider and we know what we have to consider very seriously, not only a tax increase perhaps but we have to take and analyze all of our taxes to find out which of those are excessive and which of those place the greatest burden on those least able to pay. I think that this circuit breaker would be greatest relief to the old people who are stuck in that crunch between high property taxes and a fixed low income.

I'd like to say Robert Browning, in a more Algean time, said, "go, oh along with me, the best is yet to be" but in these times, the best is not to be for some of our old people unless we have a conscience and do something for them, and I urge you to insist.

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

Mr. BIRT: Mr. Speaker and Members of the House: I appreciate the thoughts of Robert Browning but I guess I lean much more to a fellow by the name of Adam, Smith who said, "that one of the big faults of the democracy is that when we find we can vote ourself services, we have a tendency to vote ourselves out of existence." The best example of that is what is going on and what is left of the British Empire today. If there ever was a dying country, it is certainly England.

As far as who appeared before the Education Committee on 1994, they were

all superintendents, they were not, basically, people from home except the ones who were opposed to it and as far as they are concerned, they appreciate the income tax because it is the easiest to collect and that is the sole single advantage that the income tax has over the property tax.

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

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House: I, too, dislike very much to have someone use the term "red herring". I think that we've gone through this session, let's be perfectly honest about it, this is a purely political issue here this morning. We've cut human services, we've cut everything we could cut this winter and now, in the last morning of the legislature, we pass a bill on which the minimum price tag is \$20 million and could go as high as \$50 and if you think we want to look foolish to the people, to go home tomorrow, and say "this 107th House which couldn't afford to fund half of the things that should have been funded when in a magnanimous moment on a Saturday morning, raised their hands and said, 'yes' to \$20, \$30 million which isn't even available".

Now I submit to you, that I, as minority leader in this House, am very much in favor of helping the poor people. I am in favor of giving circuit breakers to people, I am in favor of helping the motherless, the fatherless, and the widows and the poor and I think we all are, but I know also there is a limit to how much money we have and I hate to stand here and irresponsibly commit the taxpayers of the State of Maine, in the future, to a bill which has been debated over and over again. The Appropriations Committee voted "no". Leadership voted "no" and I will grant you perhaps the Speaker might not have been there, but some others were in the closing hours when we decided that this bill had to go. I think we're just playing games and I don't think the people are going to appreciate us any more by being dishonest and that's what we are being right now, is dishonest. If we had this money, we should have committed ourselves to other projects, other things which people wanted and needed during this session. But no, we wait here, we've had a good night's rest, we come back with a few speeches left in our belly and this morning we come out with some critical rhetoric and try to fool the people, try to give them comfort. I say we better think about this one very carefully because it can boomerang more than anything else we've done in this House.

We didn't even have the courage yesterday to stand up and vote money for the town road improvement fund or for snow plowing or anything else. We wanted it but we didn't want to pay for it but today and that was a \$5 or \$6 million problem, but this morning we stand here and say O.K. to a bill for \$20, \$30, \$40 million and the money isn't here. We don't know how it is going to be raised. I think we are irresponsible and I hope we will reconsider and kill this thing once and for all. We're for it, let's not kid ourselves, the record will show, the record is going to show you have been for it, this final roll call isn't the only thing that can be used, one way or another, against you politically. You know where you stand, you know how you voted. This is just pure foolishness, and I hope we reconsider and kill.

The SPEAKER: The Chair recognizes

the gentleman from Cumberland, Mr. Garsoe.

Mr. GARSOE: Mr. Speaker and Members of the House: I would point out to this Body that those among us who have stood up and told us what this will do are going pretty much on what they think it will do. We've heard remarks connecting it to the elderly, this starts with any age who can declare himself the head of the household. It lends itself to what we have already seen happening in some of our welfare programs where assets are disposed of to less than arms' length situations in order to qualify people for programs.

I didn't take any personal offense when the gentleman from Durham described this as "red herring" maneuvering and I hope he won't take any personal offense when I describe this as political clackery in an attempt to get a roll call showing that you want good things done for the people of the State of Maine, knowing full well that you can describe it in it's surface term and not attempt to disclose what's underneath this which is a current of irresponsibility. I hope we will put this to rest.

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

Mr. JACKSON: Mr. Speaker, Ladies and Gentlemen of the House: I would like to ask a question of the tax committee, how this would be funded and if this were to be passed whether by default, we are voting an income tax, an increase in the state income tax?

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

Mr. MORTON: Mr. Speaker, Ladies and Gentlemen of the House: There is no particular way that it has to be funded. The state has many broad base taxes available to it and, when the time comes to have the money to fund a bill of this sort, it will be up to the legislature to decide which one of those broad base taxes it wishes to use, wishes to increase in order to cover the dollars involved. It is just as simple as that. The decision for that particular point is not before us today and that is why I am going to vote to recede and concur, if I get the opportunity.

