

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

***One Hundred and Eighth  
Legislature***

OF THE

STATE OF MAINE

**Volume I**

**January 5, 1977 to May 25, 1977**

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## HOUSE

Wednesday, May 18, 1977

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

Prayer by the Reverend Glen E. Rainsley of the South Freeport Congregational Church.

The journal of yesterday was read and approved.

## Papers from the Senate.

The following Communication:

The Senate of Maine

Augusta

May 17, 1977

The Honorable Edwin H. Pert

Clerk of the House

108th Legislature

Augusta, Maine 04333

Dear Clerk Pert:

The Senate today Adhered to its action whereby it Indefinitely Postponed Bill, "An Act Relating to Resident State Police Troopers" (H. P. 1493) (L. D. 1705).

Respectfully,  
(Signed) MAY M. ROSS  
Secretary of the Senate

The Communication was read.

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

Mr. GREENLAW: Mr. Speaker, Men and Women of the House: Before this bill is unfortunately laid to rest this morning, I would like to give it what I would consider an appropriate burial.

Unfortunately, the bill was defeated a second time in the other body yesterday by one vote, although I was under the impression that there were sufficient votes to at least put it on the highway table.

It seems to me this concept is a valid and good concept as an alternative to law enforcement in the state, I think since the concept was last introduced in this legislature, which was six years ago, that it has been refined significantly.

I would like to take this opportunity to thank very much the members of the State Government Committee who worked so hard to make this bill what it was, which I think is a very good bill, and I would like to thank the members of this House who worked for its passage here and suspect that within another two years we will have an opportunity to perhaps enact it.

Thereupon, the Communication was ordered placed on file.

The following Communication:

The Senate of Maine

Augusta

May 17, 1977

The Honorable Edwin H. Pert

Clerk of the House

108th Legislature

Augusta, Maine 04333

Dear Clerk Pert:

The Senate today Adhered to its action whereby it accepted the 'Leave to Withdraw' Report on Bill, "An Act to Authorize the Construction of a Bridge Across the Saco River Between the Cities of Biddeford and Saco" (S. P. 368) (L. D. 1225).

Respectfully,  
(Signed) MAY M. ROSS  
Secretary of the Senate

The Communication was read and ordered placed on file.

The following Communication:

The Senate of Maine

Augusta

May 17, 1977

The Honorable Edwin H. Pert

Clerk of the House

108th Legislature

Augusta, Maine 04333

Dear Clerk Pert:

The President today appointed the following members of the Senate to the Committee of Conference on the following Bills:

An Act to Clarify the Powers of the Department of Inland Fisheries and Wildlife, (H. P. 354) (L. D. 447).

Senators:

REDMOND of Somerset  
JACKSON of Cumberland  
O'LEARY of Oxford

An Act to Remove the Manufacturer's Excise Tax on Tires from the Sales Tax, (H. P. 339) (L. D. 430).

Senators:

JACKSON of Cumberland  
WYMAN of Washington  
MARTIN of Aroostook

An Act Pertaining to License Fees for the Regulation of Certain Amusements, (H. P. 577) (L. D. 701).

Senators:

HEWES of Cumberland  
CUMMINGS of Penobscot  
CARPENTER of Aroostook

Respectfully,  
(Signed) MAY M. ROSS  
Secretary of the Senate

The Communication was read and ordered placed on file.

## Reports of Committees

## Ought Not to Pass

Report of the Committee on Legal Affairs reporting "Ought Not to Pass" on Bill "An Act to Amend the Conditions for Holding Executive Sessions under the Right to Know Law" (S. P. 452) (L. D. 1532)

Was placed in the Legislative Files without further action pursuant to Joint Rule 20 in concurrence.

## Leave to Withdraw

Report of the Committee on Education reporting "Leave to Withdraw" on Bill "An Act Creating an Educational Choice Act" (S. P. 448) (L. D. 1587)

Came from the Senate with the Report read and accepted.

In the House, Report was read and accepted in concurrence.

## Non-Concurrent Matter

## Later Today Assigned

Bill "An Act to Require Towns without Secondary Schools to Provide Transportation to Secondary Schools" (H. P. 1025) (L. D. 1273) which was passed to be engrossed as amended by Committee Amendment "A" (H-275) and House Amendment "A" (H-295) in the House on May 10, 1977.

Came from the Senate with Bills and Papers indefinitely postponed in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Livermore Falls, Mr. Lynch. Mr. LYNCH: Mr. Speaker, the sponsor of this bill is not in the House and I would like to have it tabled until later in today's session.

Whereupon, on motion of Mr. Tierney of Lisbon Falls, tabled pending further consideration and later today assigned.

## Non-Concurrent Matter

Bill "An Act Providing for Student and Faculty Members of the Board of Trustees of the University of Maine" (H. P. 1114) (L. D. 1332) which was passed to be engrossed as amended by Committee Amendment "A" (H-279) as amended by House Amendment "A" (H-299) thereto in the House on May 12, 1977.

Came from the Senate with Bills and Papers indefinitely postponed in non-concurrence.

In the House: On motion of Mrs. Prescott of Hampden, the House voted to insist.

## Non-Concurrent Matter

## Tabled and Assigned

Bill "An Act Concerning the Powers of the Eagle Lake Water and Sewer District" (H. P. 1521) (L. D. 1747) which was passed to be enacted in the House on May 12, 1977.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" (S-148) in non-concurrence.

In the House: On motion of Mr. Tierney of Lisbon Falls, tabled pending further consideration and specially assigned for Friday, May 20.

## Non-Concurrent Matter

Bill "An Act Concerning State Retirement Benefits for Police Officers and Firefighters" (Emergency) (H. P. 505) (L. D. 624) on which the Minority "Ought to Pass" as amended by Committee Amendment "A" (H-309) Report of the Committee on Veterans and Retirement was read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (H-309) in the House on May 13, 1977.

Came from the Senate with Bill and Papers indefinitely postponed in non-concurrence.

In the House: Mr. MacEachern of Lincoln moved that the House insist.

Whereupon, Mr. Theriault of Rumford moved that the House recede and concur.

Mrs. Beaulieu of Portland requested a vote on the motion.

The SPEAKER: The pending question is on the motion of the gentleman from Rumford, Mr. Theriault, that the House recede and concur.

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

A vote of the House was taken.

Whereupon, Mr. Theriault of Rumford requested a roll call vote.

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

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

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

## ROLL CALL

YEA — Aloupis, Bagley, Berry, Birt, Brown, K.L.; Brown, K.C.; Bunker, Burns, Byers, Carter, F.; Churchill, Cunningham, Dexter, Durgin, Fenlason, Garsoe, Gauthier, Huber, Hunter, Hutchings, Immonen, LaPlante, Lougee, Lynch, Mackel, Marshall, Masterman, Maxwell, McBreairty, McMahon, McPherson, Morton, Peltier, Perkins, Peterson, Raymond, Rollins, Smith, Tarr, Theriault, Torrey.

