

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

One Hundred and Seventh Legislature

(First Special Session)

OF THE

STATE OF MAINE

1976

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Tuesday, March 16, 1976

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

Prayer by Father Richard R. Ouellette of Jay.

The journal of yesterday was read and approved.

Papers from the Senate

From the Senate: The following Joint Order: (S. P. 754)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of Kathy Webber a Student at Nokomis Regional High School First Place Winner in the Typing I Contest of the Kennebec Valley Business Education League Meet

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

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

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

From the Senate: The following Joint Order: (S. P. 755)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of Cheryl Pepin a Student at Nokomis Regional High School First Place Winner in the Shortland II Contest of the Kennebec Valley Business Education League Meet

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

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

Came from the Senate, Read and Passed.

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

From the Senate: The following Joint Order: (S. P. 756)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of Debbie Tibbetts a Student at Nokomis Regional High School First Place Winner in the Business Machines Contest of the Kennebec Valley Business Education League Meet

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

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

Came from the Senate, Read and Passed.

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

From the Senate: The following Joint Order: (S. P. 757)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of Darlene Varney a Student at Nokomis Regional High School First Place Winner in the Shorthand I Contest of the Kennebec Valley Business Education League Meet

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

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

Came from the Senate, Read and Passed.

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

From the Senate: The following Joint Order: (S. P. 758)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of Denise Doherty a Student at Nokomis Regional High School First Place Winner in the Typing I Contest of the Kennebec Valley Business Education League Meet

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

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

Came from the Senate, Read and Passed.

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

**Reports of Committees
Leave to Withdraw**

Committee on Taxation reporting "Leave to Withdraw" on Bill "An Act to Provide State Relief to Householders Whose Property Taxes are an Extreme Burden Due to Such Householders' Insufficient Yearly Income" (S. P. 675) (L. D. 2150)

Came from the Senate with the Report read and accepted.

Report was read and accepted in concurrence.

Divided Report

Majority Report of the Committee on Public Utilities reporting "Ought to Pass" as amended by Committee Amendment "A" (S-431) on Bill "An Act to Regulate Drinking Water" (S. P. 687) (L. D. 2198)

Report was signed by the following members:

- Mrs. CUMMINGS of Penobscot
- Messrs. GREELEY of Waldo
- CYR of Aroostook
- of the Senate.
- Mrs. SAUNDERS of Bethel
- Mrs. TARR of Bridgton

- Messrs. KELLEHER of Bangor
- NADEAU of Sanford
- LITTLEFIELD of Hermon
- LUNT of Presque Isle
- BERRY of Buxton
- GRAY of Rockland

— of the House.

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

Report was signed by the following member:

- Mr. LEONARD of Woolwich
- of the House.

Came from the Senate with the Majority "Ought to Pass" as amended Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (S-431).

In the House: Reports were read. The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Kelleher.

Mr. KELLEHER: Mr. Speaker, I move that the House accept the Majority "Ought to pass" Report as amended.

The SPEAKER: The gentleman from Bangor, Mr. Kelleher, moves that the House accept the Majority "Ought to pass" Report.

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

Mr. LEONARD: Mr. Speaker, Ladies and Gentlemen of the House: For those of you who are not familiar with this particular bill, and I suggest there is no reason to read anything from page 1 through to page 15 outside of the statement of fact. The statement of fact more or less tells what the bill is all about. It simply takes and puts our statutes in line with the federal statutes regarding the regulation of drinking water, and I would like to add at this point that I think the committee has done an admirable job of drafting this legislation and if we pass it, I think it is probably without flaw in its conforming to the federal statutes.

My objection to the bill is one of regulation. The reason this bill is before us now is because the federal government passed a safe drinking water act and it said that these rules and regulations, the rules and regulations promulgated to carry out this act, shall be enforced in each state either by the federal government or if the state wishes, they can take primacy and they can enforce them themselves, as long as their rules and regulations conform to the federal rules and regulations.

Let me say this, how many people have heard of OSHA, the Occupational Safety Employment Act? We don't have primacy of OSHA, and I would like to say I am glad. If that isn't a bureaucratic nightmare, I don't know what is, and this is basically doing the same thing. The federal government is telling us that we are going to conform to their standards, and if we don't, they are going to come in and make us conform. Well, they haven't done a very good job of carrying out the OSHA requirements. I have a copy of the OSHA requirements in my business and I can't even read them. I would like to suggest that some of you try to, because you will find that the volumes are much thicker than all the legislation we passed last year in the annual session.

Another reason I refuse to go along with this is that the rules and regulations that are being promulgated by the federal government have not yet been finalized. They don't come into effect until December of this year, and it is highly

unlikely that it will be enforced on the federal level until late into next year and I would doubt beyond that, because I don't think they will be able to gear up adequately to enforce those rules and regulations. Common sense wise, I would say, why not let the federal government enforce them? If we are looking to cut the cost of government here in Augusta, it is a good way to do it. We just wipe out that section that has been enforcing the rules and regulations on the state level and we will let the federal government do it. Some people said the department is for the passage of this bill, and I say, why shouldn't they be? My gosh, if they are not, they are going to be out of a job.

I am not going to fight it beyond that. I just want you to know my reason for signing the "ought not to pass" report. I think we have plenty of time next year or the year after to obtain primacy if we find it is a problem. Let's continue the way we are and let's not get into the bureaucratic boondoggles that Washington keeps putting us in.

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

Mr. NADEAU: Mr. Speaker, Ladies and Gentlemen of the House: I want to thank the good gentleman from Woolwich, Mr. Leonard, for showing how much time and effort the committee, especially without counsel John Hall, has put into this bill.

The main reason why this bill was submitted is because, as Mr. Leonard stated, the federal government is going to impose on us these federal regulations on safe drinking water throughout the United States. We felt at this time it would be more applicable if we at the state level took primacy. Number one, the water districts would have a much easier time to apply this if they came to Augusta with the problems than having to go to the federal people down in Boston. So at this time we aren't quite exactly sure when the federal government is going to start putting these into effect. We have had dates of November, December, to maybe even October.

I would hope you would go along with the Majority "Ought to pass" Report and let the state take primacy at this time.

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

Mr. GOODWIN: Mr. Speaker, Men and Women of the House: I just have a few questions I would like to ask the members of the committee on this, one question in particular. During the committee hearings or anytime when you were working on the bill, was there ever a need documented for this bill other than the fact that the feds are going to promulgate rules and regulations and force them down our throats?

I think before we pass on something like this, I would like to know whether or not there is actually a need for this other than just the federal law.

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

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

Mr. KELLEHER: Mr. Speaker and Members of the House: I think the answer is, no. The question that was before us and before this committee in the last session of the legislature was, in fact, that the federal government was going to be mandating a standard safe drinking water act, not only in this state but the rest of the states in the Union.

I think one of the important things we have been able to do, as far as the committee, we worked out what appears to be a reasonable bill from the point of view of the Department of Health and Welfare, from the federal government's point of view and also from the water companies that are involved in providing pure and decent water for the people of Maine to drink.

As Mr. Leonard pointed out, the federal government said in effect that they may impose these rules upon us in June of 1977, and we are not exactly sure of that, but the State of Maine and the people of Maine will be able to control primacy, as far as setting standards for safe water for the people of Maine.

Another important thing is that our state agency will be able to offer objections, reasonably, on behalf of this state to the federal government in negotiating what may or may not be unnecessary standards as they apply to us. Standards of water quality in Maine may be somewhat different than they would be in the southwest or New York City.

I think it is important that you support the majority of the Committee on Public Utilities this morning, because if we don't pass this, I would suspect that at the next session of the legislature the Public Utilities Committee or the Health and Institutions Committee may be right back doing the work over again that we worked through the summer and the fall on.

Mr. Leonard was the only signer on the "ought not to pass" report. He did indicate on the floor of this House that it seems to be a reasonable bill, as far as he is concerned. His main argument is to let the feds do it. Well, I don't think we want the feds in fact running direct control over this particular area for the people of Maine. We have an existing agency, it is operative. We put in the bill, a complete review revision saying that if there are any rules promulgated by the department, that they in fact have to come back before this legislative body, whether it is the Public Utilities Committee, or whether it is the Health and Institutions Committee to get the approval of changes.

Many, many times we have seen in the past where we have given authority to various existing state agencies and they circumvent the intent of the legislation that was passed down to them. The control of the people is generally put in the hands of a few and not subject to review of many. This is one important feature that we attempted to put in the bill so if there were objections raised by actions of this particular department, you, as members of the legislature, would have an opportunity for change.

I would urge the House to accept the majority report.

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

Mr. CONNORS: Mr. Speaker, I would like to pose a question through the Chair. I see no fiscal note on this, and I was wondering if one of the members of the committee would tell me whether there is an increase in the cost of implementing this L. D.

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

Mr. NADEAU: Mr. Speaker, Ladies and Gentlemen of the House: In answer to the gentleman, there is no cost to the state. Mr. Hoxie from the Department of Human Resources said that the department can do this with the personnel they now have. The only cost that might be incurred is some of

the changes to the individual water districts in meeting some of the standards coming in. But as far as the state itself, there is no additional cost.

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

Mr. GOODWIN: Mr. Speaker, Men and Women of the House: I would like to take issue with my good friend from Sanford. I am sure Mr. Hoxie did say that they can probably do this, but at the present time, the division Mr. Hoxie heads up, Health and Engineering, is hard pressed to inspect and license restaurants and boarding homes, and various other things that they have under their jurisdiction right now, and I don't think they can add on all the water districts and everything else that is going to come under this bill.

I guess I have no real objection to the bill, except the fact that if it is not needed I hate to see us implement this. I would rather see it put in the position where we are going to have to force our federal legislators to take a little action in Washington rather than to have us go along with this and put all our water districts and local governments under more of a burden than they are already.

I think what my course of action would be is to say no to this and let the federal government attempt to come in and then perhaps we can generate enough support to put some pressure on our federal legislators to make some changes down in Washington.

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

Mr. LYNCH: Mr. Speaker, I have a question regarding Section 2607. The department shall approve the facilities, technique, testing methods and training of personnel of any laboratories that analyze water samples. Is the department going to be very arbitrary and insist that water districts enlarge their laboratories and have only certain personnel, are they going to make it difficult for the water districts?

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

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

Mr. NADEAU: Mr. Speaker, Ladies and Gentlemen of the House: To first answer what Mr. Goodwin said, the water districts are already sending samples to the state and there might be only one or two more samples that they would have to send in every year. We already have most of the standards which the federal government is now proposing.

As far as making it hard for the water districts, there is no intent in the bill to do this. Most water districts now have to send their samples to the state, and there is some kind of overview of how testing is done. Maybe I haven't answered the question quite correctly and maybe I should put it another way, but I have answered it the best I can.

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

Mr. LEONARD: Mr. Speaker, Ladies and Gentlemen of the House: One of the things that bothers me on the bill is that the rules and regulations on the federal level have not been accepted yet. If they are anything like the OSHA rules and regulations, I would hate to get this state involved in enforcing something like that.

All I am saying is, let's wait, there is no

need for this legislation this year, let's wait until next year, maybe they will finalize the rules and regulation and at that time, in the annual session next year, we can pass this thing.

As I said before, the bill is quite accurate. I don't think you are going to see very many changes to the legislation next year, provided the feds don't change anything significantly. It is probably put in as good a posture as it possibly could be put into for this body to consider. I don't see any need for it at the present time and I think we should probably just hold off, let's wait and see what the federal government does, and like the gentleman from Berwick said, it might put us in a different posture, it will put us in a posture of saying to the federal government and our Representatives down there, "Look, let's be reasonable about the whole thing and if you are not, you are going to have the bureaucratic boondoggle, not us."

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

Mr. MACKEL: Mr. Speaker, Ladies and Gentlemen of the House: Just a question. Apparently there is no additional cost involved at the state level and I was wondering if there is any additional cost that might be placed on our water districts? If anyone could possibly answer that?

The SPEAKER: The gentleman from Wells, Mr. Mackel, has posed a question through the Chair to any member who cares to answer.

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

Mr. NADEAU: Mr. Speaker, Ladies and Gentlemen of the House: The answer to the gentleman from Wells, Mr. Mackel, there will be to some water districts an increase in costs because of certain tepidity levels of the water. Now, this is only aesthetic in nature in that under parts of the laws the water is murky, and as far as being healthy to drink it is, but they are going to have to clear up this little murky phase of it so that it looks clean, even though it is clean.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: Just to further answer Mr. Mackel's question, whether we do it or whether the federals do it, the cost is going to be there.

