

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

Wednesday, April 14, 1976

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

Prayer by Representative Nancy Randall Clark of Freeport.

The journal of yesterday was read and approved.

Messages and Documents

The following Communication:

STATE OF MAINE
ONE HUNDRED AND SEVENTH
LEGISLATURE
COMMITTEE ON JUDICIARY
April 13, 1976

The Honorable John L. Martin
Speaker of the House of Representatives
Maine State Legislature
State House
Augusta, Maine 04330
Dear Mr. Speaker:

The Committee on Judiciary is pleased to report that it has completed all business placed before it by the First Special Session of the 107th Legislature, and reports the following:

| | |
|--------------------------------------|----|
| Total number of bills received | 30 |
| Bills referred from other committees | 2 |
| Unanimous Divided | |
| Ought to pass | 1 |
| Ought to pass as amended | 11 |
| Ought to pass in new draft | 6 |
| Ought not to pass | 6 |
| Leave to withdraw | 6 |
| Total number of amendments | 16 |
| Total number of new drafts | 8 |

Respectfully,

Signed:

ROLAND A. GAUTHIER
House Chairman
Committee on Judiciary

The Communication was read and ordered placed on file.

Orders

Mrs. Tarr of Bridgton presented the following Joint Order and moved its passage: (H. P. 2339)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of Larry Tedford Eighth Grade Student at Bridgton Junior High School Winner of the Cumberland County Spelling Bee 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.

Mrs. Berry of Madison presented the following Joint Order and moved its passage: (H. P. 2340)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of Colonel Alexander Richard of Madison Commander of the 101st Combat Support Squadron of the Maine Air National Guard Who is Retiring After Twenty-six Years of Service to His Country

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 Madison, Mrs. Berry.

Mrs. BERRY: Mr. Speaker and Members of the House: Colonel Richard's military career began in December of 1942 with his enlistment in the Army Air Corps. He served in the European Theater during World War II where he distinguished himself in aerial combat. He had been a member of the Maine Air National Guard since January of 1953 and has served as base commander and commander of the 101st combat support squadron at Bangor since June, 1971. Colonel Richards will, however, continue in the Air Force Reserve, even though he is retiring.

Colonel Richards, who is principal of Madison Memorial High School, earned a B.A. Degree at Colby College, a Master of Education Degree and a Certificate of Advanced Study at the University of Maine at Orono. He participated in a defense strategy seminar at Washington, D.C. and completed the National Security Management Course of Industrial College of the Armed Forces.

He is much respected in our community, and it gives me much pleasure to present this order today.

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

Mr. Quinn of Gorham presented the following Joint Order and moved its passage: (H. P. 2343)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of Jerome J. Clifford Of Gorham Who Retired in 1976 From The Gorham Town Council After Many Years Of Outstanding Service to His Community As Chairman Of The Town Council And as A Member Of Many Public Committees And Boards

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.

Mr. Perkins of South Portland presented the following Joint Order and moved its passage: (H. P. 2345) (Cosponsors: Mr. Dyer of South Portland, Mr. Curran of South Portland, Mr. Hinds of South Portland)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of Edward McAleney Of South Portland Drafted By The National Football League Pittsburgh Steelers

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 Vaughan Walker of Island Falls be excused from daily attendance for personal reasons.

Orders of the Day

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

Bill "An Act to Provide Grants and Loans for Health Education" (S. P. 760) (L. D. 2310) (C "A" S-550)

Tabled — April 13, by Mr. Goodwin of South Berwick.

Pending — Passage to be Engrossed.

On motion of Mr. Goodwin of South Berwick, tabled pending passage to be engrossed and later today assigned.

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

Bill, "An Act to Revise and Reallocate Appropriations from the General Fund for the Expenditures of State Government for the Fiscal Years Ending June 30, 1976 and June 30, 1977 and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government" (S. P. 700) (L. D. 2225)

In House — Report "A" of the Committee on Appropriations and Financial Affairs accepted and a New Draft (S. P. 790) (L. D. 2341) Passed to be Engrossed on April 6.

In Senate — Report "B" of the same Committee accepted and a New Draft (S. P. 791) (L. D. 2342) Passed to be Engrossed as Amended by Senate Amendments "H" (S-569) and "I" (S-570) in non-concurrence.

Tabled — April 13 by Mr. Rolde of York.

Pending — Motion of Mr. Smith of Dover-Foxcroft to Adhere.

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

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: The pending motion before you today is the one that I made yesterday to adhere. We have really come down to the nuts and bolts, I guess, of this issue.

For many weeks, several of us in this House have made every attempt to find a way to accommodate both sides of the issue regarding employee pay increases and the Hay Report. I met this morning in the Governor's Office with Lanny Mosher and Roger Mallar, and Lanny tells me that we have been over there no less than eight times with eight different types of compromises which I had viewed as being a middle ground for those who wanted to take to it. In each instance, The motion to adhere will give you Report A as it was reported from the Committee on Appropriations and Financial Affairs. It will provide for \$11 across the board. It is my own feeling that we should adhere and go with Report A this morning and if there is a willingness to compromise as the day goes on and the options become narrower, there are other ways that we can deal with them, but I think this vehicle has run about its last mile. There is very little that we can do with it.

Every compromise has been suggested that I can think of and has been refused as an amendment to this bill. The last compromise went down the drain yesterday in the Senate, and it seems to me that that compromise was a very minimal position. It could be taken by many members of this House. That involved an across the board of \$11 now and implementation of the Hay Report at some future date, after it could be reworked a little bit and after the appeals procedure had been completed. That is unacceptable at this time in the Senate. Mr. Carbonneau was down to the Governor's Office and was told that that was unacceptable in the Governor's Office yesterday. I think that really is the bottom line for many.

So until a new compromise along that line, perhaps, can be negotiated at higher levels than we here today, I think that the expeditious thing for us to do is to send this bill back to the Senate with the motion to adhere made and voted upon here in the House of Representatives.

I know that the gentleman from Nobleboro, Mr. Palmer, is going to rise and ask for a different motion, but I really think that at this time the issue cannot be resolved here on the House floor. It is a very high level issue that is going to have to receive agreement from the three heads of government that we have here in the State of Maine, and I don't think there is any sense in us waiting for another week, another two days or whatever it might be for those people to get together when they have been unable to do so in the last two months with urgings and proddings from people like myself and the gentleman from Nobleboro. It is almost out of our hands, so I really think that we should stick with the motion to adhere, send it down to the Senate and if by some chance something else comes along that seems acceptable to the parties involved, then there is always the possibility of an order reporting a bill out of Appropriations, but I think this bill has just about had it.

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

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

The SPEAKER: The gentleman from Nobleboro, Mr. Palmer, moves that the House recede.

The gentleman may proceed.

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House: Before I begin a few limited remarks, I want to open by giving you the benefit of our Representative Gould's thought of the day, which I think is very apropos as we begin debate on this issue this morning. I believe the thought of the day today is, according to Mr. Gould, "Wipe that flour off your face, mother, everyone knows you have been through the mill."

I think that we can truthfully say, and I can concur with the gentleman from Dover-Foxcroft, that this, indeed, has been through the mill. But I am concerned this morning, and that is why I am asking for the motion to recede, I am concerned that should we adhere to this report and burn this bridge behind us and then later in the day should we take up one or two more reports and should they somewhere along the way stumble and fall, we would indeed be in a position sometime of perhaps having nothing before us to address the problem of the state employee raise.

I think it is unconscionable, I think it is irresponsible, and even though you do not agree with Report B, even those of you who totally disagree at this moment, I think should think seriously about the motion to recede.

There are amendments in this House. There are people in this House who want to make some amendments which may clear some of the situation. I do not know, but at this time I am not willing to say burn that bridge, burn all the other bridges and then tomorrow night find ourselves in the position of having nothing.

Yesterday afternoon, we met, the leadership of both parties, and I know there was a feeling of despondency, really, that after all this time nothing had been accomplished and I know that many people criticized leadership for that.

Another statement was made, it was stated this morning by the gentleman from Dover-Foxcroft, that there has been no movement, and I can't agree with that. I think there has been movement on both sides and I still think there is room for movement on both sides, and I would just cite to you this morning some of the movement which has been made since the very beginning. I want to say this, that someone said yesterday that unless the unions move or unless the Governor moves nothing can be done.

I would remind you, for example, that when the Hay Report first came out, the Governor was in favor of a 50 percent merit factor. He compromised to a 60 percent factor. He

originally was not for the \$8.9 million funding, he was for funding at a lower level and he compromised to the higher level.

I would remind you that he has agreed and has compromised and worked on a better appeals procedure and perhaps the makeup of a better appeals board. That is another compromise which the Governor has made.

He has also taken into account the considerations which were made about a non-standard work week and about the environmental factors involved in job classifications and job pay and has moved on that. You will find that, also, in the language of Report B.

He also took the criticism of the higher state employees getting more than the lower state employees. As a result of that, you have the compression factor there at the top and you have the situation where your department heads are used identically in the same manner as are all other state employees.

The Governor also compromised on the issue of more for the lower paid employees and thus came out of that compromise the so-called bonus plan.

Also, I think there was agreement made to do something for the University of Maine; there was a compromise, and there was a compromise also that some savings in AFDC could be turned back to improve benefits.

Now, I would say that is a fairly long list of compromises. I would have to say that I think the Governor has been very willing to bend, and I am not saying now and I am not privileged to say that I think a man who can do that much bending and moving can perhaps do some more, and I cannot say in all truthfulness that there has been any more bending than that on the other side of this controversy.

So I guess what I am trying to say this morning is that regardless of what our feelings may be, we have indications that throughout this whole controversy there has been give and take, perhaps not enough, but I think it would be totally irresponsible this morning to adhere, to burn a bridge, not to be able to look back or to have an instrument — and I know you will be told we can get an instrument anytime we want it — but the fact is, this is a better method to do, to receive, and give people a chance to put their amendments on and see whether or not this is acceptable, because if we defeat this and we defeat the other two matters coming along, I fear that tomorrow night we may be in a position where we might go home without having done anything, and I think that is totally irresponsible.

I plead with you this morning, regardless of what your feelings may be, whether you are for or against Report B, not to adhere.

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

Mr. GARSOE: Mr. Speaker, Ladies and Gentlemen of the House: I think the gentleman from Nobleboro has given us a very good recap of what has been going on here the past few days and weeks, but I think the gentleman from Dover-Foxcroft has given us the best reason to vote to recede — flexibility. He is exactly right. One of the worst things that labor, management or government can do is to paint themselves in a corner, eliminate all alternatives and come up against a blank wall, and the gentleman from Dover-Foxcroft is right, we should maintain our flexibility, and I suggest that by voting to recede we will be doing just that.

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

Mr. BUSTIN: Mr. Speaker, Ladies and Gentlemen of the House: It amuses me today to listen to the procedural arguments that are raised in defense of the anti-labor position. We know what is really behind those arguments, and that is, a bad deal for state employees.

There are two issues here; one is the Hay

Report and the other is how much money there will be for a raise. The Hay Report can be embodied in about two neat little sayings, one I believe is from Pygmalion, which says "one thing sure and nothing surer, the rich get richer and the poor get poorer."

The underlying philosophy of the Hay Report seems to be that if you feed the horse enough hay, all the spouse will have something to eat. The Hay study is a roadblock to a settlement in this matter. The reclassification, to my way of thinking, is a subject of collective bargaining. You don't shove this kind of thing down the throats of the workers. You don't hire an out-of-state consulting firm to come in and train 30 or 40 state employees for two days and have them go out and interview other state employees and recommend where they belong on a salary structure.

I know of an instance, and there are thousands of instances, and you have been hearing more and more of them, where a person who handles the actuarial business for the State Retirement System on local districts was interviewed by a person from the Department of Forestry and recommended for a \$1,000 a year reduction.

The issue is equity. There is no equity in a Hay Report which has a track record in other states of dragging through appeal procedures for four and five years. There are two ways to approach the Hay study, and I think this legislature can do one of two things. One is to form a commission made up of management, labor and legislators themselves to review the Hay study, interview all of the state employees, come up with a solid recommendation to the 108th Legislature, that is a possibility. The best way to do it is to adopt an amendment that will be later today presented by the gentleman from Brewer, Mr. Norris, which says that the Hay study should be implemented only after collective bargaining takes place.

The second issue is money. Can we really justify anything like the raises involved in the Hay Study Report as a substitute for cost of living? Fifteen dollars a week over the two-year period since the last state employee increase is 12 cents a hour — 12 cents an hour, and I say to the House of Representatives this morning, if anyone is going to sell out the state workers, let it be done in another chamber. We should defeat the motion to recede and back the motion of the gentleman from Dover-Foxcroft to adhere.

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

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: I am sorry that the gentleman from Old Town, Mr. Gould, wasn't more inspired this morning, he usually has more sparkling thoughts. But I would urge you to defeat the motion to recede. It strikes me as a rather curious motion. I am surprised that the gentleman from Nobleboro did not make a motion to recede and concur, since despite what he says about the Governor's willingness to compromise, the Governor has said publicly that he will veto anything except Report B.

The gentleman from Nobleboro has made the motion to recede because he said someone may want to offer an amendment. I don't know whether he is planning to offer an amendment or what particular move he would make to backtrack from the Governor's position.

There has been a rumor of an amendment that might be offered. That amendment is the amendment that was offered in the other body yesterday by the Senator from Androscoggin, Senator Carbonneau. Now, let's look at that amendment. That amendment, basically, embodies a compromise that was offered by the democratic leadership, because I think our position has been we are not in favor of the Hay Report, but in this compromise, we should have been willing to see it implemented after a long

period of appeals procedures, and so, we were willing to go that far. I think the position of the democratic leadership is that we want \$15 across the board for state employees, but in the spirit of compromise, we were willing to go as far as \$11. That compromise was worked out after a Committee of Conference or an informal committee met. It was offered to the Republican leadership, the gentleman from Nobleboro was a part of that leadership. Last Friday, the Republican leadership after a meeting in the Senate President's Office came in and said, no, they would not accept that compromise.

Yesterday, that compromise was offered again in the other body and again the Republican leadership cracked the whip, kept their troops in line and defeated that compromise.

So, today, the gentleman from Nobleboro is now saying we ought to recede and perhaps try that compromise again, that seems very curious indeed.

So, I would ask you to defeat the motion to recede and stick by the position that this body has taken.

When the vote is taken, I ask that it be taken by the yeas and nays.

The SPEAKER: Mr. Rolde of York requests when the vote be taken, it be taken by the yeas and nays.

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

Mr. FARNHAM: Mr. Speaker, Ladies and Gentlemen of the House: I urge you to consider well before you vote to adhere. I think we should recede and keep the issue open. The gentleman from York, Mr. Rolde, knows of no amendments. I have one being prepared now by Mr. Silsby. I know there are others in the offing.

We are operating under difficult conditions. It isn't normal for three or four parties to be engaged at the bargaining table. It is usually an issue between two parties. Unfortunately here we have three parties but we should not lock the door yet.

I do not concur with the defeatist attitude expressed by the gentleman from Dover-Foxcroft. We are reasonable people, there are reasonable people in the other body. I believe, given time, we can have reason from the third party that is involved. I am not appealing to the galleries, I am appealing to you as reasonable men and women.

The greatest crime we could commit, as legislators, is to go home and not have done something for the state employees. Maybe it won't be the whole loaf but, believe me, if you are hungry, half a loaf is better than no loaf at all. So, consider well the situation we are in, keep the door open. We do have amendments, they are in the process of being compiled. If you adhere now, there is no chance for those amendments to be put on. I urge you, at least for the time being, to recede.

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

Mr. LAFFIN: Mr. Speaker, Ladies and Gentlemen of the House: First of all, I take exception to what Mr. Rolde said about whipping Mr. Palmer's crew in line. Mr. Palmer does not control me. I vote for what I feel is right for the people. He will be the first to tell you that I vote on the merit of the bill and nothing else. This is not a political stand, this is a stand that you either feel that the employees of this state deserve a raise or they don't. I feel that we should pull the shades down and shut the rest of the world outside and never mind what they do down in the other hall, never mind what is going on on the second floor, but vote our own conscience here today. If the state employees are not worth \$15 a week raise for two years, then don't give them anything because anything

lower than that would certainly be an insult to their integrity and to their intelligence.

Mr. Speaker, I object when I am speaking to be interrupted and I would ask the gentlemen in the hall or upstairs to be quiet while I am speaking. I don't care what else you do when someone else speaks, but when I speak it gets me off my trend of thought.

The SPEAKER: The Chair understands the problem. The Chair again would remind the members to please refrain from any, and if there should be any further disturbance, the Chair will have to have the galleries cleared. The Chair hates to do that because he most often agrees with your position, however, I still intend to maintain decorum in this body.

The Chair apologizes to the gentleman from Westbrook, who may proceed.

Mr. LAFFIN: Thank you. I think that the real issue here today is the dignity and the respect that we owe, as we are today employers, and we have the obligation and may I say we have the moral obligation that we owe the working people of the State of Maine a decent living wage, not a poverty wage, but a decent wage. We haven't reached that yet, slowly but surely we are getting that way, but we haven't reached the goal yet.

Collective bargaining is a position that every workingman in this country, regardless of who he is, he has a right to bargain for that right and we do not want to take that away from them. If we put the Hay Report into effect that is just what we are doing.

I know that there are many high paid employees in this state who will get, as I was told this morning, about \$1500 more and I will settle for that figure. I don't agree with it yet but I was told this morning that is all they would get. All I read was the report where they can range from anywhere from three to five thousand. How can we say to the people of the State of Maine that is working for us, yes, we are going to give them a raise but the lower paid employees, you are overpaid. All I am asking is that we use a little common sense.

Now, there are very many intelligent people in this House, lawyers, school teachers with degrees and such and such, fine and good. I think it is wonderful. I don't have any degrees but I am glad that we do have people that have that. But I say to you this morning, let's put those aside and let's vote common sense. Common sense is, in today's living, the state employees taking home \$65 and \$75 and \$80 a week it is an insult and it is a total shambles. We have more than that to offer the people of this state. \$15 over two years is not really asking too much. We are having more fuss over this bill, giving them \$15, than we had over the school funding where we spent \$265 million.