NAY — Bachrach, Beaulieu, Bennett, Benoit, Berube, Biron, Blodgett, Boudreau, A.; Boudreau, P.; Brenerman, Carrier, Carroll, Chonko, Clark, Conners, Cox, Curran, Davies, Diamond, Dow, Drinkwater, Dutremble, Elias, Flanagan, Fowlie, Gill, Gillis, Goodwin, H.; Goodwin, K.; Gray, Green, Greenlaw, Hall, Henderson, Hickey, Higgins, Hughes, Jackson, Jalbert, Jensen, Joyce, Kane, Kany, Kelleher, Kilcoyne, Laffin, Littlefield, Locke, Lunt, MacEachern, Mahany, Martin, A.; Masterton, McHenry, Mills, Mitchell, Nadeau, Nelson, M.; Nelson, N.; Norris, Pearson, Plourde, Prescott, Quinn, Rideout, Shute, Silsby, Sprowl, Strout, Stubbs, Talbot, Tarbell, Tierney, Tozier, Traf-ton, Truman, Twitchell, Tyndale, Valentine, Wilfong, Wood, Wyman.

ABSENT — Ault, Austin, Bustin, Carey.

Carter, D.; Connolly, Cote, Devoe, Dudley, Gould, Hobbins, Howe, Jacques, Kerry, LeBlanc, Lewis, Lizotte, McKean, Moody, Najarian, Palmer, Peakes, Post, Spencer, Stover, Teague, Whittmore.

Yes, 41; No, 82; Absent, 27.

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

Thereupon, on motion of Mr. MacEachern of Lincoln, the House voted to insist.

#### Non-Concurrent Matter

Bill "An Act to Require Fire Detection Systems in All New Residential Construction" (H. P. 1086) (L. D. 1310) on which the Majority "Ought to Pass" as amended by Committee Amendment "A" (H-318) Report of the Committee on Legal Affairs was read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (H-318) in the House on May 16, 1977.

Came from the Senate on which the Minority "Ought Not to Pass" Report of the Committee on Legal Affairs was read and accepted in non-concurrence.

In the House:

Mr. Laffin of Westbrook moved that the House insist and ask for a Committee of Conference.

Whereupon, on motion of Mr. Curran of South Portland, the House voted to insist.

#### Non-Concurrent Matter

Bill "An Act to Prohibit the Assessment of Extra Charges Based on the Number of Occupants Living in a Mobile Home" (H. P. 1318) (L. D. 1549) on which the Minority "Ought to Pass" Report of the Committee on Legal Affairs was read and accepted and the Bill passed to be engrossed in the House on May 16, 1977.

Came from the Senate with the Majority "Ought Not to Pass" Report of the Committee on Legal Affairs read and accepted in non-concurrence.

In the House: On motion of Mr. Curran of South Portland, the House voted to insist.

#### Petitions, Bills and Resolves

##### Requiring Reference

The following Resolve was received and referred to the following Committee:

##### Education

RESOLVE, Authorizing a \$450,000 Advance from the General Fund to the Department of Educational and Cultural Services to Provide Working Capital on Renovation of and Equipping of Building at Eastport (Emergency) (H. P. 1572) (Presented by Mr. Greenlaw of Stonington) (Cosponsors: Mr. Higgins of Scarborough, Mr. Mills of Eastport, Mr. Fenlason of Danforth) (Approved for introduction by a Majority of the Legislative Council pursuant to Joint Rule 25)

(Ordered Printed)

Sent up for concurrence.

##### Orders

An Expression of Legislative Sentiment (H. P. 1569) recognizing that: Alexander Economos, who has taught music for 25 years, has spent 21 years of dedicated service as music director in the community of Kennebunk

Presented by Mr. McMahon of Kennebunk. (Cosponsor: Mr. Tyndale of Kennebunkport)

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

On motion of Mr. Nadeau of Sanford, it was ORDERED, that Armand LeBlanc of Van Buren be excused for the week of May 16th for personal reasons.

#### House Reports of Committees Ought Not to Pass

Mrs. Byers from the Committee on Judiciary on Bill "An Act to Provide that Certain Minors Purchasing Alcoholic Beverages shall be Tried in District Court" (H. P. 1205) (L. D. 1433) reporting "Ought Not to Pass"

Mrs. Boudreau from the Committee on Election Laws on Bill "An Act Concerning Information Required on Voter Registration Cards" (H. P. 1351) (L. D. 1624) reporting "Ought Not to Pass"

Were placed in the Legislative Files without further action pursuant to Joint Rule 20, and sent up for concurrence.

#### Leave to Withdraw

Mr. Norris from the Committee on Judiciary on Bill "An Act to Clarify the Disclaimer of Transfers by Will, Intestacy or Appointment Act" (H. P. 433) (L. D. 540) reporting "Leave to Withdraw"

Mrs. Byers from the Committee on Judiciary on Bill "An Act Relating to the Penalty for Liquor Violations for Persons under 18 Years of Age" (H. P. 196) (L. D. 239) reporting "Leave to Withdraw"

Mr. Devoe from the Committee on Judiciary on Bill "An Act Providing that an Heir's Claim to Real Property Shall, in Certain Cases, Lapse After 50 Years from the Time his Claim Arose" (H. P. 1037) (L. D. 1267) reporting "Leave to Withdraw"

Mr. Devoe from the Committee on Judiciary on Bill "An Act to Clarify Actual Notice Under the Recording Laws in Regard to Exceptions and Reservations" (H. P. 1119) (L. D. 1337) reporting "Leave to Withdraw"

Mrs. Boudreau from the Committee on Business Legislation on Bill "An Act to Prohibit Insurance Discrimination Against Operators of Boarding Care Facilities" (H. P. 117) (L. D. 131) reporting "Leave to Withdraw"

Mr. Tyndale from the Committee on Marine Resources on Bill "An Act Concerning the Advertising of Proposed Marine Resources Regulations" (H. P. 831) (L. D. 1004) reporting "Leave to Withdraw"

Mr. McHenry from the Committee on Labor on Bill "An Act Relating to Scope of Educational Bargaining" (H. P. 1120) (L. D. 1338) reporting "Leave to Withdraw"

Mr. Elias from the Committee on Labor on Bill "An Act Relating to Eligibility Conditions under the Workmen's Compensation Laws" (H. P. 1041) (L. D. 1282) reporting "Leave to Withdraw"

Mrs. Lewis from the Committee on Labor on Bill "An Act Concerning Payment of Unemployment Compensation for Musicians" (H. P. 1372) (L. D. 1577) reporting "Leave to Withdraw"

Reports were read and accepted and sent up for concurrence.

Mrs. Boudreau from the Committee on Election Laws on Bill "An Act to Insure Enforcement of the Penalty for Failing to File Election Reports" (H. P. 482) (L. D. 597) reporting "Leave to Withdraw"

Report was read.

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

Mr. CARRIER: Mr. Speaker, I have two or three questions I would like to ask the Chair. One of them is, can they put in a "leave to withdraw" report on a bill without asking the sponsor? This is my bill. I was never approached to withdraw the bill.