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

Mr. LYNCH: Mr. Speaker, Ladies and Gentlemen of the House: I got an answer for my other question and I would like to ask a couple more questions.

On page five of the bill, "The Department shall generally supervise and monitor the operation and maintenance of any public water system in the state. Such general supervision and monitoring shall include all aspects of the operation and maintenance which may affect the quality of water supply." Does this mean the department is going to add more to its staff?

On page six, under engineering studies I question, "The commissioner may order a public water supplier to carry out an engineering study of the waterworks system or any portion thereof if such study is required to identify potential threats to the public health." I think we are giving a lot more under this bill than is generally recognized and I don't see how they can possibly do all that they are asked to do without enlarging the department. I think

they are going to make it difficult, if they conform to this L. D., make it difficult for water districts.

The SPEAKER: The Chair recognizes the gentleman from Newcastle, Mrs. Byers.

Mrs. BYERS: Mr. Speaker, Ladies and Gentlemen of the House: It appears that we have a choice today of whether to have the state regulate our public water supply or to have the federal government do it. I think it will probably cost us the same amount either way, and I would hope that you would go along with this bill today and support the state.

I am sure that the federal sponsor of this bill, which controls all our water supplies, Peter Kyros, thought this would be the best thing for the State of Maine.

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

Mr. DOAK: Mr. Speaker and Members of the House: It has been my experience, since we have been dealing with the different commissions in this state, that the state statutes, regulations and so forth have exceeded the federal in their statutes and all of these other anti-pollution devices we have. In the process, these commissions have given the industries of this state a great deal of trouble. They have set deadlines which come prior to federal deadlines. They have been very difficult when it comes to ask for an extension of time, like on your burning dumps and one thing and other, and I would think this would be a good time to draw back, wait a little. As the good gentleman says, I don't think there is any great hurry about this.

I am concerned about the cost of this. I know that most every department that we have says if you add something to them they are short of manpower, they don't have the funds to do the job. Here we are now asking them to cut back 7 percent or so on their costs. I just don't think that this is a possibility for the Health and Welfare or Human Services to handle at this time. I believe that we should wait. I think that the 108th would be a good time to look at this rather than now.

Mr. Kelleher of Bangor was granted permission to address the House a third time.

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: If you look at the amendment that the committee sent out, it says, "No regulations or guidelines shall be finally adopted or promulgated under this section until they have been reported to and approved by the legislature." It also says that the present regulations governing water quality shall continue in effect until new regulations and guidelines are adopted. In other words, this act that we have got here will keep the same rules and regulations until we finally see what the federal government is going to be giving to us. It also gives the department down there an opportunity to arbitrate and deal with the federal government on a level of objections as far as this particular state is concerned. It doesn't add any new rules or regulations, because in fact they don't take effect until we see exactly what the federal government is going to be handing down to us, nor is it going to cost any more money as I see it right at the moment, and I think I am as careful in watching the state's purse strings as any other members.

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

Mr. KAUFFMAN: Mr. Speaker, Ladies

and Gentlemen of the House: I would like to pose a question, if somebody could answer it. I know of several small towns in York County where there is no public water system. However, four or five, maybe twelve families have tapped into a spring up on a slight elevation and it is fed by gravity. Would they come under this bill? In other words, would they be subject to these rules and regulations?

The SPEAKER: Mr. Kauffman of Kittery poses a question through the Chair to any member who cares to answer.

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

Mr. BERRY: Mr. Speaker, Ladies and Gentlemen of the House: In response to Mr. Kauffman's question, the answer is no. The bill states, I believe the figure is 25 people. He mentioned the figure of 12 or 14. I think you have to have a minimum of 25 people before you do come under this.

While I am here, I think Mrs. Byers put it very well. Actually, the only choice we have is, who do you want to enforce this? It is either the state or the federal government. I, as a member of the Public Utilities Committee, didn't like any part of this bill, I still don't. You will note that I signed the "ought to pass" and I did that because that is the only choice we do have. I can't repeal federal law, all I can do is listen to the people who will be regulated by the safe drinking water act, who tell me that they would prefer to be regulated by the people in the State of Maine rather than the people in Washington, D. C. or Boston. That is the reason why I signed the "ought to pass."

The SPEAKER: The pending question is acceptance of the Majority "Ought to Pass" Report. All in favor of the Majority "Ought to Pass" report will vote yes; those opposed will vote no.

A vote of the House was taken.

Thereupon, Mr. Leonard of Woolwich requested a roll call vote.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Bangor, Mr. Kelleher, that the House accept the Majority "Ought to Pass" Report in concurrence on Bill "An Act to Regulate Drinking Water." Senate Paper 687, L. D. 2198. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Bachrach, Bennett, Berry, P. P.; Berube, Boudreau, Burns, Bustin, Byers, Carpenter, Chonko, Connolly, Cooney, Cox, Curran, P.; Curran, R.; Davies, Drigotas, Dudley, Farley, Fenlason, Finemore, Flanagan, Fraser, Gauthier, Goodwin, K.; Gray, Greenlaw, Henderson, Hennessey, Hughes, Ingegneri, Jackson, Jensen, Joyce, Kany, Kauffman, Kelleher, Laffin, LaPointe, Laverty, LeBlanc, Littlefield, Lizotte, Lovell, Lunt, MacEachern, Martin, A.; Martin, R.; Maxwell, McMahon, Mills, Miskavage, Morin, Nadeau, Najarian, Norris, Peakes, Pearson, Pelosi, Powell, Raymond, Rideout, Rolde, Saunders, Shute, Snowe, Stubbs, Susi, Tarr, Teague, Theriault, Tierney, Twitchell, Tyndale, Usher, Wagner.

NAY — Albert, Ault, Bagley, Berry, G.

W.; Birt, Bowie, Call, Carroll, Carter, Conners, Dam, Doak, Dow, Durgin, Dyer, Farnham, Garsoe, Goodwin, H.; Gould, Higgins, Hinds, Hunter, Hutchings, Immonen, Jacques, Kelley, Leonard, Lewin, Lewis, Lynch, Mackel, MacLeod, Mahany, McBreaarty, McKernan, Mitchell, Morton, Palmer, Perkins, S.; Perkins, T.; Peterson, P.; Peterson, T.; Pierce, Post, Rollins, Silverman, Snow, Spencer, Sprowl, Strout, Torrey, Tozier, Truman, Walker, Wilfong, Winship.

ABSENT — Blodgett, Carey, Churchill, Clark, Cote, Curtis, DeVane, Faucher, Hall, Hewes, Hobbins, Jalbert, Kennedy, Mulhern, Quinn, Smith, Talbot, Webber.

Yes, 76; No, 56; Absent, 18.

The SPEAKER: Seventy-six having voted in the affirmative and fifty-six in the negative, with eighteen being absent, the motion does prevail.

Thereupon, the Bill read once. Committee Amendment "A" (S-431) was read by the Clerk and adopted in concurrence and the Bill assigned for second reading tomorrow.

Order Out of Order

Mrs. Laverty of Millinocket presented the following Joint Resolution and moved its adoption: (H. P. 2203) (Cosponsor: Mr. Birt of East Millinocket)

JOINT RESOLUTION IN TRIBUTE TO THE TOWN OF MILLINOCKET IN OBSERVANCE OF ITS SEVENTY-FIFTH ANNIVERSARY

WHEREAS, on March 16, 1901, a town was cut from the Maine wilderness within the shadow of Mt. Katahdin and incorporated as the 467th town; and

WHEREAS, located near the source of raw material and abundant water power, Millinocket, or the "Magic City of the Wilderness," as it is known, grew rapidly as the mills of the Great Northern Paper Company became giants in the paper industry; and

WHEREAS, the citizens of this proud northern community are enthusiastically celebrating this, their seventy-fifth anniversary of incorporation of the Town of Millinocket; and

WHEREAS, all the citizens of the town and its neighbors have arranged appropriate anniversary activities commencing on March 16th of this, the Bicentennial Year of the American Revolution; and

WHEREAS, the citizens of the State of Maine firmly join hands with the inhabitants of Millinocket for the purposes of the celebration to commemorate not only a rich past but a bright and challenging future; now, therefore, be it

RESOLVED: That we, the Members of the Senate and House of Representatives of the One Hundred and Seventh Legislature of the State of Maine now assembled in Special Session, do hereby take this opportunity to extend congratulations and best wishes to the citizens of Millinocket as they observe their seventy-fifth year of incorporation; and be it further

RESOLVED: as a token of our future support and encouragement, that the Secretary of State be directed to transmit forthwith to the people of Millinocket through the town officers an engrossed copy of this resolution duly authenticated by the Secretary of State and bearing the Great Seal of the State of Maine to commemorate this memorable occasion.

The Resolution was received out of order by unanimous consent and read.

The SPEAKER: The Chair recognizes

the gentlewoman from Millinocket, Mrs. Laverty.

Mrs. LAVERTY: Mr. Speaker, Ladies and Gentlemen of the House: This is a year of unusual anniversaries. We are kept busy turning back the pages of history.

I would like to take you this morning to this House back in the year 1901, seventy five years ago today. At this time, this body, the House and also the Senate, were working on the enactment of a charter for a little town up in the wilderness under Mt. Katahdin. It was to be placed on the West Branch of the Penobscot River in Township Indian 3, Penobscot County. The legislature passed this enactment and the Governor signed into being Maine's 467th town, Millinocket, Maine. This in itself was not unusual, but the town itself was really a remarkable thing, because it was built in such a rapid time in so short a period in the very wilderness of Maine that it was known across the state as the magic city of Maine's wilderness.

In 1898, a company called the Great Northern Paper Company had been formed with the purpose of building a paper mill in this wilderness area. It surveyed that area in that year and found in that territory only a wandering tote road for lumbermen. On that road was one farm and a few men living on the railroad where they were serving as section hands.

In the next year, 1899, there was a veritable explosion, a population explosion. It was incredible; 400 Italians were imported from Italy to help as construction people and people poured from the northern part of Maine, from Canada, from everywhere, to build a mill, and what is so amazing is the fact that in 1900, in that very short time, the paper mill was built and the first paper was run off number 7 machine. The town was so amazing that the Bangor and Aroostook Railroad was running excursions out of Bangor north to this site to see the construction and to visit the mill.

The town expanded, as well as the mill, and by 1936 the Great Northern had the largest newsprint mill under one roof in the entire world.

The town grew as well as the mill, and in the sixties, by that time we had reached a population not of 2,000 but well into 6,000. We were becoming popular across the state in that two young ladies out of Millinocket had been chosen to represent Miss Maine.

Also, as most of you know, and this is bringing you up to the present, you are familiar with the famous Stearns Minutemen, Stearns High School created under George Wentworth a basketball team that is still famous for its work in the basketball championship that won the New England championships in 1963.

The town today is a town of 7,700 and is growing. The company has become one of the giants in the paper industry and it is with great pride that Representative Birt and I take back to the town tonight your wishes for its 75th birthday.

Thereupon, the Resolution was adopted and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

Non-Concurrent Matter

RESOLUTION, Proposing an Amendment to the Constitution to Permit the Governor to Veto Items Contained in Bills Appropriating Money (H. P. 1981) (L. D. 2170) which was Passed to be Engrossed as Amended by Committee Amendment "B" (H-942) as amended by House

Amendment "A" (H-943), thereto, in the House on March 3, 1976.

Came from the Senate, passed to be engrossed as amended by Committee Amendment "B" (H-942) in non-concurrence.

In the House: On motion of Mrs. Najarian of Portland, the House voted to insist.

Orders

Mr. Theriault of Rumford presented the following Joint Order and moved its passage: (H. P. 2202)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of the Panthers of Rumford High School State Class A Basketball Champions for 1976

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

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

The Order was read.

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

Mr. THERIAULT: Mr. Speaker, Ladies and Gentlemen of the House: Last week, I presented an order to have the Western Maine Champions recognized. At that time, I told the gentleman who was making up the orders that I would be in this week to present another order, and I was so sure of myself, there was no question in my mind whatsoever. But believe you me, after attending that game Saturday night and watching it, there were many times during the game when I was doubtful whether I would be presenting this order this morning.

I want to say right now that Lawrence and the Fairfield High School people were very good opponents. They are champions themselves and I feel the town of Fairfield should be commended for having such players.

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

Mrs. Tarr of Bridgton presented the following Joint Order and moved its passage: (H. P. 2204) (Cosponsor: Mr. Birt of East Millinocket)

WHEREAS, The Legislaure has learned of the Outstanding Achievement and Exceptional Accomplishment of the "Lakers" of Lake Region High School and Their Coach, Peter Hughes State of Maine Class B Basketball Champions for 1976

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

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

The Order was read.

