

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

Thursday, April 29, 1976

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

Prayer by Representative Louis Finemore of Bridgewater.

The journal of yesterday was read and approved.

(Off Record Remarks)

On motion of Mr. Palmer of Nobleboro, Recessed until one-thirty in the afternoon.

After Recess
1:30 P.M.

The House was called to order by the Speaker.

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

From the Senate: The following Communication:

The Senate of Maine
Augusta
April 28, 1976

Honorable Edwin H. Pert
Clerk of the House
107th Legislature
First Special Session
Augusta, Maine
Dear Mr. Pert:

The Senate today voted to Adhere to its action whereby it Indefinitely Postponed Bill, "AN ACT Appropriating Funds to the Maine Chapter of the Arthritis Foundation" (H.P. 2042) (L.D. 2216).

The Senate also voted to Adhere to its action whereby it Indefinitely Postponed Bill, "AN ACT Providing for a Comprehensive State-wide Program of Primary Prevention of Alcohol and Drug Abuse and other Forms of Socially Disruptive and Potentially Self-destructive Human Behavior." (H.P. 1800) (L.D. 1959).

Respectfully,

(Signed)

May M. Ross
Assistant Secretary
of the Senate

The Communication was read and ordered placed on file.

From the Senate: The following Communication:

The Senate of Maine
Augusta
April 28, 1976

Honorable Edwin H. Pert
Clerk of the House
107th Legislature
First Special Session
Augusta, Maine
Dear Mr. Pert:

The Senate today voted to Adhere to its action whereby it Indefinitely Postponed Bill, "AN ACT to Require an Annual Governor's Report on Employment and the Economy" (S.P. 720) (L.D. 2256).

The Senate also voted to Adhere to its action whereby it Indefinitely Postponed, Bill, "AN ACT Appropriating Funds to the Maine Chapter of the Epilepsy Foundation of America" (H.P. 1907) (L.D. 2094).

Respectfully,

(Signed)

May M. Ross
Assistant Secretary
of the Senate

The Communication was read and ordered placed on file.

Finally Passed
Emergency Measure

RESOLVE, to Require the Department of

Human Services to Reopen the Itinerant Office in Belfast (H. P. 2269) (L. D. 2336) (S. "A" S-549)

Was reported by the Committee on Engrossed Bill as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 111 voted in favor of same and 3 against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act Relating to a Cost-of-Living Adjustment for State Retirees (S.P. 618) (L.D. 1950) (C. "A" S-507 as Amended by S. "A" S-520 and S. "B" S-591 thereto; H. "B" H-1296)

An Act to Assure Resources for the Resolution of Disputes (S.P. 666) (L.D. 2296) (S. "B" S-602)

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

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

Orders of the Day

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

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 (Emergency) (S.P. 813) (L.D. 2355)

In Senate, Passed to be Enacted in non-concurrence.

TABLED — April 28 by Mrs. Najarian of Portland

Pending — Motion of Mr. McKernan of Bangor to Reconsider Failure of Passage to be Enacted.

Thereupon, the House reconsidered its action whereby the Bill failed of passage to be enacted.

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

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: I guess now, finally, we have arrived at the very last step. It has been a long, arduous and difficult battle for many of us; hours, days, weeks of human effort has been made. We have had our disagreements, we have had our struggles, the battle has been joined on many fronts. The Appropriations Committee has worked for weeks, the legislative leadership has worked for weeks, special committees have worked for weeks, and what we do here today will determine whether all of that effort will have come to naught or will serve as one of the great guideposts of progress of this legislature.

What you are going to be asked to do today is not something that you are all perfectly satisfied with; I am not perfectly satisfied with it, to be sure. I can remember standing before this legislature in recent sessions and asking you to do things that you were not all perfectly satisfied with — several appropriation acts, the consumer credit code, the banking code, all were difficult decisions that many people in this legislature had to take a certain amount of pride and swallow, and this is the case with myself today and many members of this legislature. A certain amount of faith is going to have to be accepted. The point of dispute, of course, is the pay plan and what it means to Maine people at large, and particularly Maine's working force in state government.

Perfection has not been achieved, but as one person who has fought against the Hay Report in the past, I must stand here before you and say that in all honesty and candor, I have to give

credit where credit is due. Many changes have been made.

When I stood before you a month ago and criticized the Hay Report, we talked about lack of consideration of work environment, nonstandard work week. These things have been implemented or have at least been provided for in the legislation before you today, but the date of implementation has been changed. The appeals process has been changed so that it is more satisfactory to each of us.

Later in this session, I believe there will be an order introduced for legislative oversight of all of this. So I think there have been many changes to satisfy those of us who have been skeptical. Now, as in the past, I think we are simply going to have to act boldly, realizing that what we do here today has no real finality, that this is only one legislature who makes the laws now for as little as six months. A new body will soon be constituted to correct the errors that we make, as we were elected to correct the errors of past legislatures. That, to me, is a source of constant strength. What we are building is not a house of cement that will last forever, but a structure that will be passed upon by others in the future.

I think that the importance of the Hay Report on both sides has been overstressed both by labor and by management when regarded in this overall perspective. Things can be changed if necessary. So today, I want to ask all of you to make the final judgment of this legislature to determine whether the work that has been done for you, for the State of Maine, by the Committee on Appropriations, by the legislative leadership and by many acting in an ad hoc capacity is worth turning away in its entirety, whether the thought, the patience and the fair-minded consideration which I believe has been made is worth whatever risk we must take. My own considered judgment is that it is worth the risk, and the fair-minded men, if they find that this is not a fair-minded document, can make changes in the future, particularly with regard to the Hay plan, and I know that in the rest of the document changes will have to be made from time to time. That has been our experience with every appropriations act that has been enacted in this legislature.

I hope that we will be able to leave this legislature and the work of this committee in a constructive and helpful tone. I think that this document is prepared today for your passage, and I think it will be accepted over time as an act of accomplishment if we do as we always must do, to follow its progress, to monitor its implementation and to make continuing judgments.

I know that some of you have questions that relate specifically to other portions of the legislative document, and I will be happy to attempt to explain any of it that may come up during the course of this debate. But for now, I am going to let this stand and sincerely hope that you will all vote for the enactment of this document today.

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

Mr. MORTON: Mr. Speaker, Ladies and Gentlemen of the House: I have a few remarks this afternoon, which I have held until this point in time in the debate, because I feel very sincerely about them, and they have to do with realism, positivism and faith.

It seems to me that the realism that we have here today is the fact that this is a political process and that we have a House and Senate and we have an Executive Office, and until those three are working in harmony, then we really can't go anywhere.

As the gentleman just said, the results of this are not cast in concrete. That great British statesman, Benjamin Disraeli put it well once when he said finality is not the language of politics. We can change this.

Another realism, this is nonpartisan. You

know just as well as I do that people on both sides of the aisle here are for and against the way things are going, but a good example of the non-partisanship is the Franklin County delegation, four square for the plan — two Democrats and two Republicans.

I would like to further push the argument that the gentleman just gave that there has been movement and in doing that, I would like to quote this paper that I just received in my mail box this morning, The Mainestater, which I have been receiving as a legislator and I read carefully each time I get it, but I would like to quote from an article on the fourth page, Our View. I assume it is in an editorial context and I will, of course, have to come out of context because I can read it all, but it says this, that we have moved the Governor several times. Compare the Governor's original proposal with that offered us as of today, and that was April 22 and I am sure that there has been movement since April 22. There are a few trade-offs, there are fewer trade-offs. Workers who would have received a little, originally 5,300 who would have received less than \$8 weekly in the way of raises are being offered nearly \$600 in bonus dollars. At the very least, the Hay Report will be delayed until employees can appeal. The appeals process is better. There is training for managers in evaluation processing. There is money for bargaining. There is a commitment to deal realistically with the problems of the state correctional facilities. We still don't like the bill, we want more because we deserve more. I understand that, but you heard what it said, there has been movement.

I won't argue the last statement; maybe it is right and maybe it isn't, but let's look at some of the positives now — \$40 a month for the next four months, \$572 a year, a cent a mile. Someone met me on the post office steps this morning and pointed out how much they were losing by driving their car a thousand miles a month for the state. A cent a mile is at least another ten bucks towards that.

In the bill, and we are talking about many things in the bill, a million in the Retirement Fund — \$800,000 for elderly tax and rent relief refunds, \$712,000 for employee group health and on and on. There are many things in this bill which are essential.

Again accenting the positive, people who are going to improve considerably, just a few, a fish hatchery foreman from 7 to 12. In the middle range, if he went from Step D to Step E, he would get \$7,405 to \$8,863. I realize that that is over 10 percent, so probably he would get less than that, but the point remains that it is a big jump. Then, there are many others — the Deputy Commissioner of Indian Affairs from 20 to 30, a jump from \$13,624 in the E range to \$19,664. You can go through it and find all these. These are the positive ones, and I know there are negative ones, but the negative ones in the report don't result in less dollars, and I am sure we all remember that.

The people on the outside, my constituents, and folks who are working in jobs other than in the state, are very much aware of the state jobs and state salary plans, and I am sure they don't know the dollars, but they have the feeling, for instance, that the Retirement Plan is an excellent one, and I think it is an excellent one, an in-plan that pays in, in addition to the salaries that are being paid, another 10 percent plus, on the average, to everyone who works for the state is a reasonably good retirement plan.

During the debate, again emphasizing the positive, which, of course, is the opposite of the negative, and we have heard some of the negatives and it hurts me somewhat to hear the State of Maine described as medieval, I don't think the State of Maine is medieval. It bothers me a great deal to constantly read that the State of Maine is the highest taxed state in the

nation and that we have a bad climate for business. It reminds me of once when my father went to California and he came back. I said, have a good trip, Dad? He said, yes, I would have liked to froze to death, and this was in the winter and he went out there hoping to get some sunshine. I said, what was the matter? He said, you know, those Californians are funny people, if it is above 70 it is in the headlines in the paper, but if it's below 70, you try to find it out. In other words, they were accenting the positive and I think we need to do that.

Finally, I would like to talk a little bit about something which will fill in the equation that the gentleman was talking about, and that is a little bit of faith. I am concerned when we talk about something which has come before this body as characterized by rigged or rotten in Denmark, because this implies that there has been deliberate falsification, malfeasance and I am sure these words were used in the heat of debate and were not truly meant, because if they were, the people using them, being officers of the state, would feel the obligation to make sure that this illegal act, if it were such, was properly taken care of.

I have always admired the Speaker. When he went to a meeting with two other men in an attempt to find out what was the possible solution to the problem, I have faith that he was working to the best of his ability for the wishes of this house, which at that time probably did not coincide with my wishes. But, be that as it may, we came out with a package. I question, could any of us have done any better in that atmosphere, under those conditions? I don't think we could have, short of admitting failure, and I don't see the Speaker as a man who admits failure any more than the rest of us are. I think that is what it comes down to, ladies and gentlemen, success or failure.

The opposition leaders in the hall yesterday were openly advocating failure, they told me so. Well, I can't vote for failure, because failure equals a complete lack of faith, faith in the system, faith in the people who are going to operate the system. The people we will leave here to administer these laws have a tremendous stake in them. They stake their case on their ability to make it work within the guidelines that all of us are going to agree on. So, we must have faith that they will make it work.

You know, it is easy to get statements of faith. Saint Paul, in his letter to the Hebrews, said that faith is the substance of things hoped for and the evidence of things not seen. I think that is what we have here today.

So, I believe that we have only one way to go, and I am in my 58th year and many times I have been unable to see the way through on a dilemma that I might be facing. I had to rely on faith. I can testify to you ladies and gentlemen that it works. You can rely on faith.

You have the faith that this will work to the best interests of all the people of Maine, you know very frequently and eloquently and enjoyably the gentleman from Bangor resorts to the great bard, so I will end this dissertation with a little quote from Tennyson because I think many times these people can put things into words better than we can. Tennyson said, there lives more faith than honest doubt, believe me, than in half the creeds. This is In Memoriam and he finishes out or not finishes out but you are all familiar with some of these verses, he says ring out a slowly dying cause and ancient forms of party strife, ring in the nobler modes of life with sweeter manners, purer laws.