The SPEAKER: The Chair would advise the gentleman from the question of "leave to withdraw" is in the hands of the committee. The Chair can only suggest one of two courses to take. One would be to recommit the bill or, second, to substitute the bill for the report.

Mr. CARRIER: Mr. Speaker, in the first place, I feel it is a great bill and this is why I hate to get this kind of report. Another thing is that I would like to be able to speak to it just to explain to you. I realize it is hard to bring such a bill, but the bill having such great value, I would like to put it in a position where we can come back — I don't want the bill to be recommitted because I want to believe that the committee knew what they were doing. I would make the motion to substitute the bill for the report and I would speak to that motion.

The SPEAKER: The gentleman from Westbrook, Mr. Carrier, moves that the Bill be substituted for the Report.

The gentleman may proceed.

Mr. CARRIER: Mr. Speaker, Ladies and Gentlemen of the House: I am a little reluctant to speak because of being in such a position. In the nine years that I have been here, I have never found myself in such a position and that just reinforces my conviction that when it was passed that if you had a unanimous "ought not to pass" report, it would come out on the calendar automatically killed. I never supported that action, but I think today I am a victim of it.

However, I feel that this bill has merit and it has great merit if you actually intend to enforce the law that you people passed here in the 107th Legislature. This bill is 597, and if you are interested, you can look at the intent of the bill, which is very clear.

What this bill does at present, a Commission on Ethics has been established by a previous legislature, the candidates are supposed to file reports with them of their expenses and contributions and everything at a certain time. At that particular time, the commission was given power to find people in violation of such a law, and they did. At the last general election, regardless of who the parties were and whatever their excuses were, and maybe they were very valid ones, I offer some suggestions in this particular bill to take care of these valid objections, such as sickness, that they could consider to be excused.

If you recall, and you probably don't remember this, it was quite a while ago, in the last election, 155 people, including many candidates in this House here today, sitting in this House today, failed to file a report of their expenses and income for the last election. In the course of procedures, the commission found these people guilty of not doing this, they sent it over to the Attorney General, and through a quirk, or intentionally, the law read that the Attorney General may enforce such a law. Well, my bill says that the Attorney General will enforce such a violation of the law. I think this is the way it should be.

One hundred fifty-five people did not file on time. It wasn't easy for me to file on time and I am sure it wasn't easy for a lot of others, but we did, and I think that if you are really sincere in passing laws, especially controlling the ethics of the legislators in this House, this is the bill that will do it. You will put the power of actually deciding who is going to be fined into the hands of the commission and not into the hands of the Attorney General.

What happened is, people didn't file, the Attorney General being a nice fellow gave an extra week to file, which I think was erroneous, which I think I cannot accept, and I think if you want to start cleaning up some of these things instead of just putting rules in the ethics book, then give the commission the right to do this, to find them guilty and let the Attorney General have to sue them or whatever it is.

I hear that I have increased the penalty today. This is not true. To my knowledge, I have looked this over again, and I only find that it was \$10 a day when it was passed and this one says the same thing — \$10 a day. The thing is, I would like to actually bring this on the floor of

the House, have a good discussion on it. If you don't want to patrol yourself or we don't want to patrol the members here in this House, then you shouldn't vote for this bill.

I think it is a good bill. I don't intend to put bills in here just to waste my time and your time. I think our time is more valuable than that. I think this is the type of bill that we have, and it just comes at the appropriate time, facing what we have been through this week already, and this is a very juicy bill for the newspapers if we don't pass this, and this won't harm anybody. All you have got to do is do your duty like you are supposed to.

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

Mrs. BOUDREAU: Mr. Speaker, Men and Women of the House: The Election Laws Committee also agreed with Representative Carrier that his bill was a good bill. That is why he has a "Leave to Withdraw" instead of an "Ought Not to Pass," because this same bill is part of the comprehensive bill that is coming out and it will be taken care of. I did not get a chance to reach Mr. Carrier this morning, I got tied up with constituent problems and just didn't get to him, and I apologize.

Mr. Garsoe of Cumberland moved that the Bill be tabled unassigned.

Subsequently, the same gentleman withdrew his motion.

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

Mr. CARRIER: Mr. Speaker and Members of the House: Mrs. Boudreau or anybody else doesn't have to make any apology to me, because being the way I am, they are already forgiven.

I do wish to say that if the comprehensive bill in there does this, then I would consent to withdraw the bill, but if it doesn't, and I want the truth, if it doesn't, I don't want to get caught in this bind of not coming back. I realize the thing was "Leave to Withdraw" and I could bring it back, but I am not playing games; I have got other things to do.

If it is a comprehensive bill and some of you know that it is, that this is included in it, in all respect to the committee, I will take their judgment. I wasn't advised of this at all. Really, I have to appear before that committee this afternoon again, so what do I do now?

The SPEAKER: The Chair would suggest that he withdraw his motion.

Mr. CARRIER: Mr. Speaker, I don't wish to withdraw the bill, but I will.

Whereupon, Mr. Carrier was granted permission to withdraw his motion to substitute the Bill for the Report.

Thereupon, the Leave to Withdraw Report was accepted and sent up for concurrence.

Mr. Curran from the Committee on State Government on Bill "An Act to Establish the Contract Review Board to Oversee the Bureau of Purchases" (H. P. 1389) (L. D. 1604) reporting "Leave to Withdraw"

Report was read and accepted and sent up for concurrence.

**Referred to the Committee on Human Resources**

Mrs. Tarr from the Committee on Labor on Bill "An Act to Provide for Continued Employment after Age 65" (H. P. 330) (L. D. 421) reporting that it be referred to the Committee on Human Resources.

Report was read and accepted, the Bill referred to the Committee on Human Resources and sent up for concurrence.

**Ought to Pass in New Draft New Drafts Printed**

Mr. Spencer from the Committee on Judiciary on Bill "An Act to Improve Prosecu-

tion Services" (H. P. 459) (L. D. 564) reporting "Ought to Pass" in New Draft (H. P. 1571) (L. D. 1785)

Mr. Hughes from the Committee on Judiciary on Bill "An Act to Clarify the Confidentiality Provisions of the Maine Housing Authorities Act" (H. P. 1171) (L. D. 1399) reporting "Ought to Pass" in New Draft (H. P. 1570) (L. D. 1784)

Reports were read and accepted, the New Drafts read once and assigned for second reading tomorrow.

**Ought to Pass with Committee Amendment**

Mr. Peakes from the Committee on Business Legislation on Bill "An Act to Increase the Tax on Fire Insurance Premiums to Aid in Arson Investigation by the State Fire Marshal's Office" (H. P. 961) (L. D. 1153) reporting "Ought to Pass" as amended by Committee Amendment "A" (H-357)

Mr. Curran from the Committee on State Government on Resolve, Authorizing the Department of Mental Health and Corrections to Convey by Sale the Interest of the State in Certain Lands and Buildings of the Maine Correctional Center at Skowhegan (H. P. 150) (L. D. 180) reporting "Ought to Pass" as amended by Committee Amendment "A" (H-348)

Reports were read and accepted and the Bill and Resolve read once. Committee Amendment "A" to each was read and adopted and the Bill and Resolve assigned for second reading tomorrow.