The SPEAKER: The Chair recognizes the gentlewoman from Bridgton, Mrs. Tarr.

Mrs. TARR: Mr. Speaker and Members of the House: I would just like to say that I

need for this legislation this year, let's wait until next year, maybe they will finalize the rules and regulation and at that time, in the annual session next year, we can pass this thing.

As I said before, the bill is quite accurate. I don't think you are going to see very many changes to the legislation next year, provided the feds don't change anything significantly. It is probably put in as good a posture as it possibly could be put into for this body to consider. I don't see any need for it at the present time and I think we should probably just hold off, let's wait and see what the federal government does, and like the gentleman from Berwick said, it might put us in a different posture, it will put us in a posture of saying to the federal government and our Representatives down there, "Look, let's be reasonable about the whole thing and if you are not, you are going to have the bureaucratic boondoggle, not us."

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

Mr. MACKEL: Mr. Speaker, Ladies and Gentlemen of the House: Just a question. Apparently there is no additional cost involved at the state level and I was wondering if there is any additional cost that might be placed on our water districts? If anyone could possibly answer that?

The SPEAKER: The gentleman from Wells, Mr. Mackel, has posed a question through the Chair to any member who cares to answer.

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

Mr. NADEAU: Mr. Speaker, Ladies and Gentlemen of the House: The answer to the gentleman from Wells, Mr. Mackel, there will be to some water districts an increase in costs because of certain tepidity levels of the water. Now, this is only aesthetic in nature in that under parts of the laws the water is murky, and as far as being healthy to drink it is, but they are going to have to clear up this little murky phase of it so that it looks clean, even though it is clean.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: Just to further answer Mr. Mackel's question, whether we do it or whether the federals do it, the cost is going to be there.

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

Mr. LYNCH: Mr. Speaker, Ladies and Gentlemen of the House: I got an answer for my other question and I would like to ask a couple more questions.

On page five of the bill, "The Department shall generally supervise and monitor the operation and maintenance of any public water system in the state. Such general supervision and monitoring shall include all aspects of the operation and maintenance which may affect the quality of water supply." Does this mean the department is going to add more to its staff?

On page six, under engineering studies I question, "The commissioner may order a public water supplier to carry out an engineering study of the waterworks system or any portion thereof if such study is required to identify potential threats to the public health." I think we are giving a lot more under this bill than is generally recognized and I don't see how they can possibly do all that they are asked to do without enlarging the department. I think

they are going to make it difficult, if they conform to this L. D., make it difficult for water districts.

The SPEAKER: The Chair recognizes the gentleman from Newcastle, Mrs. Byers.

Mrs. BYERS: Mr. Speaker, Ladies and Gentlemen of the House: It appears that we have a choice today of whether to have the state regulate our public water supply or to have the federal government do it. I think it will probably cost us the same amount either way, and I would hope that you would go along with this bill today and support the state.

I am sure that the federal sponsor of this bill, which controls all our water supplies, Peter Kyros, thought this would be the best thing for the State of Maine.

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

Mr. DOAK: Mr. Speaker and Members of the House: It has been my experience, since we have been dealing with the different commissions in this state, that the state statutes, regulations and so forth have exceeded the federal in their statutes and all of these other anti-pollution devices we have. In the process, these commissions have given the industries of this state a great deal of trouble. They have set deadlines which come prior to federal deadlines. They have been very difficult when it comes to ask for an extension of time, like on your burning dumps and one thing and other, and I would think this would be a good time to draw back, wait a little. As the good gentleman says, I don't think there is any great hurry about this.

I am concerned about the cost of this. I know that most every department that we have says if you add something to them they are short of manpower, they don't have the funds to do the job. Here we are now asking them to cut back 7 percent or so on their costs. I just don't think that this is a possibility for the Health and Welfare or Human Services to handle at this time. I believe that we should wait. I think that the 108th would be a good time to look at this rather than now.

Mr. Kelleher of Bangor was granted permission to address the House a third time.

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: If you look at the amendment that the committee sent out, it says, "No regulations or guidelines shall be finally adopted or promulgated under this section until they have been reported to and approved by the legislature." It also says that the present regulations governing water quality shall continue in effect until new regulations and guidelines are adopted. In other words, this act that we have got here will keep the same rules and regulations until we finally see what the federal government is going to be giving to us. It also gives the department down there an opportunity to arbitrate and deal with the federal government on a level of objections as far as this particular state is concerned. It doesn't add any new rules or regulations, because in fact they don't take effect until we see exactly what the federal government is going to be handing down to us, nor is it going to cost any more money as I see it right at the moment, and I think I am as careful in watching the state's purse strings as any other members.

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

Mr. KAUFFMAN: Mr. Speaker, Ladies

and Gentlemen of the House: I would like to pose a question, if somebody could answer it. I know of several small towns in York County where there is no public water system. However, four or five, maybe twelve families have tapped into a spring up on a slight elevation and it is fed by gravity. Would they come under this bill? In other words, would they be subject to these rules and regulations?

The SPEAKER: Mr. Kauffman of Kittery poses a question through the Chair to any member who cares to answer.

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

Mr. BERRY: Mr. Speaker, Ladies and Gentlemen of the House: In response to Mr. Kauffman's question, the answer is no. The bill states, I believe the figure is 25 people. He mentioned the figure of 12 or 14. I think you have to have a minimum of 25 people before you do come under this.

While I am here, I think Mrs. Byers put it very well. Actually, the only choice we have is, who do you want to enforce this? It is either the state or the federal government. I, as a member of the Public Utilities Committee, didn't like any part of this bill. I still don't. You will note that I signed the "ought to pass" and I did that because that is the only choice we do have. I can't repeal federal law, all I can do is listen to the people who will be regulated by the safe drinking water act, who tell me that they would prefer to be regulated by the people in the State of Maine rather than the people in Washington, D. C. or Boston. That is the reason why I signed the "ought to pass."

The SPEAKER: The pending question is acceptance of the Majority "Ought to Pass" Report. All in favor of the Majority "Ought to Pass" report will vote yes; those opposed will vote no.

A vote of the House was taken.

Thereupon, Mr. Leonard of Woolwich requested a roll call vote.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Bangor, Mr. Kelleher, that the House accept the Majority "Ought to Pass" Report in concurrence on Bill "An Act to Regulate Drinking Water." Senate Paper 687, L. D. 2198. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Bachrach, Bennett, Berry, P. P.; Berube, Boudreau, Burns, Bustin, Byers, Carpenter, Chonko, Connolly, Cooney, Cox, Curran, P.; Curran, R.; Davies, Drigotas, Dudley, Farley, Fenlason, Finemore, Flanagan, Fraser, Gauthier, Goodwin, K.; Gray, Greenlaw, Henderson, Hennessey, Hughes, Ingegneri, Jackson, Jensen, Joyce, Kany, Kauffman, Kelleher, Laffin, LaPointe, Laverty, LeBlanc, Littlefield, Lizotte, Lovell, Lunt, MacEachern, Martin, A.; Martin, R.; Maxwell, McMahon, Mills, Miskavage, Morin, Nadeau, Najarian, Norris, Peakes, Pearson, Pelosi, Powell, Raymond, Rideout, Rolde, Saunders, Shute, Snowe, Stubbs, Susi, Tarr, Teague, Theriault, Tierney, Twitchell, Tyndale, Usher, Wagner.

NAY — Albert, Ault, Bagley, Berry, G.

W.; Birt, Bowie, Call, Carroll, Carter, Conners, Dam, Doak, Dow, Durgin, Dyer, Farnham, Garsoe, Gowwin, H.; Gould, Higgins, Hinds, Hunter, Hutchings, Immonen, Jacques, Kelley, Leonard, Lewin, Lewis, Lynch, Mackel, MacLeod, Mahany, McBreairty, McKernan, Mitchell, Morton, Palmer, Perkins, S.; Perkins, T.; Peterson, P.; Peterson, T.; Pierce, Post, Rollins, Silverman, Snow, Spencer, Sprowl, Strout, Torrey, Tozier, Truman, Walker, Wilfong, Winship.

ABSENT — Blodgett, Carey, Churchill, Clark, Cote, Curtis, DeVane, Faucher, Hall, Hewes, Hobbins, Jalbert, Kennedy, Mulkern, Quinn, Smith, Talbot, Webber.

Yes, 76; No, 56; Absent, 18.

The SPEAKER: Seventy-six having voted in the affirmative and fifty-six in the negative, with eighteen being absent, the motion does prevail.

Thereupon, the Bill read once. Committee Amendment "A" (S-431) was read by the Clerk and adopted in concurrence and the Bill assigned for second reading tomorrow.

Order Out of Order

Mrs. Laverty of Millinocket presented the following Joint Resolution and moved its adoption: (H. P. 2203) (Cosponsor: Mr. Birt of East Millinocket)

JOINT RESOLUTION IN TRIBUTE TO THE TOWN OF MILLINOCKET IN OBSERVANCE OF ITS SEVENTY-FIFTH ANNIVERSARY

WHEREAS, on March 16, 1901, a town was cut from the Maine wilderness within the shadow of Mt. Katahdin and incorporated as the 467th town; and

WHEREAS, located near the source of raw material and abundant water power, Millinocket, or the "Magic City of the Wilderness," as it is known, grew rapidly as the mills of the Great Northern Paper Company became giants in the paper industry; and

WHEREAS, the citizens of this proud northern community are enthusiastically celebrating this, their seventy-fifth anniversary of incorporation of the Town of Millinocket; and

WHEREAS, all the citizens of the town and its neighbors have arranged appropriate anniversary activities commencing on March 16th of this, the Bicentennial Year of the American Revolution; and

WHEREAS, the citizens of the State of Maine firmly join hands with the inhabitants of Millinocket for the purposes of the celebration to commemorate not only a rich past but a bright and challenging future; now, therefore, be it

RESOLVED: That we, the Members of the Senate and House of Representatives of the One Hundred and Seventh Legislature of the State of Maine now assembled in Special Session, do hereby take this opportunity to extend congratulations and best wishes to the citizens of Millinocket as they observe their seventy-fifth year of incorporation; and be it further

RESOLVED: as a token of our future support and encouragement, that the Secretary of State be directed to transmit forthwith to the people of Millinocket through the town officers an engrossed copy of this resolution duly authenticated by the Secretary of State and bearing the Great Seal of the State of Maine to commemorate this memorable occasion.

The Resolution was received out of order by unanimous consent and read.

The SPEAKER: The Chair recognizes

the gentlewoman from Millinocket, Mrs. Laverty.

Mrs. LAVERTY: Mr. Speaker, Ladies and Gentlemen of the House: This is a year of unusual anniversaries. We are kept busy turning back the pages of history.

I would like to take you this morning to this House back in the year 1901, seventy five years ago today. At this time, this body, the House and also the Senate, were working on the enactment of a charter for a little town up in the wilderness under Mt. Katahdin. It was to be placed on the West Branch of the Penobscot River in Township Indian 3, Penobscot County. The legislature passed this enactment and the Governor signed into being Maine's 467th town, Millinocket, Maine. This in itself was not unusual, but the town itself was really a remarkable thing, because it was built in such a rapid time in so short a period in the very wilderness of Maine that it was known across the state as the magic city of Maine's wilderness.

In 1898, a company called the Great Northern Paper Company had been formed with the purpose of building a paper mill in this wilderness area. It surveyed that area in that year and found in that territory only a wandering tote road for lumbermen. On that road was one farm and a few men living on the railroad where they were serving as section hands.

In the next year, 1899, there was a veritable explosion, a population explosion. It was incredible; 400 Italians were imported from Italy to help as construction people and people poured from the northern part of Maine, from Canada, from everywhere, to build a mill, and what is so amazing is the fact that in 1900, in that very short time, the paper mill was built and the first paper was run off number 7 machine. The town was so amazing that the Bangor and Aroostook Railroad was running excursions out of Bangor north to this site to see the construction and to visit the mill.

The town expanded, as well as the mill, and by 1936 the Great Northern had the largest newsprint mill under one roof in the entire world.

The town grew as well as the mill, and in the sixties, by that time we had reached a population not of 2,000 but well into 6,000. We were becoming popular across the state in that two young ladies out of Millinocket had been chosen to represent Miss Maine.

Also, as most of you know, and this is bringing you up to the present, you are familiar with the famous Stearns Minutemen. Stearns High School created under George Wentworth a basketball team that is still famous for its work in the basketball championship that won the New England championships in 1963.