Ladies and gentlemen, let us ring in this Appropriations Bill and a raise for the state employees.

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

Mr. CAREY: Mr. Speaker, Ladies and Gentlemen of the House: I listened to what the gentleman from Farmington, Mr. Morton, had to say. I was very impressed when he said that we have had some movement. I would just say in response to that, there was also some movement when the Titanic went from the surface to the bottom. Obviously, all movement is not good movement.

I also listened when the gentleman from Dover-Foxcroft, Mr. Smith, made his very impassioned plea. The fact that Appropriations and leadership have worked for weeks, I would try to remind that gentleman that what Appropriations and leadership worked for weeks on, was the very same bill that was vetoed in the Senate just a short time ago.

The members of the Republican party in the upper body thought so much of the work of weeks that you and leadership has put into it, that they felt strongly enough about the bill that they sustained the Governor's veto.

I would like to remind the gentleman from Dover-Foxcroft that the bill that we have before us is not one that Appropriations Committee has ever seen, it is not one that leadership and Appropriations has worked for weeks on, this is an outgrowth of the field office of the State House that is located up in Old Town.

Yesterday, I listened when the Speaker spoke from the floor and he mentioned that beauty was in the eyes of the beholder. I can only counter that statement by saying that pride austerism is something else.

There are some of us who have been trying to impress upon the members of the House for several years, especially the members of my own party, something called fiscal responsibility. I stand here this evening extremely pleased to know that a majority of the members of my particular party have now suddenly become fiscally responsible and I would really applaud them for that. I am extremely pleased that some of the younger members of the House have come in with that particular attitude. When I speak about fiscal responsibility, I can recall the remarks that were made from the other side of this body from somebody in the back row, who asked a question, how much is this package going to cost us, and there was a very weak attempt to try to answer. As a matter of fact, the gentleman who tried to answer it said that he was extremely sorry that nobody else got up, he had to be the one to get up, because he really didn't have the answer and he wasn't too crazy about the question anyway.

We have had a little serious lobbying going on. It is typical at the end of the session in trying to pass a bill. It was done previously by the members of our own party so I can understand that and now the members of our own party are back in other capacities, the State Treasurer, an appointee of this body, is doing a fantastic job trying to lobby for this. I would only hope that he would spend more time in the State Treasurer's Office and a little less time on the third floor of this body. The Commissioner of Public Safety has run over to tell us that miraculously there has been some money that has been found and we are going to be able to make an adjustment in the state troopers pay, that we are going to be able to give them an extra \$40 a week to make up for the fact they are working an extra ten hours. Well, I tried to take that, I looked at 393 members in the department, Rank Sergeant on down, will get at least \$40, \$40 was the minimum and then we negotiate new contracts from there. I took the \$40 and multiplied that by 52 weeks and then I turned around and I multiplied that by 300 troopers up through the rank of Sergeant and I come up with the monstrous figure of \$624,000. Now, this takes care of 300 state employees out

of some 11,000 or 12,000. Pick a number, who knows?

We are told that we have some \$900,000 floating around. There was \$400,000 in this bill and somewhere miraculously again, another half a million dollars has been found to pump into this thing in spite of the fact that our own finance office is telling us that we are going to be ending this year with a \$3.5 million to \$7 million deficit. It is interesting that we can conveniently find money when we really have to have it, but we can really paint a black picture when we want to paint a black picture.

Now, I am told that the \$624,000 is not really all out of the General Fund, and that is true. The State Police are paid 25 percent out of the General Fund. 75 percent out of the Highway Fund. So, you take a quarter of that money and you come up with \$156,000, out of the General Fund. Now, that starts cutting in for 300 employees, that starts cutting in fairly heavily into the supposed \$900,000 that we have floating around to make some adjustments. What about the other \$400,000 plus that is going to come out of the Highway Fund? That is over and above where they have to start making adjustments and they have been denied a two cent increase in the gas tax some time ago, and one cent increase in the gas tax just recently, not in this session but in the previous session. So, they are a little hard pressed to find the money they are going to need for this thing. So we are told, oh, don't worry about it, that is already built-in, we have built-in to the figure for the salary adjustments \$11 per week, per person. Well, that is not really true in this case because we can only take a quarter of that since we are only talking about a quarter of the General Fund, so we are really talking, at this point, some \$2.75 a week out of that \$11 that is coming out of the General Fund for State Troopers, so that would mean that we would save some \$42,000 and we still have \$114,000 coming out of the General Fund.

So, we do have some fairly immense problems here. We are no where near settling this thing and if you are fiscally responsible and we did ask the question the other day, now if somebody may possibly have come up with the answer, so I will ask it again and maybe somebody can get up at this point and answer the question, how much is this total package going to cost us?

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

Mr. GARSOE: Mr. Speaker, Ladies and Gentlemen of the House: I am the one that the distinguished gentleman from Waterville was talking about who reluctantly answered the question. I admit I didn't give a very good answer. I don't think there is an honest answer because we are talking about an appeals process that is in the hands of a completely impartial board and I don't think anyone of you should listen to anyone who tells you that they do know to the dollar and to the penny what it is going to cost.

I would just bring you back to the fact that we have been told, we see it in the legislation that a decision will be made by this panel and it will be final and binding and someone is going to have to come up with the money and the people in it that are closest to it insist that they have budgeted properly for it. When I heard this story about the State Police and the \$40 a week, I didn't put a pencil to paper as the gentleman from Waterville did. I went down stairs where he could have gone to find out if this was correct. I have been told down there by Roger Mallar that no such deal, no such arrangement has been made. They have made it very clear in a recent conversation, as I think they have made it clear from the beginning that they were going to address themselves to the problem of a non-standard work week, and that the Governor has been and continues to be very sympathetic to

this situation and that they will address it. I specifically asked, had a figure of \$40 a week been promised to anyone, and they said no. I accept that, and that is the source of my information.

I think we are or we should be through this process of finding loose strings and attempting to ravel the cloth. I think we have done our work. I think the remarks of the gentleman from Dover-Foxcroft were very well put, that we are in here for a final decision and I don't think it is going to be profitable to start going back through every nook and cranny that we have searched through so diligently these last few weeks.

I do want to give credit to the opposition. I want to give credit to those opponents of this procedure, who have sincerely wanted something better, because I want to tell you that you have made this a better piece of legislation than I would have had it, it is because everytime an objection has been raised, I say that we have found an improvement in the bill. That credit can only go to those who were not ready to go with it earlier on. So, I would just say that you have made it a better bill and I hope it is one that you are now going to be able to go with. I fear that there is opposition that is not designed to make this a better bill, but opposition that is designed only to kill it. I can have no concern or sympathy for that approach, because I think it is the wrong approach. In my last words in this matter, I do want to give credit where credit is due, to those people whose opposition has indeed made this a better piece of legislation.

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

Mr. LAFFIN: Mr. Speaker, Ladies and Gentlemen of the House: I know that all of us up here have some particular piece of legislation that means more to us than other pieces of legislation. We are probably interested in it in general but somewhere along the line certain pieces of legislation mean a little more than some other piece. There is talk here today and there has been talk about, let's have faith. Well, I will tell you something ladies and gentlemen, where labor and management is concerned, I have no faith in management. I have seen management at its worst and I have seen the working people of this state suffer for the simple reason of having faith. Now, people who in this House who have never voted for labor, all of a sudden are saying to us, this is the best piece of legislation we can find because it is for the betterment of the working people, never before, but now they are interested, on both sides of the aisle.

Two weeks ago, I asked certain members of this House who have seniority here, if we could postpone the Hay Report, let the 108th do it, give them \$15 a week that they deserve, and we would have been out of here, but no, they didn't want to do that. This Hay Report was beautiful, it was tremendous, it was great. Now, my good friend from Cumberland, has hit it right on the head. We did find a lot of faults with it and I am telling you ladies and gentlemen, there will be a lot more faults found with it. There is going to be all kinds of faults found with it. When you put anything into law we have got to change it by the law. That is the thing that I object to.

If we could set this up so that they could handle it in the next legislature, give our employees a raise that they so rightfully deserve, not \$11 but \$15 like they deserve, yes, I would compromise. I have compromised so much on this thing that sometimes I think I am back married again. It is always us that has got to compromise, we have always got to give in, it is never anyone else, it is always this House. That is so heartbreaking to me, why has it always got to be us, to fall underneath?

I have tried in all my sincerity because this

bill means a lot to me. It is added wages for the working people and that does mean a lot to me but, I feel that we are being pressured. I feel that we are having certain members of this House, who would like to get out of here and go home, who would like to push this through so that we can say, well, at least we have done something. My very good friend from Gorham, the other day, who by the way, I wish I had his learning, was wrong when he said that we should give them something, because sometimes when you give something on the surface, you are taking it away from them under the surface. I would rather have not one employee in this State of Maine get one dime more than they are getting now than to push something on to them that they might be sorry for in the year or two to come.

The people who say this Hay Report is good, is not saying it is perfect, and they themselves admit that there are many things wrong with it. If they can convince me of that and they support this so strongly, then I have got to go along the line to say, if you are not convinced yourself, how can you convince me? So, I say to you today, stick fast, let someone else buckle down, let someone else say to the State employees, we did what we could, but we failed. We can't be the masters for everybody. We can only answer for what we ourselves do. If we fail the working people of this state then, let's take the blame. I don't feel that we have. We tried to give them \$15, we tried to give them \$11, we tried to do a lot of things for them, but it always came back to us, that we have failed.

I think that when you get emotionally involved in a piece of legislation, many times you do say things that you wished you hadn't said. I said that I was not going to get upset over this piece of legislation and I am not, but I am trying to say to the members of this House because certain other members have switched, that doesn't mean you have to. Maybe they are justifiable in doing so, maybe they feel that now they are doing the right thing, but nobody has showed me where I would be doing the right thing if I switched. In fact, I walk in the corridor and nobody speaks to me. Nobody tries to convince me how to vote one way or the other, maybe I got the plague, I don't know, but nobody bothers me.

If somebody with much more learning than I have, can show me where this will benefit the working people of this state, I would be the first to go for it, but I haven't been able to have anyone show me that, and I don't think that it is any great secret how I stand on this bill. I think that most of the members of this House knew in the beginning that I wanted \$15 a week and we didn't get it, so I voted for the \$11, so did the other body. The Governor saw fit to not sign it, to become law, so we are back here. I don't think we are playing ping pong with this thing. I think we are just as sincere today as we were two weeks ago. I think many times we have hurt our own cause but, nevertheless, I do not believe that we are in any different situation today than we were when we had the gentleman here who gave the Hay Report and who could not answer the questions that most of the members asked.

When you separate labor force, you divide, and that is the problem with this bill. When you can take the working people in the shoe shops and three paper mills and average them out and the lower people make less money and you go to these big cities where these high mucky-mucks are working in state government and they are overpaid in the first place and compare them, you call that justice, you call that equality? Well, you can call it that if you want to but I do not call it that. I do not think that it is right that the working people of this state always have to be the ones to give in. Someone else has got to buckle sometime but, no, that is not the way you

want it, you want to give in. I am not belittling anybody because I do not believe in that. I have the greatest respect for every member in this House and I do not care whether you like me or whether you don't, you did not put me here. I do care about the important bill before us today.

First of all, I think that the bill is entirely wrong, to have the University in it, the Pine Tree Legal in it, the Archives in it and everything else, but apparently that is the way the legislature is run and I am sure I have no intentions of changing this if this is the way it is done, but I do not have to approve of it. When I debate a bill, I want to debate the bill on its merits that that bill stands and falls on and I want to debate only that part of the bill, and when you throw in other parts so that you can get a vote here because someone wants the Pine Tree or someone supports the university and someone does this and that just to get the vote in there, that is not the way to enact legislation in my opinion.

The bill that is before us, the most important part is the equality, the respect of a decent pay raise for state employees and there should be nothing else, that is it. When I look at this bill, I give in to all those other parts that I may not approve of because I want them to get a pay raise and it means a lot to me to see that they do get a pay raise, because I want the working people of Maine to have a good, living wage and bring it up above the poverty level, but if we cannot do that, then let's not give them anything.

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 direct just a few comments to the previous speaker and to the gentleman from Waterville.