I don't know whether I voted right on that or not. I hope in time I will be proven that I did, but I am still not sure today. I hope I did, I know some sections did help my city but I hope it helps the state.

So, here we are asking for a \$15 a week raise across the board, for what? A two cent raise on the cigarettes. Ladies and gentlemen, let's be practical and let's be realistic. When companies negotiate for wages, two cents, that is nothing and I have talked to plenty of people in my home town and they are willing to spend two cents more on those cigarettes so that the employees can get more pay. We don't want to encourage people not to work and put them on social give-away welfare programs. We want them to get more money than the people that are drawing social service programs. If you don't, we don't have any incentive.

I do not take the issue with anyone that sure, they are underpaid now, and you are giving them too much, I don't agree with that one bit. All I am asking is that we vote common sense today, that we bind together in one cause,

regardless of what anyone else does, at least we will have done what we know is right. You can't speak for anyone down the hall and I can't, but we can all speak for ourselves and that is the important part of this bill that is before us today.

The important part under this bill is that, let's give the workers a decent pay, a pay that they will not be ashamed of because if we go out of here less than \$15, I will tell you, ladies and gentlemen, I feel it is an insult.

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

Mr. JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: I am going to try to be brief on this because I got a report of my own to deal with. I will start with the intention of the gentleman from Nobleboro, Mr. Palmer, who is honest and well intentioned, with whom I agree very often and very seldom disagree.

This entire situation started when I suggested in the appropriation's room that we implement and appropriate \$25,000 to update the Cresap, McCormick and Paget report that had been made a few years ago.

Speaking of that report, someone said that it was never implemented. When the report came out, the Cresap, McCormick & Paget Report — I think I have stated so before and I know that I am being repetitious, every state employee was notified by letter that they would get a proper and fair hearing, collectively if they so chose, among some of them that did the same work individually represented by someone and so on.

The committee that I named to do the job of appeals and reclassification was made up of the then corporation oriented Representative from Hampden, Mr. Farnham, the Honorable Severin Beliveau and Mrs. Charles Allen of Portland.

The entire procedure from the time the Hay Report Study started to the time it ended was one year. The entire time that this thing took is four months. I am speaking of the Hay Report. The bill that I presented when I was absent was amended and before I knew it, it was law and the price tag with the collection that was made from various departments through the executive, amounted to \$150,000 and among the five firms that bid was Hay, and Cresap, McCormick & Paget. Hay's bid was \$111,000; Cresap McCormick & Paget was \$89,000. I had been told by the man who is no longer with Cresap McCormick and Paget, that \$24,000 was enough to upgrade and update the classification and the reports that had been made up by Cresap, McCormick & Paget.

The report itself of the Hay Study began on September 15 and ended January 20, four and a half months. Cresap, McCormick, & Paget, January 1966 ended January 1967.

One quick talk about compromise and compromises that have been — I don't care to go into that. I will say that I have been lobbied on this. I have been talked to, I could even say that through others that I might have been threatened but I am not one that does much scrapping in that area. I feel, however, that probably I can take care of myself.

At the last waning moments, all of these programs are brought forward. Now I think, personally, that I would probably go along with an order that would force us to study the Hay Report and then the thought in mind also of going through an appeals program. My first indication, however, and I have read that report so often trying to find myself out to be wrong that I could almost recite it backwards. I know where I would put it, however, if I had my way. I feel that the word compromise does go and travel two ways.

With due deference to the gentleman from Nobleboro, Mr. Palmer, I hope that you do not move to recede so we can move to adhere and

get on to another matter. I hope we do it rather quickly.

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

Mr. CARPENTER: Mr. Speaker, Ladies and Gentlemen of the House: The past year and a half to two years there has been a lot of talk of third parties and all of that. I would just offer the observation that perhaps this morning the gentleman from Westbrook and I should go out and form our own parties because we are probably not all that popular with the ones we are in now. I am one of the people that has an amendment. It is not before you because I thought we were going to have a caucus this morning and I could explain my position on my amendment. So, I will have to stand here for a few minutes, if you can bear with me, and explain to you why I intend to vote to recede. First of all, the gentleman from Augusta, Mr. Bustin, has mentioned something about being anti-labor. I have visions that perhaps if you vote to adhere, I can construe that to be very anti-labor. I think it is pretty generally considered in this House that if we vote to adhere, the bill is dead. I think there will be a tremendous amount of pressure to pack our bags and go home, and then spend the next three or four weeks trying to figure where to lay the blame. I don't want to lay the blame. I came down here to do a job and I am up here this morning and I am not very happy about it. I made a promise to some folks back home, way back in the beginning of the special session, and I told some state employees that I would vote for a pay raise, the best I could possibly get. I think we are at that point right now.

I agree with the gentleman from Nobleboro, Mr. Palmer, about turning all of the horses out of the barn and going with one that we suspect may have a bad leg, that scares me, I don't like to burn the bridges, I am a very cautious person. My amendment is not the same one that was offered in the Senate yesterday. There is some indication I don't have a firm commitment, which I tried to get, there is some indication of movement because of things that are in my amendment and I am not even entirely sure that my amendment is drafted properly.

I worked late last night and this morning trying to get something that I thought would go because I am really, sincerely, scared that if we adhere it would cut off all our options, go home and I can go home and tell my state employees that thus and such happened and this person and that person and either this body or the other body voted to kill your pay raise and that is not going to put bread on their table.

As I said, I am not happy with the Hay Report. I said I wouldn't accept the Hay Report and I am not. My amendment calls for the Hay Report after a lot of work has been done on it.

I have heard a lot of talk this morning about being practical, being realistic. I think that is what I am doing. I seem to be in the minority that thinks that.

The gentleman from Lewiston just mentioned that he is being lobbied, threatened, don't you think I haven't been. I am standing up here this morning for one reason and one reason only, because I see it as the only way out, the only way to be responsible.

Talk about vote your conscience. Well, that is what I am doing this morning. I am really scared that if we do not accept and apparently it is not acceptable, any of the three versions "A", "B", or "C" that are currently before us, that we have nothing left. Now, I could have voted for "C" a few days ago, I didn't. I could have endeared myself to a lot of people knowing full well it ain't going nowhere, that is not responsible because something has got to pass in both bodies and either be signed or overridden with a veto on the second floor.

The gentleman from Westbrook, Mr. Laffin,

said and I agree with him to some degree that we should go in here with blinders. I don't think that is totally correct. I think we have to look at the reality of the situation.

I would ask you this morning to give very serious consideration, I fully respect the gentleman from Dover-Foxcroft, we talked about this just before the session started. I understand that an order can be passed to report out a bill at any time. What are we going to report out? Everything has been tried, I think, everything. What I have right here is the only thing that I have seen any movement whatsoever on. I can't talk about what happened in the other body. I have reason to believe that there may be a possibility of further movement because of new things that are in this amendment. So, I would ask you to support me this morning and vote to recede.

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

Mr. HEWES: Mr. Speaker and Members of the House: I don't think anyone has discussed philosophy, the philosophy of the two Reports, A and B. I submit, which is fairer, to give a pay raise based on merit or just give a blanket pay raise of the same amount to everybody? It seems to me that a meritorious pay raise is what is best for the people of Maine. The gentleman from Augusta indicated if anybody voted different what he voted was anti-labor. I don't think it is anti-labor to be in favor of a person being paid for the work he or she does. Merit is the basis of payment. He used the word equity. I submit, equity would require that a person be paid for the work that he or she does. So, I would submit that the motion to recede is the proper motion to vote for.

Now, as I understand it, about 42 percent of the state employees would benefit more by implementation of the Hay Report than would benefit from the across-the-board increase; conversely 58 percent will benefit more from an across-the-board increase than if we admit the Hay Report.

We are talking about the same amount of money, I believe. According to my math, it is roughly \$8,900,000. As a matter of fact, the B Report, the report that would implement the Hay Report does not include a million dollars for ADG recipients. It would seem to me that the labor movement would be in favor of the employees of the state getting that extra million dollars. It seems to me that the labor movement perhaps is being sold a bill of goods here because, as I understand it, under Report A, which is the one that Mr. Bustin would have us vote for, the state employees only get about \$7,800,000, whereas under the Hay Report plan, they get \$8,900,000, a difference of a million dollars.

I don't understand why the labor movement would be in favor of their employees getting a million dollars less this next year than they would under the other plan.

I told state employees before this special session began, as did the gentleman from Houlton, Mr. Carpenter, that I would vote for a pay raise. I certainly will vote for a pay raise. I am willing to vote for a pay raise giving the state employees \$8,900,000 or thereabouts.

Now, in response to the gentleman from Westbrook, Mr. Laffin, he mentioned about people being whipped in line. I am not whipped in line by the gentleman from Nobleboro. On the contrary, I tried to give him the benefit — I thought the benefit of my advice. I concur 100 percent with his philosophy, his feeling here. I differed with him in another major bill that we had earlier in the session and I voted my conscience then but I think the gentleman from Nobleboro is on the right track, not just because his political affiliations are what it is or anything else, it is just, I think, the philosophy is proper for the adoption of Report B in

receding and eventually concurring or more or less receding and concurring with the other body.

The issue is not, do state employees get a pay raise, but how much do they get and what ratio. Do you just give an across-the-board handout or do you give a raise based on merit?

The gentleman from Westbrook mentioned collective bargaining. As I understand the Hay Report and Report B, that provides for collective bargaining. There is no question about that. We even got the instrumentality here in the State Government for collective bargaining. I think collective bargaining is in the best interest of the people. We don't want essential services stopped by a strike or a slow down or a sick out or something like that. Collective bargaining is the answer because eventually the slowdown or sick out would be settled and terminated, so compulsory collective bargaining is the answer and we have that now under our system of government.

So in conclusion, I think that common sense would dictate what is best for the people of Maine, vote for a pay raise. You can't tell me that everyone is worth exactly the same amount more than they were last year. I think that some are more dedicated, more experienced and have more responsible jobs and, therefore, let's realign positions.

We have secretaries down in the Employment Security Commission Office in Portland that I think are very competent and making less than janitors and other unskilled workers are in other parts of the state. I think we ought to implement the Hay Report rather than have the pay ranges become out of kilter even further.

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

Mr. TIERNEY: Mr. Speaker, Ladies and Gentlemen of the House: There has been a lot of discussion yesterday and today about the fact that the moon will be full tonight and the various political repercussions which might accrue from this celestial event. Driving home last night, I was reminded of a line from a play by Eugene O'Neil and the title of the play is "A Moon for the Misbegotten" and the line is that there is no such thing as the present or future, it is only the past happening over and over again. I think we should remember this before I get to the substance of my remarks — we should remember that. As politicians we tend sometimes to over-dramatize the moment.

We have heard the gentleman from Houlton say that he cares; heard someone else say that he has been threatened and the implication is that every time you push the button somehow you stand at the gates of Armageddon, and I would submit that this is not true. I would submit that this is an issue like many other issues, it is an important one and urge that each of us vote our conscience on it, and my conscience is to vote against the motion to recede and vote to adhere.

I do not fear the burning of bridges, because I can assure you that were the political realities changed after our vote, that the procedures would rapidly change to envelop those political realities and there would be no difficulty in having another vehicle before us with the same compromise acceptable by both branches and by the second floor.

I think I should address two particular points made by my good friend from Cape Elizabeth, Mr. Hewes, because neither of them have been dealt with in the detail that I feel they should be. The first deals with merit pay. The Hay plan is a broad expansion of the merit pay concept. It seems simple enough in theory and simple enough on paper. If a person works a little harder, the person ought to be given a little more money for it, but the merit pay system has never been made to work in the public sector. They tried it in the education field and it

failed. It has never been shown to work, and the reason it has not worked is that in most cases, as would happen in Maine were the merit pay system to be expanded, we would have ill-trained, lower level, supervisory personnel responsible for passing out some money to members of their crew and withholding it from other members of their crew, without guidelines, without criteria and I see very severe dangers in this.

If you had your supervisor able to give 5 percent extra to the janitor who pushes his broom a little faster, you have a dangerous situation and the danger is that you increase the friction inside the work place for those people who were passed over. It is a bad situation and it is especially bad down the road after you have union elections in an open shop situation where you have union members and non-union members working side by side with the first supervisory person outside the bargaining unit able to reward those people who are not trouble makers with an extra 5 percent, I think that is dangerous, I think it has very severe potential towards hurting the morale of our state employees.

The second point by my good friend from Cape Elizabeth, Mr. Hewes, deals with collective bargaining, and he says that collective bargaining is the answer. Yet if the Hay Report were implemented, it would write for the first time into the statutes of this state the pay, the vacation, the merit pay and the hours. Essentially, we would be enacting a collective bargaining agreement. Whether you are management or you are labor, I think you would agree with me that a legislature consisting of 184 diverse individuals is not capable of writing a collective bargaining agreement, that the very nature of collective bargaining requires that the parties themselves come to agreement after a negotiation process, we should not do it here. So for those reasons, I urge you to reject the Hay Report but I urge you to adhere.

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

Mr. GARSOE: Mr. Speaker, Ladies and Gentlemen of the House: If the complete testimony of the gentleman from Durham is as inaccurate as his description of how state employees are supervised and how the merit system will be put into effect, I urge and hope that we will all ignore everything he said.

These people are writing evaluations now. The management team recognizes that there has got to be some training and the training is going to be put into effect. If the horror story — he says we shouldn't have any fear — he just laid out in relation to merit pay ever came about, there would be some very sad supervisors, because supervisors, too, have a boss, everybody has a boss and the manner in which these people treat their employees is going to reflect their ability. I hope that we would not want these to be an opportunity for capricious and arbitrary decisions as to who pushes a broom faster. That is a complete misrepresentation, it is a slur on state government, even as it functions today.

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

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: I would like to make two comments on things that have been said here today. First of all, I would like to take issue with my friend from Cape Elizabeth, Mr. Hewes, who described the position that we are supporting today as an across-the-board hand-out. I resent that term handout. What we are talking about today is a well-deserved and well-earned pay increase to state employees who have not received any pay increase for two years.

I believe that what labor objects to in Report

B is the system under which a high paid, over \$20,000 a year department head could receive raises in the neighborhood of \$3,000 to \$5,000 while somebody who is earning \$100 a week might get even less, and I think that is the philosophical difference here.

I also would like to address myself to the gentleman from Houlton, Mr. Carpenter, who believes that he has some sort of an agreement with members of the other body and the other party for a compromise amendment he is planning to offer. I don't know what he has in it, I am somewhat confused when he says he has taken out any reference to the Hay Report. I can't see where he would have had that support from the members of the other party given the past history of the failure of compromise in this area. I would remind the gentleman that we will have another bill that will deal with this. He could offer his amendment to that bill, because I wonder whether this supposed support that he has received is nothing but a tactical maneuver to have this bill in the other body, have the other body adhere on Report B, because that is the position that the Governor has said he will accept and accept only. He said he will veto anything except Report B. Now, that may be a typical example of his flexibility, but that is his position.

I don't know that I said that Mr. Palmer was cracking the whip. I don't know who is cracking the whip but I think it is that attitude downstairs that has put us in this impasse, and that is what is cracking the whip.

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

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House: I would like to make just a couple of comments myself on the items which have been mentioned since the beginning of the debate.

First of all, I would like to talk a little bit about the remarks made by my good friend from York in the other corner, in his initial speech in which he consistently chastised the Republican party for its inflexibility, and I would remind him that the present instrument we have before us has been changed drastically. As a matter of fact, in my speech I mentioned nine different items that have been changed and accepted by the Governor. I would remind him also, for example, that the bonus plan that is in that report, I believe, was the brainchild of the gentleman from Dover-Foxcroft, Mr. Smith, a Democrat. I would remind Mr. Rolde that the change in the appeals board which is in this bill came about as a result of the meeting of the minds of Republicans and Democrats in leadership meetings. I would remind him that the language in here on the environmental factors, including a man's employment and the language we deal with in the non-standard work week, was the result of a meeting of Republicans and Democrats, and that language was put in, too.

I would remind him that the reduction, the compression, in the payment which is made to department heads and commissioners came about as a result of meetings of Republicans and Democratic leadership. This is all folderal to say that the Republican party has fixed their feet in cement. Apparently, Mr. Rolde believes that the only compromise is the kind that only accepts his philosophy.

I have not seen too much flexibility on the part of those who say that they want an across-the-board increase; the only flexibility has been the amount. What other contribution has been made toward moving one way or the other?

I would also like to address a word to the gentleman from Augusta, Mr. Bustin, who made his speech and then probably issued a press release, has not been here since, and remind him that when I make a speech, I resent it very

highly that I am included in his group of anti-labor people. It is that kind of rhetoric, political rhetoric, which ruins negotiations, which ruins the ability of a legislative body to come together and do something constructive, and I think his remarks about merit pay were totally this State House this winter working on a compromise of one kind or another and trying to resolve this problem as he has.

One more remark I would make in answer to the gentleman from Durham, Mr. Tierney, I think his remarks about merit pay were totally irresponsible. I can't believe that he really believes that this would lead to some irresponsible supervisor watching one fellow push the broom a little faster than the other and make a decision in that regard. I would like to put the reverse on and say to the gentleman from Durham, doesn't he really think it is nice once in a while to reward the worker who works a little harder, who pushes a little more, who wants to get the job done a little faster? That is what you get when you have merit pay.

I want to say once again that we do have this instrument before us — I don't know where all these bills are coming from that the opposition is talking about now, all these new papers are going to fly out of here just as soon as we kill these three. Apparently, there is some move that I have not heard of. I still say that there is no maneuver here on our part either to send this back to the Senate and have them adhere. I don't want Mr. Rolde to convince you that that is the scenario for it is not. Right now it is simply to recede and to give anyone a chance, if they want, to put on an amendment.

This measure has had a lot of running through the House and the Senate. I still believe that the appropriate thing for us to do is to recede and to keep it in case something else does not fly. I think those of us who are preaching this gospel today are just as concerned. And perhaps more so than those who would adhere if we want something left to deal with when the dust settles tomorrow.