The gentleman from Bangor, this morning, has been most lyrical but I am perfectly willing to face up to something if we had it before us to face up to but we do not have it before us. I'd have no qualms about doing that, if we had the tax bill before us, it would fund the bill but we are not going to help a single person in 1975 nor are we going to help a single person in 1976 by passing this bill. The idea is flown, it will continue to fly, it's a great idea, I favor it, it can be passed whenever this legislature is willing to pass a tax bill to support it. It could be passed as an emergency in a very short time in 1977 at a special session or any other time it comes up but this morning my vote is just going to be a vote for reality and that is that this idea has got no chance.

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

Mr. SPENCER: Mr. Speaker, Ladies and Gentlemen of the House: First, I am surprised that no member of the coastal community has gotten up to defend the red herring but apart from that I think there is a very simple and clear issue here and I don't think it is underhanded and I would like to put right on the record why I am voting for this bill and what I think that it does and I think that this bill means a

substantial shift of taxes from the property tax to the income tax and that's what I am in favor of. I think it's too bad that that's not built right into this bill and built right into the question but I think that it is clear that that is what the thrust of this bill is and I feel strongly that that is a desirable thing to do. I think we ought to be increasing the income tax and relieving some of the burdens of the property tax and when I was campaigning, one of the things that I heard the most was that the state and the legislature does a lot for the people who don't have anything and it does a lot for the people who have a great deal but it doesn't do much for the people in the middle, the guy who is working in a plant and earning \$8,000 a year. I think that what this bill is saying is that if that guy's property tax is more than five percent of his income, he will get back some relief and the income tax that he would be paying would be at one percent and this is saying that if the property tax on his house is more than that percent, then he shouldn't be paying that much and I think that that's a proper thing to do. I think it is something that we ought to do and I think that we are talking, basically, about the tax structure of this state and I think we are not talking about raising new money, we are talking about redistributing the tax burden that we now have and I think this bill is a very sound idea and I would urge you to support it.

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

Mr. DOAK: Mr. Speaker, Ladies and Gentlemen of the House: I opposed this bill when it first came on this floor, if you remember correctly. I said that I thought it was rather a deceitful way of asking a question first in a referendum it would be very difficult for anybody in a community to vote against it. I come from an inland area, I am not coastal but I am from a high state tax valuation property area. I have people that need help, we are a pay-in community into 1994 and I'm not biting that one. I would fight that one all the way down the line but the fact is we are faced with this problem today and it is in the waning hours, and I don't care if it is in the waning hours or if it was in the first of the session, I would still oppose this bill, for several reasons.

One of the reasons being that we have heard said that we are going to have a study on taxation in this state, I think it's high time we studied taxation in this state, I think it is a mess. It has been a mess for a long time and if we piece meal the thing to death and patch it up and put band-aids on it all over the place it isn't going to be any better until we do something that is going to cover the whole state and do something reasonably and with study and with forethought, rather than doing something and then funding it under a crisis operation which we have been doing to our educational funding all this session.

We are operating under crisis and I don't think that is any way for a state government to operate. I think it is high time that a state government operate under a more reasonable and sound logic manner. You talk about facing the issue this morning, we are not facing the issue. If you vote for this bill, you are not facing the issue, you are putting it to the people, you are putting it back into the boondocks and into these areas where these people don't know the ramifications of this bill and they never will know it because you can't get out there and explain it well enough for them to know it. Also, there are

many of them who will never know how they are going to fund this thing.

Some people believe there's a Santa Claus yet, I am telling you, the Santa Claus days are over. You buy something, you pay for it and that's the answer. If you buy something, you are going to pay for it and if you're buying this, you're going to pay for it and these older people that you are supposed to be helping and these people that we are crying about are going to be helping to pay for it and they don't even know it when they vote for that question. They don't even know what they are doing, in this particular instance, and I don't think we can get to them well enough to make them know. I think this is deceitful, I think if we are going to face the issue, let's face it here and let's vote it here, let's not put it to the people.

Mr. Finemore of Bridgewater requested a roll call.

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

Mr. PERKINS: Mr. Speaker, Ladies and Gentlemen of the House: I am one of those from a coastal community and nothing would please me more than to take something home to my people in this form of relief but these people I must remember, these grandparents who are having troubles financing, have grandchildren and children, and I don't feel that these grandparents who are having problems feel that they should mortgage their children and grandchildren to this extent and I think this would be deceitful on my part to say to them "yes, I am going to give you relief in this part but I don't know how I'm going to pay for it and I don't know how you are going to pay for it". The tax base in this state has remained the same but the tax drain has remained larger. We still have something that we haven't discovered the full financial burden on yet and that's 1994. I asked a question here yesterday and I found that the deficit for that this year is \$22 million and now this has not been talked out, so I say to you, let's not pass another law which we don't know the peak, yet. Let's study that one out before we start another.