To the previous speaker, he has told us that nobody spoke to him in the hallway at all, and I just want to report to you that I spoke to him yesterday in the hallway and I know that I am a nobody but I wish he would not rub it in so much on the floor, he did not yell at me even once, which I was pleased with.

To the gentleman from Waterville, who is concerned about the overall cost of the Appropriations Act, if he will look at the act itself, he would see that there is a figure of about \$5.7 in there, and recalling the amendments that have been attached to the bill and are still there, we have about \$160,000 to add, so we are up to around \$5.9 million. But I think the thrust of his remarks were not to the obvious that are contained in the bill but to the apparent lack of our ability to put a figure on the cost of the appeals process. In essence, he is talking about a certain amount of open endedness that might occur in the cost of any successful appeals, and I will admit that there is a certain amount of open endedness there, but there is open endedness in an awful lot of programs that we approve in this legislature.

There is open endedness, for instance, in the General Assistance Program. We do not know for sure how much that program is going to cost us because we do not know for sure how much General Assistance the towns are going to administer. We do not know for sure how much AFDC is going to cost us because we do not know for sure how many applicants are going to be approved and how big the rolls are going to be in the next biennium. We do not know for sure how much we are going to pay out in the Medical Care Account for the same reasons. These are all open-ended accounts that we take our best educated guess at and fund as best we can and these are all massive accounts compared to what we are talking about in the appeals process.

So, I do not think that we can defeat this bill today on the basis that we do not know how much the appeals is going to cost. We have provided some money; maybe we have not

provided enough and maybe we have provided too much, but certainly we aren't talking about the kind of risks that we run in General Assistance, in Medical Care, in AFDC, and the list goes on. I think the argument is a little fallacious and a little overblown and a little inconsistent with final legislative action in this House.

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

Mr. JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: I know that oftentimes one will get up and say he did not intend to speak, I truly didn't intend to get dragged into this thing but my good friend from Dover-Foxcroft just did. He speaks about massive accounts. When he speaks of open ended accounts of \$5.7 million, he talks about massive accounts not anywhere near what the appeals process is going to be.

This is a massive account because the Hay Report originally had a price tag of \$15 million. I know that through imaginations and through the fact that they are not going to go to this and not going to go to that, I know that that figure has dropped, but is it conceivable that it could have dropped from \$15 million to \$500,000? For the fifteenth time, I am repeating myself, but I have been through this process. I have actually shared a program that has been through this process, and I want to tell you one thing right now, when it comes down to this \$500,000 to fund successful appeals, you are only trying to scratch the surface.

How — I repeat myself — can you take an item that originally, by its own admission, had a \$15 million price tag on it and now appropriate \$500,000? How could this thing have been watered down to that degree? It is inconceivable, and that is why I said last night and that is why I say today, that this is completely and thoroughly proper to be called fiscal irresponsibility.

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

Mr. CAREY: Mr. Speaker, Ladies and Gentlemen of the House: Thank you Mr. Speaker, I appreciate your recognizing me before the gentleman from Dover-Foxcroft because he can also answer my question at the same time that he answers Mr. Jalbert, therefore, saving himself a trip up.

The gentleman from Dover-Foxcroft mentioned a figure \$5.7 million, and I would ask him: if I am not mistaken and he can reply by nodding his head, if the figure he is speaking of is not the figure at the bottom of Page 15 on Senate Amendment "A"? The gentleman has responded by nodding his head in the affirmative.

I would point out that I got from his remarks that what he was saying was that the \$5.7 million, and we are talking pay, and that it was indicated for pay, and I am interested in knowing that if he is going to spend the \$5.7 million for pay, then what is he going to do, because that total is a result of having come up with \$800,000 of tax for the elderly, it is a result of \$1.2 million which provides funds for implementation of the new employee compensation plan — \$1.2 million dollars is a far cry from \$5.7 million; \$400,000 for the Treasurer of the State of Maine, we steal \$4 million dollars from the AFDC program, and I was part of that bargain between the Appropriations Committee and the Performance Audit Committee that thought we had sufficient language at the end of the last session, that the people who needed some relief in AFDC would get relief but apparently the language was interpreted different by the Executive.

It puts in a \$1.5 for intermediate care; it has \$1.3 million for General Assistance and another half million dollars for Personal Services in the SSI, so we are a long ways off. The million

dollars that the Governor borrowed temporarily from the Teachers Retirement Fund is finally being repaid in this bill, so we are finally putting the money where it belongs but we are not anywhere near, Mr. Smith, \$5.7 million in implementation of this pay plan.

One of the problems that we have found in this whole thing is the fact that it is so difficult to arrive at the truth in trying to put this bill through.

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

Mr. FRASER: Mr. Speaker, Ladies and Gentlemen of the House: I am sure that many of you here are surprised to see me up on this bill because these figures that come before me are nothing but eye blurrers, or you do not understand them when you start talking millions, and whether or not this issue is fiscal responsibility, I do not know, but I do feel that the Executive Department of this thing is responsible for that and I am willing to let them have it and if by chance it does not come out right, it is up to them to make it straight.

I am going to vote for this issue because if I don't, I feel that many people who could be helped will not be. It is just sad to say that some will not be helped as much as others and I am sorry about that, but at this point there is nothing that we can do about it. I do not believe that we should refuse to give somebody a little just because we cannot give them a lot. I am sure, too, that many of these people at the bottom of this ladder could well use this \$500 which would be given to them as a bonus or whatever way you want to think about it. If we do not pass this bill, they won't get it and they probably won't get anything for another year.

I talked to one of these people last week, one of these workers who is at the bottom of the ladder that we talk about, and he told me, get us what you can and most of us will be glad. There may be some in the balcony who are applauding the fact they may not get anything, I don't know, maybe they can afford it. There are those who cannot afford to pass up this \$500 bucks if it is available. Between that grade and the supervisors who get the largest increase that we object to, there are many others who will get only a fair increase, and if we do not start this, that group in the middle, won't get the fair increase and the small group at the bottom won't get any. I would rather go to bed tonight thinking I had done what I could.

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

Order out of Order

Mr. Cooney of Sabatus presented the following Joint Order and moved its passage: (H. P. 2384)

ORDERED, the Senate concurring, that there is created a Special Joint Select Committee of the 107th Legislature to consist of 3 Senators, to be appointed by the President of the Senate, and 5 Representatives, to be appointed by the Speaker of the House of Representatives, to study the implementation of the Hay Associates' report on classification and compensation. The study shall include the monitoring of all progress during the process of implementation and the periodic reporting of its findings and recommendations to the Legislative Council; and be it further

ORDERED, that the special Joint Select Committee shall be authorized to recommend to the Legislative Council the calling of an emergency special legislative session for the purpose of dealing with the special committee's findings and recommendations; and be it further

ORDERED, that the Joint Select Committee shall have the authority to employ professional

and clerical assistance within the limits of the funds provided; and be it further

ORDERED, that there is allocated from the Legislative Account to the Joint Select Committee the sum of \$2,000 to carry out the purposes of this Order.

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

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

Mr. COONEY: Mr. Speaker, Ladies and Gentlemen of the House: I have not spoken on this issue in the entire lengthy debate, but I think those who have been making efforts on every side that appear on the issue, and there are many, know that I have tried to dog the steps of every possible solution that would bring the various points of view together.

There are multiple needs in this particular bill. This issue is important to me and I think to the many divergent viewpoints in this House, whether they be the university, Aid to Dependent Children, or, most important, pay for employees who need it desperately.

We all want very much to see a bill passed, I do too, and so I waited with anticipation and tried this afternoon and this morning to find the square to move to that would provide us with those additional safeguards that we would need to make sure that the Hay Report is implemented in such a way that employees who are in need of raises get those raises and they get them fairly, and that the legislature has some kind of control and input to make sure that fiscally irresponsible things do not occur and that justice is done to employees.

I know that there have been many, many proposals. Some have been accepted. To my view, not enough. I have voted time and again to hold out for a better way. I want more legislative control over the implementation of the Hay Report for fiscally responsible reasons and to make sure justice is done to the state employees, but I know from the point of view of the other side that absolute legislative control of that is non-negotiable, so I am offering this order as a next step, a way that we as a legislature will have a voice, will have the visibility, will have an opportunity to raise a cry that the plan is not working.

If you will note in here, the order calls for a joint select special committee of the Senate and the House, and the Speaker has promised me that among the House of Representatives will be people among the 60. And that the order calls for continual review of the implementation of the Hay Report, and it further states that if the committee sees a reason that it feels the legislature should be called into special session and deal with that reason, with that problem, that it may, in fact, make that recommendation to the Legislative Council, to the Speaker, the President, and it is my sincere belief that they would act upon any kind of a real problem that would face the state, whether it were injustice to an employee or whether it were a fiscal problem.

So it is that I would ask for the passage of this order. I am going to ask that it be sent forthwith to the Senate, that it receive our passage and Senate passage and that we either continue our debate or stand in recess until they have acted upon this so that we know that we have at least some control, some oversight to the implementation of this plan.

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

Mr. CAREY: Mr. Speaker, a parliamentary inquiry? If the purpose of the order is so stated and we in fact do not end up with the passage of 2355, then is it not true, Mr. Speaker, that there will be no need for this particular order?

The SPEAKER: The Chair would answer in the affirmative, it obviously would not need to be implemented.

Mr. CAREY: Mr. Speaker, then in that case, passing this and sending it down and waiting for it to come back and everything, it seems somewhat premature, and I would certainly hope that someone would table this until after we either pass or defeat this thing and if we pass it, it is necessary, and if we do not pass it, then it is not necessary.

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

Mr. BUSTIN: Mr. Speaker, I don't think that this measure of tabling is going to help anything. I think probably the best thing to do would be to indefinitely postpone it and I so move.

I guess where I really am coming from is, is this all it takes? This is like saying, eat the spoiled food and here is the Alka Seltzer. This is a very nicely orchestrated way to get to 101. It is ridiculous. There is no power there that the legislature does not have anyway. Is this all it takes?

Mr. Palmer of Nobleboro requested a roll call vote.

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

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

The SPEAKER: The pending question before the House is on the motion of the gentleman from Augusta, Mr. Bustin, to indefinitely postpone the Joint Order. Those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Bustin, Carey, Connolly, Cote, Curran, R.; Davies, Farley, Goodwin, K.; Ingegneri, Jalbert, Joyce, Kelleher, Laffin, LaPointe, Mahany, Martin, A.; Nadeau, Norris, Pelosi, Rolde, Saunders, Talbot, Tozier, Usher.

NAY — Ault, Bachrach, Bagley, Bennett, Berry, G. W.; Berry, P. P.; Berube, Birt, Blodgett, Boudreau, Bowie, Burns, Byers, Call, Carpenter, Carroll, Carter, Chonko, Churchill, Clark, Conners, Cooney, Curran, P.; Curtis, Dam, DeVane, Doak, Dow, Drigotas, Dudley, Durgin, Dyer, Farnham, Fenlason, Finemore, Flanagan, Fraser, Garsoe, Gauthier, Goodwin, H.; Gould, Gray, Greenlaw, Hall, Henderson, Hennessey, Hewes, Higgins, Hinds, Hughes, Hunter, Hutchings, Immonen, Jackson, Jacques, Jensen, Kany, Kelley, Kennedy, Laverty, LeBlanc, Leonard, Lewin, Lewis, Littlefield, Lizotte, Lynch, MacEachern, Mackel, MacLeod, Martin, R.; Maxwell, McBreairty, McKernan, McMahon, Mills, Miskavage, Mitchell, Morin, Morton, Najarian, Palmer, Pearson, Perkins, S.; Perkins, T.; Peterson, P.; Peterson, T.; Pierce, Post, Powell, Quinn, Raymond, Rollins, Shute, Smith, Snow, Snowe, Spencer, Sprowl, Strout, Stubbs, Susi, Tarr, Teague, Theriault, Tierney, Torrey, Twitchell, Wagner, Walker, Webber, Wilfong, Winship, The Speaker.

ABSENT — Cox, Faucher, Hobbins, Kaufman, Lovell, Lunt, Mulkern, Peakes, Rideout, Silverman, Truman, Tyndale.
Yes, 25; No, 114; Absent, 12.