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

Mr. MORTON: Mr. Speaker, Ladies and Gentlemen of the House: There have been some figures cast about here rather wildly this morning, and I think it is well that we at least talk about the correct figures. The gentleman from Westbrook mentioned \$65, \$70, \$80 a week. I have the Schedule I from the Hay Report in front of me, and the lowest figure there, Range I-A starts at \$5,205, which is \$100 a week. Then the gentleman down in the western part of the state, Mr. Rolde, mentioned the fact that \$3,000 to \$5,000 wages were contemplated. He knows just as well as I do that the version we have here which came down from the Senate has a 5 percent ceiling on people who are in place and working in the State of Maine, and my best information is that the maximum present compensation is twenty-five-five, and my arithmetic tell me this comes up to \$1,275, certainly a long way from \$3 to \$5,000. Those are the practical limits that we are talking about.

I am a little appalled this morning to think that nowhere on this floor, as of yet, have I heard it mentioned that somewhere out there are the people who are going to pay the bill. Where I come from up in Franklin County, we have some happy people, probably we have some unhappy people, but we have people in Franklin County who are working and paying taxes, sales taxes, probably not much income tax, but they are paying real estate taxes, who are working for less than \$5,205 a year, which is the lowest figure on the Maine scale that has been put in here under the Hay Report. I have people up there on the average who make below the top of Range I on the State of Maine scale, so I think the State of Maine scale, under the Hay Plan, does start out at a relatively fair level.

The thing I think we need to remember is that if the Hay Plan is adopted, everyone in Range I is going to get at least a \$500 increase. There are many people who are paying taxes and who live in my jurisdiction who do not expect to get a \$500 increase this year or next year.

I hope as you vote on this recede motion which, as I understand it, Mr. Speaker, is the one before us, the recede motion does allow for some flexibility, some opportunity to make some changes in these various plans we have before us, I hope that you will not only think of the state employees, many of them who do deserve a raise and some 95 percent of them will get one under this — I hope you all remember that of the 10,500 classified employees, only about 5 percent will get no raise at all and these are people who are judged to be being paid more money than the job calls for. There are only 500 out of 10,500; everyone else is going to get an increase of some kind.

So I hope, in addition to thinking of these people who deserve your thoughts, you will also think of the people out there who are going to be paying the bill. In many, many cases, these are folks who don't have any more coming to them than the folks who are working for the state.

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

Mr. GAUTHIER: Mr. Speaker, Ladies and Gentlemen of the House: I hate to disagree with my good friend Mr. Morton from Farmington. I have asked three or four ladies who are working on the floor in the well of the House, some in the retiring room and some upstairs, and I have to disagree with him from the reports, I have been told by some of them that they were taking home around \$85 a week and some \$88. Most of them were all under \$90, and when you get \$85 to support part of your family, you are not getting a base pay or a working pay at the cost of living today.

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

Mr. JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: I have listened very intently to my good friend from Farmington, Mr. Morton. I was wondering when he was voting yes for an \$18.5 million raise in the income tax, if he was thinking of the little people who were paying the bills?

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

Mr. BURNS: Mr. Speaker, Ladies and Gentlemen of the House: The time has come, are we going to help the state employees or not? By adhering this morning, we are going to be locking ourselves into one position where we cannot move. I hope there has been some movement at the other end of the hall.

Let's be responsible, come to the middle of the road and adopt an amendment that is going to be proposed if we can get by this recede, \$11.00 a week effective July; Hay Report next January; Senate Amendment "I" to the bill that we are now discussing, lops off the large increase at the top. We know that the Hay Report is not going to go in this House, we also know that no tax increase is going to go in either body, so let's recede, adopt the amendment and send it on down and keep our fingers crossed.

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

Mrs. NAJARIAN: Mr. Speaker, Ladies and Gentlemen of the House: The gentleman from Nobleboro outlined several areas where the Governor has compromised and that is true, but I think the Governor has given us every indication that he has gone as far as he is going to go.

I would give the gentleman from Nobleboro every credit for himself working with the Representative from Dover-Foxcroft, Mr. Smith, spending several days trying, also, to reach some sort of a compromise area where both bodies and Governor could agree on. Unfortunately, their efforts failed.

The presiding officer of the other body has made it very clear to us from the very beginning of this impasse that anything not acceptable to the Governor was not acceptable to him.

The proposals, that were brought forth from the informal conference committees were run by the Governor and those were rejected, and the fact that those were offered in the Senate yesterday as an amendment from the Senator from Androscoggin, Senator Carboneau, and that the Senate again rejected those very same possible areas of compromise, indicates to me that it is sheer futility and a waste of our time and waste of our state's money to offer such an amendment again here in this House for it again to be rejected in the Senate.

There is, perhaps, another bill here. If things change a little later in the day and, as Representative Smith said, it can be introduced and report out another bill, but at this point in time, everybody is locked into their positions, there is no hope in my mind that the Senate is going along with any kind of compromise offered here. They have already rejected it time and time again, so I do hope that you will stick to the motion to adhere.

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

Mr. CARPENTER: Mr. Speaker, Ladies and Gentlemen of the House: The reason I am asking this morning that we do recede is because of the amendment that I have and it is not even prepared yet, but it does keep the Hay Report for next year. I heard the argument that we could not possibly work out all the appeals between now and then. I disagree strongly. If this legislature with a 184 members with varying backgrounds, philosophies, parties, in every area of this state can deal with 2,000 bills, we have now, I believe 174 classes of appeals and more to come, I am sure that this Appeals Board could handle that.

As I said, there are things added in my compromise version that may make it acceptable down the hall, but I don't promise anything.

I would end by asking two questions and I would like to have anybody here answer it. I know what the vote is going to look like when it rings up there, I know how the slip is going to come pretty much, with a few exceptions both ways, but I just want to know why is something so unacceptable now that was accepted unanimously by the members of my party yesterday? All of a sudden, within 24 hours, it is totally unacceptable up here. I understand that, I just want to know why, when it was unanimously accepted by them, why all of a sudden I seem to me, myself, and the gentlemen.

Mr. JALBERT: A point of order.

The SPEAKER: The gentleman may pose his point of order.

Mr. JALBERT: The gentleman is debating the action of another body.

The SPEAKER: The point of order is well taken and the gentleman will restrain his remarks to the action taken before this body.

Mr. CARPENTER: Mr. Speaker, I apologize. The second question that I would like to ask, I would expect this would be directed toward any member of the Appropriations Committee and that is, what potentially might be in any new bill that has not already been before this body where we might find a middle ground? If I thought there was any new ideas, I certainly could vote to adhere if I thought there was a possibility of running out a new bill with some new ideas that might just go, and I would ask if anybody could answer that question.

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

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: I would like to take just a moment to respond to the gentleman from Houlton and also to the gentleman from Nobleboro.

First, to the gentleman from Houlton, I don't know

what possible new ideas there could be. Every single idea that anybody has transmitted to me, and I seem to have been involved in many of these discussions I have tried to get on the table as possibilities, and for the most part, I think, contrary to what the gentleman from Nobleboro has indicated, the key element in all of these compromises has been rejected.

It is true that there have been some changes in Report B, but all of those changes were proposed by me or by others as a possible method of getting the House to go along with the Hay Report, but the key being that the Hay Report be delayed so that the problems addressed in those various changes that have been made in Report B could be made so that the mistakes, so that the deficiencies in the Hay Report itself, could be corrected and that the state employee could be plugged into their proper classifications. That key has never been forthcoming. We changed Report B here and there in order to entice members of the opposition into going along with something that they instinctively thought was bad.

As far as the so-called compromise on the University of Maine with the Governor, I think we all know the story on that, that it was a quid pro quo for the Hay Report made at the Holiday Inn involving only two members of the legislature, as I understand it, and the Governor.

As far as the so-called compromise on the AFDC language, the position being of the proponents that there ought to be a million dollars in there to lift from 80 to 82 percent of 1969 needs.

I understand that the gentlewoman from Portland, Mrs. Najarian, had a meeting with the Governor in which he indicated he might be willing to talk with the Commissioner of the Department of Human Services and maybe they could come up with a million dollars somehow. But then the word came on after that that even placing a certain language in the Appropriations Act which would compel the use of savings to be used for increasing the level of grants was unacceptable.

So I wonder, really, what all this flexibility comes to. It has come in part with meetings with individuals, it has never been laid out in the leadership meeting as a whole, and I think the way to resolve this thing today is to compel those who think they have an interest in the Hay Report to come forward and lay their cards on the table, not to do it by skirting around the end of the bench, so to speak.

I ask them to be forthright by discussing delayed implementation of the Hay Report, which is the one key factor and which all of the other suggestions that I made was premised upon and then, perhaps, at some future time, there might be some agreement, but the agreement certainly isn't built into Report B by taking part of what some of us have said might be acceptable under some circumstances and implementing them by way of amendment to Report B. That is not what we were talking about. That does not represent a compromise.

I think that the so-called flexibility that has been talked about here today has really been, for the most part, non-existent. The one proposal that delayed the implementation of the Hay Report so that it could be worked upon and corrected was defeated in the Senate yesterday, and the Governor's statement, as I understand it, yesterday, was that delay was not in order as far as he was concerned and would not be possible. Maybe he has changed his mind today, I don't know, I haven't been told that he is willing to delay. I have sort of heard it that he might be willing to delay and maybe he is, but I think it is going to be a meeting between John Martin, Joe Sewall and the Governor where these things are discussed frankly, and the motion to adhere is the motion, it seems to me, that will bring these people together.

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

Mr. McKERNAN: Mr. Speaker, Ladies and Gentlemen of the House: I would like to respond briefly to the gentlewoman from Portland, Mrs. Najarian. The gentleman from Nobleboro and I, as the leaders of the party in this body which controls the body at the other end of the hall, obviously have numerous meetings with our counterparts in that body. If they were as inflexible as that gentlelady suggests, would we be here today saying that we ought to recede so that we can take a look at the amendments that might be offered either by the gentleman from Hampden or the gentleman from Houlton? Obviously not. Equally obvious is, were that body insistent upon their action, they would have adhered yesterday, but we have gotten this bill back here today in a new posture.

I think that the most prudent, perhaps even the most expeditious way to handle the problem that is facing us now would be to recede, then to table this bill so that the gentleman from Houlton, especially, can get his amendment ready and can explain it to some of us, and then to deal with the other bill that we have, which is, in fact, dealing with this problem. If that bill is not acceptable either to this body or to anyone else, so the only vehicle we have left is the one we are now discussing, at that time we can deal with the amendments that the gentleman from Houlton has and the gentleman from Hampden and see exactly what position we are in.

I think that we are making a great mistake to just close the door behind us, as the gentleman from Nobleboro said, without really walking that last mile to see if there is something that can be done, because I for one firmly believe that there is.

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

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

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I would like to briefly respond to some of the comments of the gentleman from Bangor, Mr. McKernan, and perhaps to some of the comments made by the gentleman from Nobleboro, Mr. Palmer, and some other members of the House who purport this morning that there is room for compromise.

The gentleman from Bangor, Mr. McKernan, knows full well his reason for the motion to recede, as I do. He knows full well that the intent is to get it in the other body so that they can shove it down our throat, as they did with the Executive Council. The facts are so obvious, I have seen it and I intend to see it again if the motion to recede occurs.

There is talk of room for compromise, and the gentleman from Houlton, Mr. Carpenter, says, what has changed from yesterday? The answer to that is, nothing has changed since yesterday.

When that purported compromise of Friday night was rejected, I figured as much when the members of the left-hand side of the hall proceeded into the President's office. I figured that that was exactly what was going to take place, even though I knew that if the compromise were in fact accepted, it would be very difficult to sell to members in this body of both parties because of this body's position on the Hay Report. That was rejected yesterday in the other body, as it was rejected last Friday, as will anything else that the gentleman from Houlton purports to suggest that we do, until something happens. And I would like to lay

them out to you in three clear alternatives: One, that the House caves in; two, that the other body caves in; or, three, that both groups, members of this body and members of the other body agree to get together, agree to come out with a compromise and agree then to pass that compromise over the objections of the Chief Executive of this State.

I can't believe that the gentleman from Houlton, Mr. Carpenter, did not read the letter from the Governor on April 12 to every member of this body, and I quote: "I firmly believe that Report B is such a plan. I fully understand and appreciate the fact that a number of legislators do not support this plan. I cannot in good faith simply ask any legislator to stand up and say that his or her previous position has been wrong and to voice support for another plan.

"I don't ask for this, but I do ask this Legislature to give this administration the chance to prove that this plan, (Report B) with its appeal process, is a good and equitable one. By asking for this chance, we are also willing to assume the responsibility for proving to this Legislature, to State employees and the people of Maine that it was a good plan for State employees."

Yesterday, the gentleman from Dover-Foxcroft, Mr. Smith, the Chairman of the Appropriations Committee from the other body, myself and President Sewall met with the Governor, and that position remains the same. It is Report B, implementation of the Hay Report now or nothing else. Is that quite clear, I hope, to every member of this body? If that is suitable room for compromise, then I would ask the gentleman from Nobleboro, Mr. Palmer, to demonstrate compromise to me.

I fully agree that some of the things which are in the present Report B are in fact an attempt to arrive at a compromise, as he outlined. Some of those were taken from suggestions that were made by members of both parties, this body, the other body, by people within the administration, but the key is whether or not the Hay Report shall be implemented now. So for a moment, in response to the gentleman from Cape Elizabeth, Mr. Hewes, I would just like to inform the members of this body what the Hay Report really is, it is pure and simple a management tool, there is nothing else to that. The reclassification, I agree, but from whose point of view? If it were not, do you think that we would not want it to go to negotiations and collective bargaining, if it were not to be placed in the law so that therefore it can no longer be bargained collectively? Oh, come now!

We talk about fairness, of treating state employees the same. If the gentleman from Cape Elizabeth can tell me that the person who gives a ticket to the legislator who misparks his vehicle in the parking lot ought to be treated the same way as the person who works at Thomaston, heaven forbid. If someone can tell me that the person who pushes the broom in this State House can be treated the same way as the person who works in Augusta or Bangor institutions, prove to me that the Hay Report is correct, then I will buy it. Until such time as the appeal process is completed, the Hay report stinks and should not be implemented and should not be forced down the throat of state employees.

I think the time has come for us to understand within this body the facts of life and to understand why state employees don't want it, instead of jockeying for a position. Good reason and good sense will occur in the final analysis, I pray and I hope. That good sense and good faith will occur when people are willing to make the realization that everyone's views must be taken into account. But for me to receive a letter from the Chief Executive, co-addressed to the gentleman from Dover-Foxcroft, Mr. Smith and a copy to President to President Sewall,

Senator Huber, Lanning Mosher and Roger Mallar, for a meeting in the Governor's Office yesterday, and I quote out of that letter. He attempts to purport where the blame ought to lie if state employees get nothing. He says that blame ought to lie upon this body and upon the Democrats if nothing is done, and in particular, of course, upon me — of course, that goes without saying.

I quote: "A majority of the Democrats have adhered basically to a position backed by militant labor leaders who simply want an across-the-board pay increase without addressing the inequities in the present classification system. This approach rewards persons who do the least as much as it does persons who do the most. If this approach were successful, it would reward a person who filled one sack of potatoes as much as it would for a person who filled ten bags." I only suggest that the Governor has not picked too many potatoes, as I have. I welcome him to Aroostook County next fall to participate.

I think the key is not where the blame ought to lie. The key is not that the blame ought to lie with the other body, at this end of the hall or on the second floor. I don't think that if nothing happens or that we do something, that we should start looking around as to who is going to look best with state employees, but we ought to at least try to do what we know is fair, and there is one thing I know, that the Hay Report does not do that unless the appeal process is completed.

I am willing to buy the Hay Report provided that state employees are being treated fairly, and I am going to vote today against the motion to recede and finally, and hopefully, in the final analysis, vote for the motion to adhere, and I will do so on the hope, with some prayers, perhaps, in this week of Holy Week, that when it is all over there will be a meeting of the minds. But until that realization comes within this body and the other body and on the second floor, compromise is going nowhere.

At this point, Speaker Martin returned to the rostrum.

SPEAKER MARTIN: The Chair wishes to thank the gentleman from Bangor, Mr. Kelleher, for acting as Speaker pro tem.

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

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

Mr. HEWES: Mr. Speaker and Members of the House: Just briefly, I would like to comment that I think the last speaker has indicated he believes there should be a variance, that certain jobs are more important than other jobs, and I think the Hay Report does put that into effect. For example, a typist, in my opinion, has more skill and has a job deserving of a greater pay increase than someone else.

I apologize for the use of the word 'handout' earlier, I meant a raise or increase in salary.

And just briefly, in rebuttal to the gentleman from Durham, supervisors have their functions to perform. They want the most effective working unit they can have. They have certain duties and responsibilities and they want to accomplish that as well as they can. They aren't just blind people who are arbitrarily capriciously picking person A over person B. They should have reasons for their decisions.

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

Mr. GARSOE: Mr. Speaker, Ladies and Gentlemen of the House: I believe the gentleman from Eagle Lake, spoke the Governor's language when he referred to the plan as being Report B. It is my understanding in that letter that his reference was in the letter and has been that the plan is the Hay Plan, the

plan of reclassification. He has never said it is perfect. I make no contention that it is perfect, but it doesn't 'stink.' If it does have an odor about it, it is nowhere near the height of the odor of our present classification system, and as far as throwing it open to collective bargaining, it is the position of the state now and I hope that we adhere to it, that the present classification plan is in statute and is not going to be a bargainable issue. So I don't think that this should be a barrier to say that we can't implement the Hay plan.

When it is described as a management tool, if it is described as a management tool in the context of labor versus management, I think it does the plan an injustice.

I take the other side of the coin, are we saying we don't want the state managed, are we saying that we want the state to drift, or do we expect on behalf of all the citizens we represent to do our best to see that the state is as well managed as possible. Under that context, I accept that, and I think that is a compliment to the proposal.

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 Nobleboro, Mr. Palmer, that the House recede. All those in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Berry, G. W.; Berry, P. P.; Birt, Burns, Carpenter, Connors, Curtis, Dam, Dudley, Durgin, Dyer, Farnham, Penlason, Garsoe, Gould, Gray, Hewes, Higgins, Hinds, Hunter, Hutchings, Immonen, Jackson, Kelley, Lavery, Leonard, Lewis, Littlefield, Lunt, Mackel, McBrearty, McKernan, McMahon, Morton, Palmer, Perkins, S.; Perkins, T.; Peterson, P.; Rollins, Snowe, Sprowl, Susi, Tarr, Teague, Torrey, Tyndale.