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 more than one fifth of the members present having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question before the House is the motion of the gentleman from Bangor, Mr. Kelleher, that the House reconsider its action whereby it voted to insist. Those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Ault, Bagley, Berry, G. W.; Birt, Blodgett, Bowie, Burns, Call, Connors, Cote, Curtis, Dam, DeVane, Doak, Durgin, Dyer, Farnham, Faucher, Fenlason, Finemore, Flanagan, Fraser, Garsoe, Gauthier, Gray, Greenlaw, Hewes, Hinds, Hunter, Hutchings, Immonen, Jackson, Jalbert, Kelley, Laverty, LeBalnc, Leonard, Lewin, Lewis, Littlefield, Lovell, Mackel, MacLeod, Maxwell, McBreaarty, McKernan, Miskavage, Morton, Najarian, Palmer, Perkins, S.; Perkins, T.; Peterson, P.; Pierce, Raymond, Rideout, Rollins, Saunders, Snowe, Sprowl, Stubbs, Talbot, Tarr, Teague, Theriault, Torrey, Twitchell.

NAY — Bachrach, Bennett, Berry, P. P.; Boudreau, Bustin, Byers, Carey, Carpenter, Carter, Chonko, Clark, Cooney, Cox, Curran, P.; Curran, R.; Davies, Dow, Drigotas, Farley, Goodwin, H.; Goodwin, K.; Hall, Henderson, Hennessey, Hobbins, Hughes, Ingegneri, Jacques, Jensen, Joyce, Kelleher, LaPointe, MacEachern, Mitchell, Nadeau, Pearson, Pelosi, Peterson, T.; Post, Quinn, Rolde, Snow, Spencer, Strout, Susi, Tierney, Tozier, Usher, Wagner, Wilfong, Winship.

ABSENT — Albert, Berube, Carroll, Churchill, Connolly, Dudley, Gould, Higgins, Kany, Kauffman, Kennedy, Laffin, Lizotte, Lunt, Lynch, Mahany, Martin, A.; Martin, R.; McMahon, Mills, Morin, Mulkern, Norris, Peakes, Powell, Shute, Silverman, Smith, Truman, Tyndale, Walker, Webber.

Yes, 67; No, 51; Absent, 33.

The SPEAKER: Sixty-seven having voted in the affirmative and fifty-one in the negative, with thirty-three being absent, the motion does prevail.

Thereupon, the House voted to recede and concur.

The following paper appearing on Supplement taken up out of order by unanimous consent.

Enactors

An Act to Make Allocations from the Highway Fund for the Fiscal Years Ending June 30, 1976 and June 30, 1977 (S. P. 577) (L. D. 1928)

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

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

Mr. STROUT: Mr. Speaker, I would first pose a question, is this the roll call?

The SPEAKER: The Chair would answer in the negative.

Mr. STROUT: At this time, I would ask for a roll call and I would like to speak very briefly.

The SPEAKER: The gentleman may proceed.

Mr. STROUT: Mr. Speaker, Ladies and Gentlemen of the House: Here today we have the Highway Allocations Act and I believe sincerely that if we want to have the programs that we discussed yesterday, that our procedure would be to vote no on the budget today, send it to the other Body and let them adopt an amendment similar to what was offered here yesterday and our programs for the towns may be instituted. I would urge the members of this House to vote "no" on the allocations today.

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

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: I am not speaking campaigning, I am going to speak fast. I think we stand to lose the least the way this is now, in our little towns. Most of our little towns, the town road improvements are from \$1 to \$2 thousand. We've got our snow removal which would cost us more, a lot more, we've given the cities a little by giving them snow removal, the cities pay a big tax, they get none of this town road improvement fund. We have a bill here that has been worked on and worked on by the Transportation Committee and I think they know what they are doing. I think they have done a lot of work. I was on Transportation and I have been interested in highways for a good many years. I have served 25½ years on municipal boards, some here who have

served six or seven know a lot more than I do but I think I have put a lifetime in municipal and in town roads for improvement, a lifetime. Even a member of my family was town manager, along with me, following me as a town manager, he was also a selectman so I think it was born and brought up in the family.

I think this morning, we would be doing an injustice to vote against this bill. We'd be saying that our Transportation Committee here in this House aren't capable of figuring out a budget, I think they have done a tremendous job. I know yesterday I would like to have had to Mr. Winship's amendment but the people here didn't want it, so why push it any further? Let's vote yes this morning and get it out of the way, send it back to our towns. Maybe before we come to another session, that this money will be given to the towns. They might be a little surplus in there, we have never seen the towns take too much beating. I think our little towns have done very well. Maybe this time we'll take a little beating, but let's take it standing up and not crying over it.

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

Mrs. BACHRACH: Mr. Speaker and Members of the House: I am glad that Mr. Finemore thinks we have snow removal in the towns but my impression is that the amendemnts that would provide for that were defeated yesterday and we do not have it.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I go along with what the good gentleman from Bridgewater, Mr. Finemore said. I want to congratulate the Transportation Committee and certainly that includes the gentleman from Corinth, Mr. Strout, for doing good work. However, this is not the way to handle it. We are going to be back here before snow flies.