The SPEAKER: Twenty-five having voted in the affirmative and one hundred and fourteen in the negative with twelve being absent, the motion does not prevail.

Mr. Carey of Waterville moved that this be tabled until later in today's session.

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

Mr. SMITH: Mr. Speaker, I would request a division.

The SPEAKER: The Chair will order a vote. Those in favor of tabling will vote yes; those opposed will vote no.

A vote of the House was taken.

37 having voted in the affirmative and 97 in the negative, the motion did not prevail.

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

By unanimous consent, ordered sent forthwith to the Senate.

Mr. Goodwin of South Berwick moved this matter be tabled and later today assigned.

Mr. Smith of Dover-Foxcroft requested a vote on the motion.

The SPEAKER: The pending question is on the motion of the gentleman from South Berwick, Mr. Goodwin, that this matter be tabled pending passage to be enacted and later today assigned. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

19 having voted in the affirmative and 91 having voted in the negative, the motion did not prevail.

Off Record Remarks

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

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House: After our late night last night, as I was driving to my home, certain thoughts came to my mind and I think some of them have a little bit different light than any we have discussed so far and I want to share them with you this afternoon. I thought as I was driving along about the numerous number of complaints we have had about various classifications under the Hay Report. I also thought about the speech that was made by the Representative from Buxton, Mr. Berry, which I feel was one of the finest speeches we had here before the House last night. As I thought of the two, it came to my mind that we all know that there are at the present time over 800 appeals having nothing to do with the Hay Report whatsoever. 800 appeals pending before the Personnel Board because of dissatisfied state employees in their present state, 800 people and more.

I thought also that is the reason why, that in 1973, both labor and management employees throughout the state requested for the studies such as the hay Study be made. So, let's think about that for just a moment and remember that as we look at the Hay Study, we are also looking back on the situation before the Hay Study was instituted and the problems we have with job dissatisfaction here at the State House and throughout the State of Maine among state employees. That is why a new classification system was sought because there were and there are, at the present time, inequities among the people who are working for the State of Maine. Then, I thought of the appeals procedure under the Hay Report. Let's just say this very clearly that I think there is no one in this House or in the other body but what would agree that the original appeals procedure under the original bill was fuzzy and needed some help.

I concur wholeheartedly with the gentleman from Cumberland, Mr. Garsoe, who said that the bill today is better today because people did have objections. Now, let's look at the appeals procedure today and say to ourselves that with 800 or more appeals pending before a Hay Report and with possible appeals, and we know there are many under the Hay Report, what is the appeals procedure, I think we need to be reminded that there will be five people on the appeals board, two will be selected by the Governor from management, two will come from a list selected by labor, by the leaders of the labor movement among state employees, and one will be elected from a list of, chosen from a list submitted jointly by the Speaker of the House and the President of the Senate. It is, as far as I am concerned and I have checked

this out with numerous members of management and labor a truly impartial appeals board. Now, regardless of what we may say about the Hay Report, I think we all recognize as reasonable people that any report of this magnitude be it done for private industry or for government, at any level, does have some problems and that is why we always do have an appeals procedure. The appeals procedure is set up to take care of appeals on both sides, from management as well as from labor.

The appeals procedure also says that any appeal after November which has not been handled will be paid for retroactively. I don't know how you can be fairer than that with appeals board which is impartial and with retroactive pay regardless of when the appeal is settled.

Also, I would remind you that in addition to the impartiality of the board, there is also the money for funding. Now, I know this has come up today many times and I am pleased frankly to see some of the — they themselves term themselves as the — younger turks becoming so fiscally responsible in feeling that we are fiscally irresponsible by not funding this appeals procedure. The figure of \$900,000 seems to be thrown around as being insufficient. I want to remind you that that is a very small part of the monies available to fund any appeals which are successful. It is small because we have, at the present time, over 800 vacancies in state government and there will be more through attrition. The amounts of money available far exceed any estimates that I have seen which have been given both by the state and by the various labor leaders involved in this dispute.

So, I just tie that down as one point I want you to keep in mind, that last night that most of our debate centered around problems with different categories and classifications. I am reminding you that the problems existed long before the Hay Report and that is why we had a Hay Report, that is why we paid for one, and that in addition to instituting or implementing that report, we have what I call a totally fair appeals procedure and I have found no one yet who says that it is not fair and impartial.

Now, I want to go on with just one more point. I hope I can say this in language which does not infer, in any way, that this is a threat because it is not, but I want to look at the moment as to where we stand with this bill. I want to compare it to other bills. There is no question but that this bill has more support than any other bill that we have considered this far. I say that because it has the blessings of the Governor, who must approve it, it has the blessings of bipartisan support. I emphasize bipartisan support, in the other body, and it has the good majority of the people in this House. It has the support of the entire leadership of the other body and it has the support of the Speaker of this House, the Minority and Assistant Minority Leaders in this House and the Assistant Majority Leader in the other corner. That, I claim, is sufficient support for most people to recognize.

I would say to you that if we fail today, to enact this measure, it is very clear to me where the responsibility will rest, it will rest on a minority in this House. Their monkey will be on our back.

When we say here, and there are those that are saying it right now, that no one else has given, no one else has compromised, we are right and they are wrong, it sort of reminds me of a lady who had her little child Johnny in the parade and as they all marched by, she said, everyone is out of step but Johnny.

It seems to me that by refusing passage today, we are saying that everyone is out of step except the minority of the members of this House. I want to stress once again the fact that there has been untold hours and days of compromise. I want to stress again what the good gentleman from Cumberland, Mr. Garsoe, said,

it has been made better by the objections of others but we can't go on forever, we can't go on looking for new suggestions, so I say to you now, it seems to me that this is, and I think I am very factual in saying it, this is our last chance. This is the last boat and if we fail and adjourn sine die, a lot of good things and a lot of good things for state employees will be left undone. There are many state employees in this state house and throughout this state who are waiting now for our answer and let's not kid ourselves, they want a raise. I do believe that some of, and I stress some of the leaders of their unions have been looking more to themselves than they have to properly representing the needs of people out there who right now need some extra cash.

I believe, as I said last night, that this is the best we can do with the resources available, because things aren't that good in Maine. There are many unemployed, there are many getting no raises and no bonuses. We represent all of the people, we represent the taxpayer as well as the state employee. I cannot in my heart find it right to say, if I can't get what I want, I will give them nothing. I think they are waiting for something and I think there is no tomorrow. Now is the chance for us to give it to them.

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

Mr. PERKINS: Mr. Speaker, Ladies and Gentlemen of the House: First, I will apologize to the gentleman in the corridor who asked me if I was going to speak on this and I said no. I have just broken my promise.

I would like to make an observation, however. We have talked about fiscal responsibility and many have indicated that they are voting against this because of fiscal irresponsibility if we vote for it. I, for one, all through the session have been concerned about fiscal responsibility and yet I am voting for this and I think that I have to state I think it is a matter of fiscal responsibility that I must because for the benefit of this state in terms of the work that we will get out of our state employees by giving them a decent wage, that we can say that we have been, in fact, fiscally responsible for our returns there.

I couldn't help thinking as the good gentleman from Nobleboro was speaking about the benefits to state employees and there has been much talk about state employees, the legislature, all of the opinions of everyone but the few, or many I should say, that are presently at home, mothers, wives, children, who already have decided how they are going to spend that increase if it is given to them. I suspect this afternoon while some young woman is tediously washing her clothes and ironing and whatever else you have, that she is already figured out how, in some way, her washing machine may be repaired so that she can get it done easier and quicker. How perhaps the mortgage payment might get paid when, in fact, they are a month or two behind when in fact they don't like to answer the telephone because somebody is calling and asking for that bill to be paid that wasn't paid last month, the month before that. Those are human beings out there, all looking for some way that they can satisfy their creditors and their families. I suspect that when that husband or wife comes home, as a state employee at night, he or she perhaps is just as tired as you and I are, and is not particularly happy to listen to a wife explain what has happened to her at home and her inability to meet and cope with the expense of just plain old living. The poor husband and the poor wife who may be the state employee wonders, what can I do. I suspect that they could care less whether the Hay Report is or is not implemented because they don't know any more about it than many of us here, but they do know what the dollar bill looks like, it is green, and it buys little or nothing to be sure, but it buys at

least a loaf of bread to put on the table, so they are in hopes somehow or other we, as legislators of this state and a governor who sits on the second floor, will somehow see fit to give them that extra piece of bread and hopefully that extra 55 cents that Johnny needs in the morning to have his lunch at school.

It is not an easy thing for those people and it is not an easy thing for us. I suggested the other day that it might have been a good idea if we had amended this bill to provide that each and every state employee would receive a turkey at Thanksgiving. Well, believe me, the people out there know what a turkey looks like and I suspect that there is a lot of those state employees and their families who wonder if they are going to have enough money to buy that turkey come Thanksgiving. So, I do know when you talk about the nuts and bolts of this total bill, the one thing that we are saying today if we don't pass it, as far as I can see, and maybe I am wrong, but as far as I can see, is that we are denying those families a decent living. So, if we go home today, and I told my wife we were coming home today, and I really believe it, and we don't give it to them, then I think we have short changed a good many people.

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

Mr. BAGLEY: Mr. Speaker, Ladies and Gentlemen of the House: There is a saying among ministers that no souls are saved after the first 15 minutes and I doubt if any votes have changed after the first 15 minutes. I have a feeling, looking around here, that all the absentees that possibly the people here have made up their minds how they are going to vote. Those whose conscience is still troubling are wandering around out in the hall. Nevertheless, I do want to make two observations. I have been over quite a lot of the figures that you have got the other day, the paper handed out by Representative Najarian. I have taken three complete pages of the increase, decreases and the ones that are the same in the categories, I found that 81 percent of the categories are actually raised anywhere from one to six or seven ranges, which means that probably 80 to 85 percent of the people of the state employees are going to get some increase. So, it seems to me that is a fairly good percentage.

I don't know whether I ought to get into personalities in a case like this or not but I think I will. One of my opponents in the primaries is a former employee of the Maine State Employees Association. My town is full of state employees. I am planning to vote for this bill and I am planning to justify it on the ground that I would rather give those people something than nothing. I don't think it is going to hurt me politically. I have a feeling that most of those people would rather have \$500 than they would the satisfaction of having the Hay Report defeated. So, I feel that I am justified from my conscience standpoint, I feel that I am justified from my political standpoint in voting for this bill.

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

Mr. BUSTIN: Mr. Speaker, Ladies and Gentlemen of the House: I would like to speak to just three issues before the debate closes. A couple of those issues are going to be brief. One is the issue of the risk that the gentleman from Dover-Foxcroft has spoken about very early in this debate. He says the risk is worth taking. I would simply point out to that gentleman and the rest of the members in this House that he isn't taking it, and I am not taking it, it is the people at AMHI that are taking the risk, the Bangor Mental Health Institute, the prison guards, and all the rest of the state employees.

The second is the matter of faith, spoken of so eloquently and backed by the iambic pentameter of Alfred, Lord Tennyson. Mr. Morton

spoke about. I suggest the legislative faith is going to be recorded right up here.

The final matter has been raised, now by Mr. Bagley, by Mr. Fraser, but most eloquently, of course, by the Minority Floor Leader, and that is the last chance. This is the last chance; better this than nothing. I know and you know that this is the last chance only if they want it to be. The people who are in positions of authority can still compromise, we can still get a bill through here tonight. If it is the last chance, it is because they want it to be the last chance.

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

Mr. LYNCH: Mr. Speaker, Ladies and Gentlemen of the House: I had all the involvement I wanted under the public school education bill, but I just cannot resist saying a few words and comment on the last speaker. It is the last chance, not the last chance for the majority, it is the last chance for those who are fighting to keep the Hay Report out. This is the last ditch stand and they are trying to make the most of it.

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

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: The gentleman from Augusta made three very nice points; however, I do not wish to respond to them, instead, I would like to respond to the gentleman from Waterville, Mr. Carey's comments of a little while ago. I would like to tell the gentleman I am not usually as patient as this. Under the circumstances, he was probably out checking someone's telephone.