NAY — Albert, Ault, Bachrach, Bagley, Bennett, Berube, Blodgett, Boudreau, Bustin, Call, Carey, Carroll, Carter, Chonko, Churchill, Clark, Connolly, Cooney, Cote, Cox, Curran, P.; Curran, R.; Davies, DeVane, Doak, Dow, Drigotas, Farley, Faucher, Finemore, Flanagan, Fraser, Gauthier, Goodwin, H.; Goodwin, K.; Greenlaw, Hall, Henderson, Hennessey, Hobbins, Hughes, Ingegneri, Jacques, Jalbert, Jensen, Joyce, Kany, Kelleher, Kennedy, Laffin, LaPointe, LeBlanc, Lewin, Lizotte, Lynch, MacEachern, Mahany, Martin, A.; Maxwell, Mills, Miskavage, Mitchell, Morin, Nadeau, Najarian, Norris, Peakes, Pearson, Pelosi, Peterson, P.; Peterson, T.; Pierce, Post, Powell, Quinn, Raymond, Rideout, Rolde, Saunders, Shute, Smith, Spencer, Stubbs, Talbot, Theriault, Tierney, Tozier, Twitchell, Usher, Wagner, Wilfong, Winship, The Speaker.

ABSENT — Bowie, Byers, Kauffman, Lovell, MacLeod, Martin, R.; Mulkern, Silverman, Snow, Strout, Walker, Webber.

Yes, 46; No, 93; Absent, 12.

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

Thereupon, on motion of Mr. Smith of Dover-Foxcroft, the House voted to adhere.

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

Divided Report

Six Members from the Committee on Appropriations and Financial Affairs on Bill "An Act Increasing State, Maine Maritime Academy

and University of Maine Employees' Pay" (Emergency) (H. P. 1846) (L. D. 2015) reporting in Report "A" that the same "Ought Not to Pass"

Report was signed by the following members:

Messrs. HUBER of Cumberland
MARCOTTE of York

— of the Senate.

Messrs. SMITH Dover-Foxcroft
CARTER of Winslow
LeBLANC of Van Buren
GARSOE of Cumberland

— of the House.

Two Members from the same Committee reporting in Report "B" that the same "Ought to Pass" as Amended by Committee Amendment "A" (H-1278).

Report was signed by the following members:

Mrs. GOODWIN of Bath
Mr. JALBERT of Lewiston

— of the House.

One Member of the same Committee reporting in Report "C" that the same "Ought to Pass" as Amended by Committee Amendment "B" (H-1279).

Report was signed by the following member:

Mr. GAHAGAN of Aroostook

— of the Senate.

Reports were read.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I hope that you accept Report B. This is also the bill that has passed this House here after a very lengthy debate and then for constitutional reasons was killed by me.

This measure could also be subject to compromise, but in the meantime, I will stay with the issue itself. This report is exactly what "C" was, or 2243, which passed this House before. It differs from all the other reports, it differed very much from the original Report B and differed from Report A because it still keeps in it the \$500,000 for noon meals, a merit increase and the weekly pay program.

When we talk about giving a pay raise to state employees, they have waited since 1974 for a pay increase. They had not had a pay increase before that had taken effect for them for at least six months. This would not give them any more money for the next year and a half, so when you break this thing down, it is a four-year proposition and with the cost of living having gone up 22 percent, it means about 15 cents a week; 50 times 15, and multiply that by four years. That is what you arrive at.

It is the one bill that has no gimmickry in it. It faces the fact and it faces a reality. Now let me tell you, this is no longer from Kittery to Fort Kent or Eastport to Block Island, a pay increase bill for state employees. The people this morning who were filling the gallery were representatives of several Maine local trade unions, heavy salaried people, Local 14 in Jay, Local 6 in Bath, the Boilermakers, Local 24 and Local 1069, numbering about fifteen to sixteen thousand employees. Pickets throughout the state are now at work, early this morning, on their noon hour and this evening. The leaders of both the MSEA and the Ask Me. are having trouble keeping several groups at their jobs.

This is a very, very serious situation. I have not spoken on this bill until my good friend from Eastport, Mr. Mills, encouraged me to, but I made the statement in caucus that I wished it were not my affair so I could really bite into it.

We were going along great on the Appropriations Committee. I served on this committee for 27 years, and at a certain point during our deliberations, I made a motion that we would delay the implementation of the Hay Report.

The gentleman from Cumberland, Mr. Garsoe, said, would the gentleman from Lewiston accept an amendment to his motion? I said, first I

would like to know what the motion is. He said, would he also delay collective bargaining? I think he very nearly had a coronary when I said yes. We took a vote of the Appropriations Committee and it was unanimous; yet, that situation and that pledge was broken later on at a caucus by members of the opposition. Certainly those of you who know me here, I have been too harsh over the years wherein it concerns the opposition. I have been a little hotheaded myself on the big box and single member districts and those things, but I am mindful of the fact that I have brought home a little bacon. I am also mindful of the fact that I have earned a little bacon and I am staring at a former member of the Appropriations Committee. I think that he will agree with me that on a couple of occasions at least where I got things, goodies, to bring home and I earned them, I supplied the money and more.

Now, it appears that since I have been here, particularly at this special session, all actions that we do rely upon what is going to happen either on the other side or what downstairs is going to do. This is the first time I have ever seen this situation. Let's do our thing ourselves. If I cared so much about the other body, I would have run in the last 32 or 33 years for the other body. I am interested in what we do here. What is done on the other side, what is done downstairs is their business. What we do here is our business.

I want to tell the young man from Houlton, Mr. Carpenter, that I only made that motion because I have heard the debate of what is happening on the other side until my ears rocked, and I thought I would put an end to it. I am serving notice now that if that situation continues by any other member, I shall rise on a point of order. I play according to the rules, I win according to the rules, and I lose according to the rules.

Now, I would like to have anybody here stand up and tell me that they have received several phone calls and have been stopped on the street — don't you vote for a cigarette tax. You might say one two three or four and you might say, well, what do you think of a cigarette tax? Just ask them what they think of partially supporting a pay plan with that kind of taxation and see what they will say.

I would comment that I would agree with the remarks of the Speaker when he made a statement when the state employees left the Senate and came here, in which he said addressing the state employees, a lot of us have taken you for granted, the time has come for us to act. He also stated that the state employees have not received anything until 1974, in which one of the leaders of union, the MSEA, has maintained that high taxes will be needed to provide adequate raises to state employees; he said \$15 a week would be the minimum adequate raise.

This bill has passed before, let us pass it, there will be amendments, it is a vehicle that we can even amend, I could even amend myself if I were forced to.

It really is surprising to me that we could spend so much time about what another branch does or the Executive would do. I don't fault the other branch and I don't fault the Executive. By the same token, we shouldn't be faulted either for our action.

I would leave one thing with you and I want you to believe me, I repeat myself, this is no longer the MSEA and the Ask Me. This is a labor situation now. The AFL-CIO is involved in this; 50,000 organized labor people are involved in this. I share their concern and I hope you do. I am not going to go into the Hay report anymore. I have stated on several occasions that I have had myself with His Excellency that I would like to go along with the situation. I have reread the Hay Report, as I have stated, and I just could no more, for once in my life thoroughly agree with the remarks of the Speaker. As a

matter of fact. I think he took the lines from me.

With due deference, it is a funny thing, but you know, my friend from Cumberland, Mr. Garsoe, has a habit of hitting and running. You know, I wish he would come down here because I really like him and I mean it. I was delighted when he was chosen to serve on the Appropriations Committee. I truly was delighted. I called him up, I congratulated him. He is really an excellent member of that committee. He has done a fine job and is doing a fine job representing them. I am not going to tell him the odor that I get from the Hay Report but there is a word that can be upgraded a little bit, the Speaker's word, I will buy that and I have so stated.

How can you implement anything when you have got a couple of thousand complaints staring you in the face? I am not saying I wouldn't accept it. I am saying to you that the people who did the work of appeals on the previous classification program did such a good job that during that classification program the state employees got four step increases. It didn't have to be implemented. It was implemented while the appeals work was being done, that is how good a job it was.

Let's not say this thing has no chance elsewhere. This thing has passed here before. This is a sound bill, there are no gimmicks about it. Whatever taxes are put on do not make me any happier than anybody else.

I am looking around and I don't like, Mr. Speaker and members of the House, to talk and mention somebody's name when they are not here, but I can recall one afternoon, after reading the Hay Report, that I called the gentleman from Nobleboro and it took me nearly two hours to get his line. He was telling me that as he read it, he had been making calls, he said he had made at least 60 calls and I believe him, at least in the time I tried to reach him on the phone and that his constituents were okaying 5 cents on cigarettes and the rest of it income tax to fund the education law. It passed this House. It went into the Senate and there it was changed, removing the 5 cents. It was changed, incidentally, through the efforts of a very dear friend of mine who was chairman of the appeals board named by me who is a member of the Third House, and he has a perfect right to earn his living and I can assure you that he earns a good one.

I have worked on this thing, I have cajoled, I have taken my amount of raps, I am sincere about this situation as much as I have ever been in all the years that I have served as a member of this House. We are facing a very, very serious situation. I make no threats, I make no accusations, I just leave you with one thought. This is now an issue of statewide concern gaining momentum in every minute of every day. I hope that you accept Report B and when the vote is taken, I request the yeas and nays.

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

Mr. GARSOE: Mr. Speaker, Ladies and Gentlemen of the House: You learn something here every day. I wasn't aware I was in the habit of hitting and running. I did hear the gentleman's remarks, my good friend from Lewiston, relative to — at least what I thought I heard was a deal that I had made with him on Appropriations. I would characterize it as another effort to compromise and to seek a solution. Frankly, in offering this counter proposal to the gentleman from Lewiston, I had hoped to illustrate the lack of wisdom that was contained in delaying the Hay Report. Being the Titan from Lewiston, as he has been described here and being very keen of mind and quick to grasp an opening, he pinned me to the wall with it. So, I went through with it, I explored with the people who were going to be conducting this operation whether this was a viable com-

promise or solution that we should explore. Very soon we began to realize that this would not fly.

I think that what we are seeing and hearing here today is an indication that everyone speaks of compromise and ends up saying, what have you done for me lately? There have been efforts to compromise, but what I am running into and what I measure to be the unalterable position of those who would endorse a bill such as this today is that that Hay Report is never going to be implemented. You let that Hay Report set and it will begin to get an odor to it.

Discussing this in the halls yesterday with one of the union leaders who asked why I couldn't go along with waiting until February to implement the Hay Report, I said, would you at that time attack it for obsolescence? He didn't say yes, but he smiled and turned away.

This Hay Report is like a fish, if you don't use it within a reasonable period of time, it is going to deteriorate because of its very nature.

I have no feeling of apologizing to the gentleman. I don't believe I broke an agreement. I don't believe that I have backed down on my word.

The SPEAKER: The Chair requests the Sergeant-at-Arms to escort to the rostrum the gentleman from Stonington, Mr. Greenlaw, for the purpose of presiding as Speaker pro tem.

Thereupon, Mr. Greenlaw assumed the Chair as Speaker pro tem and Speaker Martin retired from the Hall.

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

Mr. JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: If the gentleman from Cumberland, Mr. Garsoe, heard what I said, he first heard my feeling toward him, how I felt about him. Now I am going to say to the gentleman from Cumberland, Mr. Garsoe, and I challenge any member of the Appropriations Committee, regardless of party, I am going to refresh his memory with facts. That is what counts with me. I didn't say there was a deal. Let me tell you just exactly what I said.

We were talking about the situation, and I am challenging any member of the Appropriations Committee to get up and tell me that I am wrong. I said, "I move that we postpone the Hay Report" — Silence. The gentleman from Cumberland, Mr. Garsoe, will the gentleman from Lewiston accept an amendment to his motion? I would like to know, my answer was, what the motion is. Mr. Garsoe — "I move that we amend Mr. Jalbert's motion by putting off collective bargaining." I said, I agree, we voted unanimously. I didn't pin him into a corner, he put himself in it. I want any member of this committee to deny or take issue with what I am saying, any member of the committee to deny what I am saying. I am going to give the gentleman from Cumberland, Mr. Garsoe, the lesson of the day — with me, facts — those are the facts.

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

Mr. GARSOE: Mr. Speaker, Ladies and Gentlemen of the House: I would just recap that I don't think that I denied any one of those facts. I am just saying that I didn't regard it as a binding deal or a binding motion or a binding solution and I don't today.

Mr. Jalbert of Lewiston was granted permission to speak a third time.

Mr. JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: Even as of yesterday I left word with the gentleman from York, Mr. Rolde, and the gentlewoman from Portland, Mrs. Najarian, and a member of the Third House, whom I respect, I told them that I would

go along with the bill, and I was reminded by the sponsor of the measure that I had given him my word. I had forgotten that. I went to the three other people and asked them that they had to release me because of the fact that I had given my word.

Now, what I am trying to say is this, and the gentleman from Cumberland, Mr. Garsoe, is no soft touch when it comes to negotiating, I fully recognize that. But the agreement was made, not a deal, a motion was made and seconded, amended and passed unanimously, and the time to have broken that or gotten away from that position was where it was made, it is as simple as that with me. That is the way I operate.

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

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: I think we got a little bit off track on what we are discussing, and that is a plan that was put forth in this House before that would give a \$15 a week across-the-board increase to state employees.

We have heard a lot of talk about compromise. This plan that is before us today is basically the plan that I wanted to support and that a lot of you wanted to support, but we did this morning, in accepting Report A, in that sense was a compromise for me, but I would still like to have the opportunity to vote my true feelings and therefore I am going to support the gentleman from Lewiston, Mr. Jalbert, and support his motion to accept on this bill Report B.

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

Mr. BURNS: Mr. Speaker, Ladies and Gentlemen of the House: You are all well aware of what my views are on increases of taxation at this time until we can have a complete and full tax reform.

I commend the gentleman for his suggestion for a \$15 a week across-the-board, I think it is well justified. However, let's just take a look at possibly where some of this tax money may come from.

In the state, there is over 178,000 recipients of social security, there is somewhere in the vicinity of 20,000 AFDC recipients and there 45,000 people, approximately, unemployed. These people are living on a fixed income that is considerably below the average.

Let's take a look at the 45,000 unemployed. If we averaged that out that each one of them smoked a pack of cigarettes a day, and it would come close to that because most of them are married, some do not smoke, we would find we are raising \$900 a day and we multiply that out by 365 and we come up with \$328,500. In the AFDC area, of course the recipients don't smoke, but I would say that some of the mothers do and possibly some of the money in the AFDC check goes there, so I selected a figure of 5,000 packs a day being purchased or \$100 a day. This would come out to \$36,500. In the social security area they all don't smoke, but let's say that approximately half did or 90,000. This would come to \$1,800 a day or \$677,000 a year for a total of \$1,420,000 or approximately 35 percent of the \$2.8 million required to give the state employees a \$15 a week raise. I do not believe that the state employees themselves would want this type of taxation put on people on fixed incomes.

The SPEAKER pro tem: The Chair recognizes the gentleman from Old Town, Mr. Pearson.

Mr. PEARSON: Mr. Speaker, Ladies and Gentlemen of the House: I would like to pose a question through the Chair to Mr. Jalbert or anybody who would care to answer. Under Committee Amendment "B" of Mr. Jalbert's, does this provide as much of a raise in pay for

university employees as it does for other state employees?

The SPEAKER pro tem: The gentleman from Old Town, Mr. Pearson, poses a question through the Chair to the gentleman from Lewiston, Mr. Jalbert, who may answer if he so desires.

The Chair recognizes that gentlemen.

Mr. JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: This measure gives \$800,000 to the university to be applied towards a raise. It also gives \$114,000 to the Maine Maritime Academy to be applied to their raise.

We, as you know, give the University of Maine outright sums of money, and that \$800,000 would be applied, and they said that they would take some of their money from their funds to help the thing along. It is not the amount of money that they had requested which would give them more than what the state employees were getting but it is the figure that I have arrived at which I think will be comparable to what the state employees would be getting.

The SPEAKER pro tem: The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Smith.

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: I thought I would just rise for a moment to explain my signature on this bill. As all of you know, I have been working during this session to come up with a pay increase for state employees. However, I think that we all clearly understand that the tax increase embodied in this amendment is simply not going to be acceptable to the legislature as a whole. My signature simply is a recognition of that reality and it is manifestation of my desire to get on with what we are really going to be able to consider here and to stop really the debate over what I think is very clearly a fruitless effort to get an additional few dollars for state employees because of the tax which is attached.

I think I share the feelings of many, that it is time to stop a lot of this talking and get down to the final line of all of these things. I think we have had clear indications from more than one place in this State House that this proposal is not ever going to be acceptable and my signature simply recognizes that reality.

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

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

At this point, Speaker Martin returned to the rostrum.

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

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

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

Mr. NORRIS: Mr. Speaker, Ladies and Gentlemen of the House: I hope that you will go along with this report this morning. As has been stated by members of both sides of the aisle, any document can be amended, and I certainly hope that you will go along with it. It provides an across-the-board raise. This does not deal at the present time with the Hay Report in any manner, it simply deals with the pay increase. It deals with the cigarette tax and it deals with the Part II Budget.

So, I would hope that you could support this and we could take it to second reading and then those people who have amendments may present them for the House to study and then send it down to the other end of the hall and see if we can work something out.

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

Mr. COONEY: Mr. Speaker, Ladies and Gentlemen of the House: I would pose a question to the Chair or any member of leadership who would care to answer. It has just come to my attention that some kind of an agreement may have been worked out at the high levels we were speaking of earlier this morning, and if that is in fact true, I would like to be informed of that.

The SPEAKER: The Chair would answer in the negative.