Let's let somebody just get a few calls from 400 and some small towns, multiply that by five to seven selectmen. Let's let him take a little of it, for a change. That's what he wanted, that's what we are giving him. I hope we vote unanimous.

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

Mrs. KANY: Mr. Speaker and Members of the House: I hope we pass this highway budget now and let us not forget that we have a highway bond issue going out to referendum for the electorate to decide upon this coming November, a \$13.6 bond issue and perhaps if that is passed and these general obligations are, by the way, I'm surprised that the Governor and no one in here raised the possibility of this influencing our Moody's rating as opposed to having raised that issue on some highly guaranteed loans under the Maine Housing Authority but that's beside the point, anyway, these bonds, if they do succeed, could be used just to meet the needs of the highway and bridge improvement programs and I'm sure other funds might then be able to be transferred into town road improvement and maybe snow removal too, so why don't we wait and see what happens to this referendum and then, if necessary, then in the fall when we come back, we could make some changes in the budget at that time.

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

Mrs. POST: Mr. Speaker, I would like to pose a question through the Chair to a member of the Transportation Committee

and I would like to know the amount, it is the same question I asked yesterday I guess, I would like to know the amount rounded off to say the nearest hundred thousand that is presently in transportation surplus?

The SPEAKER: The gentlewoman from Owls Head has posed a question through the Chair to anyone who may care to answer.

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

Mr. FRASER: Mr. Speaker, Ladies and Gentlemen of the House: I am afraid that the surplus in Transportation Committee doesn't come anywhere near the rounded \$100,000, there is none.

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

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House: I too, like the gentleman from Lewiston, have a great deal of respect for the Transportation Committee and what they have tried to do. I do, however, this morning, feel that it would be irresponsible in taking the course of the good gentleman from Corinth, Mr. Strout.

We have debated it thoroughly, the various alternatives we had yesterday, we spent a great deal of time on it, we couldn't come to any agreement then and I am sure that we won't be able to do that this morning. We, therefore, on that basis yesterday, took the position that we should go along with the Governor's budget. It is funded and I believe we should move along that course this morning. I hope that we will all get behind this budget and pass it finally, enacting it here this morning.

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

Mr. GOODWIN: Mr. Speaker, Ladies and Gentlemen of the House: I think what bothers me the most about the debate over those last few days on the highway budget is the statement, "let's throw this back to the Governor and let him take the blame." This really bothers me. I feel that I was elected by my people to come up here assume a certain responsibility to protect their interests. I have to ask the members of this House, do we lack so much faith and confidence in our own judgment that we are afraid to do what we feel is right but rather are we to take the easy road, the easy political road, and throw this back into the Governor's lap and then be able to sit back and say, "it was all his fault"? I can't do this. I think I owe a certain responsibility to my towns and to my people to do what is right. I am not going to sit back and let someone, some elderly, somebody who can't afford to pay their property taxes, now, face a property tax increase and then say to them, "Oh, it is not my fault, it is the Governor's fault," as they are trying to scrounge out of their household budgets enough money to pay their property taxes. I just can't do that, I am sorry.

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

Mr. FRASER: Mr. Speaker, Ladies and Gentlemen of the House: Nobody in this House would want those programs back in any more than I would, but we all know that we are batting our heads against a stonewall, so let's sit down and vote.

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

Mrs. POST: Mr. Speaker, Ladies and Gentlemen of the House: I am afraid that my question may have been misunderstood because I didn't ask how

much surplus was in the budget, but how much surplus was in the Department of Transportation.

Having talked with some members of the Transportation Committee, or at least the Chairman, it is somewhere between three and five million dollars and I would just like to have some kind of figure on that.

I understand what the mood is here today in terms of wanting to send the budget back the way it is and therefore put it on the Governor's shoulders, but I think we have forgotten one thing, we have forgotten the bill that we defeated a while ago which was also part of the Governor's total package. His budget would be fiscally irresponsible if we passed it the way it is and that particular bill which took away the state's responsibility for reimbursing the towns for towns — the town road improvement was passed, he would be fiscally responsible if both those bills were enacted. However, we defeated that bill and the state still has the legal responsibility for reimbursing those towns. If we therefore, having defeated that bill, pass this transportation budget, the way it was presented to us, we may be being morally responsible to our communities but we are, indeed, being fiscally irresponsible, so when it comes back and we come back in the fall or come back in the special session and are asked to pay that \$800,000 to those communities, no one is going to be pointing to the Governor and saying, "You presented an unbalanced budget and it is your fault." It is going to be on our shoulders, we know what we were doing, we knew we were passing a budget and at the same time trying to get away with saying that the state still has the responsibility for reimbursing those communities.

We are being fiscally irresponsible if we pass this budget the way it is now without his bill which says the state no longer has to reimburse the communities. I simply can't do that.

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

Mr. CONNERS: Mr. Speaker, Ladies and Gentlemen of the House: I will be very brief but I represent 19 towns and in my town, alone, it will be about \$4,000 in subsidy. We are one of the larger towns, and some of our smaller towns have just as many miles of roadways. Therefore, I have to go along with Representative Strout. Until there is snow removal money put in here for subsidy back to the towns, I will have to go against the passage of this allocation act and I hope that we will get some studies done on taxation here and get our taxation system straightened out.