He raised the issue some time ago of whether this bill was properly funded and he stated that it was his understanding that I said there was \$5.8 million or \$5.9 million for state employees in this bill and then he read off a whole list of things that appear in the Appropriations Act and said, where is the money for those things. I am sure the gentleman is aware that I did not say that \$5.9 was the figure for the state employees that was provided in the bill, but \$5.9 was the total figure. I am sure also that he is well aware that \$2.75 million of the money that will be used to implement the Hay Report has already been appropriated and will be transferred to these accounts via savings and will be used to implement the Hay Report, \$2.75 million which does not appear in the appropriation of \$5.9 million, and I hope that that clears up the problem that the gentleman from Waterville had and I will be happy to respond to any other difficulties he had.

Mr. Carey of Waterville was granted permission to speak a third time.

Mr. CAREY: Mr. Speaker, Ladies and Gentlemen of the House: I would certainly thank the gentleman from Dover-Foxcroft both for his patience and for his answer.

I listened to the gentleman from Winthrop, Mr. Bagley, tell us about having gone through three pages of the handout that Mrs. Najarian pulled out. I have gone through each and every page and he said, based on his three pages, he found that 81 percent of the people went up on pay ranges from 1 through 7 pay grades and he then calculated that somehow or other that meant about 85 percent of the employees would get some raises. I am a little hard pressed to feel that the 81 percent of those three pages that are getting some change in their pay grade would represent 85 percent of the state employees, since there are 110 names per page and the first page alone has some 54 names of single, one-man jobs, so I am hard pressed to think that those particular classifications, in effect, would take care of 85 percent of the employees.

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

Mr. MCKERNAN: Mr. Speaker, Ladies and

Gentlemen of the House: Unfortunately, it seems that we are all covering a lot of the same areas but I think that they are a big step because there are positions that are very important today, especially on this vote. I think it is the last vote that we are going to have a chance to cast on this issue. I am sort of glad that there are so few people in their seats right now, because usually when I speak, the gentleman from Lewiston or the gentleman from Westbrook or the gentleman from Durham will jump up right after me.

There are some things, though, that I think should be emphasized and they go along with what the gentleman from Winthrop, Mr. Bagley, was saying, and that is that there have been a lot of attempts, and I have to confess that I was not one of those who was supporting the \$15 across the board, but those of you who did support that concept have given every opportunity to the rest of us to go along. In fact, the gentleman from Cumberland said that because of that opposition the bill that we now have in front of us, especially because of the involvement of the Speaker in fact, in his final compromise, is a significantly better bill, not only for state employees but for the state and the classification system which the Hay Report seeks to implement as well.

I really think that it is the Hay Report that we are talking about here today, with the changes in it that have been made, and it is those changes, I think, to make those of you who really have some misgivings about the report, to really think long and hard before you decide to vote against it. The reason is, because of the bonus system which will guarantee for every state employee a total of \$732.

What I would like to give you are some of the figures of things that are happening in other states, because people who have been speaking in favor of this compromise bill have been saying and trying to impress upon you the difficulties that all states, especially those New England states, are feeling in these hard economic times. Let me just give you some examples of what other states have had to do in their dealings with state employees, and as I read these, think about whether or not this plan is, in fact, something that you are doing for state employees which is beneficial, although it is not what perhaps we would like to give them, it is something that we can be proud that we at least made the attempt and that everyone will, in fact, be getting \$732.

Rhode Island, for instance, has had a 9 percent reduction in their work force; there was no salary increase last year and \$400 across the board effective this coming July. In Vermont, there has been approximately 150 people laid off and a \$10 across-the-board increase. Massachusetts, there have been no salary increases since January of 1974. Connecticut, there have been several hundred laid off to date, no salary increase in 1975 and there was no raise awarded this year either.

I think we all know about the problems that New York has been beset with. In fact, the unions recently agreed to a package that has no general increase to their public employees. Also, in New Hampshire there was a \$5 across-the-board increase effective July of 1975, but nothing upcoming for this year. You can see that there are hard times all around this region, in fact, in the country as a whole, and I think that when it gets right down to it, although we might want to do more, before you push your switch against this compromise, you ought to think about the \$732 that 'no' vote may cost the individual state employees.

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

Mrs. NAJARIAN: Mr. Speaker, Ladies and Gentlemen of the House: I am just going to say a very few words. For those of you who are tru-

ly concerned about fiscal responsibility, I would just say to you that there is no way of knowing what this is going to cost, just like there is no way of knowing what special education is going to cost until you pass it and try it. I do not think that the members of this House would be saying that we should never have had special education because we did not know how much it was going to cost.

It is four-thirty, the Joint Order was passed in the other body and I say, let's vote and go home.

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

Mr. GREENLAW: Mr. Speaker, Ladies and Gentlemen of the House: We certainly have all been troubled during this past month of April about the issue that is before us this afternoon and I am sure that I am no different from any one of the other 184 legislators in this legislature. I have had different feelings about the Hay Report. I perhaps have gone back and forth on the issue two or three times. I recall that on a Monday afternoon I voted against the indefinite postponement of Senate Amendment "A", which is the basic ingredient of the bill before us. Yesterday, on two roll calls I voted against the bill because I had serious concerns that we were abdicating our legislative responsibilities by not making sure that the appeals process had been completed before we put this into the statute books of the State of Maine.

Last night after I left here, and this morning, I tried to think in my own mind what possible solution I could suggest that might be acceptable to all parties concerned that might give us the necessary votes to enact this bill, and I found myself this morning, after talking with a number of members in the legislature, that I perhaps was trying to find for myself a reason, perhaps even an excuse to vote for this bill. I think it was during the discussion with the gentlewoman from Portland, Mrs. Najarian, the gentlewoman from Vassalboro, Mrs. Mitchell, that I realized that I was really splitting hairs awfully fine and it seemed to me at that point that that was the changing point in my mind, when I decided to vote for this bill today.

I would call to your attention some of the remarks the previous speakers have made, that this bill does, in fact, give us a minimum over the 15 months from July 1, 1976 to October 31, 1977, \$732 to each and every state employee. I do not think that that is anything to be forgotten as we vote on this bill today.

The 108th Legislature will convene in approximately eight months and I am sure that there will be consideration given to pay raises for the state employees, it probably will be a difficult issue to face, just as it has been this year, but nonetheless, it will be faced.

If we feel, after the appeals process has taken place, we examine the classification schedule and we feel that state employees are still not receiving just and due compensation, for the services that they provide to the people of the State of Maine then I am certain that there is going to be a significant move to provide additional funds for our state employees.

I think I share the feelings of the good gentleman from Stow, Mr. Wilfong, as he was discussing the other day, the question of fiscal responsibility. I can remember in the 106th that I was one of a group of freshman legislators that wanted very much to have some input into the appropriation process; I still do. I think a budget process is badly needed in this legislature and it is my hope that it will become a reality in the 108th. I think it will add a great deal to the effective operation of this legislature. I think it will allow us to consider all the needs of the state at one time, state employees, programs, support to public education, consider all these things in a single context rather than separate items as we have

so often in the past. I am happy to see that a Joint Select Committee of the Legislature will be monitoring the appeals process and I think this is another indication of the good faith that we of this legislature are showing to those people who feel that this is not the proper time to have the Hay Report implemented.

In conclusion, I have decided with some conviction and, yes, with some reservation, to support this piece of legislation and I trust that our system of laws and people will prevail for the best interests of not only the state employees but all of the people of the State of Maine.

Mr. Speaker, when the vote is taken, I request a roll call.

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

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: I do not have to stand here today to change my position on the bill because I have voted consistently for the bill. We have heard various speakers that are connected with certain organizations say that we are shortchanging the workers of this state.

When I complete this special session, it means that I have been here eight years in this legislature. For eight years, I have had a good labor record. This has been attested to by the fact that all those in labor know that I have had a good record put out by the Maine Labor Council. I have never shunned or taken a position for labor during the eight years that I have been here and I do not think that I am shunning that position now.

In my own town where there are shoe shops, a town that is anti-union, on many occasions I went out, even at election time, and participated in trying to organize those shoe shops as union towns. I have hand billed in front of the doors of those shops trying to bring a union to those shops. I have just as strong feelings for the working people of this state as anybody in this House, including the good gentleman from Westbrook, Mr. Laffin. I do not feel that this bill before us today is shortchanging the very, very vast majority of state workers in this state.

Now, regardless of what plan you have, whether it is the Hay Plan or whatever name you want to put on it, you can go through it and if you want to nit pick, you can find areas where you can be in disagreement. In my own mind today, I feel that there are people in this state, and thank God there are only a few that would be willing to jeopardize those position of many of the workers in this state in order to enhance their own position, and I would hope that that was not the case of any member of this legislature.

As I said the other day, I think we have come as far as we can come on this plan; we could be here until next December offering amendments, we could still be here when the next legislature comes and maybe have two people in some seats instead of one and still be no farther ahead. I think the very best has been done.

I have walked the halls and I have heard criticism of the Speaker of the House that he sold out. I do not know how many of you people have ever been out to bargain or negotiate a contract or a settlement, but I have been involved in some, not too many because I do not like it, but I want to stand here today and commend the Speaker of this House, the President of the Senate and the Governor of this state for being able to sit down, regardless of where they sat down, whether it was in Old Town or Augusta or Caratunk or Skowhegan or West Athens or New Gloucester or wherever it was, where they chose to sit down was their business, but I commend them for coming up with as good a package as they came up with. The hour has come now that if we really want to do something for the state employees, and when I say state employees, I am thinking of the vast

rank and file of the state employees, then we will give this bill the 101 votes that are necessary. If you don't want to do anything for them and use the excuse that I couldn't buy it because I didn't like a certain part of the bill, then it is quite evident that you don't want to give that pay raise to the state employees.

There have been times in the eight years I have been here and that is a short time in comparison to some of the people but there have been times, quite a few times, when I have had to swallow twice on a bill because there was a part in it that I didn't like but I couldn't see the whole bill go down the drain just because of one part I did not like.

Maybe politically that is a good argument to use but I don't think so. I think we all try to do the very best we can. I think we have all done the very best we could. I think we have all tried. I think there has been give and take on both sides of the aisle, on both sides of the issue. I don't see any way where anything better could be done to this bill.

Now, as the good Representative from Portland, Mrs. Najarian, said, the order has passed in the other body and this should be of some help in the administration of this bill. I would hope today, that if any of you have any doubts in your mind about jeopardizing your labor record that you would put those doubts to rest because I think if you don't vote for this bill that maybe as far as the record of organized labor is concerned, you may be jeopardizing your record but as far as the people or workers of the State of Maine, the people that work for this state, you would not be jeopardizing your record in their eyes, you would be enhancing your record and you would be standing tall tonight when you leave this hall. I do ask you to give the 101 votes that is necessary for this bill.

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

Mr. PEARSON: Mr. Speaker, Ladies and Gentlemen of the House: Just before this session began this afternoon, I had occasion to speak on the telephone with one of the members with the board of Trustees of the University of Maine, because as you know, it is one of my concerns, that the University of Maine is not receiving equity, the employee.

I am not really so much concerned with the top, I am concerned with the janitor, as I have told you a number of times before. The report that I got from the gentleman was not very good. He told me, when I asked him directly, can you assure me that a janitor sweeping the halls in Corbett Hall will receive the same amount of money as the janitor sweeping the halls at the State Capitol Building, he said, no, I can't do that. He did tell me, however, that he would assure me that everybody from top to bottom would receive the same percentage in raise and also from top to bottom, they would all receive or be eligible for a merit increase.

The University of Maine, he tells me, has made a super human effort of raising \$3 million and with the \$500,000 the pittance that we are raising, it will come to \$3.5 million, in an attempt to catch up with inflation and salaries and what not. I only point this out to you because I want you to remember, those of you who will be back in the 108th, that for two years people who work for the university have received nothing, not even a merit increase and that for two more, it is very likely that they will continue to receive less than state employees. Please remember that when you return.

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 expres-

sed a desire for a roll call, a roll call was ordered.

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

Mr. SPENCER: Mr. Speaker, Ladies and Gentlemen of the House: I am going to vote no on this proposal and the reasons that I am going to vote no are because of the series of factors which I don't believe have adequately been discussed in the course of this debate and which I don't think have actually been addressed by this legislature, by the labor unions, who are involved in this issue or by the Governor of this state.