The town today is a town of 7,700 and is growing. The company has become one of the giants in the paper industry and it is with great pride that Representative Birt and I take back to the town tonight your wishes for its 75th birthday.

Thereupon, the Resolution was adopted and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

Non-Concurrent Matter

RESOLUTION. Proposing an Amendment to the Constitution to Permit the Governor to Veto Items Contained in Bills Appropriating Money (H. P. 1981) (L. D. 2170) which was Passed to be Engrossed as Amended by Committee Amendment "B" (H-942) as amended by House

Amendment "A" (H-943), thereto, in the House on March 3, 1976.

Came from the Senate, passed to be engrossed as amended by Committee Amendment "B" (H-942) in non-concurrence.

In the House: On motion of Mrs. Najarian of Portland, the House voted to insist.

Orders

Mr. Theriault of Rumford presented the following Joint Order and moved its passage: (H. P. 2202)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of the Panthers of Rumford High School State Class A Basketball Champions for 1976

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

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

The Order was read.

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

Mr. THERIAULT: Mr. Speaker, Ladies and Gentlemen of the House: Last week, I presented an order to have the Western Maine Champions recognized. At that time, I told the gentleman who was making up the orders that I would be in this week to present another order, and I was so sure of myself, there was no question in my mind whatsoever. But believe you me, after attending that game Saturday night and watching it, there were many times during the game when I was doubtful whether I would be presenting this order this morning.

I want to say right now that Lawrence and the Fairfield High School people were very good opponents. They are champions themselves and I feel the town of Fairfield should be commended for having such players.

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

Mrs. Tarr of Bridgton presented the following Joint Order and moved its passage: (H. P. 2204) (Cosponsor: Mr. Birt of East Millinocket)

WHEREAS, The Legislaure has learned of the Outstanding Achievement and Exceptional Accomplishment of the "Lakers" of Lake Region High School and Their Coach, Peter Hughes State of Maine Class B Basketball Champions for 1976

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

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

The Order was read.

The SPEAKER: The Chair recognizes the gentlewoman from Bridgton, Mrs. Tarr.

Mrs. TARR: Mr. Speaker and Members of the House: I would just like to say that I

am very proud of our Lakers. I was hoping that they could be with us today when this order was introduced, but of course they are getting ready to meet Rumford tonight.

I would also like to thank Mr. Birt for cosponsoring this order with me. Of course, Lake Region won the Western Class B Championship by winning over Schenck. It just goes to show you that good sportsmanship continues off the basketball court.

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

Mr. BIRT: Mr. Speaker and Members of the House: It was a privilege to cosponsor this order. The game my own alma mater, Schenck High School in East Millinocket, played with Bridgton and the Lake Region High School was an excellent ball game. It was a ball game that was finally settled in the last minutes by one point. I think that it was well played, there was good sportsmanship shown on both sides.

It might also be interesting to know that this is the first time in the history of the state in basketball that the Class B will play off the Class A, and there are good teams coming from both towns and excellent representatives, but I can't help, in my heart wishing that Lake Region the best of luck tonight at their basketball game for the state championship.

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

Mr. Mahany of Easton presented the following Joint Order and moved its passage; (H. P. 2205)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of the Girls' Ski Team of Fort Fairfield High School and its Coach, Clarence "Chub" Clark State Class D Champions for 1976

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

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

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

On motion of Mr. Albert of Limestone, it was

ORDERED, that Louis Jalbert of Lewiston be excused beginning March 11 for the duration of his illness.

Mr. Gauthier of Sanford was granted unanimous consent to address the House.

Mr. GAUTHIER: Mr. Speaker, Ladies and Gentlemen of the House: I was advised by my physician that I could rejoin you today only with one stipulation, and that was, and it is hard for me, if I stayed in my seat and kept quiet. I agreed to his wishes reluctantly, with one exception, that I have the opportunity to thank every one of you sincerely for your many acts of kindness that you have shown me during my illness. I have received many, many cards. In fact, I would like to tell you that it was in the hundreds and my family was so pleased. The telephone rang for three days and someone had to be at that telephone all the time. I never thought that I deserved it. It really helped my

recovery to know that so many were praying and thinking of me, and I am dearly grateful to you, one and all. (Applause)

House Reports of Committees Divided Report Tabled and Assigned

Majority Report of the Committee on Veterans and Retirement on Bill "An Act to Base Adjustments of Teacher and State Employee Retirement Allowances on the Consumer Price Index" (H. P. 1799) (L. D. 1958) reporting "Ought Not to Pass"

Report was signed by the following members:

- Messrs. COLLINS of Knox
- O'LEARY of Oxford
- of the Senate.
- Mrs. LAVERTY of Millinocket
- Messrs. LEONARD of Woolwich
- NADEAU of Sanford
- MORTON of Farmington
- THERIAULT of Rumford
- of the Hbuse.

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

Report was signed by the following members:

- Mrs. KELLEY of Machias
- Messrs. MacEACHERN of Lincoln
- POWELL of Wallagrass Pt.
- USHER of Westbrook
- of the House.

Reports were read.

Mr. Theriault of Rumford moved that the House accept the Majority "Ought Not to Pass" Report.

On further motion of the same gentleman, tabled pending his motion to accept the Majority Report and specially assigned for Thursday, March 18.

Consent Calendar First Day

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

Bill "An Act to Prohibit Embalming when an Autopsy has been Authorized" — Committee on Legal Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (S-429) (S. P. 659) (L. D. 2084)

On the request of Mr. Kelleher of Bangor, was removed from the Consent Calendar.

Thereupon, the Report was accepted in concurrence and the Bill read once. Committee Amendment "A" (S-429) was read by the Clerk and adopted in concurrence and the Bill assigned for second reading tomorrow.

Bill "An Act Relating to Requests for Absentee Ballots" — Committee on Election Laws reporting "Ought to Pass" (H. P. 2062) (L. D. 2232)

No objection having been noted, the above item was ordered to appear on the Consent Calendar of March 17, under listing of the Second Day.

Consent Calendar Second Day

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

Bill "An Act to Amend the Definition of 'School Bus' to Include School Buses Rented from School Administrative Units by Nonprofit Organizations in Order to Transport Children" (Emergency) (C. "A" H-973) (H. P. 1930) (L. D. 2117)

Bill "An Act to Reconstitute School Administrative District No. 42" (Emergency) (H. P. 2059) (L. D. 2237)

No objections having been noted at the end of the Second Legislative Day, the above items were passed to be engrossed as amended and sent up for concurrence.

Passed to Be Engrossed

Bill "An Act to Establish a Program to Protect the Clam Fishery from Green Crab Predation" (Emergency) (H. P. 2200) (L. D. 2303)

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

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

Mr. HIGGINS: Mr. Speaker. I just had one question before we pass this to be engrossed. This bill calls for an appropriation, so to speak, of \$25,000 from the shellfish fund to match local grants on a 50-50 basis. I wonder if someone from the Committee on Marine Resources might enlighten us as to how they are going to come up with this \$25,000. There is no additional appropriation on the bill. I assume there is a surplus in the shellfish fund or they are going to make provisions for one somewhere.

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

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

Mr. GREENLAW: Mr. Speaker, Men and Women of the House: I would like to try to respond to the question of the gentleman from Scarborough, Mr. Higgins. When I originally introduced this bill, I had an appropriation on the bill of \$25,000, and in doing some research on the bill, I discovered that there was a substantial balance in the shellfish fund. As a matter of fact, as of February 10, when I received a memorandum from the Commissioner of Marine Resources, there was a balance in the fund of \$107,000. So what we have done, we have obligated in the bill \$25,000 from the shellfish fund, and the fund receives receipts from licenses to go to this conservation program to try to protect the clam resource.

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

Amended Bills

Bill "An Act to Extend the Exemption for Self-employed Sternmen on Lobster Fishing Boats from Coverage under the Employment Security and Workmen's Compensation Laws" (H. P. 1890) (L. D. 2070) (C. "A" H-979)

Bill "An Act Regarding the Rights of Students at the University of Maine in the University Bargaining Process" (H. P. 1966) (L. D. 2155) (C. "A" H-977)

Bill "An Act to Exempt Emergency Vehicles and School Buses From the Statutory Prohibition of the Use of Studded Tires from May to October" (Emergency) (H. P. 1953) (L. D. 2138) (C. "A" H-975)

Bill "An Act Concerning Transit District Buses Used for Elementary Pupil Transportation" (Emergency) (H. P. 1996) (L. D. 2177) (C. "A" H-980)

Were reported by the Committee on Bills in the Second Reading, read the second time, passed to be engrossed as amended and sent up for concurrence.

**Passed to Be Enacted
Emergency Measure**

An Act Relating to Employment of Drug Inspectors by the State Board of Pharmacy (H. P. 1879) (L. D. 2054) (C. "A" H-957)

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

Emergency Measure

An Act to Classify the Positions of Director of Program Review and Evaluation in the Department of Audit, Director of Fraud Investigation in the Department of Audit, and of Employees of the Fraud Investigation Division in the Department of Audit (H. P. 1992) (L. D. 2174) (C. "A" H-936, S. "A" S-428)

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

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

Mr. FARLEY: Mr. Speaker, would someone just give me an explanation of what this bill does, please?

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

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

Mrs. BACHRACH: Mr. Speaker, I see the Chairman of the Committee is not present, so I will attempt to answer the question, although I am not very capable on this.

The people in this Department of Fraud and Investigation in the Audit Department wanted to be classified under the personnel rules. There is some considerable talk of changing them into other departments. In fact, we have two bills to that effect in front of us, and they seem to feel that they would like to be covered by personnel rules. That is what this bill does.

The SPEAKER: The pending question is on passage to be enacted. This being an emergency measure, it requires a two-thirds vote of all the members elected to the House. All in favor of this bill being passed to be enacted will vote yes; those opposed will vote no.

A vote of the House was taken.

113 having voted in the affirmative and 9 having voted in the negative, the motion did prevail.

Signed by the Speaker and sent to the Senate.

The following Enactor appearing on Supplement No. 1 was taken up out of order by unanimous consent.

An Act to Permit a Manufacturer of Alcoholic Beverages to be a Stockholder in a Corporation which is a Licensee (H. P. 1892) (L. D. 2072) (C. "A" H-932, S. "A" S-430)

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

Mr. Kelleher of Bangor moved that this matter be tabled for one legislative day.

Mr. Bowie of Gardiner requested a vote on the tabling motion.

The SPEAKER: The pending question is

on the motion of the gentleman from Bangor, Mr. Kelleher, that this matter be tabled pending passage to be enacted and tomorrow assigned. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

26 having voted in the affirmative and 85 having voted in the negative, the motion did not prevail.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: I think that this House is quite familiar with this act that is before us this morning. If there has ever been a piece of class legislation that has been before this body in the eight years that I have been here, this is the dandy of them all.

Here we are involved in a bidding process of the State of Maine, and to allow a person who has already made a bid, it is already in, and I am not even sure that they haven't awarded the bids yet, maybe tomorrow or the next day, but for us to turn around and allow a liquor manufacturer in this state the privilege — and out of state, I might add, because they had to put an amendment on over in the other body to allow out-of-state manufacturers to come in here and not only operate on the wholesale level but to go into the retail level and I think this is misuse of good judgment.

I am not against this firm or any other firm bidding for property the State of Maine owns, but I do believe in the principle that we operate under here, that they bid on a reasonable and competitive basis. The argument that in fact this company would not be bidding if we didn't allow them to operate under a liquor license is not a good argument at all.

The Energy Committee, in somewhat of a comparison, has been doing a study of the oil industry and the effects of the wholesalers they have in the state in the retail business. This is the same thing all over again. If you are willing to let large concerns compete, produce and then compete at the retail level, then I would urge you to support it, but if you want to accept the principle of the free enterprise and let the wholesalers stay in the wholesale business and the retailer in the retail business, then I would urge you to support the defeat of the passage of this bill. It is class legislation, I think it is extremely unfair and I think it would be unwise for this House to support this and set a precedent here this morning.

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

Mr. BOWIE: Mr. Speaker, I would like to pose a question through the Chair to the gentleman from Bangor. What is the gentleman's definition of class legislation?

The SPEAKER: The gentleman from Gardiner, Mr. Bowie, has posed a question through the Chair to the gentleman from Bangor, Mr. Kelleher, who may answer if he so desires.

The Chair recognizes that gentleman.