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

Mr. SUSI: Mr. Speaker, Ladies and Gentlemen of the House: For several days, we have been going round and around on this issue of financing transportation. We have tried all sorts of combinations and finally, we got the vote in here, we are in concurrence with the other Body on a course of action. Right now we have a choice of following up and supporting that decision with a vote or we can reopen this whole discourse again and go into several more days, probably coming up with the same conclusion that we came up with a vote or we can reopen this whole discourse again and go into several more days, probably coming up with the same conclusion that we came up with after straining at this for a week. So I would suggest to you that at this point, not

through any dictate from any other person outside of the group, but from the decision made by the legislature, the choice is to go with the position we are in now and supporting this one or figure we will be back here for two or three more days doing the same thing we have been doing before.

I urge you to support this and we can go home.

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

Mr. LEONARD: Mr. Speaker, Ladies and Gentlemen of the House: One of the first letters I sent out from this House was to do with the Governor's budget and the removal of this snow account reimbursement and the town road improvement account reimbursement from the state. I have six towns, and everyone of those towns, the selectmen, I have met with them, they said, "You stay there and get that put back in because everybody talks tax reform and one thing we want you to know is that if you don't reinstate that into the budget that in fact we will have a tax increase on the local level."

We just killed a bill that would have given low income people a tax break, a circuit breaker effect, here we go now, just because we are having problems with the Governor and we just can't seem to go along, we are throwing our hands up in the air and saying, "Let him take the blame for it." I think that is irresponsible.

There is no question there will be a tax increase on the local level, where people can least afford it, if we go along and pass this budget the way it is right now. I will vote against it. I can tell you right in my town alone that we have \$6,000 for snow removal and that is a 2 mill increase, at least, in our taxes each year. I am not going back there and tell them, for the sake of getting out on a Saturday, that I went along, and just said the heck with it, we will just pass the budget the way it is. I will block it if I possibly can.

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

Mrs. BERRY: Mr. Speaker, Ladies and Gentlemen of the House: Briefly, I think this would be an irresponsible move. It is ridiculous to think that the other Body is going to go along with us and do anything on an amendment. We are just going to kill the bill, and you talk about the towns being in a mess now for property tax, they certainly are going to be in a mess when next Friday night, July 1st comes and so many people are going to be laid off in the state. This bill is just going to die and we are not going to have it saved in the other Body, I am sure. I would urge you to vote for the bill.

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

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House: Just one more word before we take this vote. I don't think there is any doubt in anyone's mind here, probably most of us want to see the town road improvement money put back in and the snow removal, and we voted that way consistently. But we have arrived at a point where yesterday and before yesterday we couldn't agree on funding and I don't think we are going to agree on the funding today. I certainly want the money in there, my towns are going to be hurt, too, but I also know that it isn't all that bad. I have had selectmen in my own town say to me, we could live with this.

Sometimes we ask for a little bit more local control, perhaps in the building of town road improvement and getting back to local control, we might strike the dollars a bit farther than we have been. I have one good example where the officials in our town said that the amount of money that they get out of town road improvement money, with the regulations they have from the state to expend that money, they could take the same amount of money they have to match it and probably build just as many roads, which is totally adequate for the rural areas that these roads served. And let's not kid ourselves, too, even though I want the money, the fact still is that in many, many towns, they are running out of roads on which they can expend town road improvement.

Now, I am not holding up a case to do away with it. I would like to have it, I would like to have the snow removal money, but I am pleading here this morning in saying that this is rather a late hour, after six months, to solve this problem, to say now that we are not going to pass the highway budget because it didn't go just the way we wanted it. Everybody had an opportunity to fund the thing, they didn't fund it, and I believe now we should act responsibly and vote to pass this budget.

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

Mr. FRASER: Mr. Speaker, Ladies and Gentlemen of the House: I can't seem to feel sorry this morning for some of these folks who are shedding crocodile tears because they can't have what they want. They were also very happy last week when the one cent tax was defeated. They had a chance for it, they didn't want to buy it, they didn't want to pay for it, so now we can't have it. If we don't vote for this thing this morning, the whole department comes to a grinding halt on Monday and if we don't pass this this morning, we could be fooling around for another week while all these people are losing their wages.

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

Mr. WINSHIP: Mr. Speaker, Ladies and Gentlemen of the House: It is my interpretation that when we indefinitely postponed L. D. 917, which was to take the words "town ways" out of the snow removal law, that it has left them in there and so now the Transportation Department has no other choice than to fund it for these towns unless that law is changed. This allocation bill, in my estimation, is 2.3 million underfunded, but I believe that our department will have to make cuts similar to what I did in the amendment that I offered yesterday to take care of this.