**Divided Report**

Majority Report of the Committee on Election Laws reporting "Ought Not to Pass" on Bill "An Act Concerning Expenses of the Commission on Governmental Ethics and Election Practices" (Emergency) (H. P. 816) (L. D. 989)

Report was signed by the following members:

- Messrs. KATZ of Kennebec
  - TROTZKY of Penobscot
  - DANTON of York
- of the Senate.

- Messrs. BOUDREAU of Waterville
  - RAYMOND of Lewiston
  - TRUMAN of Biddeford
  - McMAHON of Kennebunk
- of the House.

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

Report was signed by the following members:

- Mr. TALBOT of Portland
  - Mrs. DURGIN of Kittery
  - Mrs. MITCHELL of Vassalboro
  - Mr. BIRT of East Millinocket
  - Mrs. BOUDREAU of Portland
  - Mr. BUSTIN of Augusta
- of the House.

Reports were read.

On motion of Mrs. Boudreau of Portland, the Minority "Ought to Pass" Report was accepted, the Bill read once and assigned for second reading tomorrow.

**Divided Report**

Majority Report of the Committee on Public Utilities reporting "Ought Not to Pass" on Bill "An Act Concerning Residential Utility Consumer Action Groups" (H. P. 1285) (L. D. 1507)

Report was signed by the following members:

- Messrs. CARPENTER of Aroostook
  - COLLINS of Aroostook
  - Mrs. CUMMINGS of Penobscot
- of the Senate.

- Messrs. BERRY of Buxton
- SMITH of Mars Hill
- LUNT of Presque Isle

Mrs. TARR of Bridgton  
Mr. CUNNINGHAM of New Gloucester  
— of the House.

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

Report was signed by the following members:

- Messrs. McHENRY of Madawaska
  - PEARSON of Old Town
  - WOOD of Sanford
  - NADEAU of Sanford
  - KELLEHER of Bangor
- of the House.

Reports were read.

On motion of Mr. Kelleher of Bangor, the Minority "Ought to Pass" Report was accepted, the Bill read once and assigned for second reading tomorrow.

**Divided Report**

Majority Report of the Committee on Public Utilities reporting "Ought Not to Pass" on Bill "An Act Establishing a Consumer Complaint Office within the Public Utilities Commission" (H. P. 170) (L. D. 208)

Report was signed by the following members:

- Mr. COLLINS of Aroostook
  - Mrs. CUMMINGS of Penobscot
- of the Senate.

- Messrs. BERRY of Buxton
- SMITH of Mars Hill
- LUNT of Presque Isle

- Mrs. TARR of Bridgton
  - Messrs. PEARSON of Old Town
  - CUNNINGHAM of New Gloucester
- of the House.

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

Report was signed by the following members:

- Mr. CARPENTER of Aroostook
- of the Senate.

- Messrs. NADEAU of Sanford
  - WOOD of Sanford
  - McHENRY of Madawaska
  - KELLEHER of Bangor
- of the House.

Reports were read.

Mr. Kelleher of Bangor moved that the Minority "Ought to Pass" Report be accepted.

The SPEAKER: The Chair recognizes the gentleman from New Gloucester, Mr. Cunningham.

Mr. CUNNINGHAM: Mr. Speaker, Ladies and Gentlemen of the House: I only rise to call your attention to the ridiculousness of the situation that you are seeing before you. The majority of the committee felt that since we already have a consumer complaint office within the Public Utilities Commission, this bill is kind of redundant and therefore it ought not to pass. I would urge that we defeat the "Ought to Pass" report so that the "Ought Not to Pass" Report can be accepted and we can clear up some of this legislation.

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

Mr. KELLEHER: Mr. Speaker and Members of the House: The minority report members felt that we should statutorily create this office within the Public Utilities Commission. There is an amendment that will be offered tomorrow to change one portion of this bill. I would hope that we would keep the bill alive, accept the minority report, and discuss it at second reader.

The SPEAKER: The Chair recognizes the gentleman from New Gloucester, Mr. Cunningham.

Mr. CUNNINGHAM: Mr. Speaker, I would only ask that sunsetters stand up this morning and rather than to pass statutorily setting up another commission or another subcommittee or another subcommittee, that we stand up this

morning before daybreak instead of waiting for the sunset. Let's bring the sunset down today; let's move "ought not to pass" on this particular report.

The SPEAKER: The Chair will order a vote. The pending question is on the motion of the gentleman from Bangor, Mr. Kelleher, that the Minority "Ought to Pass" Report be accepted. Those in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

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

Thereupon, the Bill was read once and assigned for second reading tomorrow.

#### Divided Report

Majority Report of the Committee on Agriculture reporting "Ought to Pass" as amended by Committee Amendment "A" (H-336) on Bill "An Act to Provide that Humane Shelters Selling or Giving Dogs away must Notify the Town Clerk of the Sale or Gift" (H. P. 561) (L. D. 678)

Report was signed by the following members:

Messrs. HICHENS of York  
JACKSON of Cumberland  
LEVINE of Kennebec  
— of the Senate.

Messrs. TOZIER of Unity  
LOUGEE of Island Falls  
SMITH of Mars Hill  
MAHANY of Easton  
CARROLL of Limerick  
WOOD of Sanford  
HALL of Sangerville  
TORREY of Poland  
ROLLINS of Dixfield

— of the House.

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

Report was signed by the following member:

Mr. STROUT of Corinth  
— of the House.

Reports were read.

Mr. Mahany of Easton moved that the Majority "Ought to Pass" Report be accepted.

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

Mr. STROUT: Mr. Speaker, Ladies and Gentlemen of the House: In the three terms I have served in the legislature, this is the first time that I have ever reported out a bill a minority of one. The reason that I did this is because I had real strong feelings why we should not put a piece of legislation like this on the books.

If the members of the House have not read L. D. 678 as amended, I would ask you to do so. What it actually says is that we are going to require that any licensed veterinarian, humane society or a shelter selling or giving away dogs, within five business days after the dog leaves, notify the clerk of the municipality in which the person taking the dog resides.

I realize there are some problems with licensing dogs in the State of Maine. I just don't think that we should be putting in the statutes a law requiring that these people shall, in five days, notify the town clerks. I think that businesses and municipal officers across the state of Maine have enough paperwork to do now without putting a few more requirements on them. I guess I would further ask you, if these people do not submit in five days the information that they are asking for, what is the penalty going to be? I know that if I was to purchase a dog in southern Maine, say in the Portland area, or maybe even to the border, it might even take seven days to get the notice back to my municipality, and I just wonder who is going to enforce this and why do we need this piece of legislation? I would ask for a division.

The SPEAKER: The Chair recognizes the gentleman from Easton, Mr. Mahany.