Mr. KELEHER: Mr. Speaker, Ladies and Gentlemen of the House: When a piece of legislation, Representative Bowie, is put in primarily for one concern. It seems to me that when the liquor laws of this state were enacted back in the 30's, they were carefully considered by the Honorable John Carey and others in attempting to isolate and keep certain phases of this particular business. What we are in fact doing is circumventing it, and this is class legislation.

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

Mr. FRASER: Mr. Speaker, Ladies and Gentlemen of the House; I hope that you won't defeat this measure this morning. It is an attempt by these young gentlemen, and they are young gentlemen, I know them, they are already perhaps in the bottling business but they are not in what you would call the liquor business and the liquor that is used in these recreation areas is not the type of liquor that they have been bottling, it is not that kind at all.

The state is stuck with this and here is a chance to sell it, and I believe that these young men can make it go and I hope you will enact it.

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

Mr. BURNS: Mr. Speaker, a point of inquiry? May I be informed as to what the L. D. number is on this?

The SPEAKER: It is L. D. 2072.

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

Mr. JACQUES: Mr. Speaker, Ladies and Gentlemen of the House: I happen to sit on Liquor Control and I have listened to this bill, but I can just imagine what we can do for a little town today if we let this Maine concern bid on this particular ski area. It would help out that town and I am told that if this is not sold locally, this little town will go bankrupt, and this was told to us in committee.

I want to bring out a point again and I brought it out the last time, that Seagram's and other companies that have stock in Holiday Inn, and many of these hotel companies, under this law here now, what we have here in our state, they couldn't own stock in these companies if they operated out of this state. Well, this is the same thing we are doing to this gentleman. These people have money in this state, they are local people and why not give them a chance? They want to leave their money in the State of Maine and what is wrong with that? These people will have to buy their liquor from the Liquor Commission, they cannot take liquor from their stock and take it to the ski area, they have to buy it from the State of Maine, so what is wrong with that? There is absolutely nothing wrong with it and I hope that this House is not convinced otherwise.

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

Mr. PERKINS: Mr. Speaker, Ladies and Gentlemen of the House: I rise today to differ with my good friend from Bangor, which is really a rare occurrence, because we often find ourselves agreeing on most things. I think perhaps to say this is class legislation is a little unfair, because who will be the gainer in this if this passes? The people of the State of Maine, because the people of the State of Maine are the people who are on the hook for all of the \$3 million at this point, and this law will enable a Maine citizens to make a bid for this Evergreen Valley, which we know now we are holding the bag for.

This gentleman has no intention of making a bid for something he can't work for profit and I think this is a fair and logical reason, because he cannot operate the liquor franchise there without this enabling law.

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

Mr. KELLEHER: Mr. Speaker, I would like to pose a question to any member of this House. Can any member of this House

tell me when the bids are going to be opened?

The SPEAKER: The gentleman from Bangor, Mr. Kelleher, has posed a question through the Chair to anyone who may answer if they would care to do so.

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

Mr. KELLEHER: Mr. Speaker, I will answer my own question, if I may. The bids are going to be opened tomorrow and if we are going to set a precedent, that was my only reason for wanting to table this bill, to see if in fact they are awarded the bid, and if they are awarded the bid, you people may take a different position or even I may take a different position, but I doubt it. Nevertheless, we will be willing to set a precedent today, not anticipating what is going to be happening tomorrow.

The SPEAKER: The Chair recognizes the gentleman from Dixfield, Mr. Rollins.

Mr. ROLLINS: Mr. Speaker, Ladies and Gentlemen of the House: This bill has an impact on Oxford County and that is where I come from. I agree with the gentleman from Blue Hill, this is something that will help the state. When the gentleman from Bangor, a couple of years ago wanted his \$400,000 for Dow Field, he came with some buses and took us all up there and gave us a nice ride, and I will do the same for him on this bill if he will go with me.

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

Mr. NORRIS: Mr. Speaker, Ladies and Gentlemen of the House: I, too, don't like to get up and speak against my good friend from Bangor, Mr. Kelleher, but I would remind the good people in this House that the state now owns one ski resort that went to punk up in Greenville and here is a chance today that we might make it possible for people in Maine, with the money, I understand, to bid on this. If it were put to me, I would be willing to have the state pay for the liquor license in order to try and turn around the problem that we have with the Maine Guarantee Authority. Believe me, if we have someone who is interested, and particularly a Maine group, in this type of business and are willing to put their funds up as opposed to having the state put their funds up, please, let's go along this morning and make it possible for them to do it.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Hughes.

Mr. HUGHES: Mr. Speaker, Ladies and Gentlemen of the House: Neither myself nor my seatmate seem to have Senate Amendment "A" and I would ask a proponent of this bill to explain to me what Senate Amendment "A" does and why?

The SPEAKER: The gentleman from Auburn, Mr. Hughes, has posed a question through the Chair to anyone who may answer if they care to do so.

The Chair recognizes the gentleman from Gardiner, Mr. Bowie.

Mr. BOWIE: Mr. Speaker, Ladies and Gentlemen of the House: It seems that we enacted this on the 5th of March and on the 5th of March, I received a letter from the Attorney General. What happened after they investigated the engrossed bill was that we were — I will read the letter: "Our office has reviewed the engrossed bill of L. D. 2072 'An Act to Permit a Manufacturer of Alcoholic Beverages to be a Stockholder in a Corporation which is a Licensee' and we believe that L. D. 2072 as presently drafted may violate the interstate commerce clause, Article I, Section 8, of the United States Constitution. This violation would occur because the bill

permits an advantage to instate holders of manufacturers' licenses which it denies to out-of-state manufacturers without any apparent legal justification or distinction. Very truly yours, Joseph E. Brennan." What the amendment would do would be to allow out-of-state manufacturers to hold one license, a retail license in the State of Maine.

Mr. Kelleher of Bangor requested a roll call.

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 and voting 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 of L. D. 2072. Those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Ault, Bachrach, Bennett, Berry, G. W.; Berube, Birt, Boudreau, Bowie, Burns, Bustin, Call, Carpenter, Carroll, Carter, Chonko, Churchill, Conners, Cooney, Curran, P.; Curran, R.; Davies, Doak, Dow, Drigotas, Dudley, Durgin, Dyer, Farley, Farnham, Fenlason, Finemore, Flanagan, Fraser, Garsoe, Gauthier, Goodwin, K.; Gould, Gray, Greenlaw, Hall, Hennessey, Higgins, Hunter, Hutchings, Immonen, Jackson, Jacques, Jensen, Joyce, Kauffman, Kelley, Laffin, LaPointe, Lavery, LeBlanc, Leonard, Lewin, Littlefield, Lizotte, Lovell, Lunt, Lynch, MacEachern, Mackel, MacLeod, Mahany, Martin, R.; Maxwell, McBairty, McKernan, McMahon, Mills, Miskavage, Mitchell, Morin, Morton, Nadeau, Najarian, Norris, Palmer, Peakes, Pearson, Pelosi, Perkins, T.; Peterson, P.; Powell, Rideout, Rolde, Rollins, Saunders, Silverman, Snow, Snowe, Spencer, Stubbs, Susi, Tarr, Teague, Theriault, Tierney, Torrey, Tozier, Truman, Twitchell, Tyndale, Usher, Walker, Wilfong.

NAYS — Bagley, Berry, P. P.; Blodgett, Connolly, Cox, Dam, DeVane, Goodwin, H.; Henderson, Hughes, Ingegneri, Kany, Kelleher, Lewis, Martin, A.; Perkins, S.; Peterson, T.; Pierce, Post, Raymond, Shute, Sproul, Strout, Wagner, Winship.

ABSENT — Byers, Carey, Clark, Cote, Curtis, Faucher, Hewes, Hinds, Hobbins, Jalbert, Kennedy, Mulhern, Quinn, Smith, Talbot, Webber.

Yes, 109; No, 25; Absent, 16.

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

Signed by the Speaker and sent to the Senate.

By unanimous consent, ordered sent forthwith.

Orders of the Day

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

Bill, "An Act Concerning Single Motor Vehicle Registration Plates and Placement of Motor Vehicle Inspection Stickers" (H. P. 2009) (L. D. 2191)

Tabled — March 12 by Mr. Fraser of Mexico

Pending — Passage to be Engrossed.
Mr. Snow of Falmouth offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-976) was read by the Clerk.

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

Mr. FRASER: Mr. Speaker, I would like to know what House Amendment "A" does?

The SPEAKER: The gentleman from Mexico, Mr. Fraser, has posed a question through the Chair to the sponsor.

The Chair recognizes the gentleman from Falmouth, Mr. Snow.

Mr. SNOW: Mr. Speaker, Ladies and Gentlemen of the House: As I read the bill, it requires the removal of front license plates. The amendment makes it optional for people to keep their license plates until new license plates are issued. There would seem to be no reason to remove plates which we have received, which we have and which we have paid for, until such time as new plates are issued.

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

Mr. FRASER: Mr. Speaker, Ladies and Gentlemen of the House: The amendment does not disturb me too much but the bill does.

As I mentioned last week, I have received communications from officials from Oxford County opposing this bill and I will just read to you the letter I got from the chief of police in my own town and others I have received are practically the same; I could stand here for the next hour and read them all to you, but I am afraid that I would lose votes that way.

"Dear Mr. Fraser: In conversation with our chief and officers throughout the state regarding removal of front license plates, it is apparent that law enforcement interests were not considered in any such move. My own experience and that of others has indicated the extreme usefulness of front license plates. We constantly scan front plates when responding to many different calls in an attempt to identify possible perpetrators of crime or even a possible witness to a crime as they leave a crime scene. On many occasions, this enforcement tool, the front license plate was the one bit of evidence that made solving the crime a possibility. In this age of uncontrollably increasing crime, I would hope that you and your colleagues would take whatever action is necessary to discourage removal of front license plates from any vehicles. We, as law enforcement officers, have little enough to go on when attempting to serve the public through criminal investigation. Help us retain what we do have and better serve the citizens of the communities in the State of Maine."

We hear about the saving of \$50,000 a year and to me, \$50,000 is a lot of money but by removing this front license plate, we are going to cause local police, county and municipal, to spend extra hours looking for possible criminals or even cars that they need that are not criminals, and it won't take many cases like this for the local officers to spend an extra half day or extra day looking for a car that they are trying to find, which they may even not find. By the end of the year, the \$50,000 saved by the state would have been spent by the county and local officials. To me, it is just another way of sending state expenses back to the towns.

I oppose this bill.

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

Mr. CARPENTER: Mr. Speaker, I move

the indefinite postponement of this amendment.

The SPEAKER: The gentleman from Houlton, Mr. Carpenter, moves the indefinite postponement of House Amendment "A".

The gentleman may proceed.

Mr. CARPENTER: Mr. Speaker, Ladies and Gentlemen of the House: If you will look very carefully at House Amendment "A" to L. D. 2191, it also says and I quote: "and truck tractors will not be required to display a rear play thereafter." What this amendment does, or at least one thing this amendment does, the way I read it, is require that truck tractors carry no license plates whatsoever.

I think it may be an attempt to kill the bill, and since I support the bill — I spent some time in the police field, while I was in the military, and I would tell you from my experience and maybe some former police officers here could dispute me, but from my experience, the report of a vehicle that a policeman is pursuing normally goes something to the effect of a red sedan, many people don't know the different types of vehicles but they can tell you at least the color, a red sedan, which is a lot more recognizable than a plate which you can't see until you are 20 feet from it, so front plates may be useful in a very small percentage of criminal cases and may be spotted by an officer after he identifies the proper type of vehicle.

I think in this time of very tight budgets, we need to do what we can to save money and I would not be in favor of saving money if I thought it was going to seriously impair the abilities of our law enforcement officers, but I certainly don't think this does.

The SPEAKER: The Chair recognizes the gentleman from Falmouth, Mr. Snow.

Mr. SNOW: Mr. Speaker, Ladies and Gentlemen of the House: I would rise to, I hope, correct the good gentleman from Houlton. The original bill, as I read it, says, "When the registration for truck tractors expires in 1977, rear plates shall be removed and no plate shall be displayed on the rear." The amendment simply says that truck tractors will not be required, it does not require them to remove it.

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

Mr. LOVELL: Mr. Speaker, Ladies and Gentlemen of the House: The reason that I am for two plates on an automobile is that I served three years on the Sanford Police Commission, 15 years as special police officer and drove an ambulance for 20 years and in my work, traveling, we don't have turnpikes or super highways in the Sanford area, when you go by a person going in the opposite direction and you are traveling at 40 miles an hour in the police car and the other person is traveling at 60, that is a difference of a 100 miles an hour. Now, you can spot that front plate but if you turn around and try to see the back plate, you are going to have an accident. So I think it is penny wise and pound foolish to put this law through for the sake of saving a few dollars, because in the long run, it is going to cost a good deal of money and more crime will develop from it.