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

Mr. COTE: Mr. Speaker, Ladies and Gentlemen of the House: Those people who are concerned this morning with this, I have been here for a long time and as sure as I occupy seat 12, we will be coming back here in the fall and I can almost guarantee, 99.44 percent, that this money will be reinserted at that time.

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

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: If I understand what I just heard from the gentleman from Milo, Mr. Winship, that in effect the amendment that he put on or tried to put on this bill yesterday and which was defeated, which I very strongly supported and many of you did, that in effect,

because of existing law, that amendment, in a sense, has been put on the bill and the department will have to deal with it, they will have to deal with the question of snow plowing.

I think some of the people who want to vote against the allocation act today are doing so with the idea that if they hold it up, they will then be able to put Amendment "C" on. Were we to do that, I understand it would take about five hours to re-engross the bill, but if I understand the gentleman from Milo, correctly, in a sense, Amendment "C" is really still on the bill and the department is going to have to deal with the snow plowing issue. So I hope very much that you will pass this allocation act today.

I am disappointed in it. I supported a gas tax as a means for paying for these programs but we have come down now to a final compromise and I hope we can all pass an act so the Highway Department can function and we will not have to stay here until the July 1 deadline.

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

Mr. MCBREAIRTY: Mr. Speaker, Ladies and Gentlemen of the House: I voted for every bill offered to increase money for our highways. Many of you didn't want to raise more money. I accept your decision. I just don't accept taking money off our summer roads for snow plowing. I am sure my small towns would suffer more if we lose our summer maintenance than snow plowing.

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 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 passage to be enacted "An Act to Make Allocations from the Highway Fund for the fiscal years ending June 30, 1976 and June 30, 1977". Those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Bachrach, Bagley, Bennett, Berry, G. W.; Birt, Blodgett, Boudreau, Bowie, Burns, Bustin, Call, Carey, Carpenter, Carter, Chonko, Churchill, Clark, Cote, Cox, Curran, P.; Curran, R.; Curtis, Dam, DeVane, Doak, Dow, Drigotas, Durgin, Dyer, Farley, Farnham, Faucher, Fenlason, Finemore, Flanagan, Fraser, Garsoe, Gauthier, Goodwin, K.; Gray, Greenlaw, Hall, Hennessey, Hewes, Hinds, Hobbins, Hunter, Immonen, Ingegneri, Jackson, Jacques, Jalbert, Joyce, Kany, Kelleher, Kelley, Laffin, Laverty, LeBlanc, Lewin, Lewis, Lovell, MacEachern, Mackel, MacLeod, Maxwell, McBreaity, McKernan, Miskavage, Morton, Nadeau, Najarian, Palmer, Pearson, Pelosi, Perkins, S.; Perkins, T.; Peterson, P.; Pierce, Quinn, Raymond, Rideout, Rolde, Rollins, Saunders, Snowe, Spencer, Sprowl, Susi, Talbot, Tarr, Teague, Theriault, Tierney, Torrey, Twitchell, Usher, Wagner, Wilfong, Winship, The Speaker.

NAY — Ault, Berry, P. P.; Byers, Connors, Cooney, Davies, Goodwin, H.; Henderson, Hughes, Hutchings, Jensen, LaPointe, Leonard, Littlefield, Mitchell, Peterson, T.; Post, Shute, Snow, Strout, Stubbs, Tozier.

ABSENT Albert, Berube, Carroll, Connolly, Dudley, Gould, Higgins, Kauffman, Kennedy, Lizotte, Lunt, Lynch, Mahany, Martin, A.; Martin, R.; McMahon, Mills, Morin, Mulkern, Norris, Peakes, Powell, Silverman, Smith, Truman, Tyndale, Walker, Webber.

Yes, 101; No, 22; Absent, 28.

The **SPEAKER**: One hundred and one having voted in the affirmative and twenty-two in the negative, with twenty-eight being absent, the bill was passed to be enacted, signed by the Speaker and sent to the Senate.

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

Mr. **JALBERT**: Having voted on the prevailing side, I move reconsideration and hope that you all vote against me.

The **SPEAKER**: The gentleman from Lewiston, Mr. Jalbert, having voted on the prevailing side, moves that the House reconsider its action whereby this bill was passed to be enacted. Those in favor will say yes; those opposed will say no.

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

By unanimous consent, ordered sent forthwith to the Senate.

The following paper appearing on Supplement No. 2 was taken up out of order by unanimous consent:

The following Communication:

STATE OF MAINE
House of Representatives
Speaker's Office
Augusta

June 28, 1975

Mr. Edwin H. Pert
Clerk of the House
State House
Augusta, Maine 04333
Dear Mr. Pert:

I am pleased to authorize and direct you to serve on a full-time basis when the Legislature is not in regular or special session, as provided in Section 23 of Title 3 of the Maine Revised Statutes Annotated, for the 107th Maine Legislature.

Sincerely,

Signed:

JOHN L. MARTIN
Speaker of the House

The Communication was read and ordered placed on file.