A roll call has been ordered. The pending question is on the motion of the gentleman from Lewiston, Mr. Jalbert, that the House accept Report B, "Ought to Pass" as amended by Committee Amendment "A". All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Ault, Bachrach, Bagley, Berube, Boudreau, Bustin, Call, Chonko, Churchill, Clark, Connolly, Cooney, Cote, Cox, Curran, P.; Curran, R.; Curtis, Davies, Dow, Dudley, Dyer, Farley, Flanagan, Fraser, Goodwin, K.; Hall, Henderson, Hewes, Hinds, Hobbins, Hughes, Ingegneri, Jalbert, Jensen, Joyce, Kany, Kelleher, Kennedy, Laffin, Lewis, Mahany, Martin, A.; Mitchell, Morin, Nadeau, Najarian, Norris, Peakes, Pearson, Pelosi, Peterson, T.; Powell, Quinn, Rolde, Shute, Strout, Stubbs, Talbot, Theriault, Wagner, Winship.

NAY — Bennett, Berry, G. W.; Berry, P. P.; Birt, Blodgett, Burns, Carey, Carpenter, Carroll, Carter, Connors, Dam, DeVane, Doak, Drigotas, Durgin, Farnham, Faucher, Fenlason, Garsoe, Gauthier, Goodwin, H.; Gould, Gray, Greenlaw, Hennessey, Higgins, Hunter, Hutchings, Immonen, Jackson, Jacques, Kelley, Laverty, LeBlanc, Leonard, Lewin, Littlefield, Lizotte, Lunt, Lynch, MacEachern, Mackel, Maxwell, McBreaarty, McKernan, McMahon, Mills, Miskavage, Morton, Palmer, Perkins, S.; Perkins, T.; Peterson, P.; Pierce, Post, Raymond, Rideout, Rollins, Saunders, Smith, Snowe, Spencer, Sprowl, Susi, Tarr, Teague, Tierney, Torrey, Tozier, Truman, Twitchell, Tyndale, Usher, Wilfong, The Speaker.

ABSENT — Bowie, Byers, Finemore, Kaufman, LaPointe, Lovell, McLeod, Martin, R.; Mulkern, Silverman, Snow, Walker, Webber.

Yes, 62; No, 76; Absent, 13.

The SPEAKER: Sixty-two having voted in the affirmative and seventy-six in the negative, with thirteen being absent, the motion does not prevail.

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

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: I now move that the House accept Report A.

The SPEAKER: The gentleman from Dover-Foxcroft, Mr. Smith, moves that the House accept Report A.

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

Mr. JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: I thought the report was "Ought not to Pass" and "Ought to Pass"?

The SPEAKER: The Chair would advise the gentleman that Report "A" is "Ought Not to Pass."

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

Mr. JALBERT: Mr. Speaker and Members of the House: I am fully aware of the impact of the

remarks of the gentleman, Mr. Smith, of Dover-Foxcroft has made. I have committed my own self not to, well, so to speak, show any emotion of irritation. It is not my intention to do so. The gentleman from Dover-Foxcroft, Mr. Smith, takes his crystal ball, star gazes into the future and is an authority on something that is going nowhere. The only thing that the gentleman from Dover-Foxcroft wants to go is the thing that he has. I can assure you that I don't think that is going to get too far either, when all the precincts are called in.

Now, I don't mind anybody that will take issue with me but when they bring in the kitchen sink, it doesn't irritate me but I don't like it too much. I have sat here for a year and a half quite patiently. I am not interested in what another body does or what is going to happen, it is what happens here, that is the thing that we should debate. I think that anyone who is chairman of a committee should use other arguments, in my opinion, and it is not to say that I don't have any respect for the gentleman from Dover-Foxcroft, I do, and I have never, never forgotten the fact that he was House Chairman of the Appropriations Committee. I have never jumped him on a motion. I have never raised my mike on a report, I have never gone anywhere. I play it according to the rules. For me, very humbly, I submit to you, that the rules to defeat a measure is not to get up and say this has no chance, it is a dead dodo, it is gone. I don't think that is the right way to play the game. I have been around here for 33 years, they have been very happy years. I hope to be around a little more and I intend to play just that way.

I hope you do not accept Report "A" and when the vote is taken I move for the yeas and nays.

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 am glad this morning that so many people in this body are worried about what is going to happen in the next body. I am glad to stand here and see that so many people are worried about what is going to happen on the second floor. You weren't worried about that when we asked ourselves for a pay raise, a lot of you. How you can vote for a pay raise for yourself and deprive the state employees, is something I will never be able to understand. All of a sudden, you are all worried about tax increases. I didn't hear too much about that when you put a tax on the school funding law, there wasn't too much said about that, there was some but not too much. Now everybody in worried about two cents on a pack of cigarettes. All of a sudden tax issues in this House becomes the most important thing in our final hours. It never was before, but it is now.

It is hard for me to understand why we should worry about somebody else. I think if we take care of our own business and worry what we do, we won't have enough time to worry about other people. It is hard for me to understand how we could vote against Mr. Jalbert's amendment, but we did. I am part of the House and I will take the blame for that too. I have never in my life — well I have only been up here for two years, but in the two years I have been here, I have never seen such skulduggery that I have seen here today, I never have. Sometimes I

wonder if we are worthy of being elected by the people of this state to be up here.

The SPEAKER: A roll call has been ordered. The pending question is on the motion of the gentleman from Dover-Foxcroft, Mr. Smith, that the House Accept the "Ought not to Pass" Report A. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Bennett, Berry, G. W.; Birt, Blodgett, Burns, Carey, Carpenter, Carroll, Carter, Connors, Curran, R.; Curtis, Dam, Doak, Drigotas, Durgin, Farnham, Faucher, Fenlason, Finemore, Fraser, Garsoe, Gauthier, Goodwin, H.; Gould, Gray, Greenlaw, Hall, Higgins, Hunter, Hutchings, Immonen, Jackson, Jacques, Kelley, Laverty, LeBlanc, Leonard, Lewin, Lizotte, Lunt, Lynch, MacEachern, Mackel, Martin, A.; Maxwell, McBreairty, McKernan, McMahon, Morton, Palmer, Perkins, S.; Perkins, T.; Peterson, P.; Pierce, Post, Powell, Raymond, Rideout, Rollins, Smith, Snowe, Spencer, Susi, Tarr, Teague, Torrey, Tozier, Truman, Twitchell, Tyndale, Wilfong, The Speaker.

NAY — Ault, Bachrach, Bagley, Berry, P. P.; Berube, Boudreau, Bustin, Call, Chonko, Churchill, Clark, Connolly, Cooney, Cote, Cox, Curran, P.; Davies, DeVane, Dow, Dyer, Farley, Flanagan, Goodwin, K.; Henderson, Hennessey, Hewes, Hinds, Hobbins, Hughes, Ingegneri, Jalbert, Jensen, Joyce, Kany, Kelleher, Kennedy, Laffin, LaPointe, Lewis, Littlefield, Mahany, Miskavage, Mitchell, Morin, Nadeau, Najarian, Norris, Peakes, Pearson, Pelosi, Peterson, T.; Quinn, Rolde, Saunders, Shute, Sprowl, Strout, Stubbs, Talbot, Theriault, Tierney, Usher, Wagner, Winship.

ABSENT — Bowie, Byers, Dudley, Kaufman, Lovell, MacLeod, Martin, R.; Mills, Mulhern, Silverman, Snow, Walker, Webber.

Yes, 74; No, 64; Absent, 13.

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

By unanimous consent, was ordered sent forthwith to the Senate.

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

Enactors Emergency Measure

An Act to Correct Errors and Inconsistencies in Laws of Maine (S. P. 799) (L. D. 2345) (S. "B" S-548, S. "C" S-552, S. "D" S-553, S. "E" S-554, S. "G" S-557, S. "H" S-558, S. "I" S-559, S. "J" S-560, S. "K" S-561, S. "L" S-562, S. "M" S-566, H. "B" H-1242, H. "C" H-1243, H. "D" H-1244, H. "E" H-1248, H. "H" H-1261, H. "I" H-1262, H. "J" H-1263, H. "K" H-1264, H. "L" H-1265, H. "M" H-1266, H. "N" H-1267, H. "O" H-1272, H. "Q" H-1274)

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

Mr. Talbot of Portland requested a roll call vote.

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

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

The SPEAKER: The pending question is passage to be enacted as an emergency measure L. D. 2345, Bill "An Act to Correct Errors and Inconsistencies in the Laws of Maine." All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Bachrach, Bagley, Bennett,

Berry, P. P.; Birt, Blodgett, Boudreau, Burns, Bustin, Carey, Carpenter, Carroll, Carter, Churchill, Clark, Cooney, Cox, Curran, P.; Curran, R.; Curtis, Dam, Davies, Dow, Drigotas, Dyer, Farley, Farnham, Faucher, Fenlason, Finemore, Flanagan, Fraser, Garsoe, Gauthier, Goodwin, H.; Gould, Gray, Greenlaw, Hall, Hennessey, Hewes, Higgins, Hinds, Hobbins, Hughes, Hunter, Hutchings, Immonen, Ingegneri, Jackson, Jalbert, Jensen, Joyce, Kany, Kelleher, Kennedy, Laffin, LaPointe, Laverty, LeBlanc, Lewin, Lizotte, Lunt, Lynch, MacEachern, Mackel, Mahany, Martin, A.; Maxwell, McBreairty, McKernan, McMahon, Mills, Miskavage, Mitchell, Morton, Nadeau, Norris, Palmer, Peakes, Pelosi, Peterson, P.; Peterson, T.; Pierce, Post, Powell, Raymond, Rideout, Rollins, Saunders, Shute, Smith, Snowe, Spencer, Sprowl, Stubbs, Susi, Teague, Theriault, Tierney, Torrey, Tozier, Truman, Twitchell, Tyndale, Usher, Winship, The Speaker.

NAY — Ault, Berry, G. W.; Berube, Call, Connors, Connolly, Cote, DeVane, Doak, Durgin, Henderson, Kelley, Leonard, Lewis, Littlefield, Morin, Pearson, Perkins, S.; Perkins, T.; Quinn, Strout, Talbot, Tarr, Wagner, Wilfong.

ABSENT — Bowie, Byers, Chonko, Dudley, Goodwin, K.; Jacques, Kauffman, Lovell, MacLeod, Martin, R.; Mulhern, Najarian, Rolde, Silverman, Snow, Walker, Webber.

Yes, 109; No, 25; Absent, 17.

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

Signed by the Speaker and sent to the Senate.

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

Mr. GAUTHIER: Mr. Speaker, Ladies and Gentlemen of the House: Before we adjourn this session, I would like to single out two other members of this House who are not seeking reelection. These two worthy gentlemen have served their district and their people and the State of Maine well. They have also contributed to the legislation, to their very best efforts. I would hope that you would join me at this time to wish Representative Emile Fraser of Rumford and Representative Raymond Curran of Bangor our very best in their retirement. (Applause) (Members rising)

Mr. Fraser of Mexico was granted unanimous consent to address the House.

Mr. FRASER: Mr. Speaker, Ladies and Gentlemen of the House: I just wish to thank you all, and you may be sure that next year, at this time, the tension will be nothing.

Mr. Birt of East Millinocket was granted unanimous consent to address the House.

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: I am one of the very few people who have served during the career of both of these gentlemen and I don't know in my experience if I have ever met two finer people. I sat in front of one of them for quite a while and I certainly appreciate, as all of us do, the friendship we had with them.

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

Mr. CURRAN: Mr. Speaker, Ladies and Gentlemen of the House: I, too, wish to thank you all.

Passed to Be Enacted

An Act Providing for Administrative Corrections in Tax Laws (H. P. 2312) (L. D. 2349) (H. "A" H-1252, H. "B" H-1268)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to

be enacted, signed by the Speaker and sent to the Senate.

Later Today Assigned

An Act to Provide Necessary Corrections in the Education Laws (H. P. 2341) (L. D. 2351)

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

On motion of Mr. Greenlaw of Stonington, tabled and later today assigned pending passage to be enacted.

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

Petitions, Bills and Resolves Requiring Reference

Bill "An Act Appropriating Funds to the Litchfield, Sabattus and Wales Community School District" (H. P. 2346) (Presented by Mr. Cooney of Sabattus) Approved for Introduction by a Majority of the Committee on Reference of Bills pursuant to Joint Order, S.P. 635, as Amended)

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

Mr. COONEY: Mr. Speaker, Ladies and Gentlemen of the House: I had hoped this might just go on without discussion but the gentleman to the rear of me has asked that I get up and explain what this particular appropriations bill is in here for.

It had been my hope, in fact, it had been the plan, that a special appropriation would be in the Appropriations Bill for this particular school district. However, the likelihood of getting a bill looked pretty dim yesterday and it was recommended to me by my leadership that perhaps it might be wise to prepare a separate legislative measure so that it could go on its own merits if no appropriations bill was passed. The situation in this particular district, as many of you probably already know, is that it is a new community school district where the students are coming from a private academy. They are moving into a new facility from that academy. Now, their per pupil cost is based on the tuition payment to what is the Monmouth Academy, which is a very low tuition payment and puts three towns who would be normally, receiving towns, in a position of getting considerably less than the state average for a per pupil allotment. In addition to that, all of the books and materials of the Monmouth Academy must stay with the Monmouth Academy, none of those are transferred with the students to the new facility, and because of state laws, we are not allowed to buy used text books and equipment from the Monmouth Academy. So, the school district has an additional startup cost as a result of this. In addition to that, as I think most of you know, we had a serious fire at the building that is under construction for these students and because of that we anticipate having to go to double session in the Fall until the full facility is ready.

The school board considered not only the state situation but the local situation and is proposing this to the legislature, that the state assist the local communities in getting the per pupil allotment up to the state average, only to the state average. They don't ask that the state provide all of these funds. They have taken the amount of funding and divided it in half and said, look, we will come up with, if you will give us the permission to do this at the local level, half of that amount if the state will fund the other half.

So, that is what this bill does, it calls for a state appropriation of some \$49,700 and some dollars. I would ask that you do accept the bill without reference to committee and at least allow it to go through the process pending some other action.

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

Mr. LYNCH: Mr. Speaker, Ladies and Gentlemen of the House: I would urge you to support the bill introduced by the gentleman from Sabattus. This is not unusual. The legislature has provided assistance to Lincoln, Richmond, and this legislature last year, provided assistance to Pittsfield, where MCI, forced by the increased costs had to raise their tuition rates, and we gave approximately \$30,000 this year and we are giving \$30,000 next year, to raise the tuition level at MCI. I urge you to support the bill.

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

Mr. CONNORS: Mr. Speaker, Ladies and Gentlemen of the House: I have a similar situation in my school district where we have a brand new school and we have tried to get an increase in our tuition down there to start up this new school, to the tune of about \$40,000 and I have been to the Department of Education and so has our superintendent and we were told that it was an impossibility, that we couldn't do this, that we would have to follow through on the same tuition as what is in our community school district. I wonder if this is amendable. I would like an amendment on this so that we could include my new school down in my district.

The SPEAKER: If the gentleman is posing a question to the Chair, the Chair would advise the gentleman that would not be in order but he may choose to put in a bill in like manner.

The Chair would also point out that what the legislature giveth, it can also take away.

Mr. CONNORS: Mr. Speaker and Members of the House: I realize that, it is quite a job to follow the procedure here.

The SPEAKER: The Chair would suggest that he prepare a bill to do that.

Under suspension of the rules, the Bill was read twice without reference to a committee, passed to be engrossed and sent up for concurrence.

(Off Record Remarks)

Mr. Berry of Buxton was granted unanimous consent to address the House.

Mr. BERRY: Mr. Speaker and Members of the House: A few moments ago, I mistakenly voted for a bill that I didn't intend to through confusion of many amendments and many different motions. I would just like the record to show that I did not intend to vote in favor of Committee Amendment "A" to L. D. 2015.

Mrs. Miskavage of Augusta was granted unanimous consent to address the House.

Mrs. MISKAVAGE: Mr. Speaker, Ladies and Gentlemen of the House: I, too, made a mistake on a vote on L. D. 2015. I voted to accept Report "A" and I meant to support Report "B".

Mrs. Morin of Old Orchard Beach was granted unanimous consent to address the House:

Mrs. MORIN: Mr. Speaker, Ladies and Gentlemen of the House: The same thing went for me, I sent you a note on it.

(Off Record Remarks)

On request of Mr. Rolde of York, by unanimous consent, unless previous notice was given to the Clerk of the House by some member of his or her intention to move reconsideration, the Clerk was authorized today to send to the Senate, thirty minutes after the House recessed for lunch and also thirty minutes after the House adjourned for the day, all matters passed to be engrossed in concurrence and all matters that required Senate concurrence; and that

after such matters had been so sent to the Senate by the Clerk, no motion to reconsider would be allowed.

On motion of Mr. Cooney of Sabattus,
Recessed until four o'clock in the afternoon.

After Recess 4:00 P.M.

The House was called to order by the Speaker.

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

Committee of Conference Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill, "An Act to Change the Statutory Qualifications and Salary Limit for Director of Personnel" (H. P. 1937) (L. D. 2125) ask leave to report: that the House recede from failing of passage to be engrossed, indefinitely postpone House Amendment "A" (H-938), indefinitely postpone House Amendment "B" (H-1234), adopt Conference Committee Amendment "A" submitted herewith and pass the Bill to be engrossed as amended by Conference Committee Amendment "A"; that Senate recede from passage to be engrossed; indefinitely postpone Senate Amendment "A" (S-420); indefinitely postpone Senate Amendment "B" (S-547); Adopt Conference Committee Amendment "A" and pass the Bill to be engrossed as amended by Conference Committee Amendment "A".

Signed:

Mr. BUSTIN of Augusta
Mrs. BOUDREAU of Portland
Mr. LAFFIN of Westbrook — of the House.
Messrs. CURTIS of Penobscot
WYMAN of Washington — of the Senate.

The Report was read and accepted.

The House receded from its action whereby it failed to pass the bill to be engrossed; receded from the adoption of House Amendment "A" and indefinitely postponed same; receded from the adoption of House Amendment "B" and indefinitely postponed same.

Conference Committee Amendment "A" was read by the Clerk and adopted.

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

By unanimous consent, ordered sent forthwith to the Senate.