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

Mr. MacEACHERN: Mr. Speaker, Ladies and Gentlemen of the House: I, too, have considerable police experience and the other day I voted for this bill, I don't know why I did, but I did, I was wrong.

To add a little bit to the argument for a

front plate, true, they do have an accurate description of the motor vehicle that was stolen but can you see the color and the make and so forth of a car at night when all you have is a couple of headlights coming at you?

I support the indefinite postponement of this bill and all of its accompanying papers.

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

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

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: I have never been a police officer but I have had for 50 years a drivers license and traveled on the roads for 50 years.

I think the gentleman from Sanford who is one of the finest gentlemen in the House, has made one mistake, when he said when you were coming to meet at the rate of 100 miles an hour, I don't think you could leave your eyes from the wheel long enough to read a front plate.

Also, in regard to the gentleman from Houlton, Mr. Carpenter, I think he has had very little experience on the highway today because a trailer-tractor doesn't need a rearplate because it wouldn't be once in 100 times you would ever meet a trailer-tractor when you could find the plate. So, it has got to be on the front, it can't be on the rear to do any good.

Furthermore, I will tell you ladies and gentlemen in this state, we have 15 states who are traveling cars through this state that doesn't have a front license plate. So, what is the difference, we can't see them, we can't see ours, we don't have one now.

I sat in a seat over here back in 1953 and 1955, a gentleman from Bangor, Representative Totman was sitting in front of me and he tried then to get this bill. We should have had it. They say \$50,000 a year, that is true, but in the year we issue plates, it is \$600,000 we save. How many cars today that you meet on the road that have their front plate on? Very, very few. Most of them have on a Bicentennial Plate or most any kind of a plate, Chamber of Commerce, and all of that stuff.

Ladies and gentlemen I think today you are not paying attention to the bill, if you vote against this bill or the amendment either one. As I say, I have no right to speak on the bill right now because all there is before us is the amendment. I hope you will vote against the indefinite postponement of this amendment.

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

Mr. LOVELL: Mr. Speaker, Ladies and Gentlemen of the House: I would just like to correct my good friend, Mr. Finemore, that I said when the police car was traveling 40 miles an hour on the road, the car coming in the opposite direction was traveling 60, that is a difference of 100 miles an hour between the two cars, but the car approaching the other car, the police car, was going 40 miles an hour so he can see the front license plate and identify that plate, mark it down and radio police headquarters and get his number and then put it out on call to the various state police to pick up the person for speeding or whatever offense he might be looking for by the number plate.

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

Mr. STROUT: Mr. Speaker, Ladies and Gentlemen of the House: I believe we are talking about the amendment and as one of

the signers of the "ought not to pass" on this bill, I would urge you today to support the amendment that is before you, because if this bill was to pass, I think the amendment that the gentleman from Falmouth has offered would clearly say that in October of this year we would not be required to take off the front plate. I am not sure that I am going to support the bill afterwards, but I can go along with this amendment and I hope you adopt it.

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

Mr. JACQUES: Mr. Speaker, Ladies and Gentlemen of the House: Again, this is one of the committees that I sit on. If we figured what this plate would cost for a 10 year license which naturally they want to do now, they want to keep this plate for maybe between eight to ten years, this plate would cost you 55 cents. That means that it would cost you 5½ cents to get that plate for a reflector on your car. What cheaper reflector can you buy for 5½ cents?

Now, another thing that was said, the state police testified against the bill, the Chief of Police Association testified against the bill, the Maine Highway Safety Committee testified against this bill. Now, the committee is all up to this, we came out of committee with 12 to 1 report, now what else can we do? We know what the situation is, we listened to it and we listened to these people that came to testify behind us and I hope that the house does support the committee because I think if they don't support the committee on a 12 to 1 report, we might as well pack up our suitcases and get out.

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

Mr. CARPENTER: Mr. Speaker, Ladies and Gentlemen of the House: Somewhat sheepishly, I will withdraw my motion to indefinitely postpone this amendment.

The SPEAKER: The motion to indefinitely postpone is withdrawn, the pending question is adoption of House Amendment "A".

The Chair recognizes the gentleman from Island Falls, Mr. Walker.

Mr. WALKER: Mr. Speaker, Ladies and Gentlemen of the House: I watched with some trepidation when this bill passed. I did vote on the other side and I was in my district last weekend and I talked to the sheriff of the county. He says, "What are you people trying to do down there? You are trying to kill off all law enforcement." I agreed with him. I also called, after I got back to Augusta this week, the Chief of the Maine State Police. He said he was "very much against this bill." I said, can I quote you and he said "yes".

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

Mr. MacEACHERN: Mr. Speaker, Ladies and Gentlemen of the House: A question. I thought Mr. Carpenter withdrew his motion.

The SPEAKER: The Chair would answer in the affirmative. The pending question is adoption.

Thereupon House Amendment "A" was adopted.

Mr. MacEachern of Lincoln moved indefinite postponement of the Bill and all accompany papers.

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

Mrs. BERRY: Mr. Speaker, Ladies and

Gentlemen of the House: Since this bill was before us last week, I have kept my eyes open going to and from home. I commute 50 some miles a day, one way. I have found I haven't seen a car from Rhode Island so I don't know about that but 12 states on the eastern seacoast here and all but one of the New England states I have seen, have two number plates. I don't know as we particularly care what California or some of the bigger states that aren't rural have. Most of the New England states are rural, there is rural crime and I think we need these two number plates. Apparently the other states believe so too, so I would ask that you go along with the indefinite postponement of this bill.

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

Mr. JACKSON: Mr. Speaker, Ladies and Gentlemen of the House: Now that we have finally gotten to the essence of the bill — I have read the letter from the State Chief of Police Association. I also heard what they had on the news and I have talked to my own police chief who is in favor of the bill. The question that bothers me is, how do they now identify the cars when many of the cars in the state have bicentennial plates on the front? This didn't seem to bother them when this was passed, that we could have the bicentennial plates, we didn't run into this same problem.

The other objection they bring up is that they can't read the rear plate. As I understand it, the statutes now give them the ability if they can't read the rear plate to stop the car and require that the plate either be cleaned or an obstruction that is blocking the plate removed and if the car is towing a trailer the trailer would have a plate and they could require that plate be cleaned or obstruction on the trailer plate be removed so that they could read it.

So, I think these two things — I don't know why they haven't taken that into consideration and I really think that the saving to the state in this time is a very valuable saving and we should pass this bill.

The SPEAKER: The Chair recognizes the gentleman from Old Town, Mr. Gould.

Mr. GOULD: Mr. Speaker, Ladies and Gentlemen of the House: It has been proposed in some sources that we have three plates, one on top of the car so the airplanes can pick up the number. And that is no joke. I did want to say that — you know there is an old saying just invented, "you can drive a horse to water but you can't make him drink, you can put anyone behind a wheel of a car but you can't make them think."

In this letter I received from the Maine Safety Committee, it said, "In the interest of safety, it would be better to have two plates." I fail to see where the second plate would improve anyone's operating a motor vehicle.

I will say another thing, maybe two, that saving money should start at home and this is our home while we are here. The saving of this money should start right here in this house. I urge the passage of this bill and oppose the motion to indefinitely postpone.

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

Mr. THERIAULT: Mr. Speaker, Ladies and Gentlemen of the House: One thing I would like to rectify is the idea that the police didn't mind them putting on the bicentennial plate on the front of the car.

What do you think would have happened if the police of Maine would have objected to that? They would have been declared unpatriotic and everybody would have been against them, I should say, more against them because so many of them are against them now.

I feel definitely that this bill should not pass and it should be indefinitely postponed.

It was said in the debate last week, something about the fact that the police should be sacrificing also, everyone else has to sacrifice, but the police in making this sacrifice, it is not their sacrifice, it is hurting them on investigations. At the present time, you need all the identification of a vehicle that you can get, whether it is for a traffic violation or if it is for a criminal violation. If you have a break anywhere and a car is seen in that area, it is much easier for them to be able to pick up a number if they have two plates to check and therefore it would be easier to find out who the people were that broke in or committed the crime. It is true that most of these cars are stolen but at least if we have the license number we will know where that car was stolen and that in itself would help us out in our investigation.

I hope you go along with the indefinite postponement.

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

Mr. BURNS: Mr. Speaker, Ladies and Gentlemen of the House: Usually the only report you get at an incident is that it was a black sedan with two individuals in it heading east, west or north on a certain road. You do not have the number, if you have the number, it is a bonus and believe me, it only happens in four or five percent of the time, but you have a number when you are out chasing an individual car.

Stolen cars, if they are, in fact, stolen cars and not just joyrides, and in all probability the plates have been changed anyway, so the plates would be misleading the police officer if that is all he went on.

In reference to Representative Jackson, it is a violation of Section 381, Title 29, to obscure the plate and the individual can be ticketed for it.

I am wondering what is going to happen when a saving of \$5 million comes before this house, if this \$50,000 saving is receiving so much debate.

I concur with the passage of this bill and hope you vote against the indefinite postponement.

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

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: If I understood the gentleman from Lewiston, Mr. Jacques, that a plate cost 5 cents, well, if I lose a plate again I am going to send to him to have him buy it for me because I pay \$5 apiece for one and that is quite a little income for the State of Maine.

Again, to mention Aroostook County, we have a very fine deputy sheriff, we have a very fine sheriff's department but we have got enough deputy sheriffs in Aroostook County so we can have one behind and one in front, so I don't think I am going to worry too much about Aroostook County.

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

Mr. STROUT: Mr. Speaker, Ladies and Gentlemen of the House: I think you have heard some words this morning from the gentleman from Bridgewater that aren't true. This plate cost 50 cents at the plate issuance year. I think what the gentleman

from Lewiston was saying, that if this was ten years before we had another plate issuance year, it is going to cost you 5 cents a year.

I think it is very simple for me to see in the Maine Highway Safety Committee Report, that if you read the last paragraph of that report and if you haven't read it, I think you should — I am just going to take a sentence out of it — It says, "The loss of life, economic loss and increase insurance cost, caused by crime related to traffic accidents, far outweigh the miniscule saving projected." The cost of one plate is 50 cents and if used for a minimum of six years would result in an annual saving of 8 cents per year, a saving projection that is penny wise and pound foolish.

Let's kill this bill today and get out of here.

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

Mr. JACQUES: Mr. Speaker, Ladies and Gentlemen of the House: I am just wondering what we are going to do with the inspection station which the law reads now, that before they inspect the automobile that they have to have a front plate. Now, we have got 1,200 stations in the State of Maine, how much cost will that take for the state police to go around changing that law and we are going to have to change it also.

In the bill, it says that they are going to ask \$5 and whoever wants a front plate, can buy it, for an extra \$5. Now, people will think this is going to lower the cost of your plate and this is what some of the people are thinking, back in my town, that this is going to lower their cost. It certainly isn't and you all know that it isn't. So, I hope that you vote this down.

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

Mr. NORRIS: Mr. Speaker, Ladies and Gentlemen of the House: All I have determined out of this debate is that if a car thief or a criminal, according to the police, wants to get home free, all he has got to do is take the front plate off and go. I think it is the most idiotic argument I have ever heard in my life.

Here is a chance to start saving some money in very crucial times. You have heard from two law enforcement officials here that tell you that the front plate doesn't mean a thing, as far as enforcing the law, and that the front plate doesn't give a person behind the wheel one more ounce of brain power. Or doesn't make them a one bit better driver. So, let's not vote to indefinitely postpone this bill, let's pass it and if a person wants a plate on the front of their car, they can buy it and pay for it, but the state won't have to do that and believe me, before this session is over, we are going to need every dime we can get our hands on.

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

Mr. LOVELL: Mr. Speaker, Ladies and Gentlemen of the House: I would request a roll call on this bill and would state in rebuttal to Mr. Norris, that it is stated that a large percentage of vehicles on highways are stolen and very difficult to identify these vehicles if no front plate was displayed. Police officers view many, many more front plates than they do rear plates.

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

Mr. JOYCE: Mr. Speaker, Ladies and Gentlemen of the House: I rise to favor the one plate. I have had 27 years in active law

enforcement and I am the first one to stand up here and admit that that second plate was a great aid to me in the law enforcement. Perhaps Portland is known as a city of sin. I can tell you this, it was the great aid in the vice cases, the wife swapping deals and this sort of thing but I must remind you today, that our new criminal code has no longer made these crimes, so that I would be out of business with that front plate today. I favor the one plate and I would classify this as a low priority item and we need the \$50,000.