Mr. MAHANY: Mr. Speaker, Members of the House: This is a very simple bill and I think it is a worthwhile bill. It is true that it doesn't have a penalty on it, but I think it is worth a try without a penalty. I don't think we need a penalty on every item that comes through here. I think the Humane Society has got some help from the towns, some from the state, in most cases. I think it is very little to ask them to report where a puppy or a dog is going into another municipality. They will probably keep that dog a few days before it has an opportunity to go anywhere. Its keep will have to be paid for by aid from the state and town and from donations from people. I think this is very little to ask from the humane society, to inform the municipalities where the puppy is going, who has it, and a description of it.

There are other costs involved in this, such as the rabies shots and so forth, and I think this is one step in the right direction to keep down the ever-increasing amount of stray dogs that roam around through our neighborhoods.

The SPEAKER: The Chair will order a vote. The pending question is on the motion of the gentleman from Easton, Mr. Mahany, that the Majority "Ought to Pass" Report be accepted. All those in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

61 having voted in the affirmative and 31 having voted in the negative, the motion did prevail.

Thereupon, the Bill was read once. Committee Amendment "A" (H-336) was read by the Clerk and adopted and the Bill assigned for second reading tomorrow.

#### Divided Report

Majority Report of the Committee on Election Laws reporting "Ought Not to Pass" on Bill "An Act Relating to Absentee Voting" (H. P. 978) (L. D. 1203)

Report was signed by the following members:

Messrs. KATZ of Kennebec  
DANTON of York  
TROTZKY of Penobscot  
— of the Senate.

\*Messrs. BOUDREAU of Waterville

RAYMOND of Lewiston  
DURGIN of Kittery  
Mrs. MITCHELL of Vassalboro  
Messrs. TALBOT of Portland  
McMAHON of Kennebunk  
Mrs. BOUDREAU of Portland  
Mr. BUSTIN of Augusta

— of the House.

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

Report was signed by the following members:

Messrs. TRUMAN of Biddeford  
BIRT of East Millinocket  
— of the House.

Reports were read.

Mrs. Boudreau of Portland moved that the Majority "Ought Not to Pass" Report be accepted.

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

Mrs. KANY: Mr. Speaker and Members of the House: Realistically, this bill is going nowhere, but the issue is an important one and I believe it should be addressed on the floor of this House. You have before you, distributed today, a Maine law describing how one is to vote by absentee ballot. The voter must mark his ballot in the presence of an official and before marking that ballot, the voter must show the official that unmarked ballot. There must be no communication between the voter and the official as to the person or party for whom the

voter is to vote. After the voter has marked his ballot in such a way as to make it impossible for anyone to see how he voted, he must make an oath on the envelope containing the ballot and the signature is to be witnessed by the official.

Now, just who are these officials who are present during the entire absentee balloting? They aren't the notaries and justices of the peace who work in banks, real estate offices and law offices throughout the state. Those officials aren't willing to serve the absentee voters of this state. Who are the officials then? We are they — we are the notaries and justices of the peace who are present when someone is actually voting. If we and our party workers aren't involved in the process, that incapacitated person, confined to their home, would be disenfranchised, wouldn't be able to vote, because an official must be present by Maine law.

I believe the law itself potentially compromises our integrity. I find the law itself, our Maine law, very embarrassing when it forces us to choose between allowing someone who is disabled to be disenfranchised or having us or our workers be present when an individual is voting. The method prescribed seems most ironic when candidates are not allowed beyond the guardrail at a polling area where there are plenty of other people around, when political advertising must be 250 feet or so away from a polling area.

The bill before you, L. D. 1203, and that is an 11-2 "Ought Not to Pass" Report, the bill, L. D. 1203, would not disenfranchise anyone because voting is a guaranteed right, as the Supreme Court has called it, a "fundamental political right" because it is preservative of all rights. It is our responsibility as a legislature to assure that that right can be exercised.

I hope you will consider rejecting the "Ought Not to Pass" motion so we can assure the privacy, the integrity, by a comprehensive change in our absentee balloting system.

L. D. 1203 promotes absentee balloting by mail by removing the present requirement that a voter's signature be witnessed by a justice of the peace or a notary public. Secondly, it provides for a bipartisan team which could also include an Independent member delivering ballots to hospitals and nursing homes and allow such a team to deliver ballots to people who become incapacitated just prior to election day. Thirdly candidates are prohibited from being part of such a team or assisting voters who need help in marking their ballots, something which we are now allowed to do, as probably most of you are aware.

If L. D. 1203 were enacted, we candidates could still visit our disabled friends, can still take them an absentee ballot application and let them know about the changes in the absentee balloting laws. The moving away from oaths, as recommended in this comprehensive bill and in an earlier bill heard before the same committee and sponsored by Representative Berube, is a recommendation offered as a result of a national study of absentee balloting prepared for the office of federal elections, the U.S. General Accounting Office in cooperation with the U.S. Federal Election Commission.

I ask you to seriously consider the positive ramifications of a comprehensive change in the absentee balloting system that we are offering in this proposed legislation. It is very important and I certainly hope that you will reject the motion before you.

The SPEAKER: The Chair recognizes the gentlewoman from Augusta, Mrs. Kane.

Mrs. KANE: Mr. Speaker, Ladies and Gentlemen of the House: I am a cosponsor of this measure which I think is one of the more important bills that will be before us dealing with elections. I feel it is so important, I wanted to cosponsor this measure because I feel absentee ballots in people's minds are basic to

the whole democratic process in this county. As long as people have faith that their vote counts, as long as they believe that their contribution in an election is just as important as anyone else's, as long as they believe that the whole process is fair, then we can have a proper system. Once people start believing, erroneously or not, that there is something going on behind the scenes, that there is some cheat to an election, that what they do doesn't count, the whole system collapses.

No one is making any charges that there is any wrongdoing. I am sure there is no one in this body or in the other body that would be involved in any wrongdoing in absentee ballots, but the possibility of it is there and as long as the possibility is there, there will be a doubt in the minds of the voters as to whether there is wrongdoing or not. When someone has the excuse to sit back and say, my vote doesn't count, this is all being taken care of, the system doesn't work because it is crooked, then the whole democratic system collapses.

So I hope you will consider this. I think it is beneficial to the candidates and I think it is beneficial to the absentee ballot voters and I think it is beneficial to the system. We as candidates will not have to do this time-consuming and, in a way, degrading process just in order to help out people who would not be able to vote otherwise, and the absentee voters would be able to do this at their leisure without having to have their signatures witnessed. I think the process would benefit by having everything clearly, plainly, obviously aboveboard.

The SPEAKER: The Chair recognizes the gentlewoman from Kittery, Mrs. Durgin.

Mrs. DURGIN: Mr. Speaker, Members of the House: I was one of the signers of the "ought not to pass" report. This bill, if you will look it over, you will see that it is very costly for the municipalities. These absentee ballots have to be mailed out with a return envelope. Those return envelopes will be stamped and mailed back. Six days before the election, for those who are shut in, sick, they will send a team of three to see these people to get their absentee ballots. If you think there are three good Joes who are going to do this, you have another think coming. These are going to be paid workers, if you can find the workers. I cannot believe that the yield is going to outweigh the cost. If the state is going to mandate this, let's send this bill back to committee and have a fiscal note on it and not let the municipalities have to pay for this.