From the Senate: The following Joint Resolution: (S. P. 806)

Joint Resolution in Commemoration of the Visit of the French Naval Frigate "Amyot D'Inville"

WHEREAS, on April 13, 1778 the French naval frigate, "Le Sensible" arrived in Falmouth Harbor, now Portland, for the purpose of delivering to the colonists the Treaty of Alliance advising the colonists that the government of France had formally and openly acknowledged American independence and pledged its aid and support; and

WHEREAS, word of France's entry into the war spread from Falmouth, in the District of Maine, through New England to General George Washington and his troops in Pennsylvania; and

WHEREAS, the decision of France to aid American colonists was of particular importance to the eventual attainment of American independence; and

WHEREAS, this historic occasion is an integral facet of Maine's bicentennial celebration; and

WHEREAS, this historic occasion will be commemorated in May of 1976 by the City of Portland and the State of Maine upon the arrival of the French naval frigate "Amyot D'Inville" on May 14, 1976; and

WHEREAS, the visit of the French naval frigate "Amyot D'Inville" is an occasion of great significance to Maine and its citizens; now, therefore, be it

RESOLVED: That We, the Members of the 107th Legislature while duly assembled in special session at the Capitol in Augusta, do extend our welcome to the officers and crew of the "Amyot D'Inville" upon the occasion of their official visit to the State of Maine in commemoration of this nation's bicentennial; and be it further

RESOLVED: That a duly authenticated copy of this Resolution of welcome be sent forthwith, on behalf of the Legislature and the people of Maine, to the City of Portland for appropriate transmittal to the commanding officer of the French naval frigate "Amyot D'Inville" upon the occasion of that vessel's arrival at Portland Harbor.

Came from the Senate read and adopted.

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

Passed to Be Enacted

An Act to Reorganize the Department of Business Regulation (H. P. 2153) (L. D. 2294) (Conf. C. "A" H-1271)

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

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

The Chair laid before the House the following matter:

Bill "An Act to Provide Grants and Loans for Health Education" (S. P. 760) (L. D. 2310) (C. "A" S-550) which was tabled earlier in the day and later today assigned pending passage to be engrossed.

On motion of Mr. Goodwin of South Berwick, the House reconsidered its action whereby Committee Amendment "A" was adopted, and on further motion of the same gentleman, the Amendment was indefinitely postponed.

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

House Amendment "A" (H-1289) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentlewoman from Vassalboro, Mrs. Mitchell.

Mrs. MITCHELL: Mr. Speaker, I am having another amendment prepared to this bill and I wish somebody would table it until later.

Thereupon, on motion of Mrs. Najarian of Portland, tabled pending adoption of House Amendment "A" and later today assigned.

House at Ease

Called to order by the Speaker.

The Chair laid before the House the following matter:

Bill "An Act to Provide Grants and Loans for Health Education" (S. P. 760) (L. D. 2310) (C. "A" S-550) which was tabled earlier in the day and later today assigned pending adoption of House Amendment "A".

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

Mr. GOODWIN: Mr. Speaker, Ladies and Gentlemen of the House: I ask you to support this amendment. What we have done is basically deleted all the language of the bill as it came to us with the committee amendment and the

wording in the bill and developed a very simple amendment to solve some of the problems we were talking about yesterday when the bill first came up.

As you know, we contract with Vermont and Tufts University for medical and dental positions there to train students, and I think right now we have six to eight in each of the schools. I don't know the exact numbers.

What this amendment would do, it would establish a requirement that a student receiving a professional education as a dentist, physician, or in the future if we ever do it for a veterinarian, in a school in which the state has contracted, if he returns to Maine to practice his profession, he would not have to reimburse the State of Maine for the cost of that slot that we buy, which is the case right now. The only point is, right now that student doesn't have to come back to the State of Maine, and this would require him to do so.

If the student decided after he finished his schooling in Vermont or Tufts to establish a practice outside the State of Maine, then this bill would require that he reimburse the state over a 20 year period for the cost of that education.

Secondly, the amendment authorizes the Department of Education to purchase additional seats at the University of Vermont Medical School and Tufts University Medical School if funds can be available through savings and other accounts that it allows 15 new positions at Vermont and 20 new positions at Tufts if those monies can be identified.

Basically what it does is very simple. It just says to the student that if you don't come back to practice in the State of Maine once you have finished your education, your internship and all the special education you need after that, if you don't come back and practice for at least four years, then you have to pay us back the cost of that education. I think it is very simple and straight-forward, and I would hope that you would support this.

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

Mr. FAUCHER: Mr. Speaker, I move the indefinite postponement of this amendment and would like to speak on the motion.

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

The gentleman may proceed.

Mr. FAUCHER: Mr. Speaker, Ladies and Gentlemen of the House: If you read this amendment, all this amendment is going to do is help the cities. I have been here for quite a while and I always try to help the cities, but when I see an amendment like this that would only help the cities, it says, "will return to Maine." Where are these doctors, dentists, veterinarians? They are going to go to Bangor, Portland, Lewiston, but in the rural areas, we are going to be left behind again.

In my area, I represent 15 towns. In one town, I have got a part-time doctor. If you get sick on a certain day, he is not around and you are in bad shape. We don't have any dentists. My district is about 150 miles long, so I just can't go along with this amendment. I believe Mrs. Mitchell from Vassalboro has an amendment that will help any of us that live in the rural areas, and I hope you go along with my motion.

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

Mr. FRASER: Mr. Speaker, Ladies and Gentlemen of the House: I certainly hope you won't go along with Mr. Faucher's intention of indefinite postponement. He just gave us a good reason why it shouldn't be done. He said there are no doctors available in his area.

We have a young man in my town that has applied successfully for two other years, and this is the third year he has applied, and the first two years he was told there was no room for

him and this year they opened up 13 new slots and he applied again in the hopes that he would get one of those 13. He was told just the last week that he would be placed on the waiting list; those 13 are filled. If this amendment goes through and if they can find the money, which I hope they can and I am sure they can if they really want to try, it might make available another slot for this young man and I am sure there are others just like him throughout the state.

I know this young man. I know his parents, they are high standard people. He was an all-A student in school and I never could understand why up until now he has not been accepted, but I suppose the reason is because there are others as worthy.

This boy has promised us all that his intention is to come back to our town and be a general practitioner, and Lord knows, we need them there. We only have one right now, and by that time, he will be ready to retire.

I hope you won't go along with the indefinite postponement.

The SPEAKER: The Chair recognizes the gentleman from Vassalboro, Mrs. Mitchell.

Mrs. MITCHELL: Mr. Speaker and Members of the House: Mr. Fraser's comments make apparent that I need to explain the kind of amendment that I would like to present if we are able to indefinitely postpone Mr. Goodwin's. I certainly understand his concern for lack of spaces for Maine students. The provision to get extra slots, provided money is available, is in both amendments, and it certainly is something that we are all very interested in.

The basic differences in the two amendments, the forgiveness part of my amendment is determined by whether a physician practices in a medical scarcity area.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Kelleher, who may proceed with his point of order.

Mr. KELLEHER: Mr. Speaker, what amendment do we have in front of us? If we have an amendment, are we supposed to stick to that amendment or can we talk about other issues?

The SPEAKER: The amendment before this body is presently House Amendment "A". Since both House Amendment "A" and House Amendment "B" deal with the very same subject, it is impossible to distinguish between the two at this time.

The Chair recognizes the gentleman from Vassalboro, Mrs. Mitchell.

Mrs. MITCHELL: Mr. Speaker and Members of the House: Talking about Mr. Goodwin's amendment, I would like to make one thing clear which I think was not very clear to this House earlier. The contract arrangement we have with Vermont, for example, the State of Maine pays approximately \$7,000 to get a place for Maine students. In return for this money, we assure this place and we say the Maine student can pay Vermont in-state tuition. We are going to pay this money with or without either amendment, with or without either bill.

The thrust of Mr. Goodwin's amendment, of course, is to let the state have some claim to this money, either through service or through repayment with cash, and we would like to lure doctors back to Maine with some incentive, financial incentive, or a practice in a medical scarcity area.

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

Mr. DAVIES: Mr. Speaker and Members of the House: While I feel that the amendment offered by the good gentleman from South Berwick, Mr. Goodwin, is in the right direction and has good intent, it comes up woefully short of the mark.

In the regular session, we debated the medical school at great length, and one of the points that I feel led to its ultimate defeat, our inability to override the veto, was the fact that there was no assurance that the people who

would be produced in this medical school would go to those areas of the state where we have a critical health shortage, and those areas are widespread.

As the good gentleman from Solon pointed out, the areas around where he lives are sadly lacking in doctors, whereas areas such as Portland and Bangor, while not overabundantly staffed with doctors, have more than the national average. The amendment that he is offering says that they can come back and practice anywhere in the State of Maine, and doctors without any incentive to move to the rural areas will stay in the cities and the good hospitals near their colleagues where they can have the educational exchange that they claim, and the result is, the rural areas in the state, which I would include the Town of Orono which has a population of 10,000 and one doctor, these areas are not going to get additional physicians.

The amendment that Mrs. Mitchell will offer if this one is indefinitely postponed says that in these areas, these areas that are designated as critical areas, medically indigent areas, the doctor will have to practice in one of these areas if he is to get the cost of education reduced.

I urge you to vote for the indefinite postponement of this amendment and then support the amendment that Mrs. Mitchell will offer immediately thereafter.

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

Mrs. LEWIS: Mr. Speaker, Ladies and Gentlemen of the House: I hope that you will not indefinitely postpone this amendment. I hope you have all had a chance to read through both amendments quite carefully.

I think that the amendment that Mr. Goodwin of South Berwick has offered will really supply medical people to the rural areas, mostly by the law of supply and demand. If you will notice, we will forgive the entire cost that the state pays for the medical education for these students if they come back to practice. Well, if they come back to practice in the Lewiston-Auburn area, the Portland or Bangor areas only, they are soon going to find that their practice will not be as good as they thought it was. We have had doctors from the Lewiston-Auburn area who have moved out into the rural areas because they couldn't make as good a living as they had hoped they could in the urban area.

So by inducing them to come back by forgiving the entire loan, I am positive that the law of supply and demand will take over and that they will go into the rural areas.

Another reason I don't think it is too good an idea to specify the rural areas is that we are not only talking about general practitioners, but we are talking about specialists, too. It might not make a great deal of sense for a specialist in neurosurgery or hematology or something like that to go into a rural area. Really what we want in the rural areas are the general practitioners.

Much as I would like to see something done about this, I don't think we can spell it out in legislative language. I think it will take care of itself.

Mr. Goodwin's amendment is a simple one. I think the other one gets quite complicated if you read the part about \$1,000 for every three months, I think it is beginning to get so complex that it might be difficult to administer, and this amendment of Mr. Goodwin's would not be difficult to administer. I have checked it out with the Department of Education, which is presently administering our contracts with the University of Vermont Medical School, and this is something that they could do.

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

Mr. BURNS: Mr. Speaker, Ladies and Gentlemen of the House: In reply to Mrs. Lewis, the doctors in Lewiston may be moving

out to the country, but believe me, the doctors up our way are moving to the hospitals.

We had three doctors in the Town of Bingham, they have all moved down closer to the hospital in Skowhegan. We had a doctor in Kingfield, he has quit practice and moved out. Currently, the northern part of Somerset County, possibly there is one doctor in Jackman, but that is the only one if he is still there.

As far as the control established as to who is going where, those controls are established in House Amendment "B" as to the health agency will be determining where these people are going. If they were a specialist, they could not be used out in the hinterland of the northern part of Somerset County, they probably would be assigned to the cities where their expertise would be used.

I sincerely hope you do indefinitely postpone "A" and then we can move onto "B".

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

Mrs. TARR: Mr. Speaker, I would like to pose a question through the Chair. Talking about the positions at the University of Vermont Medical School not to exceed 15 new positions and at Tufts not to exceed 20 positions, we might say that, but are those slots available? Somebody is saying yes, they are.

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

Mr. PIERCE: Mr. Speaker, Ladies and Gentlemen of the House: In answer to the gentlelady from Bridgton, Mrs. Tarr's question, yes, the slots are available right now. These are some that came from places like Connecticut and Massachusetts which built their own medical schools and therefore they dropped their contracts with these schools. However, waiting in the wings are states like New York, which is dying to pick these up, and if we don't get them, we are going to lose out on them.

I think yesterday we discussed this bill at great length, and I kind of got into it at the last moment. It was a fairly long and fairly complicated bill and I certainly couldn't go along with it in the form that it was in at that time. However, I did see some real merit in the concept and the idea behind it. I think, as so often we see in this House, sometimes you take some of those long, complicated bills and you make them very simple, you go a long way toward improving them. I think Mr. Goodwin has done just this.

For the first time, he has now provided the incentive for medical students, veterinarian students or anybody else who are granted this money by the State of Maine to come back here and practice, and that has got to be our first step. If we can't get them back to Maine, then we can't get them into the rural areas. So I would urge you to take this first step.

If you will look at his amendment, which is a two-page basic amendment versus the other one, which is four pages long and much more complicated, I hope you will see that it is a common sense, straightforward amendment. If a doctor or veterinarian to go on after school to California or Mexico or anywhere else, it merely says that he is going to have to reimburse the State of Maine, and I think that is fair, but if he chooses to come back to the State of Maine, then we will get that money back, and well we can afford it probably, and well we should get it back so that more students may go.

I hope very sincerely that you won't go along with the motion of the gentleman from Solon, Mr. Faucher, and postpone this amendment at this time. I hope that you will vote not to indefinitely postpone it.

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

Mrs. NAJARIAN: Mr. Speaker and Members of the House: I think that House Amendment

"B", going one step farther, is more comprehensive than House Amendment "A" and I think it is more in line with the intent of the sponsor of the bill originally. The same things are in both bills, but House Amendment "B" is more extensive. It will provide some incentive for doctors to go to rural areas of Maine, which is what this is all about. We do not need more doctors in Portland and Bangor, and I hope you will support the indefinite postponement of House Amendment "A".

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

Mrs. POST: Mr. Speaker, Men and Women of the House: I would like to respond to a couple of comments of Representative Lewis if I could, please.

First of all, the law of supply and demand is not working as far as medical manpower is concerned and it hasn't been working over the years and it is not going to work any better under this particular amendment we are talking about now.

Aroostook County only has one doctor for every 1,238 people. Cumberland County has one doctor for every 484 people. Somerset County has one doctor for every 1,561 people, and just to prove it, as far as I am concerned, this is not a particularly parochial issue, Knox County, because it has a new medical center, now has approximately one doctor for every 453 people. We don't have a shortage of doctors in our area, but I think it is happening in many areas of the state.

Another comment was made, Representative Lewis asked that everybody read the bill because the second amendment that was going to be proposed really only sent doctors out to rural areas, and what would happen if we wanted to send a brain surgeon up to Aroostook County? I would suggest, perhaps, read the bill and on page 4 it states that we are going to ask these doctors to serve in areas where there are health service scarcity areas, which doesn't mean, for instance, that a brain surgeon has to go out to Aroostook or out to North Haven or wherever, it only means that when the plan has been drawn up by the Health Assistance Service Agency, that they happen to need people with particular skills in particular areas, and those will be the areas from which that particular doctor can choose to go to when it comes time for them to come back to the state. That is essentially what we are asking.

We are all agreeing that doctors who are paid for in part by the State of Maine should have to repay some of that money to the state. The only question is whether they can come and make their repayment by maybe settling down in Cumberland Foreside and working at a big hospital or whether they can maybe make some of that repayment in a more geographically isolated area of the state or an area where their services are more greatly needed.

I will agree that perhaps the second amendment is a little bit longer, but I have full faith that even though it is a little late in the day, we are all perfectly capable of understanding some of the issues that are before us, and that is essentially what it is. Where in fact are these doctors going to be asked to provide their services when it comes time for them to pay back some of the money that has been spent on their medical education?

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 just a second to explain what this is going to do and what these two amendments mean.

First of all, you have got to stop to realize that neither one of these amendments is going to affect anything for at least seven or eight

years. Neither one of these amendments will mean anything to the classes that are going to be graduating in the next couple of years. They only start with this upcoming school year and the students that will be contracting to fill these slots then.

I guess the thing that bothers me the most about the second amendment is — it may not be that bad an idea, but the point is, it is not — it has just been developed in about 24 hours without some good, adequate looking into. I am curious as to whether or not anybody has even checked with the Health Systems Agency to find out whether or not they can do this, but it is just the fact that yesterday I did not like the bill as it was written because of the fact that we were taking one person and saying, from now on you are going to tell these doctors where they are going to go and what they are going to practice and it still seems to be doing this.

What I would like to see done is we get the students that are entering the systems now under contract and then maybe in the next couple of years we can look at some ways to develop incentive plans to get these doctors into the rural areas and the area where they are needed.

Again, I want to emphasize that whatever we do here today is not going to be felt for at least four years of school and how many years of internship and residency they require — I think it is about eight years, so it will be about eight years down the road. So I think we have plenty of time to start working out the incentive plans, and develop the areas that are needed and everything along this line.

I guess the point is that I am a little worried about jumping into something that is going to tie some of these students down eight years hence from now without a good, adequate background and information on this.

I would oppose the motion to indefinitely postpone this amendment and we will spend a little bit of time looking at this.

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

Mrs. SNOWE: Mr. Speaker, Ladies and Gentlemen of the House: As the cosponsor of similar legislation last session, I cannot support this amendment because it doesn't have any provision for medical scarcity which we know is a problem in the rural areas.

It seems to me that this type of incentive program is to induce doctors back to the state into areas where there is a dire need of doctors. Statistics show that doctors tend to congregate in the urban areas.

I support the concept of this amendment, but I feel that if these medical students are going to repay their loans with an in-kind service for a given period of time, then they should do so in a designated area where there is a medical shortage. Maine is predominantly a rural state with 31,000 square miles and about 970 physicians in this state. I would urge you to indefinitely postpone this amendment so we could go on and consider the second amendment, "B".

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

Mr. LYNCH: Mr. Speaker, Ladies and Gentlemen of the House: Since the problem is going to be several years into the future, I think all we need at the present time is the amendment that we are considering. There is plenty of time to set up a procedure for funneling, if it is possible, medical people into the rural areas of the state. I am quite sure that before these several years pass by, we are going to be involved in paramedics, we are going to be involved in rural clinics and everything feeding into a central hospital, and I don't think we ought to be concerned with anything other than the amendment at this time.