This debate has focused on the content of the Hay Report. We have been told that the Hay Report is a poor report, we have been told that it is an excellent report. We have been told that the Governor's bottom line is implementation of the Hay Report. We have been told that the unions bottom line is no Hay Report. We have been told by Mr. Palmer that Hay Associates has the endorsement of Coca-Cola and Maine National Bank. We have been told by others that Hay approach is improper, but, what we haven't really addressed in this legislature, and I think that this is the problem that this legislature is going to have to face tonight, it is going to have to face it next year, it is going to face it the following year, is that what we are doing right now with 184 people, is that we are writing the collective bargaining agreement for the employees of the State of Maine and that is what the Hay Report is. We call it the Hay Report but it is the contract between the Governor and the state employees. It decides on the salaries of state employees, it determines the level and the method by which they will get merit increases, it establishes their sick pay, their sick leave benefits, it establishes their vacation time, it even puts into the law that they will get paid every two weeks instead of every week. What we have been seeing and the failure that we have been experiencing is the process of 184 people trying to arrive at a collective bargaining agreement when the real parties to this negotiation are not in the legislature, they are not the ones that are doing this, they are the Governor, who represents management, and the employees unions, who represent the employees of this state, are in the process of trying to work their will through the legislative process so that we will end up writing the contract. Despite the fact that we, as a group of 184 people, are going to act tonight or this afternoon on this contract, the parties have really not sat down, they haven't negotiated, they haven't gone through the process themselves, face to face, of trying to work out their differences, trying to work out the areas of common agreement finding the areas where they can't agree, going to fact-finding and finally in a difficult compromise deciding what their bottom line really is and working out some kind of an agreement. As long as this legislature has the feeling or has the belief that it can write the collective bargaining contract for state employees, we are going to see the scene which we have seen enacted in this legislature, enacted over and over and over again, because it is not going to work. The fact is that the areas which we are trying to legislate are matters which ought to be resolved through negotiations between the Governor and the state employees and they ought to be negotiating directly.

What we see here is the employees working through those legislators who are sympathetic to their position, and the Governor working through the legislators that are sympathetic to his position, trying to get, to arrive at this contract. Because we are the ones that are doing it, neither the unions nor the Governor actually have to take responsibility for the positions that they assert. The Governor can take a position

which he could never really achieve through a collective bargaining process and if we don't adopt it, if we aren't dragged, kicking and screaming across the line, he will say that that legislature acted irresponsibly and they didn't adopt my position. The unions can do the same thing. The unions can take positions which really don't represent their bottom line and if we don't go along with their position, they then can say, well, we tried to get more but the legislature wouldn't go along with it. As long as that process is at work and as long as the executive and the employees don't actually have to sit down face to face and go through the difficult excruciating process of arriving at an agreement that both parties will take back and try to support and try to sell to the people that are their supporters, as long as they don't have to do what we have really is a process that is working in reverse. We are writing the contract today and collective bargaining is going to start tomorrow.

I think it is unfortunate that we have spent as much time as we have trying to work this out on this basis. I don't think that this has to be that tonight has to be the last final vote that is irredeemable. I don't see why that is true. There is an amendment which is at the printer, which I believe would solve some of the fundamental problem that we have been facing, a legislature, which would allow the Governor to implement the Hay Report but which would also make the content of the Hay Report negotiable through the collective bargaining process. I think that would resolve the fundamental problem that we have been facing. This legislature made up of 184 individuals with vastly different points of view, with vastly different constituents simply cannot and should not be writing the contract between the State of Maine and the employees of the State of Maine. As long as we persist in attempting to carry out that function through the statutes of this state, I think we will see the debacle which we have experienced in this session repeated time after time after time.

I would like to make one final comment and it is addressed to the gentleman from Nobleboro, Mr. Palmer. He has given us a list of companies that have supported or that have retained Hay Associates to do studies of their employees, and I don't question the ability of Hay Associates, if given the proper time and given the resources to do a proper job, but the companies which have retained Hay Associates, if they are involved with collective bargaining unions, when the Hay Associates make their reports to those companies, they don't put it into the statutes that that is going to be the vacation pay, that is going to be the sick leave, that is going to be the classification system, this is going to be the method for merit increases. When a report is made by Hay Associates for a private company on the employees, if the company has a union, they are going to have to negotiate any changes in their classification system or their employment categories. That is the thing that I think we are losing sight of here today. The fact that there are problems with the Hay Report is not unusual. Any report of this magnitude is going to have problems. The fact that there are people who are dissatisfied is not unusual because any report is going to have problems, but, the basic problem is, that we are trying to write the collective bargaining agreement for two parties who haven't yet entered into collective bargaining negotiations. I am going to vote no because I think the whole process is wrong and I think that our inability to come to grips with this is a reflection of that. I don't think that this has to be the last final choice. I think if we want to go home, we can stay here for another day if we have to. If we want to go to Finland we can stay here for another day if we have to. I think that we can resolve this problem. I think

we can do it in a more constructive manner than the bill now before us and I would urge those who have voted no to vote no and I would urge those who have voted yes, for God's sake, don't make this the last vote.

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

Mr. LYNCH: Mr. Speaker, Ladies and Gentlemen of the House: When I was up a few minutes ago, I said it was the last I would stand. These are the remarks that I have been waiting to hear. This is what this problem is all about. I would like to preface my remarks by saying that I favor collective bargaining. If I didn't favor collective bargaining, I would not have been instrumental in changing the tenure law to allow just cause to be negotiated. There is a difference between the public sector and the private sector. In the private sector, they don't have to write in protection, for vacation rights, retirement rights, or anything else, they are negotiable. Why? Because a private company can only negotiate within the ability of its business to pay those benefits. Why is the Hay Plan necessary? I favor collective bargaining, but I favor collective bargaining in the public sector being initiated under controlled circumstances. Many of the people in this House are worried about the implementation of the Hay Plan, that it is going to be a tremendous cost. Don't worry about that, worry about the cost of collective bargaining if you remove all the legal obstacles to collective bargaining. That is where the impact is going to be felt. If you don't maintain some control over negotiable items of bargaining, you are placing a burden on the next legislature. You are shedding your responsibility, you are passing it off to the next people to face the burden that would be imposed upon the 108th, the 109th or the 110th to raise the money that will be demanded by collective bargaining. Put the Hay Plan in, it is not cast in cement. The 108th can undo everything that we are attempting to do today. If you look at the House Amendment "B" to Senate Amendment "A" that is on your desk, you see a clear implication of what the minority group would like to do today. It is a clear indication. They want to remove all obstacles to collective bargaining. Let's approach collective bargaining in a responsible manner. Let's get the procedures started, they are not ready for collective bargaining yet, the units haven't been set up. Let the units be set up, let the collective bargaining start, let the 108th decide what they want to relax, they know what they are going to face for a burden, let the 109th decide what they want to remove from law and allow to be bargained. Let them face up to the problem of the dollars that are going to be involved. Don't shed complete responsibility this time around and throw this thing wide open and force the succeeding legislature to come up with a dollar value that this legislature is not responsible or willing to take on the burden.

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

Mr. GARSOE: Mr. Speaker, Ladies and Gentlemen of the House: I rise very briefly. I must point out to the gentleman from Standish that he says he is going to vote no and he is urging others to vote no on erroneous information. Now, the language in this section dealing with vacation and sick leave merely sets a floor, it says employees shall be permitted to accumulate at least — and then it goes on to the schedule. Vacation time, employees under this section shall be permitted to accumulate at least—these are obviously bargaining factors, I would point out that teachers are guaranteed by statute the right to accumulate 10 days per year to a total of 90 and yet we see contracts all over this state accumulating 100, 120, 150, 200 and unlimited. Bargaining of classifications was a problem in New York City because they

had a law some time ago somewhat similarly vague as ours is in this area. The State of New York finally enacted, I am taking this as the last sentence — no, I will read it all, it isn't that long: Upon the Report of the Select Joint Legislative Committee to conduct a hearing in the matter of the dispute between Council 82, ASCME and the State of New York, and the public hearings held on the report of the fact finding board, the legislature finds and declares that allocations and reallocations to set salary grades of positions in the classified service of the state are not terms and conditions of employment under Article 14 of the Civil Service Law. The legislature further finds and declares that such allocations and reallocations are not within the scope of a fact finding board but are to be accomplished exclusively pursuant to the provisions of Article 8 of the Civil Service Law. This is what the Hay Report basically intends to do, correct this disarray in the classification system prior to going to the table, but the law very clearly states that wages and all other normal matters of collective bargaining are open to collective bargaining. The language on vacations and sick leave have been misrepresented the length and breadth of this state. It is clearly a bargainable issue and, in fact, has a floor under it.

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

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: I had hoped my last comments would be my last comments on this whole issue, but the gentleman from Standish has brought me to my feet with this red herring that he has given us. I think he has clearly misled the legislature with his speech indicating, or implying at the very least, that were this not to be enacted today, that a classification would be a bargainable item under collective bargaining. The fact is that our enactment here today or failure to enact will have no impact upon that issue whatsoever. The classification itself will not be a bargainable item.

Now, I would also just like to expand upon the comments of the gentleman from Cumberland, Mr. Garsoe, for just a moment, and to tell you that the vacation language that was inserted in the Appropriations Act was done so at the request of labor, as I recall, in the committee itself, because they were arguing that you are taking away noon lunches, you are taking away merits, you are taking away vacation, you are taking away this and you are taking away that. The language was put back in on vacation, simply to reassure them that vacation was not to be eliminated.

The accusation that a method for providing merit increases as provided in this bill is wrong again, a method is not provided in the Appropriations Act, a mere percentage is provided, and as far as I know, and I challenge the gentleman from Standish, Mr. Spencer, to present evidence to the contrary, if he has any, the mere statement of that percentage does not provide a method at all, and the method is wide open for discussion and collective bargaining.

I hope that you will not take with a great deal of credibility the speech the gentleman has given, because I think he is clearly erroneous and wrong in the presentation that he makes.

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

Mr. SPENCER: Mr. Speaker, Ladies and Gentlemen of the House: It appears to me that the language regarding sick leave and vacation benefits is, in fact, a minimum. With regard to the classification system, under House Amendment "B", which is what I was referring to, the classification system and the inequities in the Hay Report would be a proper subject for negotiations.

Finally in response, it appears to me that if you set a 60 percent funding level for merit in-

creases and established the level of the merit increases for each classification that you have gone a long way toward establishing the merit system.

The SPEAKER: The Chair recognizes the gentleman from Stockton Springs, Mr. Shute.

Mr. SHUTE: Mr. Speaker, Ladies and Gentlemen of the House: This is the first time that I have spoken on this pay bill because I had hoped that a better bill would come along that we could all compromise to a better extent on.

I have voted right down the line with labor on this bill, because I did not feel that we were giving our state employees a large enough raise. I previously voted for a \$15 a week increase for state employees, which failed. I then voted for an \$11 across-the-board increase for state employees that failed. I then voted for another \$11 across-the-board increase for state employees that was passed in this House, the Senate and was vetoed by the Governor. I did this after much urging by the representatives of the state employees and only to read in the newspaper several days later that they urged the Governor to veto this bill. So that brings us to the new compromise that we have today, a compromise between the Republican leadership, the Democratic leadership and the Governor.

This compromise I have consistently opposed because I did not feel that the Hay Report is what I would like to have. I did not feel the raise was as large as it should be. I feel the state employees should have a much larger raise.

At this hour, having gone through six different bills and over one veto and 40 different amendments, I think today I must decide whether the state employees would rather have their minimum of \$732 in wage increases with a much better appeals procedure or zero.

Possibly there are other compromises that could come along. I have waited three weeks for a better bill and each bill that was better was defeated.

The Governor seems adamant on his position that he does not want any new taxes, he seems adamant on his position that he wants the Hay Report instituted, and I think whatever this legislature does or how much struggle or difficulty we have with any bill that we pass here today or defeat here today, I just hope that whatever decision we make here today and I pray that the decision will be the best decision for the state employees.