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

Mr. KELLEHER: Mr. Speaker, I move that this bill and all its accompanying papers be indefinitely postponed.

The SPEAKER: The gentleman from Bangor, Mr. Kelleher, moves that this bill and all its accompanying papers be indefinitely postponed.

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

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: I would hope that this motion does not prevail. I think two of the previous speakers have covered a good deal of what could be said about this particular piece of legislation. Two years ago when I went on the Election Laws Committee, there were several things that I had in mind. One of them was to try to improve the absentee voting process. I developed a bill very similar to this and eventually the Representative from Waterville, Mrs. Kany, also came up with a very similar bill. Since then, this is the outgrowth of some of the thinking that was in these two bills.

I do believe that as long as politicians of either party or anybody that is involved in the electoral process who are also involved in absentee voting, there is going to be the finger of suspicion. There have been a few indictments

in this state, not too many, but there have been a few of people who have been guilty of absentee voting fraud. I think this bill will clear this up.

I appreciate the comments of the gentlelady from Kittery, Mrs. Durgin, as to the cost. I have serious reservations that the cost of this is going to be that much. Many of the absentee ballots that are sent out are already mailed out in the mail to people who live outside of the community. The big majority of absentee ballots come to people who live outside the community — college students, students who are in the armed services or people who are living away. The number of ballots that will be sent out in a community, as a general rule, will not be that many.

The comment is made about the expense of having a team go out. But how many people are actually going to be involved in having to vote absentee? The only ones that are involved are the ones that can request absentee ballots, who will come down with an illness of some sort six days or less prior to the election. I am not convinced that the cost is that much.

I do believe this is a reasonable approach. I wish it really could be given a test for at least two years, go through one election, in order to see whether it will work or not. We continually hear and I am sure that the next election you are going to pick up the papers and there will be indications of some suggestions that there has been improper usage of the absentee ballot. I think this will limit it and I hope you will vote against the indefinite postponement motion.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I have seen these absentee ballots that would curb this and curb that and throw a deadly, suspicious eye on people for years without saying anything at all. I can remember that a law is now on the books that you can't go and get an absentee application until three months before the primary.

I have never held a notary public or a justice of the peace paper and never want to. I have never voted a person absentee. I have never been present when an absentee person has voted. But I was in the habit because I liked it — I was in the habit of making out ahead of time for a great many friends of mine the applications, and on a Sunday morning after breakfast and church, I would go over and see some of these people. I would have them arranged by a sister of mine who is very interested in the project herself, and I would go see these people. In the main, they were people that couldn't go out, they were sick people, they were elderly people. They welcomed me, and believe me, every Sunday I was kind of reprimanded at home because by the time I got home after eating apple pie and cookies and everything else, there was nothing left for me to eat as far as appetite-wise is concerned.

I decided last year to mail these applications to these people. Would you believe that I had to call some of them up. I got a five percent return by mail and I got the constant reply — you come and get it. They wanted to see somebody. They wanted to talk to somebody. Naturally I knew I was a candidate when I would go and ask them to sign the application. As a matter of fact, I remember one time, but as I repeat myself, I never was even present when an absentee vote was cast, let alone being a notary public or a justice of the peace. I well remember my very close friend behind me who was also running for the legislature. I remember one day giving him a pile of absentee ballots this high ready to be voted. He could have bulleted them all for himself. I don't think he did, but he could have. I didn't ask him what to do with them. Here is the ballots and he can get up and tell you so.

There has been enough of this innuendo on

absentee ballots. There are some people that don't want to go after them. I happen to be one of those that does because I love older people, I love to go see those people. Whether they voted for one of my deadliest enemies, they would find my name anyway. Believe me, those people know how to vote, particularly in Lewiston.

This is not a good bill, Mr. Speaker, at all. I move the indefinite postponement of this bill, its accompanying papers and everything that goes with it and I ask for a roll call.

The SPEAKER: The Chair recognizes the gentlewoman from Lewiston, Mrs. Berube.

Mrs. BERUBE: Mr. Speaker, Ladies and Gentlemen of the House: I don't especially relish having to stand after a political giant has spoken. However, I will try and address myself to the bill.

The comment has been made that it would be costly. In my community, it has been ascertained that the cost would be approximately \$200. I also understand that there is federal funding that will be coming shortly to cover the costs of mailing. Even if a municipality the size of my hometown were to spend \$200, it seems to me it is very little to pay to assure fair play.

In our statutes, when someone votes on election day, if a voter at the voting booth is unable to mark his ballot because of physical or other disability, he may obtain assistance once his disability is declared to the warden, who then designates two election clerks representing different political parties to assist the voter. This bill merely extends the same privileges of fairness to those persons in institutions so that they may also select the candidate of their choice.

I don't believe that we should fear that this will destroy the political structure, political parties, as it were. What it will do is assure that no one candidate of either party has a monopoly of the votes of a group which many times are a captive audience. Very few states are left, incidentally, which allow the third party. In fact, Maine is the only New England state left that permits this form of absentee ballots listing.

There is nothing wrong with our election laws as they are in the books presently. In fact, most laws are always beneficial to all of the people. But we are dealing very often with the over zealotness, if I might say, of campaign workers and many times they let their emotions get carried away. It would help, I think, to negate the adverse criticism in this area of elections and I think that efforts such as these by us will slowly but deliberately effect meaningful change in our system and contribute to a greater conscientiousness on the part of political candidates and their political workers. So I would ask that you vote against indefinite postponement; it is a fair play bill.

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

Mr. JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: In the first place, the good gentlelady from Lewiston, Mrs. Berube, was present when I stated at the last meeting of the Androscoggin County Committee nominations for the chairmanship are open, do not nominate the present chairman. The present chairman was me, the chairmanship was in my pocket.

I have not attended in the last two years one political meeting outside of a field day. If I ever was a political giant, which I never was, I would certainly become a mini giant.

As far as the over zealous campaign workers, my wife put on about 3,000 miles on her automobile getting some absentee ballots at the last election and I have informed the good gentlelady from Lewiston that oftentimes she would come back and say, I don't want to hurt your feelings, but I heard this person talk and they voted for Mrs. Berube alone. They bypassed you. My wife may be over zealous, but she

never (and the gentlelady from Lewiston, Mrs. Berube knows it) would try anything that would be in any way out of line. The talk of \$200, of course, is a ridiculous figure.

To get an absentee ballot, you must leave your home, go to the other person's home, have an application signed. From there, you go to the city clerk's office. You get that application okayed, you get the ballot, then you go back to the person's home and you get the person to vote — two trips and at least a half to three quarters of an hour, as much as an hour. So you multiply that by the nearly 2,500 votes at least that we get from absentees in Lewiston and \$200 is just what I would term tip money. It is a one to ten deal. This is not a good bill.