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

Mr. FAUCHER: Mr. Speaker, Ladies and

Gentlemen of the House: It is very seldom that I will get up twice on a bill. I know we all want to go home but I feel this amendment is very close to my heart. I don't want it and I hope all of you that live in the rural areas will go along with me. I would like to thank the people who live in the cities who came to my defense and helped out a little bit. I feel very grateful for it. I hope today all of you will have a little compassion for us that live in the rural areas. We have to represent those people. They send us down here, and if we have to vote only for bills that will help the cities, I don't think any of us that belong to the rural areas should come back here if we can't help them.

I would request a roll call vote.

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

Mr. HENDERSON: Mr. Speaker, Ladies and Gentlemen of the House: I think Mr. Goodwin and Mr. Lynch both made good arguments against the current amendment, in that it is true that it takes eight years and it does take a lot of planning and so if we miss it this time, we are missing an opportunity eight years from now. The longer we delay, the longer this is not going to be a fact. It will be much easier for us, if we find out eight years from today that the things have changed, to relax the restrictions on people as far as their going into the rural areas or not, than to be able to say five years from now, well, we have decided to increase those restrictions on you.

This is our only chance for those people coming out eight years from now to provide them with an incentive for them to go into the rural areas. If things change later, we can relax them and I am sure they won't bother at all.

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

Mrs. LEWIS: Mr. Speaker, Ladies and Gentlemen of the House: I think that even if we do vote to indefinitely postpone Amendment "A", I really don't think Committee Amendment "B" is what we would want. If you read it carefully, it is very complex. We are concentrating on the rural areas, but that is just one small part of it, I think. The loan is different from the loan in Committee Amendment "A". It would be expensive to administer because it takes such tight administration. For each three-month period of practice by the recipient, the state shall consider \$1,000 of the loan to have been paid in full and the loan recipient shall receive a receipt to that effect. I think it is so complex that even if this is what we want, this isn't the amendment that we want to use.

I would hope that we would adopt Committee Amendment "A". It is very simple and it would work and it would be doing, really, what we want it to do, and that is to recapture some of this money now that we are giving to students and they are practicing anywhere they want and we are not getting any of it back.

I do think it is an inducement for them to come back to practice when you consider that we are forgiving 100 percent of the loan if they come back and practice for 4 years, one year's forgiveness for each year of practice. If we have that many physicians coming back, and I would think that most of them would come back when you consider that they don't have to pay back the loan, they will go into the rural areas because there won't be that many spots for them in the urban areas.

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

Mr. PEARSON: Mr. Speaker, Ladies and Gentlemen of the House: I would ask the rural people in this House, and I count myself among them and I come from a town of 10,000 people, I would ask you, if it is going to take eight years before you see any effect from doctors coming out of medical school, just think, if you would,

for a minute, how old the doctor is in your locality right now, add eight years to it and figure out from there, what the crisis is going to be eight years down the road.

My father is a doctor, 68 years old, nobody is coming into the smaller towns now, nobody is going to the rural areas, they are going into the big cities where the big money is. It is an absolute necessity that the rural people in the State of Maine have good medical care, and I think this is one way to provide it.

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 support the rural area and by supporting the rural area, I would support the indefinite postponement of this amendment so that we could get onto another. I feel that this would be the incentive needed to get the doctor out of the urban area, away from the shelter of the hospital and into the rural areas where they are actually needed. Let us not sentence these rural areas to the paramedics before their time.

The SPEAKER: The Chair recognizes the gentleman from Dexter, Mr. Peakes.

Mr. PEAKES: Mr. Speaker, Ladies and Gentlemen of the House: Being a rural Representative. I really appreciate this problem. We have three doctors that are late in their profession, and I think it isn't necessarily the income, it is the fact that the doctors like to practice in a group so they can work four days a week and have a little easier life. It is a real problem getting new doctors to the area.

Recently, we wined and dined a dentist and we had them all set and a town up in Alaska gave him a \$35,000 guarantee and he went up there and it is a real problem. I, personally, would not like to live in a town that did not have a doctor and I think pretty soon all of us will find that this will be the situation. I am not sure that we are not giving some benefits to the family practitioner but maybe that is what we have to do.

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

Mr. LYNCH: Mr. Speaker, Ladies and Gentlemen of the House: I admire the confidence with which people are going to solve problems several years into the future when we have extreme difficulty solving problems from one year to the next. Who knows several years into the future that we won't have socialized medicine?

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

Mrs. NAJARIAN: Mr. Speaker, Ladies and Gentlemen of the House: I think it is true that it will be eight years before the effect of this contract will be felt as addressed in this legislation, but if we don't start now getting the medical students under this contract, it will be 9 or 10 or 12 years before there will be any inducement to come back to the State of Maine and practice in rural areas. I think that is one advantage at having this legislation enacted now, so that the students can sign these contracts to come back to Maine, when they finish their residency program and the longer we delay that, the longer it will be before they come back to this state.

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

Mrs. SNOWE: Mr. Speaker, Ladies and Gentlemen of the House: I would like to remind this body that the original bill called for a shortage area advisory committee which was to establish or to designate geographical areas where there are limited amounts of medical doctors or medical professional people. It also provided that if a recipient of a loan returned to this state, they would be forgiven for part of their loan or all of their loan, depending upon

how long they stayed, so this obviously was the intent of the original legislation.

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

Mr. PIERCE: Mr. Speaker, Ladies and Gentlemen of the House: I would like to state a couple of more points. I very much agree with the gentlelady from Portland, Mrs. Najarian, that we do have to start somewhere, and I submit to you, that is exactly what we are doing with amendment "A".

Yesterday, you will recall, she made the argument that Commissioner Smith said that Commissioner Millett can't do all this; they can't designate areas, etc., etc. Well, this, of course, is exactly what the second amendment wants to do. I would just urge you to look at that four-page amendment since we are evidently going to discuss them both. It establishes a new fund, a professional health fund. It provides for repayment after five years of residency. What if you have more than five years of residency? There are several types of doctors who take more than five years; there are many flaws in that amendment.

I think the first thing we have to do is get the doctors, have some incentive for them to come back to Maine. Then we have several years or next year to provide further incentive to get them to the rural areas. I think it certainly has been a red herring that has been drawn across us here to pit the rural versus the urban areas. I would just point that out to you, that Mrs. Snowe from an urban area is on one side and Mr. Goodwin from a rural area is on the other, completely opposite of what Mr. Faucher would have you believe.

This is not an urban, rural fight here and I think if you have a cardiologist or neurologist or a nephrologist or anything you want, you are not going to be able to send them up to Ashland, Maine; you are not going to be sending them way up to Wallagrass Plantation. What is going to happen? You are going to start making exceptions — this type of doctor does not have to go but a G.P. will have to go and you get it very complicated. I am saying, when you make it that complicated, you are going to have more people involved in it, more complicated, just what everybody who is now fighting against this amendment was fighting against the whole bill yesterday, that it was too complicated, and it was.

Now Mr. Goodwin has made it simple. He has got a mechanism whereby we are going to get these doctors, provide them with some incentive to get them back to Maine, and I submit that once we do that, then we can get them into the rural areas.

You will note that this concept, this bill, has been presented many times before but it never got out of committee. It did not get out of committee last year — why? Because they were trying to bite off too much, they were trying to get them back to Maine and put them in the rural areas and I support both of those things.

I say to you now, we have a bill whereby we can get them back to Maine, then the next time around, let's get them into the rural areas. Let's not throw away a half a loaf.

The SPEAKER: The Chair recognizes the gentleman from Vassalboro, Mrs. Mitchell.

Mrs. MITCHELL: Mr. Speaker, Members of the House: I sincerely apologize for speaking again but there is so much misinformation flying around this body that I am going to ask you to read Amendment "B" even though certain members think it is not germane.

Mr. Pierce referred to his half a loaf. Let me assure you that many of these people who were fighting and screaming against my amendment yesterday say, well, let's get half a loaf, it's better than the whole. Why not try for the whole first? The whole loaf says that these students, when they come back and practice in a medical scarcity area, you

asked about, did we have the mechanics in place to find these medical scarcity areas? In existence right now in the Bureau of Human Services there is a State Health Planning Agency that for two years has been gathering data to look at our health needs. The Health Systems Agency says we should certainly be in place in the next eight years.

Mr. Lynch said, go ahead and sign the contract for the current amendment, we have plenty of time to work things out, but the students who sign these contracts are signing contracts that say they will practice anywhere in Maine, and I submit that that is not what we are looking for.

One final comment, and I promise I will be quiet. Mr. Goodwin said that we should not jump into hastily enacted legislation. The only legislation here that is hasty is his because it was drafted in the last 24 hours. Three other members of this House and I spent four months in the regular session and we think we have taken the best of both bills and put together a very workable piece of legislation that is not too complex for many members of this state.

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

Mr. DAVIES: Mr. Speaker, Ladies and Gentlemen of the House: I will be very brief so we can get to this vote as soon as possible. I would like to point out a little bit of data which might help you to decide what a medically indigent area is. From statistics provided in 1974 from the Bureau of Health right here in the State of Maine, Health Manpower Data — Doctors to Population: The following counties have fewer doctors per thousand population than the state average: Androscoggin County, Aroostook County, Franklin County, Oxford County, Penobscot County, Piscataquis County, Sagadahoc County, Somerset County, Waldo County, Washington County and York County, please think very carefully about this.

The SPEAKER: The Chair recognizes the gentleman from Sangerville, Mr. Hall.

Mr. HALL: Mr. Speaker, Ladies and Gentlemen of the House: To go along a little further with what Mr. Davies has said, there are two things that I have wanted very much for my district. One of them is more jobs and the other one is more doctors, and I think if this amendment will do it, I think we all should take a long look at it and be in favor of it.

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. Those in favor will vote yes; those opposed will vote no.

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

The SPEAKER: The pending question before the House is the motion of the gentleman from Solon, Mr. Faucher, that House Amendment "A" be indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

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

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

ROLL CALL

YEA — Ault, Bagley, Bennett, Berry, G. W.; Blodgett, Burns, Bustin, Call, Carpenter, Carroll, Chonko, Churchill, Conners, Connolly, Cooney, Cox, Dam, Davies, Dow, Faucher, Fenlason, Finemore, Flanagan, Goodwin, K.; Gould, Greenlaw, Henderson, Hutchings, Immonen, Ingegneri, Jensen, Kany, Kelley, LaPointe, MacEachern, Mills, Miskavage, Mitchell, Morin, Nadeau, Najarian, Norris, Pearson, Perkins, T.; Post, Powell, Rideout, Rolde, Rollins, Saunders, Shute, Smith, Snowe, Strout, Stubbs, Talbot, Tarr, Tierney, Tozier,

Twitchell, Tyndale, Usher, Wagner, Wilfong, Winship.

NAY — Albert, Bachrach, Berry, P. P.; Berube, Birt, Boudreau, Byers, Carey, Carter, Clark, Curran, P.; Curran, R.; Curtis, Drigotas, Durgin, Dyer, Farnham, Fraser, Garsoe, Gauthier, Goodwin, H.; Gray, Hall, Hennessey, Hewes, Higgins, Hinds, Hobbins, Hunter, Jalbert, Joyce, Kelleher, Kennedy, Laverty, LeBlanc, Leonard, Lewin, Lewis, Littlefield, Lizotte, Lynch, Mackel, Mahany, Maxwell, McBreairty, McKernan, Morton, Pelosi, Perkins, S.; Peterson, P.; Peterson, T.; Pierce, Raymond, Spencer, Sprowl, Theriault, Torrey, The Speaker.

ABSENT — Bowie, Cote, Doak, Dudley, Farley, Hughes, Jackson, Jacques, Kauffman, Laffin, Lovell, Lunt, MacLeod, Martin, A.; Martin, R.; McMahan, Mulkern, Palmer, Quinn, Silverman, Snow, Susi, Teague, Truman, Walker, Webber.

PAIRED — DeVane, Peakes.

Yes, 65; No, 58; Absent, 26; Paired, 2.

The SPEAKER: Sixty-five having voted in the affirmative and fifty-eight in the negative, with twenty-six being absent and two paired, the motion does prevail.

Mrs. Mitchell of Vassalboro offered House Amendment "B" and moved its adoption.

House Amendment "B" was read by the Clerk and adopted.

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

By unanimous consent, ordered sent forthwith.

The Chair laid before the House the following matter:

An Act to Provide Necessary Corrections in the Education Law (H. P. 2341) (L. D. 2351) which was tabled earlier in the day and later today assigned, pending passage to be enacted.

On motion of Mr. Greenlaw of Stonington, under suspension of the rules, the House reconsidered its action whereby the Bill was passed to be engrossed.

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

House Amendment "A" (H-1293) was read by the Clerk.

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

Mr. GREENLAW: Mr. Speaker, Ladies and Gentlemen of the House: I apologize for this amendment delaying this bill, but I would like to tell you that I placed an amendment on the Errors and Inconsistency Bill last week and I find now that it has not worked out as I thought it would and I would ask this House to repeal that amendment that I placed on and replace the present law. I appreciate very much your consideration.

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

Mrs. KANY: Mr. Speaker, may I ask for a ruling on the germanity of this amendment?

The SPEAKER: The Chair would advise the gentleman from Waterville, Mrs. Kany, that 251 deals with 20 MRSA, as does the amendment being offered by the gentleman from Stonington, Mr. Greenlaw. Therefore, the Chair would rule that the amendment is germane.

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

Mr. DAM: Mr. Speaker, I would pose a question to the Chair, or maybe through the Chair to some member or maybe to Mr. Greenlaw. What has he got against female students going to school? I don't see anything in here that a child may attend a public elementary school in an administrative unit where he lives with "his" parent and I just wondered why — is this a special interest thing or has he got something against the little girls in the state?

Thereupon, House Amendment "A" was adopted.

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

By unanimous consent, ordered sent forthwith.

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

Passed to Be Enacted Emergency Measure

An Act Relating to the Suppression of the Spruce Budworm Epidemic (H. P. 2310) (L. D. 2348) (H. "A" H-1251, H. "B" H-1276)

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

Mr. Kelleher of Bangor requested a roll call.

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

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

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: If I understand this bill correctly, it needs two thirds of the members present and voting.

I know that this is an issue that needs careful consideration and I am sure that it should be passed out within the next few days. I think we have another major issue that is stalemated somewhere and I would respectfully hope that this House would fail to enact this bill at this time.

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

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: I think that the gentleman's remark was incorrect, it takes two thirds of the members in the House, not two thirds of those voting.

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

Mr. GRAY: Mr. Speaker, I would like to pair with the gentleman from Auburn, Mr. Hughes. If he were voting, he would be voting no and I would be voting yes.

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

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: In regards to this bill on the spruce budworm — if any of you people have been fortunate enough to take a slow flight over the forests of Maine in the last six to eight months and saw the brown carpet down below, you would certainly vote for this bill.

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

Mr. LYNCH: Mr. Speaker, Ladies and Gentlemen of the House: Looking at the scoreboards on both sides of this chamber, I was surprised to see the number of red lights coming from the larger municipalities. I would like to recall to the members of the House that the forest lands of this state provide about 40 percent of the gross product of this state. It is an essential industry. Its effects permeate all through the State of Maine. You would be surprised if you knew the number of people in northern Androscoggin and Franklin County that shop in Portland and I assume that that is true all over the state.

This is not a local parochial issue, this is an issue that involves the entire State of Maine. It does not involve the General Fund. It did involve a tax increase on the tree growth land of a mill and a half and the money is not available, it was used. I think we ought to really consider what we do on this vote.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: I appreciate the good gentleman's remarks from Livermore Falls and I don't want to shock him by having him have the idea that we haven't got any great forests in Bangor, but I might remind the gentleman that a large amount of the paper companies have offices in Bangor and some of the larger land holdings have offices in Bangor, and you can rest assured that I have heard from them all as well as anybody else. I am aware where the wood is grown and I am also aware where the muscle is staying.

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

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: I have not been involved one way or the other in the movement that is presently afoot. I would just like to point out to you that there are deadlines in this bill for those individuals who wish to withdraw from the spruce budworm spraying program and those withdrawals must receive approval, there has got to be a public hearing, there is going to have to be a great deal of work done in order to allow them to engage in silvicultural practices and approve their plans for salvage. The deadline is April 25th. If we are going to have the work done that is required before the spray program has to be in, a delay tactic can't go on forever. This bill has already been delayed many, many weeks in the Appropriations Committee as we have tried to come up with this new proposal for handling the spruce budworm program and it is already very late.

I hope that you will realize that trying to prod an appropriations act through this legislature with this bill, will be like trying to put a crowbar under this desk in order to lift this one. It just won't work.

There are not a great number of people in the industry that feel very, very strongly about this bill. The tax in it is quite high, it is 59 cents an acre, and there are a number of people who just don't care if this bill passes because it deviates so much from the traditional programs that we have had in the past where a great number of state funds have been put into this program. This is a new program and I think you are jeopardizing it by taking this tactic here today.

I would urge you not to delay this any longer but to proceed to enact this program so that the necessary work that must be done in order to allow those who wish to withdraw from it and engage in other things other than spray will be allowed to do so. Any further delay is jeopardizing that very seriously.

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

Mr. WILFONG: Mr. Speaker, I would like to pose a question through the Chair. The first question is, how much money is going to be coming from the General Fund. The second question is, if the deadline is so close, why are we now receiving the bill, why didn't we receive it months ago so that we would have plenty of time? It seems to me that is somewhat of a lever itself.

The SPEAKER: The gentleman from Stow, Mr. Wilfong, has posed a series of question through the Chair to anyone who may respond if they so desire.

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

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: The first question is, how much money is coming to the General Fund? The answer is 59 cents an acre on spruce-fir acreage and half that amount on mixed lands. That goes into the General Fund as a special tax and will be used as the state's matching share. It is all landowners' money within the spruce-fir protection district as it is

set up in this new bill. There is no state money involved except \$18,000 for the Bureau of Taxation, and I might add that we are getting our state-owned lands sprayed for this, so it is a mere cost of \$18,000 which will be going to the Department of Taxation and we are getting our lands sprayed that are in the spruce-fir protection district. I think it is a pretty good darn deal for the state and I don't think we ought to hold the bill up on those grounds.