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

Mr. TIERNEY: Mr. Speaker, Men and Women of the House: I have always felt there were two reasons to speak on the floor of this legislature. One is to persuade your colleagues, and the other is to set the record straight. I don't think I am going to persuade many of you one way or the other. I think our minds are pretty well made up. I promise you, and I guess I promise especially my friend from Rangeley, Mr. Doak, that I will not attempt to play with anyone's conscience as I state mine.

My good friend from Dover-Foxcroft, Mr. Smith and I have been co-conspirators on the floor of this House on many important issues and indeed we have been co-conspirators long before either of us ever had the privilege of sitting in this body. I guess I feel a little bad that as he leaves to assume a judgeship that he and I had to come down on opposite sides of an issue which I know is important to us both.

I am not going to give the speech I had prepared, which showed six specific plans developed over the last three and four days by those of us who were trying to find alternatives, each plan was rejected and shot down by the intransigence of those who favor this particular proposal because they felt that there was no need to compromise as long as they had the spirit running with them.

I was going to discuss the academic difficulties and the conceptual difficulties with this bill, not from pro-labor, not from pro-management, but I think my good friend from Standish, Mr. Spencer, has properly elucidated the academic difficulties and the long-range difficulties with this proposal.

So, instead, I am just going to remind you of what we are voting on. We are voting to give our state employees a one-shot bonus, a long way from the \$11 across-the-board Carbonneau Amendment that this House rejected just two weeks ago as being too weak. We are voting with an appeals process much narrower than the appeals process that many of us had hoped for when we sat in our informal conference.

We are voting for implementation of the Hay Report long before the appeals process can possibly be complete and thus the costs of this proposal be known.

My good friend from Dover-Foxcroft and the gentledady from Portland spoke about the many issues where we run risks because we have open-ended financial arrangements. It is true, we many times do take that risk, and I am prepared to take that risk in the areas of helping the poor or the sick or as the gentledady pointed out, our emotionally disturbed children. But, ladies and gentlemen of the House, I am not going to take the risk of running a deficit on a program that I don't believe in in the first place. So we will have our Hay Plan, we will have biweekly pay, a position that my party as a minority last session championed the defeat of because of how it hurt the low income and the lower paid state employees. Of course, it can be changed, my good friend tells us, well, I am not so sure.

The 800 appeals that the gentleman from Nobleboro spoke of will be wiped off the books, without ever having had the decision. It is questionable whether there will ever by the money available again for an \$11 across-the-board raise without a tax increase. I guess it would be difficult for us to recapture the state employees who might very well leave, were this plan to be implemented, from the people on the Public Utilities Commission staff to the custodians who late, late Tuesday night, while I was trying to work out one of these compromises told me, go ahead, pass the Hay Plan, I can get more on food stamps. So, let's make the balance. I have balanced them in my mind, and I am sure that your consciences are clear and I know the decision is difficult.

I can't help but remember the conversation I had yesterday with a leader of the other branch, who told me, Jim, I hate this bill with my guts, but I voted for it. I know it was a difficult decision for him.

But, at the risk of sounding self-righteous, as I have been accused of by a leader of this branch, I am going to close with citing one of the few non-political books, I guess, I have ever read. There has been a lot of Shakespeare bantered about, and most of the reading I have done. I guess I have kind of been a young guy who I have tried to make most of my reading utilitarian, but I have read one particular Shakespearean play several times and because — and maybe the title is peculiarly appropriate for the mood of the time — The title of the play is The Tempest, and in the Tempest, there is a king who has been driven out of his country, and the king at one point laments that my library should be large enough. He took his strength in books and yet at one point was driven to such despair that he threw his strength, he threw his books into the ocean in order to avoid the difficulties of being a leader. Well, the play ends in such a way that he found he couldn't avoid that responsibility, he couldn't avoid the risks of making hard decisions, and neither can we. I will vote no.

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

Mr. AULT: Mr. Speaker, Ladies and Gentlemen of the House: Yesterday, the gentleperson from Westbrook waved his cigar in the air and very emphatically said that this is not a party issue and that a number of Republicans are voting no because they liked labor, if I remember his words. Now, when I think of labor, I tend to think of Walter Reuther, and George Meany, and Jimmy Hoffa, Freddy Fitzsimmons, John L. Lewis and others, and when I think of labor in that light, I don't get too excited about it. I don't know if labor gets too excited about me either because, as a matter of fact, the last regular session we passed a bill in here that changed the Department of Labor and Industry into the Department of Labor and the Governor vetoed it. I believe we overrode that veto substantially and I voted to override the Governor's veto. I met one of our prominent labor leaders out in the corridor and I said, "Well, I voted for it and I certainly hope that is one of the bills you are going to consider when you endorse candidates in the next elections." He said to me, "Well, David, I assure you that before labor gets too close to you, you are going to have to be at least nine months pregnant." So, I have been voting no on this issue because I have sincerely wanted to get the very best that I could to the lower and middle paid state employees. I believe that this is partly why most of you have been voting no. But I am now convinced that this compromise is realistically the best that we can do for the state employees that I was concerned with, and I am going to vote yes and I urge the rest of you to do so.

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

Mr. JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: I was listening through a mike when I heard the gentleman from Wayne, Mr. Ault, speak, whom I respect very much; he mentioned Walter Reuther. When I think of Walter Reuther, it gives me a very, very fond feeling. Then he mentioned another name, John L. Lewis. Well, I can tell you something right now, it so happens that I was in Pennsylvania on an occasion where John L. Lewis was, and I actually saw people in a mining town in Pennsylvania kneel and cry when John L. Lewis' open flivver drove by: I saw that with my own eyes.

I can remember a labor leader by the name of George Jabar in 1936 and my friend from Lewiston, Mr. Cote, can remember that because he played in the band in those days of the strike. He made more money than his father did playing in the band. His father and he were both shoe workers at the time. I can remember of the honorable, venerable labor leader by the name of George Jabar sitting on the steps of the city hall holding up a newspaper, taking off his shoe and stuffing his shoe to plug a hole. Let's be careful how we talk about great Americans like that.

I don't want to talk about the bill, I just want to talk about the remarks of the gentleman Mr. Ault knows. I know he couldn't have known of these people or he never would have mentioned those names in that light. When I think of those people it not only excites me, but it makes me sad that they are gone and it makes me happy when I think they contributed so very, very much to the working people of America.

The SPEAKER: A roll call has been ordered. The pending question is passage to be enacted. This being an emergency enactor, it requires a two-thirds vote of the entire elected membership of the House. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Ault, Bagley, Bennett, Berry, G. W.;

Berry, P. P.; Berube, Birt, Blodgett, Boudreau, Bowie, Burns, Byers, Call, Carpenter, Carroll, Carter, Churchill, Conners, Cooney, Curtis, Dam, DeVane, Doak, Dow, Drigotas, Dudley, Durgin, Dyer, Farnham, Fenlason, Finemore, Fraser, Garsoe, Gould, Gray, Greenlaw, Hall, Henderson, Hewes, Higgins, Hinds, Hunter, Hutchings, Immonen, Jackson, Jacques, Kelley, Lavery, LeBlanc, Leonard, Lewin, Lewis, Littlefield, Lizotte, Lynch, Mackel, MacLeod, Martin, R.; Maxwell, McBreaity, McKernan, McMahon, Morton, Najarian, Palmer, Perkins, S.; Perkins, T.; Peterson, P.; Pierce, Powell, Quinn, Raymond, Rollins, Shute, Smith, Snow, Snowe, Sprowl, Strout, Stubbs, Susi, Tarr, Teague, Theriault, Torrey, Twitchell, Wagner, Walker, Webber, The Speaker.

NAY — Albert, Bachrach, Bustin, Carey, Chonko, Clark, Connolly, Cote, Cox, Curran, P.; Curran, R.; Davies, Farley, Faucher, Flanagan, Gauthier, Goodwin, H.; Goodwin, K.; Hennessey, Hughes, Ingegneri, Jalbert, Jensen, Joyce, Kany, Kelleher, Kennedy, Laffin, LaPointe, MacEachern, Mahany, Martin, A.; Mills, Miskavage, Mitchell, Morin, Nadeau, Norris, Peakes, Pearson, Pelosi, Peterson, T.; Post, Rolde, Saunders, Spencer, Talbot, Tierney, Tozier, Usher, Wilfong, Winship.

ABSENT — Hobbins, Kauffman, Lovell, Lunt, Mulkern, Rideout, Silverman, Truman, Tyndale.

Yes, 90; No, 52; Absent, 9.

The **SPEAKER**: Ninety having voted in the affirmative and fifty-two in the negative, with nine being absent, the motion does not prevail.

On motion of Mr. Rolde of York, the House voted to take from the table the first tabled and unassigned matter:

Joint Order Relative to Committee on State Government reporting out a bill that after April 2, 1976 no further per diem allowance shall be allowed (S. P. 781)

Tabled — April 1 by Mr. Rolde of York.

Pending — Passage

Thereupon, the Order was indefinitely postponed in non-concurrence and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

(Off Record Remarks)

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

Non-Concurrent Matter

An Act Appropriating Funds to the Southern Aroostook Community School District (H. P. 2374) (L. D. 2358) which was Enacted in the House on April 28 and Passed to be Engrossed on April 27.

Came from the Senate, Indefinitely Postponed in non-concurrence.

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

Mr. Palmer of Nobleboro was granted unanimous consent to address the House:

Mr. **PALMER**: Mr. Speaker, Ladies and Gentlemen of the House: The last week or two, we have had many, many speeches here regarding members who were not returning and members who thought they were returning and probably wouldn't and others in various conditions of servitude, but I saved one of mine, the very last one, until last session because I have been very fortunate, very privileged in this 107th Legislature to have as an Assistant Floor Leader a very fine gentleman, a man of great character and great ability. I am sure we have all appreciated the great work that he has done here as Assistant Minority Floor Leader and also as a friend to every member of this House.

He is not running for re-election. He is going to pursue his work with the President Ford Committee and in his legal practice, but I could stay here for five minutes and speak many, many things and never could really summarize fully and state completely, as I would like to, how much I appreciate the ability of this young man who has served so faithfully and so well in this legislature and who I am sure we will all miss very, very much, Jock McKernan. (Applause, the members rising.)

Mr. Tierney of Durham was granted unanimous consent to address the House.

Mr. **TIERNEY**: Mr. Speaker, Ladies and Gentlemen of the House: I, too, have looked forward to this opportunity for quite awhile when I can say goodbye to my friend from Bangor, the big city lawyer. John and I started law school the same day. It seems like he always has been a jump ahead of me; he jumped into leadership, I hope to maybe some day. Now he is jumping into a successful law practice, I hope to someday. I guess I have to say that John McKernan probably poses the greatest threat to the Maine Democratic Party of anybody I know. My wife will vote for him if he ever runs for anything, for example. I can't convince her to the contrary. Jock is a good friend, a good Democrat, really, and I will miss him.

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

Mr. **McKERNAN**: Mr. Speaker, Ladies and Gentlemen of the House: I want to thank you all. Obviously I have enjoyed the four years I have been here in the legislature and it is with certain misgivings, of course, that I decided not to run. The way things have been going the last week or two, the misgivings are getting smaller and smaller.

Seriously, it has been a pleasure to meet so many good people, and I think the State of Maine is in good shape really with people such as you serving this state in the legislature. I am particularly grateful to members of the Republican Party, although there are not too many of us this session, but I want to thank you all for giving me the opportunity to represent you in leadership. It certainly has been a rewarding experience for me. I have enjoyed especially my association with the good Minority Leader, Mr. Palmer, who has taught me a lot. I have enjoyed the relationship with leadership in the other corner. In fact, one of the things I will miss the most is the smiling countenance of the Speaker up on the rostrum when I pose my parliamentary inquiries. He has always been so polite in his responses.

Also, I think I am going to miss my good friend, the learned colleague at the Bar, Mr. Tierney, and I thank him for his kind words. I will say that I do enjoy getting up and discussing various issues with him. We do agree on a lot of issues, so when we do not agree, I like to try to get up so that I can have a little dialogue with him. My only regret is that we were not both sitting in the front row while this was going on. It is difficult enough matching wits with him but when you have to keep turning around and wondering what he is doing behind you, it makes it even more difficult.