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

Mr. McMAHON: Mr. Speaker, Members of the House: As one who has signed on the majority side, I feel I ought to state my reasons for doing so. I listened with a great deal of interest to the previous speakers and on both sides much of what was said is accurate. To a large degree, it comes right down to where you feel the emphasis ought to be placed. In my opinion, if we are concerned about fraud in the absentee ballot process and in the election process, we ought to be more concerned with allowing such practices as election day registration, rather than emphasizing our concern of fraud on this particular bill. However, I will address this particular bill since that is under discussion.

The statement of fact for this bill is quite good. In three paragraphs it lists the results of this bill if it were passed and I would like to address each of those. The first one says that if this were enacted, it would no longer allow a candidate listed on the ballot or other third person to deliver an absentee ballot to a physically incapacitated voter except as provided in number two. I contend that if we didn't make the effort, many of these people who would normally request absentee ballots would not and they would be, in effect, disenfranchised.

I do not believe that there is anything wrong with a political candidate or his followers, providing they are properly qualified according to the law, to bring absentee ballot applications and/or ballots and providing the service. I suppose it comes right down to whether you believe most candidates are prone to being dishonest or whether most are honorable. I prefer to think the latter is the case.

The second point talks about establishing a mechanism whereby a special team would deliver an absentee ballot, etc. This has been discussed. The gentlelady from Kittery and others have pointed out the cost of this and also the possible problem getting people to serve on these teams. I share those concerns and won't belabor them any further.

The third part of the bill removes the requirement that voter signatures be witnessed by a notary public or a justice of the peace. I happen to be one who believes that the voter ought to take some responsibility in the voting process and that it is not too much to ask for the voter to make an effort to vote before one of the designated officials.

The point has been made that balloting by mail would be more preferable. Who is to say who would end up marking that ballot if it were all done by mail? It is no more a safe way of doing it, if that is how we're considering this, than the present method. The ballot would come into the house. The son, daughter or spouse would have as much input, if that is your concern, into how that ballot is marked as perhaps an over zealous campaign worker. Neither would be correct; neither would be right; Neither would be legal, but it would happen under that procedure as well as it might happen under the present.

I think that the actual effect of this, on the

face of it, it is a very good-looking bill. Those of us who feel we like to support a bill like this had a difficult time in committee reaching the decision that we did. In the final analysis, I feel that this bill would create more problems than it would solve and that is why I signed the report the way I did.

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

Mrs. KANY: Mr. Speaker and Members of the House: I have been interested in this topic for the last couple of years and did spend the time last fall to read the laws of all the 50 states and all the recommendations and so on. I see no problem with the mail. That, as I mentioned earlier, is a recommendation to the Federal Election Commission, and I would say that if we do go to balloting by mail, at least we aren't forcing an official, once again, to be present. We might have some problems, but I consider that less likely than forcing us officials to be present while someone is voting.

I don't believe there are any real innuendos here. I don't think we're talking about fraud. I am not talking about people. I have no objections. I think we are really honest here in Maine, but I do object to the Maine law. It is the law that is the problem; not the people here in Maine. Representative Jalbert can still take the applications around. I would hope he would. I am sure that his constituents would love to see him. If this bill is passed, I certainly would want to take applications around. I would want to explain the voting process. I want to see my constituents. There is nothing to prevent us from taking those applications, just from staying away from the balloting. Certainly, Representative Jalbert would not be operating under a different system than he is now.

As far as the cost, there will be some cost, there is no question about it, even though there might be some volunteers in some communities who would be very willing to do this and there is nothing to keep a clerk from appointing someone from outside a community if the community is too small and there is not enough interest. I can picture, let's say, Piscataquis County or something like that just having one team perhaps. There is no reason why that wouldn't work out just fine.

As far as the cost, let's face it, democracy costs, elections cost. We are willing to spend money on other election cost, why not on this? I see nothing wrong with asking the communities to spend a little bit of money just so we would not force officials such as ourselves to volunteer to go out and be present during the absentee balloting system. This House seemed very willing to have a \$100,000 regional primary, which I also support, and I see no reason why this House would not be willing to go along, even though there may be some cost to the communities on this bill. I think it really would be a major reform and certainly a huge improvement over the method of absentee voting which we now have in our laws.

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

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

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

Mr. SPENCER: Mr. Speaker, Ladies and Gentlemen of the House: I rise to support this bill on the basis of my experience in the last election. On election day, I was at the polling place and I received two phone calls from people who wanted to vote absentee who were not able to get to the polls. The message came to me that they wanted to be able to vote absentee. I went to see if I could

find a Republican who would come with me to their house to be there when they were voting so that there wouldn't be any question that I was out hustling people to vote for me and I had a fairly good idea as to how both of these people were going to vote.

The Republicans were too busy checking people in and out and so on so that they weren't willing to send anybody over with me and I didn't feel that the two people ought to be disenfranchised, so I went to pick up the absentee ballots.

At the first house, I walked in and an elderly woman in her late 70's said, "Mr. Spencer, how nice of you to come." I then gave her her ballot and she opened it up and she said "Now show me where your name is." I said well, I am not allowed to influence your vote. She said, "You won't be influencing my vote, just show me where your name is." I didn't want to do it so she finally found it and she marked it and then she said, "Well, do I have to vote for any of these other people?" Again, I wasn't able to influence her vote but I said well, I can't influence your vote but I hope that you will vote for all of the offices because I would hate to take back an absentee ballot that just has my name marked on it. She did finally vote for other officers. When she voted for sheriff, there were three people and she said to me, "I don't know who these three people are, which one should I vote for?" I said, "I am not allowed to influence your vote." She then went through and she said, "Let's see, there was a Democrat and there was a Republican and there was an Independent." The independent who was a convicted felon who was running for sheriff in Cumberland county was from Standish and she said, "Well, here is one from Standish, shall I vote for him Mr. Spencer?" I said "Well, I am not allowed to influence your vote." She finally did vote for the Democrat who was not from Standish. Then she put the thing in the envelope and I took it and signed it on the outside and took it back.

I then went to the other house where the person wanted to vote absentee and this was an elderly man who had had a stroke and was partially paralyzed. The question on the bottle bill came up. He looked at it and he said, "What is this referendum on returnable containers?" His wife looked at him and she said, "Oh, you want to vote against that. We have seen it on television. That is going to cost more money everytime we buy drinks at the store." He said, "That is not going to cost more money, you're going to get your five cents back." So they got into an argument over the bottle bill and they wanted me to be the arbiter of the argument as to how he was going to vote on the bottle bill. I would say, I'm sorry, I can't influence your vote.

I think that the very fact of my presence there when someone was voting was essentially the same thing as if I had been in the voting booth with them. It seems to me that if we could create a system that allowed people to do this by mail and also to set up a bipartisan system, that it would strengthen the public's confidence in the process and would remove any question of impropriety. I am not suggesting that there is any fraud going on, but when I was sitting there right in the living room and she was voting, I think that there was a very strong influence on that person voting to vote for the person that had been kind enough to bring them the ballot.