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

An Act Relating to General Fund Aid to Local School Units (H. P. 1784) (L. D. 1948)

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, 107 voted in favor of same and 5 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. 5 was taken up out of order by unanimous consent:

Enactors

Emergency Measure

An Act Pertaining to the Disposition of the Facilities of the Women's Correctional Center at Skowhegan (H. P. 1441) (L. D. 1745) (S. "A" S-389, S. "B" S-391 to C. "A" H-790)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency

measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken, 111 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

By unanimous consent, all matters acted upon in concurrence and all matters requiring Senate concurrence were ordered sent forthwith to the Senate.

At this point the Speaker announced the rescinding of the appointment of the gentleman from Solon, Mr. Faucher to the Committee on Liquor Control and appointed the same gentleman to the Committee on Election Laws.

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

Mr. Bustin of Augusta presented the following Joint Order and moved its passage: (H. P. 1785)

WHEREAS, "that strange phenomenon love" — pops up in the strangest places; and

WHEREAS, the long and short of it is Miss Valerie J. Caton of North Edgcomb will wed the gentleman from Stow, Rep. James F. Wilfong on July 4, 1975; and

WHEREAS, "Marriage is a mistake of youth which we should all make," now, therefore, be it

ORDERED, the Senate concurring, since this celebration of love is coterminous with our national celebration of independence and since they shall have a lifetime in which to resolve this inconsistency, we the friends and colleagues of this proposed union extend our sincere best wishes for their happiness; and be it further

ORDERED, that this Order serve as an official invitation to each Member of the 107th Legislature and its staff to join in this token of appreciation for two special people.

The Order was read.

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

Mr. **BUSTIN**: Mr. Speaker, Ladies and Gentlemen of the House: I am sure that with the passage of this order goes the best wishes of every member to Jim and Valerie and we hope them a long and happy marriage and a very large family of Democratic children. (Applause)

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

Mr. **CAREY**: Mr. Speaker, Ladies and Gentlemen of the House: Because of this occasion, some of the Republican members of the House had breakfast this morning, which is something unusual by itself, and they have asked if possibly some sort of token couldn't be expressed by the House on this occasion rather than just a nice, simple, little, clean cut order that read so beautifully: So we sent a box around on both sides and we raised a magnanimous sum of \$1.32. We decided that we ought to pass this box around once more, and we have been able to raise a total of \$111 even. We raised \$54.35 on the good side of the House and we raised \$54.20 on that other side of the House, Jim's side of the House. It shows you, Jim, we think much more of you than the other side. Then we filled the box up with pennies, so if the Page would come around, I would be more than glad to turn the whole \$111 to Jim. We don't want to have to buy you a

gift that you may not be able to use, I know Valerie is going to need a saw.

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

Mr. **WILFONG**: Mr. Speaker, Ladies and Gentlemen of the House: Gosh, it is really nice. I wish Valerie were here. She doesn't feel very well, but she asked if I would please say goodbye to everybody here today because on next Wednesday when we come back in, she thinks she is going to be pretty busy.

I certainly want to tell you that she appreciated working with all of you people this year and I certainly did. A very nice thing was done today and I appreciate it very much. I will just say if any of you can make it, I hope you can make it, we would certainly be glad to have everybody come. It is going to be kind of an outdoor fun affair, we hope. Thanks very much. (Applause.)

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

Mrs. Kany of Waterville was granted unanimous consent to address the House.

Mrs. **KANY**: Mr. Speaker, Ladies and Gentlemen of the House: I just couldn't pass up an article which was in the Portland Press Herald this morning without making some comment on it. The article was entitled "Maine's Promotional Bureau to Be Closed — Five Laid Off". This was out of the Department of Commerce and Industry, and the article ends with Commissioner Atlas, who is a very fine gentleman, closing by stating that "the legislature has not adjourned yet, maybe ---- member will read this story and realize that we have no state promotional or advertising funds available after 48 years of doing so, maybe they will vote us some money as a result."

I just wanted to point out that this was one item in the Governor's budget that he presented to us very early in the session in which there was a very, very, very major cut from previous years in Economic Development. The actual 74 expenditures for the Department of Commerce and Industry were over a \$1.1 million and estimated 1975 over \$1.1 million. The Governor asked for only \$618,000 for 1976 and for \$626,000 for 1977 and the legislature gave him all his request for 1977 and just cut a little bit out of the 1976 request of about \$21,000 and that was only capital, not for personal services.

So I just thought it was very important that the legislature go on record as saying that we did abide by the request of the Governor and it is not just legislature which is at fault as far as requests for the Department of Commerce and Industry and Economic Development.

(Off Record Remarks)

Mr. Goodwin of South Berwick was granted unanimous consent to address the House:

Mr. **GOODWIN**: Mr. Speaker, Ladies and Gentlemen of the House: Just briefly, I think the gentlewoman from Waterville, Mrs. Kany, brought up a good point and I think it is also something that perhaps we ought to also take a look at the articles that were in the KJ. It seems that the Department of Commerce and Industry didn't have enough money to fund their promotional bureau but they did have enough money to pay the highest bidder for a brochure.