The second question is, why was this held up so long? The answer is, it is a very controversial thing, it has been controversial within industry circles and the committee has tried and the subcommittee of the Appropriations Committee that has worked on this bill has tried to find a bill that would meet the requirements of small landowners, the big landowners, of hardwood people, of softwood people, and it has taken time to work out this new program.

Our basic guidelines on the Appropriations Committee was to set up the program that would not require any new state money. There was a problem in talking with the landowners about the excise tax, a very high excise tax, so this bill which essentially comes out of the Natural Resources Committee's recommendations in the last session has not been an easy one to put together and to sell throughout the state and has not been particularly easy to sell on the Appropriations Committee. A lot of people have had problems with it and the Conservation Department has had certain problems.

So, I think we have put together a bill that meets the requirements of all of these groups both inside and outside state government. It has been a slow process, stemming from the time that the Natural Resources Committee made its recommendations more than a year ago, but I think it is an imaginative new approach. It meets the objections of the United States Forestry Department, which was getting very tired of putting its federal money in to a program that involved just spraying. It is a program that has been looked at from other states already and will be adopted, I think, in other states. As a matter of fact, in two provinces of Canada, they are hunting for a new approach that is imaginative like this, involves things other than spraying; in other words, silvicultural practices and salvage procedure and I think this kind of thing is going to go in other states. To put together a landmark piece of legislation of this sort is not easy. It just takes time and that is why the delay has come in the Appropriations Committee as we put this program together.

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

Mr. LeBLANC: Mr. Speaker, Ladies and Gentlemen of the House: This bill is a major compromise between the department and the landowners and provides for small landowners to withdraw from 500 to 1,000 acres. It provides forester service to small land owners; it establishes conservation measures, salvage operations, spraying and silvicultural practices. The cost is reasonable and widely accepted by the industry. The program is set for a specific date, six years, and at that time subject to review to see what we accomplish and whether or not we want to continue in that direction.

There is a provision for the commissioner to halt the program, if and when, he finds it is not accomplishing its goals. This bill has the endorsement of the Maine Foresters Service, the United States Forest Service. The program is self sufficient with a 50 percent federal matching funds. I have a feeling that we will have finally solved a long, long dilemma of the spruce budworm.

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

Mr. MacEACHERN: Mr. Speaker, Ladies

and Gentlemen of the House: I consider this a jobs bill. I saw several red lights up there the last time from people who had been advocates of jobs. Several years ago, the mill in my town, closed down overnight. It meant 600 jobs in my town and untold numbers of peripheral jobs, the people that work in the woods, the people that haul the pulp, and so forth.

To northern Maine, the pulp industry is one of the biggest industries that we have. I think it affects every person in this House and if we don't do something to protect the interests of the logging industry, then the State of Maine is going to be in bad shape. I urge you to vote for this spruce budworm bill.

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

Mr. HENDERSON: Mr. Speaker, Ladies and Gentlemen of the House: I have a series of comments and questions. This is in no way related to the Appropriation situation, nor to this rural-urban question which I think we disposed of on the doctors vote a few minutes ago.

For one, I would like to ask the Chairman of the Appropriations Committee, maybe more directly than Representative Wilfong did, whether there is any money coming from the General Fund. There has been some rumor that several hundred thousand dollars are now in a part of the general fund which are left over from last year which will be used in this program, and that is General Fund money, is it not?

Another question is that there has been much talk about this program being a five year program, yet I have seen dates talking about 1976 and through 1981 and that is six years and not five. I have noticed that in several parts of the bill which I have read and maybe someone could clarify that for me, but I believe that it does encompass six years rather than five.

It seems that this is involving a new tax which is a question that we have avoided with respect to other issues and that is somewhat of a problem for me or at least the inconsistency of the members is a problem.

The effect of the spray is still something that I am concerned about. Representative McBreairey gave me a long dissertation which I must say did have some influence although it was only temporary in that he indicated that the same stuff used to spray the spruce budworm sprays the potato beetle, so he says, if anybody can correct that, that is interesting information, if that were the case, then on the face of it, maybe my argument is a little weak as far as its danger is concerned but I did hear the other day the Environmental Protection Agency Chief, Mr. Train speaking about the various insecticides and other chemicals that his department is called upon to pass on one way or the other, this was another one of Mr. McBreairey's arguments that these insecticides, whatever they were, had been approved by the EPA. Mr. Train said that he really had grave doubts about all of the chemicals that they had approved because none of them had been subjected to definitive tests that they felt were conclusive as far as their effects are concerned.

I think really this is the biggest concern of all these issues to me. Everytime we spray anything, and this is just an extension, the spray gets into the ground, gets into the ground water and the lakes and streams and ultimately into the coast and into the sea, and the more we dump, the more it concentrates. This is not to single out this issue, there are many other areas but I could not see myself promoting this problem which will seem to me to promote an ultimate risk to both the coastal communities and also to our general health.

Finally, two other points. One, I understand that if a tree is left without care for three years or so after the spruce budworm has stripped it, that tree will die, or roughly in that time frame.

If that is true, can someone tell me why we must spray each and every year? I think we agreed the spraying program does not get rid of the bug, all it does is it controls the problem until someday we may be able to find out a solution to the bug. If the basic issue is foliage, why do we have to do it each and every year? It seems that even every other year in the various areas would be enough to keep the trees alive.

Finally, I am somewhat concerned about this business of deadline pressure, and it is now or never. That is always a problem that maybe gives many of us much concern.

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

Mr. SMITH: Mr. Speaker and Members of the House: I don't know as I am qualified to answer all of the questions that the gentleman has posed. I will start with them in reverse order. The Appropriations Committee, time and again, has inquired into the safety of the sprays that are used. In each instance, we have been assured by the people that we have to rely on, namely the people in the Forestry Bureau and in the Department of Conservation that these are safe sprays. Now, that is secondary information as far as I am concerned and probably as far as you are concerned too. I have no way of making a judgment other than to rely upon those people that say zectran and some of these other chemicals which are known to be relatively weak chemicals are safe. They are not the same chemicals that are used in the provinces of Canada, and are approved in this country for such uses.

This is a five year program and not a six. That might clarify one point for the gentleman from Bangor.

The other point he asked about certain monies that were left over. There are no General Fund monies appropriated beyond the excise tax in this bill. There is a lapsing fund, \$207,000, that was appropriated last year and a nonlapsing fund which will be applied to this program and will be, in fact, applied to the spraying of state acreage. It was appropriated in the previous year by this legislature and is a nonlapsing fund and has been carried there for some time. So, there is an additional \$207,000 but all of the money appropriated here is excise tax money and I made the mistake earlier and I said the \$18,000 was non-excise tax money and that was a mistake, I made an error. Even the \$18,000 that we are going to be appropriating to the Department of Taxation to conduct the required work in that department is excise tax money paid in by the land owners. So, basically, in terms of general fund appropriations, there are no General Fund non-excise tax appropriations in this bill.

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

Mr. McBREAIRTY: Mr. Speaker, Ladies and Gentlemen of the House: First I would just like to comment a little bit on insecticides. I have used insecticides on food crops for nearly all my life. Some of the information that I got for Mr. Henderson is out of this booklet or whatever you might call it, that every farmer in Aroostook County has had to study in order to take a test to apply insecticides, this coming year.

One thing that I read in here that stands out in my mind is the little section that says the housewife or the homeowner is more dangerous with insecticide than the trained applicator who puts it on in the field or over the woods.

I hesitate to go into a speech here tonight because of the time, but maybe this is as good a time as any.

It seems strange to us who work the woods and the land that so many who depend on us for food and wood products know so little about the serious problems we sometimes have. It seems strange that so few realize that insects and dis-

ease would control the world if given the chance. The locust plagues throughout recorded history are well documented and human diseases have been recorded as catastrophic. Many serious insect problems on food crops must continually be controlled by insecticides. Disease carrying insects, especially mosquitoes, in many tropical countries, are still being controlled by the use of sprays. In fact, the world human population depends on the ability of mankind to protect his health and food crops. Without essential controls, the ability to produce enough food for present population in industrialized countries, would be impossible. Man's ability to survive in the years ahead seriously depends on the protecting of all our natural resources.

One reason Maine people breathe some of the purest air in the world is because we have millions of acres of green forests purifying and producing pure oxygen. It is a wonderful feeling when I realize the tremendous amount of energy stored up in our Maine woods readily available in case the Arabs suddenly turn off our fuel supply. Already, all over Maine, many have bought wood stoves and are supplementing their fuel supply with wood. This has already created many part-time jobs.

It scares me when I think of the added energy crunch Maine will be in if we don't do all we can to prevent the destruction of our valuable forest by the spruce bud worm. Our Canadian friends have researched bud worm for 35 years and admit they don't yet have the reasons why this insect reached epidemic proportions or why it declines. Researchers say there is more published work on the bud worm than any other forest insect except gypsy moth. Our neighbors to the north produce some of the most practical research you can find. What this means is that, although there is need for putting together more parts to the puzzle through continuing research, we should not expect any immediate breakthrough to solve the problem over night.

In the meantime, we have to proceed with a chemical control program to keep our trees green and growing another year while we wait for favorable climatic conditions to kill out the bud worm. I know many feel spraying is expensive and not the complete answer to our problem. I am sure I agree, but until something better is offered, I strongly feel it would be very irresponsible for Maine to gamble with the value at stake and do nothing.

The 1976 benefit cost ratio estimate shows four and one-half dollars return for each dollar invested in control. That is not a bad return these days. It means more than a dollar — it is a living for thousands of loggers and workers employed in further manufacture of the product.

Almost one out of every three people in Maine during 1974, that were involved in manufacturing, were employed by the paper, lumber and wood industries. 29 percent of all manufacturing workers in the state depends upon the trees from our forests for their income. The gross wages paid to these employees was one third of the total wages paid to all manufacturing employees.

It can be readily seen that the forests of Maine are a very significant factor in the overall economy of the state currently. As we look toward the future, it is pertinent to note that capital expenditures for plant modernization and equipment by the paper industry alone during 1974, amounted to 52 percent of the state total. Additionally, millions of dollars for plant modernization and equipment for the years 1975 and 1976, is planned by the paper industry. It is assumed that these capital expenditures will lead to increased value of manufactured products. The lumber and wood segment will show a healthy corresponding increase.

Having looked at the impact of the wood

related industries on the state as a whole, we can now reflect upon relative importance of those industries that are located within the five counties proposed for control treatment this year. Within the five county area, the value of manufactured product by the wood related industries in 1974, was about 44 percent of all wood related manufacturing. The gross wages paid to employees during this period accounts for 44 percent of the wages paid out by the forest based industries in the state. Perhaps, more importantly, at least to the people of the five county area, is the fact that better than one out of every two people in the area involved in manufacturing are employed by forest based industries.

The above facts serve to emphasize the basic value of the forest based industries to the entire state economy and the even larger value to the five county area.

Figures I have used on value of Maine's forests were extracted from "Census of Maine Manufacturers-1974", Bureau of Labor Bulletin 526.

I have a few more facts I think you should know. Harold Bragdon, whose place I took here in Augusta, told me a year ago that in 1973 a mill and one-half was added to the tree growth tax which was to collect \$360,000.00 on an annual basis as the land owners share of the spruce bud worm or other spray programs.

The Legislative Record of April 23 and 24, 1973, I believe, proves this to be true. I do not believe the state has kept its part of the bargain.

To those who live in southern Maine or the large cities who say, "why should we help pay for the bud worm spray," I believe I have a good answer. Why should land owners who own land in unorganized territory, allow multiple use of the land, and build their own roads, help pay the state's share of multimillion dollar sewer treatment plants? Why should people like myself, who live in small rural towns like Perham, pay state and federal taxes to help pay 90 percent of multimillion dollar sewer treatment plants for cities throughout the state? One city alone will, when completed, have a sewer treatment facility which will cost \$60 million dollars.

Of this \$60 million, the state's share will be \$9 million. The federal share will be \$45 million. The city's share will be only \$6 million. You add to this the facilities needed for cities all over the state and this bud worm bill looks like pocket change.

I am sure land owners do not mind their tax dollars going for the health and welfare of city people. I am sure the people of small rural towns in northern Maine don't mind paying taxes to help clean up the rivers in our state. I guess what I am trying to do with the figures I have just mentioned is to make some of you realize that we still have two-way streets. What will happen to our unemployment and welfare programs, our recreation business, and our fish and wildlife by the 1980's if we don't keep our trees green and growing?

I am not pleading here today for the paper companies of the state. I am sure they can look out for themselves. I am pleading for the thousands of small land owners who cannot afford to spray. I am pleading for the thousands of sportsmen who have unlimited free use of this land. I am pleading for the fish and wildlife of our state which cannot survive in a burnt land or forest which had died off.

I am pleading for the State of Maine. After all, 90 percent of the state of Maine is forest land.

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

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House: The thought just occurred to me that there may be a double value to

this spruce budworm spray program. For if indeed, the dire predictions of the gentleman from Bangor come true as to the danger of this spray and if indeed because it is dangerous it comes off the trees and goes through the earth and down through the streams and the brooks and ends up in Stonington, we might eventually have something that would kill off a few of the green crabs that are eating our lobsters and clams.

The SPEAKER: A roll call has been ordered. The pending question is on passage to be enacted as an emergency measure. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Ault, Bachrach, Bagley, Bennett, Berry, G. W.; Berube, Birt, Blodgett, Boudreau, Burns, Byers, Carey, Carpenter, Carroll, Churchill, Clark, Conners, Cooney, Cox, Curran, P.; Curtis, Dam, Davies, DeVane, Dow, Drigotas, Durgin, Dyer, Farley, Farnham, Faucher, Fenlason, Finemore, Fraser, Garsoe, Goodwin, H.; Goodwin, K.; Gould, Greenlaw, Hall, Hennessey, Hewes, Higgins, Hinds, Hobbins, Hunter, Hutchings, Immonen, Jalbert, Jensen, Kany, Kelley, Kennedy, Laverty, LeBlanc, Leonard, Lewin, Lewis, Littlefield, Lizotte, Lynch, MacEachern, Mackel, Mahany, Maxwell, McBrairty, McKernan, Mills, Miskavage, Mitchell, Morin, Morton, Nadeau, Najarian, Norris, Palmer, Peakes, Pearson, Perkins, S.; Perkins, T.; Peterson, P.; Peterson, T.; Pierce, Post, Powell, Rideout, Rolde, Rollins, Saunders, Shute, Smith, Snowe, Spencer, Strout, Stubbs, Tarr, Theriault, Tierney, Torrey, Tozier, Twitchell, Usher, Wagner, Wilfong, The Speaker.

NAY — Berry, P. P.; Call, Chonko, Connolly, Flanagan, Henderson, Ingegneri, Joyce, Kelleher, LaPointe, Pelosi, Raymond, Sprowl, Talbot, Winship.

ABSENT — Bowie, Bustin, Carter, Cote, Curran, R.; Doak, Dudley, Gauthier, Jackson, Jacques, Kauffman, Laffin, Lovell, Lunt, MacLeod, Martin, A.; Martin, R.; McMahon, Mulhern, Quinn, Silverman, Snow, Susi, Teague, Truman, Tyndale, Walker, Webber.

PAIRED — Gray, Hughes.

Yes, 106; No, 15; Absent, 28; Paired, 2.

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

Signed by the Speaker and sent to the Senate. By unanimous consent, ordered sent forthwith.

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

The following Communication:
STATE OF MAINE
ONE HUNDRED AND SEVENTH
LEGISLATURE
COMMITTEE ON APPROPRIATIONS AND
FINANCIAL AFFAIRS

April 14, 1976

Honorable John L. Martin
 Speaker of the House
 State House Augusta, Maine
 Dear Mr. Speaker:

It is a pleasure to inform you that the Committee on Appropriations and Financial Affairs has considered and acted on all matters referred to it by the One Hundred and Seventh Legislature in First Special Session.

Following is a tabulation of the bills reported out of committee:

| | |
|--------------------------------|----|
| Total Number of Bills Received | 54 |
| Ought to Pass | 1 |
| Ought to Pass as Amended | 4 |
| Ought to Pass in New Draft | 3 |
| Referred to Another Committee | 2 |

| | |
|-------------------|----|
| Ought Not to Pass | 27 |
| Divided Reports | 6 |
| Leave to Withdraw | 11 |
| Total | 54 |

Very truly yours,

Signed:

DOUGLAS M. SMITH
 House Chairman

The Communication was read and ordered placed on file.

Petitions, Bills And Resolves Requiring Reference

Bill "An Act Appropriating Funds to the Schoodic Community School District" (H. P. 2351) (Presented by Mr. Conners of Franklin) (Approved for Introduction by a Majority of the Committee on Reference of Bills pursuant to Joint Order, S. P. 635, as Amended)

Under suspension of the rules the Bill read twice without reference to any committee.

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

Mr. NADEAU: Mr. Speaker, Ladies and Gentlemen of the House: Just since Mr. Cooney told us how much his was for, can Mr. Conners please tell us how much this one is for?

The SPEAKER: The gentleman from Sanford, Mr. Nadeau poses a question through the Chair to the gentleman from Franklin, Mr. Conners, who may answer if he so desires.

The Chair recognizes that gentleman.

Mr. CONNERS: Mr. Speaker, Ladies and Gentlemen of the House: I will be very brief. We have a new school that will open in September and the town of Franklin has the third and fourth grades right now in the basement of the Church and we are paying rent for those. The town of Sullivan has a kindergarten, first and second grade and they are paying rent in the recreation center in Sullivan. We are controlled by law of \$588.37 per pupil cost; the state average is \$754 per pupil and this leaves a difference of \$165.63, between the two. So, under the law, we receive no more than this \$588. Our increase in costs had gone up from last year from \$82,327, \$49,000 of this is attributed to the new school and we have mandated programs of home economics and industrial arts and within this bill you will see where we have agreed that we will take the two percent, the full amount of leeway and the only way that we would get this money would be if we take the full 2 percent of leeway along with 13 1/4 mills. This brings us up short of \$25,013 in implementing the mandatory courses ordered by the Department of Education.

At the present time, under our rent, we are reimbursed from the state \$4,500. So, this bill would leave \$20,500 that we need to put our new school into full operation.

Under suspension of the rules, the Bill was passed to be engrossed and sent up for concurrence.

On motion of Mr. Bustin of Augusta,
 Adjourned until nine thirty tomorrow morning.