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

Mr. THERIAULT: Mr. Speaker, Ladies and Gentlemen of the House: I object very much to being called stupid. I don't believe that Mr. Norris understood what I said. I said that we needed all the help that we could get to identify vehicles. I didn't say that it depended on that front plate to identify it. I don't like the idea of what he said and I still feel that we should indefinitely postpone this bill.

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

Mr. NORRIS: Mr. Speaker, Ladies and Gentlemen of the House: I would apologize to Mr. Theriault from Rumford because there was no personal inference meant. I am very, very sorry that he took it personally and I do humbly apologize to him.

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

Mr. CALL: Mr. Speaker, Ladies and Gentlemen of the House: This is a bad bill and it never should have come before us in the first place. I do not approve of a bill which would eliminate the use of one auto license plate. It is easier to learn the identity of a car's owner if there are two plates. If there is just one plate hanging upside down and covered with filth, identity at a time of necessity might be impossible.

Right now, it is permissible to substitute a plate saying "Sam's Auto Sales" or something else for the front plate, to wit, the Bicentennial. If we remove the front plates, attempts will be made to get rid of the only remaining plate. There is too much permissiveness today, the old values are slowly being discarded in many areas of activity and this just enters into that trend.

There are only 15 states with just one plate. That ought to be reason enough to stay with the two plates. I have great respect for my good friend, Secretary of State Gartley, but I just cannot go along with this proposal.

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

Mr. BAGLEY: Mr. Speaker, Ladies and Gentlemen of the House: There is one point that hasn't been mentioned at all. A few years ago, I experienced a serious illness at home. My wife called the state police and in 15 minutes I met a policeman, he turned on his bright light and wondered what I had done, but he stopped me because he saw my front plate. In that particular case, it was a help.

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

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: Just to try to summarize two or three points that have been made, but first I would like to address myself to a letter that has been briefly touched on by the gentleman from Yarmouth, Mr. Jackson. I have a letter

from his police chief in which he points out some of the comments that have been made, but he also says that he feels he can't think of an easier way to save \$50,000 and he wishes us luck. He said, I have served as president of the Maine chiefs and president of the international law enforcement of Maine and New Brunswick, and he doesn't feel that the promise made by the present head of the Maine Police Chief's Association is binding on all of the police in the state, that there are many of them who feel both ways on this. He points out in his letter — this would be his opinion and not that of the Maine chiefs.

I think the financial picture is the one thing that I am particularly interested in in this bill, outside of the removal of the plate, it has been pointed out that there are 15 other states that only use one plate. It is interesting that one state, Indiana, did go back to two plates. They stayed on two plates for one year and then they found that apparently the one plate was not creating that much of a problem and they did go back to the one plate.

It has been pointed out this morning that you are talking about 8 cents a plate, but it is interesting that last year the Transportation Committee, when they were attempting to balance their budget, did remove a large appropriation from the budget because they apparently could not find the money to start to stockpile the material which is necessary for the issuance of plates that are due to come out in 1980. It has always been customary for the Motor Vehicle Department to start to work on developing the plates, getting them ready, a couple or three years before they have to issue them. There is quite some lead time necessary to procuring the material and making the plates. If we don't face up to this this year, we are certainly going to have it next year when the Transportation Committee starts to turn around and take a good look at their budget again.

It is estimated by the department that they will have to stockpile material that will cost them about \$375,000. I know we can reduce that down 6 or 8 cents per plate over a ten year period, the dollar a plate and then you figure the 10 years and you divide it by that, so it would cost you 10 cents per year. But the actual fact is, we need to have this \$375,000. This is basically the reason why this bill is in at this time.

We had a good debate on the bill today, we had a good debate the other day and at the end of it there was a good vote in support of the bill, and I hope you will oppose the indefinite postponement motion and then we can proceed to pass this bill.

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 Westbrook, Mr. Laffin.

Mr. LAFFIN: Mr. Speaker, Ladies and Gentlemen of the House: I got up the other day and I stated that I didn't get too excited over this bill one way or the other, but I have listened to the debate this morning, and one of the gentlemen got up and said that it was only valued, the two plates, of about 3 or 4 percent of the time

for police enforcement work. Then I say to the members of this House, it is worth it, because you are talking of a lot of 3 and 4 percent in crime, and if it is only worth one percent, it is worth it.

I thought this morning we would have an amendment that would pertain to the advertisement of this state. It never materialized so, therefore, I feel that if you don't want to advertise for the State of Maine, it doesn't matter to me, for the simple reason that I come from a city and we don't have enough tourists in Westbrook to put in the eyehole of a needle. But if I lived in a coastal town, I would be in here with an amendment, I would be in here to get the money for the State of Maine. So if we can save in this state \$50,000, I think it is wonderful. I can tell you how to save a lot more than that in a matter of seconds, but I feel that if the people who do this type of work, the law enforcement officials, which I am not, I don't know the first thing about them, but I feel that they know more about their job than I do.

I was never sold on the bill one way or the other, but I like to listen to the debate that was brought up here today and the debate that was brought out that it will help the police departments. I think that is the issue. I don't believe that the man on the first floor has any right whatsoever to say that it is a good bill over you and I. We put him there, he didn't put us here. Therefore, I feel that it is our duty to do what we feel is best for the people of this state. If it will help the police departments, even if it is only one percent, then I feel that we have that obligation.

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

Mr. HIGGINS: Mr. Speaker, Ladies and Gentlemen of the House: One thing that was not brought up here today, you did receive a letter from the Chiefs of Police Association, distributed by the good gentleman from Calais, Mr. Silverman, and in the fourth paragraph, Mr. Haywood, I believe his name is, mentions the fact that the registration loss of revenue becomes the key factor when you consider that it will be much more difficult to determine whether or not vehicles are currently registered. You have already seen, with the advent of the new multi-colored sticker system that checking vehicles for current registration is very difficult at best with two plates. With one plate, that problem would be overwhelming. Problems have already arisen with the current policy of allowing one front bicentennial plate in several areas.

I did happen to hear on the radio last night, and also this morning, this gentleman being interviewed, and he did say that the front plates are seen ten times more than the rear plates and that the front plates, as a rule, are much more visible than the rear plates because of the trailer hitches and actual hauling of the trailers. So I took a little sample coming up this morning, getting off the interstate in Brunswick until I got on the Turnpike in Gardiner, and out of all the cars that I passed, 75 were coming towards me, and out of those 75, only two had bicentennial plates, one was a state vehicle that had no front plate, one was an Army vehicle, a car that did have a plate and a number on it but it was not a Maine registration and only one car had no plate whatsoever. On the other hand, I only encountered three individual cars on my side of the road that

I followed between Brunswick and Gardiner.

So, he has said it is 10 times, but my sample, which certainly is not conclusive, it is 25 times more outweighed in the observation of plates coming at you, and I would hope that you would indefinitely postpone this today. I know the state needs \$50,000, but I think that given insurance costs and the problems that enforcement people have today in trying to solve crimes and collect stolen cars, whatever the case might be, warning people or asking people that they have a problem at home, as the gentleman mentioned in the back, I think we should indefinitely postpone this bill today and I would hope you would do so.

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

Mr. FARLEY: Mr. Speaker. I would pose a question to the gentleman from Scarborough, Mr. Higgins. I would like to know how many of those license plates he could read?

The SPEAKER: The gentleman from Biddeford, Mr. Farley, has posed a question through the Chair to the gentleman from Scarborough, Mr. Higgins, who may answer if he so desires, and the Chair recognizes that gentleman.

Mr. HIGGINS: Mr. Speaker, I would be happy to answer that. Out of all the 75, I could read every single one. Not one of them was obscured by anything, dirt or salt.

The SPEAKER: The Chair recognizes the gentleman from Island Falls, Mr. Walker.

Mr. WALKER: Mr. Speaker, I have one question if anyone could answer. Who came up with the \$50,000 figure?

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

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

Mr. JACQUES: Mr. Speaker, the Motor Vehicle Department.

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

ROLL CALL

YEA — Bachrach, Bennett, Berry, G. W.; Berube, Blodgett, Boudreau, Bustin, Call, Connors, Curran, R.; Dam, Dudley, Dyer, Fenlason, Fraser, Hennessey, Higgins, Hughes, Immonen, Jacques, Kauffman, Laffin, Leonard, Lewis, Lizotte, Lovell, Lunt, MacEachern, Mackel, Martin, A.; Maxwell, McKernan, Mills, Morton, Pierce, Rideout, Rolde, Saunders, Shute, Silverman, Snow, Sprowl, Strout, Tarr, Theriault, Tierney, Tozier, Twitchell, Walker.

NAY — Albert, Ault, Bagley, Berry, P. P.; Birt, Bowie, Burns, Byers, Carpenter, Carroll, Carter, Chonko, Churchill, Connolly, Cooney, Cox, Curran, P.; Davies, DeVane, Doak, Dow, Drigotas, Durgin, Farley, Farnham, Faucher, Finemore, Flanagan, Garsoe, Goodwin, H.; Goodwin, K.; Gould, Gray, Greenlaw, Hall, Henderson, Hinds, Hunter, Hutchings, Ingegneri, Jackson, Jensen, Joyce, Kany, Kelleher, Kelley, LaPointe, Laverty, LeBlanc, Lewin, Littlefield, Lynch, MacLeod, Mahany, Martin, R.; McBrearty, McMahon, Miskavage, Mitchell, Morin, Nadeau, Najarian, Norris, Palmer, Peakes, Pearson, Pelosi,

Perkins, S.; Perkins, T.; Peterson, P.; Peterson, T.; Post, Powell, Raymond, Rollins, Snowe, Spencer, Stubbs, Susi, Teague, Torrey, Truman, Tyndale, Usher, Wagner, Wilfong, Winship.

ABSENT — Carey, Clark, Cote, Curtis, Gauthier, Hewes, Hobbins, Jalbert, Kennedy, Mulkern, Quinn, Smith, Talbot, Webber.

Yes, 49; No, 87; Absent, 14.

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

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

Mr. FINEMORE: Mr. Speaker, having voted on the prevailing side, I now move we reconsider our action whereby we failed to indefinitely postpone this bill.

The SPEAKER: The pending question is on the motion of the gentleman from Bridgewater, Mr. Finemore, that the House reconsider its action whereby it failed to indefinitely postpone this Bill and all its accompanying papers. All in favor will say yes; those opposed will say no.

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

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

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

Bill, "An Act to Provide for more Effective Debt Management and for more Effective Administration of the State's Development Financing Capability" (H. P. 1816) (L. D. 1974)

Tabled — March 12 by Mr. Cooney of Sabattus

Pending — Passage to be Engrossed.

On motion of Mr. Cooney of Sabattus, retabled pending passage to be engrossed and specially assigned for Thursday, March 18.

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

House Report — "Ought to Pass" as amended by Committee Amendment "A" (H-974) — Committee on Transportation on Bill, "An Act Relating to the Maine Transportation Board" (H. P. 1858) (L. D. 2026)

Tabled — March 15 by Mrs. Najarian of Portland.

Pending — Acceptance of Committee Report.

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

Mr. COONEY: Mr. Speaker, Ladies and Gentlemen of the House: I asked this be tabled yesterday, and I appreciate it. I have had a chance to review the bill and have reconsidered my objections of two or three weeks ago when the bill was recommitted to the committee.

The amendment does, in my view, clean up the bill, but it does not get around the arguments that we are extending the state's bonding powers to one industry. This is truly special interest type of legislation, and to use Mrs. Snowe's words of the other day, this is a dangerous thing to be doing at this time. I would favor doing it for the general business community, but for a particular industry, I still question it. If members of the Transportation Committee would like to give me their thinking as to why this particular bill is absolutely necessary, whether or not there would be any loss of tax revenue because these privileges are being granted to a particular industry, I would like to hear from them.

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

Mr. FRASER: Mr. Speaker and Members of the House: I wish to assure the gentleman that there will be no loss of tax revenue. There will be no loss of anything. It enables the Transportation Department to borrow money at much more favorable figures than otherwise. The credit of the state is not in jeopardy at any time, it is the railroads that will benefit from it.

Thereupon, the Report was accepted and the Bill read once. Committee Amendment "A" (H-974) was read by the Clerk and adopted and the Bill assigned for second reading tomorrow.