(Off Record Remarks)

Mr. Wagner of Orono was granted unanimous consent to address the House.

Mr. WAGNER: Mr. Speaker, Ladies and Gentlemen of the House: I just wish to add my concern to those of the gentleman from South Berwick, Mr. Goodwin, concerning the award of the DCI promotional contract to the highest bidder. I have a particular concern in the lowest bidder, it is a firm in my district, which I am well familiar with who has done outstanding work in the past and is not a low priced outfit by any means, they are a very professional group and I am very concerned about this and I commend the Governor for having held up the award of this contract pending his own investigation and I certainly hope that this, in the final analysis, turn out that there is no impropriety here. I am very concerned and I hope we will all keep a careful eye on what is going on there.

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

Mr. SUSI: Mr. Speaker, Ladies and Gentlemen of the House: I would just take a moment of your time to reminisce, if you can remember back several months ago, we had a bill concerning the excise tax on the railroads. I have been watching very carefully these last few days as the session winds down for its reappearance and last night I sat here and watched, I think it was 34 Supplementals, and I kept thinking that surely it is going to show up soon and it hasn't yet. There is a rumor around that we are going to be adjourning, I am pointing it out to you because I think this bill particularly characterizes the great power that still exists in certain areas and to my way of thinking this bill has been separated from the general legislative process and it certainly is receiving very special treatment, I don't know anymore than you do, what is going to happen to it, but perhaps you can join me and watch the final chapters of this saga. I hope that it isn't repeated in ensuing legislatures in Maine.

(Off Record Remarks)

Mrs. Najarian of Portland was granted unanimous consent to address the House.

Mrs. NAJARIAN: Mr. Speaker, Ladies and Gentlemen of the House: There are two reasons why I love this legislature, one is the people I work with, all of you, and the people I work for, the citizens of the State of Maine and I have enjoyed being a part of leadership, so-called, and I thank you for giving me this opportunity. As I look back over the session and the legislation that we passed, I really don't think that the critics will treat us too unkindly and I am proud of what we have accomplished. It seems that maybe the depressed economy has had a beneficial effect on state government in that with new programs out of the question, we finally had to face many of those returning controversial issues that have plagued numerous legislatures before us and I guess I take the greatest pride in enjoying the fact that we finally abolished the Executive Council and restored single member districts and in addition, we have reformed our court system, we have revised the Criminal Code, our banking laws and the state retirement system and we have managed to hold firm to our environmental laws and maintained equal educational opportunities and hopefully have closed loopholes in this area. We balanced the Governor's budget again and again and maintained vital human services without a tax increase. All this is

due to your untiring efforts and if I have learned anything this session, it is that the best buys for the taxpayers money in the State of Maine is your friendly state legislature and I thank all of you for your help and cooperation that you have given me and I want to take this moment to thank you for the nice gift that you gave me this week including the potato tie.

(Off Record Remarks)

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

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: When this session, with its unique combination of a Democratic House, Republican Senate and an Independent Governor, was about to begin, the most common adjective used to predict what it would be like, was interesting and it has been interesting, perhaps more interesting than any of us ever dared to imagine. As the session draws to a close, I know that I, for one, would like to say that I wouldn't have missed it for the world, no matter what the frustrations or difficulties that we have experienced. I want to take this opportunity to thank all of you with whom I have worked, your patience and cooperation in what have often been trying times, I don't know if anyone will ever write a history of the 107th Legislature, but if they do, I believe they will discover that the keynote of our activities, at least in this Body, has been cooperation, a really unprecedented by-partisan effort that has seen both parties work together with a minimum of friction in political strife, for that I must pay tribute to the gentleman in the other corner, they have been just that, gentlemen. It has been a pleasure to work with them. While the 107th has not finished its record that it will write into the Maine history books, I feel that we can all be proud of the ones we have conducted ourselves during this unique and difficult period.

(Off Record Remarks)

Mr. Faucher of Solon was granted unanimous consent to address the House.

Mr. FAUCHER: Mr. Speaker, Ladies and Gentlemen of the House: On behalf of the 300,000 Franco-American people of Maine, I wish to commend Representative Peter Curran of South Portland for submitting L. D. 1132, calling for the printing of the specimen ballot in French, this was much needed legislation and although Rep. Curran is not French, his action in behalf of the Franco-American voters of Maine is deeply appreciated. So I say to you, Representative Curran, "La population de Franco Americaine de L'Etat du Maine vous remercie choeurement, et nous vous souhaitons bonne chance, et dans toutes vos entreprises de future, merci beaucoup."

(Off Record Remarks)

The following Paper from the Senate was taken up out of order by unanimous consent:

From the Senate. The following Order: (S. P. 613)

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to Wednesday, July 2, at ten o'clock in the morning.

Came from the Senate read and passed.

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

(Off Record Remarks)

Pursuant to the Joint Order, Adjourned until Wednesday, July 2, at ten o'clock in the morning.