I also will miss, as a matter of fact — you will probably find this hard to believe — the gentleman from Lewiston, Mr. Jalbert, who always has such kind things to say about me on the floor of this House, I find it particularly enjoyable and I have learned a lot watching him. I remember when I first got here, in fact, we got into a little debate over an issue and, as usual, I came out on the short end of that. Hopefully, I have learned a lot from him, wish I was going to be around to use some of that now. Now I am afraid that he is going to have free rein, I won't

be able to get up and question the constitutionality of the amendments that he offers or any other procedural thing.

I think the thing that is the most rewarding about serving in the legislature is that you feel you have done something for the people of the State of Maine. I hope that I have made life a little better for the people of Bangor and for all the people of the state by being over here, but I must admit that in the last four years I have gotten a lot more out of this experience than I have given to the state. (Applause)

Mr. Greenlaw of Stonington was granted unanimous consent to address the House.

Mr. **GREENLAW**: Mr. Speaker, Ladies and Gentlemen of the House: I am sure that you all know that my two seatmates have decided not to run for the legislature. Both have decided to run for elective public offices; one on the national scene and the other on the county scene and I guess although they are two very close friends, I am going to miss very much the gentleman from Dover-Foxcroft, Mr. Smith. As some of you know, but probably many of you do not know, Doug Smith and another very, very close friend by the name of Frank Murray were two people that literally twisted my arm four years ago to run for the legislature. Doug has served this legislature, I think, with very great distinction for six years; four years on the Appropriations Committee. I do not think that anyone would disagree that his wisdom and his hard work are not respected by all members of this House. We hoped at this point in time, before we adjourned, that we could congratulate Doug and Cartha on the new addition to the Smith family, but Cartha seems to want to wait a little bit longer, but I am sure that all of you will join me in expressing to Doug our thanks for the work he has done here in the legislature for six years, wish him Godspeed in both his law practice and hopefully in his elected office of Judge of Probate in Piscataquis County. (Applause, the members rising)

Am I the only one who has the dubious distinction of having two seatmates leave this House, not running for election to the House again? Maybe that says something about the person in the middle. I don't know.

The good gentleman from Sabattus, Mr. Cooney, as you all know, has served three terms in the legislature also. I think Leighton has been very involved in the State Government Committee for those entire six years, the last two as Chairman of it, has been very active in government reorganization, which was culminated in the abolition and reassigning of the powers of the Executive Council.

In these past two years, I have come to know Leighton and his lovely wife, Polly, and their lovely daughter, Liza, very well and I value their friendship very greatly. Of course, all of you know that Leighton is running for public office and many people would not bet 10 cents that he is going to win. But I seem to remember two years ago that the gentleman who sat in Seat 75, which at that time Leighton was sitting next to him, that most of the people in this House would not give him 10 cents for his chances of winning, so for us Democrats, perhaps lightning will strike twice as far as people from the legislature going on to Congress.

Leighton, we wish you good luck, Goodspeed and we thank you very much for your contribution to the Maine legislature over the past 6 years. (Applause, members rising.)

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

Mr. **COONEY**: Mr. Speaker and Friends: Six years has really passed like the twinkling of an eye. It has been one of the most marvelous experiences of my life to be able to serve in this body. I have no greater pride than what we have

been able to accomplish here in the six years. Of course, we are human, it is imperfect at every time, but I see tremendous progress that we make each session and that perhaps sometimes goes unsung but you and I having been involved with it take with us our pride in our services and our accomplishments, and I know that I take those plus many warm associations with me as I leave after six years of service.

I think back to six years ago to be one of a new group of young, under-30 legislators, and I think there were about 10 of us elected in the 105th and some people said that it brought about some changes in the legislature, in its leadership, in the bills that were passed, and I can remember a group of us, young Democrats, who would try every Wednesday to get together over at the Augusta House and, of course, that dates me now, to try to figure out what was going on and what we should do about it. I found myself meeting with a couple of those very same people for lunch yesterday and we were still trying to find out the same things. Thank you very much. (Applause)

(Off Record Remarks)

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

Mrs. NAJARIAN: Mr. Speaker, Ladies and Gentlemen of the House: Now that the Speaker has kindly changed the mood of the House for me, I would like to tell you why that proration language kept cropping up time and time again, the reason is that we have already got a budget less than the cost of special education tuition. The reason for that seems to be that we have never required the schools to give estimates on special education tuition before, and the Commissioner asked for them in December and they gave him some figures but the Commissioner said, we will not hold you to these. After we passed the School Funding Law in March, he corresponded with them again and contacted them or something and said, now give us your hard figures and it turned out that is \$280,000 more than we had appropriated. The Commissioner feels fairly comfortable that by the language we put into the Appropriations Bill, he is going to be covered with some lapsed balances, or that he won't use everything and if we stop proration, then we might stop some children from taking advantage of this program, so it seems that you are what if you do and what if you don't, so I guess that is something that we are just going to have to live with and hope for the best.

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

Non-Concurrent Matter

Bill "An Act to Promote Efficiency in Maine State Government" (S. P. 699) (L. D. 2223) which was passed to be engrossed as amended by Committee Amendment "A" (S-450) as amended by House Amendment "A" (H-1099), thereto, in the House on March 25, 1976.

Came from the Senate, passed to be engrossed as amended by Committee Amendment "A" as amended by House Amendment "A" and Senate Amendments "E" (S-596), "G" (S-603), and "I" (S-605), thereto and by Senate Amendment "A" (S-589) in non-concurrence.

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

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

**Passed to Be Enacted
Emergency Measure**

An Act to Promote Efficiency in Maine State Government (S. P. 699) (L. D. 2223) (C. "A" S-450 as amended by H. "A" H-1099, "E" S-596,

S. "G" S-603, and S. "I" S-605, thereto and S. "A" S-589)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 111 voted in favor of same and 2 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

By unanimous consent, ordered sent forthwith to the Senate.

Non-Concurrent Matter

Joint Order Relative to Joint Select Committee be Authorized to Recommend to the Legislative Council the Calling of an Emergency Special Legislative Session for the Purpose of Dealing with the Special Committee's Findings and Recommendations (H. P. 2384) which was Read and Passed in the House on April 29, 1976.

Came from the Senate read and passed, reconsidered and indefinitely postponed in non-concurrence.

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

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

Mr. FARNHAM: Mr. Speaker, Ladies and Gentlemen of the House: I have been wanting to make a few remarks about Congressman Cooney, and every time I wanted to do it, he was playing hookey. He has had aspirations and he has been traveling a great deal lately.

I had the pleasure of serving with this young man for two terms on the State Government Committee; this year he chaired the committee. One of his great obstacles in getting anything through the committee was me. We locked horns, we bumped heads, but one of the strange things is, of all the bills we had, when they hit the floor of the House, we were only on opposite sides once. We worked together, we compromised, and what is bothering me is, he is not going to be here next year and I have aspirations of being here, but that is in the hands of someone else, and I will just have nobody to bump heads with next year.

Good luck, my friend, and a good legislator, the good gentleman from Sabattus, Mr. Cooney, (Applause)

(Off Record Remarks)

At this point, a message came from the Senate, borne by Senator Carbonneau of that body, informing the House that the Senate had transacted all business before it and was ready to adjourn without day.

On motion of Mrs. Najarian of Portland, that gentlewoman was charged with and conveyed a message to the Senate informing that body that the House had acted on all matters before it and was ready to adjourn without day.

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

The following Order:

ORDERED, the House concurring, that a Committee of three on the part of the Senate, with such as the House may join, be appointed to wait upon the Governor and Executive Council and inform them that both branches of the Legislature have acted on all matters before them and are now ready to receive any communication that he may be pleased to make. (S.P. 820)

Came from the Senate, read and passed, with the following members appointed on its part:

Messrs. BERRY of Cumberland
ROBERTS of York
GRAHAM of Cumberland

In the House, the Order was read and passed in concurrence, and the Speaker appointed the following members on the part of the House:

Mrs. NAJARIAN of Portland
Mrs. BOUDREAU of Portland
Mrs. LEWIS of Auburn
Mrs. SNOWE of Auburn
Mrs. BERRY of Madison
Mrs. LAVERTY of Millinocket
Mrs. DURGIN of Kittery

Subsequently, Senator Berry of Cumberland, for the Committee reported that the Committee had delivered the message with which it was charged and His Excellency, Governor James B. Longley, would address the House forthwith.

His Excellency, Governor James B. Longley, accompanied by members of the Executive Council, entered the Hall of the House amid applause, the members rising, and delivered the following communication:

GOVERNOR LONGLEY: Mr. Speaker and Members of the House: As Governor, I may take a personal privilege. I want to pay particular expression of appreciation to you, Mr. Speaker, for trying in every way possible to help bring us together this past difficult week. So, in reflecting on this special session of the 107th and what we have tried to accomplish and what we have been able to do, I am reminded of the words of Mark Twain who said, "Always do right. This will gratify some people and astonish the rest."

I don't believe that we as individuals have yet had the time or the opportunity to fully assess individual or collective accomplishments, and only history can record accurately what we accomplished collectively and whether what we have accomplished collectively was in the best interest of the people we were sent here to serve. However, I believe that as individuals, in the days and weeks ahead we will be able to determine in our own minds and in our own hearts if we did indeed place the interest of the state first, and our own interests or special interests and partisan considerations second to what was best for those we were elected to serve. We will also be able to determine in our own minds if we at all times did what we felt was right.

To those of you who have made the choice not to return to the legislature and to those who have that choice made for them by the voters, I would like to say thank you on behalf of the people of Maine for your willingness to step forward and try to serve Maine.

To those who will return, I will look forward as Governor to working with you in the 108th Legislature and would ask you to share a commitment with me to try to make the next regular session of this legislature the most productive and responsible in the history of this state.

You members of the 107th have served during a very difficult time. I am advised that already history will record that you and I together, we, inherited the largest deficits and the most serious underfunding of previously mandated legislation of any legislature or governor in the history of this state. You also served during a period of great economic uncertainty and during a time when it became obvious to Maine and all other states that government spending and growth and bureaucracy had to be curtailed if we were to avoid further serious deficits and even potential bankruptcy similar to New York and other governmental units in this country.

While there have been disagreements and failures and disappointments in this legislature, just as there have been in past ones, I believe there are many accomplishments in which the members of the 107th can take pride, such things as the criminal and banking codes and long overdue personnel revisions, and I had hoped to be able to say a fair pay and classification plan

for state employees. A state employee and I agreed tonight that it is the first time we can recall winning a ball game 90 to 52 and losing and, frankly, I feel that this is a sad day for state employees and good government as labor leaders won and state employees and the people of Maine, I feel, lost. The labor leaders said to you, they said they would rather have nothing, and that is exactly what state employees got.

Parenthetically, I am grateful to former Governor Curtis for much that was done before me and for the many suggestions which he suggested and others did and we tried to carry forward. Beyond that, I hope this legislature will be remembered as the body which helped start this state on the road to a fiscally sound and responsible government.

And once again to you, Mr. Speaker, as Governor of this State, I thank you for trying to help me, as an Independent without a party, try to come together with yourself and the President of the Senate to try to develop an acceptable, fair and adequate pay plan for state employees. I will also share with you, as I did with the Senate before I came in here, a prayer that was a favorite of my family. It is an Irish Prayer and as an individual of Irish background, I am as proud of being Irish as anything, except I am even prouder to be an American. I think the prayer is very appropriate.

"May the road rise up to meet you,

May the wind be always at your back.

May the sun shine warm upon your face.

And the rain fall softly on your fields.

Until we meet again, May the Lord hold you in the hollow of his hands."

Good luck and Godspeed. (Prolonged applause, the Members rising)

Thereupon, Governor Longley and members of the Executive Council retired from the Hall of the House.

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

Mr. FRASER: Mr. Speaker, Ladies and Gentlemen of the house; The House having discharged its responsibilities in keeping with the call of the first special session, I now move that the House be adjourned without day.

The SPEAKER: The gentleman from Mexico, Mr. Fraser, move that the House adjourn without day. Is this the pleasure of the House?

The motion prevailed and at 8:20 p.m., Eastern Daylight Saving Time, the House adjourned without day.