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

Resolve, Authorizing the Exchange of Certain Lands in the Capitol Complex as Recommended by the Capitol Planning Commission. (H. P. 1968) (L. D. 2157)

Tabled — March 15 by Mrs. Najarian of Portland.

Pending — Passage to be Enacted.

On motion of Mrs. Najarian of Portland, under suspension of the rules, the House reconsidered its action whereby the Resolve was passed to be engrossed.

On further motion of the same gentlewoman, under suspension of the rules, the House reconsidered its action whereby Committee Amendment "A" was adopted.

The same gentlewoman offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

House Amendment "A" to Committee Amendment "A" (H-982) was read by the Clerk.

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

Mrs. NAJARIAN: Mr. Speaker, Ladies and Gentlemen of the House: House Amendment "A" to Committee Amendment "A" simply deletes the emergency clause in the committee amendment. The reason for that is that the emergency is unconstitutional under Article IV, Part 3, Section 16 of the Constitution, which says that emergency measures shall only be those that are immediately necessary for the preservation of the public's peace, health or safety and shall not include provision for the sale or purchase or renting for more than five years of real estate. And just a bit of interest on the side, that was passed by a Democratic legislature in 1906.

Thereupon, House Amendment "A" to Committee Amendment "A" was adopted.

Committee Amendment "A" as amended by House Amendment "A" thereto was adopted in non-concurrence.

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

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

Mr. BIRT: Mr. Speaker, I move we reconsider our action whereby House Paper 2009, L. D. 2191, An Act Concerning Single Motor Vehicle Registration Plates and Placement of Motor Vehicle Inspection Stickers, was passed to be engrossed earlier today and hope you will all vote against me.

The SPEAKER: The gentleman from

East Millinocket, Mr. Birt, moves that the House reconsider its action whereby L. D. 2191 was passed to be engrossed. All in favor of reconsideration will say yes; those opposed will say no.

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

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

Mr. CARPENTER: Mr. Speaker, is the House in possession of L. D. 2032?

The SPEAKER: The Chair would answer in the affirmative, having been recalled from the Governor's desk by Joint Order H. P. 2194, An Act Concerning Certain Financial Guarantees to be Made to Triple A Sugar Corporation by the Maine Guarantee Authority, House Paper 1861, L. D. 2032.

Thereupon, on motion of Mr. Carpenter of Houlton, under suspension of the rules, the House reconsidered its action whereby the Bill was passed to be enacted.

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

Mr. CARPENTER: Mr. Speaker, Ladies and Gentlemen of the House: This is the so-called sugar beet bill that we recalled from the Governor's desk after enactment. We recalled it on Friday for the reason that the Triple A Sugar Corporation, the farmers' cooperative, was able to sit down with the Maine Guarantee Authority and the Governor's staff and an arrangement has been arrived at whereby the Triple A Sugar Corporation will receive the assistance that it needed, the assistance that was provided by this bill. In fact, they personally feel that they received as good if not a better deal.

Despite my comments yesterday on the articles that appeared in certain newspapers of the state, I would disagree that any political wheeling and dealing went on. We worked very hard with the Maine Guarantee Authority, the Aroostook County delegation and the Appropriations Committee, to get this bill in proper posture. They continually told us they could not do what we were asking, they did not have the power. However, when push came to shove, that is when the bill reached the Governor's desk, they realized or somehow became aware of the fact that they did have the power to make this arrangement with the farmers. Therefore, we accomplished what we set out to accomplish but without adding another law to the law books in the State of Maine. Therefore, it is with great pleasure that I move the indefinite postponement of this bill and all its accompanying papers.

Thereupon, the Bill and all accompanying papers were indefinitely postponed and sent up for concurrence.

Mr. DeVane of Ellsworth was granted unanimous consent to address the House.

Mr. DEVANE: Mr. Speaker, Ladies and Gentlemen of the House: I would write a brief postscript to something that occurred in this House two weeks ago. It bothers me a bit to do it. I hope it doesn't bother you to listen to it.

The Bangor Daily News, which has been the subject of some commentary here of late, saw fit to reportorially and editorially make comment about something which I did. The following Monday, I responded to the paper, they have yet to publish the response. It is entirely their prerogative to print what they wish and it should, I hope in this land, always be their prerogative to

print what they wish. However, the response I feel was not a standard letter to the editor of a reader. The response was from a person who had been depicted as taking certain action for one reason or another both reportorially and editorially. I have every reason to believe that the response will be published. The gentleman from the Bangor Daily News tells me it will. I think it is most untimely; the probability of readership following an issue lies much more reasonably in immediate response. So with your leave, I would read a few paragraphs which I sent to that publication.

"To the Editor of the Bangor Daily News. Since the Legislature's override of the Governor's veto of the School Funding Act, I have had delivered to my home two boxes of human waste, and two editions of the Bangor Daily News. My sole concern during that critical vote was to do, on behalf of my constituents, what is right for Maine and for them. For me, as for most people, it is not difficult to do what is right, it is only difficult to know what is right.

"Admittedly, I am thoroughly embarrassed to have decided at the last possible moment that a very poor solution is better than no solution. Time had simply run out, there would be no further concessions, no additional compromises. Either the present law would remain unchanged and victimize property owners, among them the poor and the elderly, or we would adopt an overly progressive income tax and treat harshly, I think, upper middle and upper income persons. I chose at the final possible moment what I hope is the lesser of two evils and I did so with great difficulty but freely.

"I am deeply hurt by those things which have been implied reportorially and editorially by the Bangor Daily News, among them that I had, "a secret pact with leadership, a deal" and that DeVane was pushed into a situation for his vote. The plain truth is that I am seldom ever approached by the party leadership, excepting only the Governor. I am as independent as anybody in Augusta and am treated accordingly.

"I am grateful that I represent Ellsworth, Hancock and Sullivan in the Maine Legislature. District 41's people are surely as fine as any in this state. As I heard other Representatives tell of constituent pressure from one side or from the other, I marveled that so many of my own constituents from all walks of life had told me simply 'Do what is right' and that, sir, is a grave commission.

"Yes, I was nervous, even tense, but not for the reasons you imply. I entertained a pressing conflict, what was right. I listened to the debate, I recalled the Governor's views, I reexamined the views of Senate President Sewall, Appropriations Chairman Huber, and the views of countless others. Then I did what I hope was right. Unlike you, the Governor has been most kind. He called me, and though he was disappointed in the outcome, he did not question my motives. He spoke of the burdens of decision making and the need for all of us to keep trying. Unlike you, the people I represent do not hold me responsible for what the entire legislature does, only for what I do. They consider, I hope, the totality of my service, overshadowed as it is at this moment by a single vote.

"The things for which I strive are many, among them that I may be a more reasonable person and a better citizen. I may or may not have committed political

suicide, as you suggest, and I may or may not again run for public office. If I do seek reelection though, I shall keep in mind that there are countless things worse than losing an election, perhaps you can think of some yourselves."

I thank you for listening to that response. Many of you do not get nor read the Bangor Daily News.

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

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: The only reason I asked yesterday to address the House on the record and again today is not to have the record to go back home and read my speech, but so that there would be something that could be referred to that would be truth and not lies. I think there is a lot of difference between the record in the legislature and the Bangor Daily News, one is a matter of truth, the other is a matter of falsehoods. Today in the Bangor Daily News, the Bangor paper again has chosen to follow their same line of misleading the people of this state.

Yesterday, when I spoke on the little memorandum that had been sent to the newsboys by the Bangor Daily News suggesting that they get free, although they didn't use the word free but they didn't offer to make any payment, additional help by using their brothers and sisters and friends to help deliver the papers because this was a rather large edition of 80 pages. I did not during that time yesterday say that the weekend Bangor Daily News became heavy because of supplements. I alluded to the supplement bill only as a measure of trying to show the House and thank the House for their previous support that at least this would allow a little more money to the youngsters delivering the papers even if they do get their sisters or brothers or cousin or aunt or uncle to help them deliver the weekend edition.

I can assure the Bangor Daily News, and since one of their gentlemen is sitting down in the far corner, that I may not be too bright but I am sure not stupid, and when I look at junk such as this, and that to me is what supplements are, they have no page number on them. When I look at junk like this, there is no page number here, so that was not included in my talk yesterday of the 80 page edition.

It never bothers me when any news media criticizes me for what I do, because what I do is my feeling and it is their privilege to criticize me. I think it would be real well for the people of this state if in the morning or in the evening when they pick up their paper, especially the Bangor Daily News, and they read what the legislature is doing or what members of this House or the other body say, that this would be reported accurately to the people of this state and not try to promote the views of the Bangor Daily News.

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

Mrs. NAJARIAN: Mr. Speaker and Members of the House: I wonder if anyone from the State Government Committee could inform the members of this House whether or not the article in this morning's Bangor Daily News concerning salary increases for legislators is accurate or not?

Mr. Cooney of Sabattus was granted unanimous consent to address the House.

Mr. COONEY: Mr. Speaker, Ladies and

Gentlemen of the House: Before all of you decide to run for reelection so that you can come back and get the \$11,825 next session and that this will be a whopping pay increase, let me just inform you that the majority of the State Government Committee, in dealing with the enabling legislation, must follow the movement to annual sessions as opposed to the de facto annual sessions that we have right now, was considered very carefully, and we wanted to make every effort not to take any action that could be construed as a pay increase for the legislature, nor did we want to take another tack and provide a pay reduction for the legislature next time.

As many of you are aware, the pay law that we are operating under now and we passed in the last session of the legislature was a two-step law. We went to, I believe, \$3,750 in the regular session of the 107th, with a thousand dollar payment which was just made last January to us, plus the per diem pay that we get in the special session. In the next session of the legislature, the pay, because of the law that is on the books now, is the second step of the pay law, it will give us \$5,000 in the regular session and \$1,000, plus the per diem, in the special session.

What the committee did, we decided that we should simply change the special session to the second regular session and leave things just as they are. What you expect and what any citizen who is running for office expects to be paid because of today's law should not be changed and it should not be increased. That is exactly what the committee has tried to do.

Those of you who feel that for some reason our pay is being increased, it was not the intention of the committee to do that. We are leaving your meals, mileage, expenses identical to what they are. We are talking about leaving the per diem in the second regular session and for special sessions identical to what it is at the present time and leaving the \$5,000 and \$1,000 pay levels for the two years identical to what they are.

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

Mrs. BERRY: Mr. Speaker, Ladies and Gentlemen of the House: Also in the article this morning in the Bangor Daily News, it says we spend 162 days over the two years. That is 81 days a year, and I would challenge Mr. Day at any time to follow in some of our footsteps. I am sure that he will find that probably it is three times that. It is not only the time we spend in Augusta, we have it Saturday and Sunday and the year through, and it is an outright lie when it said that we only spend 162 days in the two years. I really would like to challenge some of these reporters to follow us around and see just what we do do.

(Off Record Remarks)

Mr. Norris of Brewer was granted unanimous consent to address the House.

Mr. NORRIS: Mr. Speaker, Ladies and Gentlemen of the House: To speak on this salary thing, I am not concerned at all with what Mr. Day thinks, that doesn't bother me at all, as long as the Internal Revenue Service does know the difference between salary and expenses. Those are the people I am concerned about.

Mr. Peakes of Dexter was granted unanimous consent to address the House.

Mr. PEAKES: Mr. Speaker, Ladies and

Gentlemen of the House: I have a letter which I received today from Mrs. Earl Crowell in Dexter, and she states as follows: "Dear Sir: My husband and I are two senior citizens, he is 82 and I am 76. We have been living on social security payments of \$202.20 since the raise in July, paying our taxes of \$226 on our trailer, insurance of \$147 and electricity of \$234, a luxury telephone for \$83.77, and this will be higher this year since the rates were raised, car insurance of \$130, other car expenses of \$142, hospital and doctor's bills of \$307, Blue Cross insurance of \$126. We used only \$169 for oil heat, the rest of our income, \$439, we held for emergencies, one of which is groceries. With your income, don't you feel ashamed to ask for a raise from people like us? This being the truth, you have our permission to read this before the House when the bill asking for a raise is discussed."

My wife looked over the breakfast table this morning and she said, "I see you are getting a raise." I said, "I hadn't had any indication of that." I think it is unfortunate that the paper would mislead the people into thinking that this legislature is asking for a raise when in fact this was a bill which I believe was enacted before the 105th or the 106th Legislature. I think that this is a very difficult thing at a time when we are under a lot of pressure and a heavy workload, to be attacked by this newspaper.

On motion of Mr. Rollins of Dixfield,
Adjourned until ten o'clock tomorrow morning.