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

Mr. HUGHES: Mr. Speaker, Ladies and Gentlemen of the House: I would like to join other speakers in saying that I think this is a good bill. I don't know how many of you have nursing homes in your districts, perhaps not as many as I would have thought, but for those of us in cities, we have a number of nursing



homes. I don't know any experience in the electoral process that is more discouraging to me than to go to a nursing home to get absentee ballots because the possibilities and the temptations are incredible. The people are delighted to see somebody there visiting them. They would love to vote for you. They would do, in many cases, practically anything you told them to do because they are so happy to have somebody who cares about them. The visiting part is a joy, but you just feel that whoever got those ballots could, if they wanted to, get those votes. You do the best you can to avoid all of these temptations but you are in an inherent conflict of interest position as a candidate doing it.

At one time, I swore off going to nursing homes, and then I said, well, if I don't do it then the opposition, of course, is going to do it and they are going to have the same temptations, somebody is going to do the nursing homes and yet it is a terribly demoralizing experience for a candidate, I think.

What we tried to do in Auburn might be of some use to you. In the primary last fall, the four Democratic candidates, all of whom were friends, were also worried about this kind of situation and the solution we came up with was to go together to do the balloting so that all the candidates on the ballot were doing the balloting together. This worked relatively well, but it is a halfway solution and one which we were able to work out among ourselves.

I just think the whole process of absentee balloting is so open to misuse and abuse that we ought to do something about it, and this is a bill which will do that. If it insures the sanctity of the electoral process and creates some impression among the people that indeed, it is an honest process for absentee balloting and I don't think they have that feeling now, then it is worth whatever amount of extra costs might be involved. I would ask your support of this bill.

The SPEAKER: The Chair recognizes the gentleman from Kennebunkport, Mr. Tyndale.

Mr. TYNDALE: Mr. Speaker, Ladies and Gentlemen of the House: I did not intend to get into this debate whatsoever, but having been in office a great many years and having participated in absentee balloting, as a matter of fact, one year there were 204 absentee ballots cast and I secured 200 of them. I am very proud of the fact that I have visited these people personally and I don't agree with the previous speaker because a great many of these people in nursing homes are not in that condition that they don't know what is going on because they have a great deal of time to read and everyone that I have found is informed. I have never tried to participate in urging them to vote for any candidate. As a matter of fact, I called down one patient last election and I gave her the absentee ballot and I said, now look dear, you vote the way you want to, go over in that corner and do this for me and I don't care how you vote as long as you vote, because if you take that away from some of these people, you are taking away 50 percent of their lives. This woman voted and I said, have you completed your ballot and she said, oh yes, I voted for everybody. It made me feel that well, maybe this ballot was wasted but on the other hand, I would not miss that opportunity for anything in the world.

I don't think that if you do mail a ballot that you will get 50 percent of the absentee ballots. They will wind up either in the supervisor's hands in the nursing home or wherever it may be, and I think you would be making a serious mistake. That part of the bill I don't like and for that reason and some other reasons, I agree with the gentleman from Lewiston, Mr. Jalbert, that this is not a good bill and we should indefinitely postpone it.

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

Mr. GARSOE: Mr. Speaker, Ladies and Gentlemen of the House: Now that the gentleman from Standish has blown the lid on what really happened in Standish, and when one considers the results of that election, I think we have a couple of very good reasons to oppose the indefinite postponement of this piece of legislation. Do this for me.

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

Mr. BERRY: Mr. Speaker, Ladies and Gentlemen of the House: On March 23, 1976, this same issue was before us, and at that time the gentleman from Standish raised the question, what would happen in Baldwin if both Democrats refused to serve on the bipartisan committee? I was just curious to know whether he had resolved that yet.

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

Mr. SPENCER: Mr. Speaker, Ladies and Gentlemen of the House: I am pleased to note that this bill is different from the bill that we had before, that it permits absentee ballots to be handled by mail, which will eliminate the vast majority of the problems that would have been created by the bill before where you had to have a team in every case. I am satisfied that for people who become disabled in the last six days, that even in the town of Baldwin with its handful of Democrats could find enough to meet the requirements of this bill.

It is also a fact under this bill that the teams do not have to be residents of the town in which they are serving as a team, so if there is a town that doesn't have any Democrats, even that problem could be overcome.

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

#### ROLL CALL

YEA — Aloupis, Bachrach, Bagley, Beaulieu, Bennett, Benoit, Berry, Blodgett, Boudreau, A.; Boudreau, P.; Brown, K.L.; Brown, K.C.; Bustin, Carey, Carrier, Carroll, Carter, D.; Carter, F.; Churchill, Clark, Conners, Connolly, Cote, Cunningham, Davies, Devoe, Drinkwater, Dudley, Durgin, Elias, Fenlason, Flanagan, Gauthier, Gill, Gillis, Goodwin, H.; Gray, Green, Hall, Hickey, Higgins, Hobbins, Hunter, Hutchings, Jacques, Jalbert, Jensen, Joyce, Kelleher, Laffin, LaPlante, Littlefield, Lougee, Lunt, Lynch, MacEachern, Mahany, Martin, A.; Masterman, Maxwell, McBreairty, McHenry, McMahon, McPherson, Mills, Mitchell, Moody, Morton, Nadeau, Najarian, Nelson, N.; Norris, Pearson, Peltier, Perkins, Peterson, Plourde, Prescott, Quinn, Raymond, Shute, Silsby, Smith, Sprowl, Stubbs, Talbot, Tarbell, Tarr, Theriault, Tierney, Torrey, Tozier, Twitchell, Tyndale, Wilfong, Wood, Wyman.

NAY — Ault, Austin, Berube, Birt, Brenerman, Bunker, Burns, Byers, Chonko, Cox, Curran, Dexter, Diamond, Dow, Dutremble, Fowlie, Garsoe, Goodwin, K.; Greenlaw, Henderson, Howe, Huber, Hughes, Immonen, Jackson, Kane, Kany, Kilcoyne, Lewis, Locke, Mackel, Marshall, Masterton, Nelson, M.; Post, Rideout, Rollins, Spencer, Stover, Strout, Teague, Trafton, Truman, Valentine.

ABSENT — Biron, Gould, LeBlanc, Lizotte, McKean, Palmer, Peakes, Whittemore.

Yes, 97; No, 45; Absent, 8.

The SPEAKER: Ninety-seven having voted in the affirmative and forty-five in the negative, with eight being absent, the motion does prevail.

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

Mr. KELLEHER: Mr. Speaker, having voted

on the prevailing side, I now move that we reconsider our action and would hope the House would vote against the motion.

The SPEAKER: The gentleman from Bangor, Mr. Kelleher, having voted on the prevailing side, now moves that we reconsider our action whereby this Bill was indefinitely postponed. All those in favor of reconsideration will say yes; those opposed will say no.

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

Sent up for concurrence.

#### Divided Report

Majority Report of the Committee on Legal Affairs reporting "Ought to Pass" on Bill "An Act to Prohibit the Use of Offensive Names for Geographic Features and Other Places Within the State of Maine" (H. P. 1418) (L. D. 1661)

Report was signed by the following members:

Messrs. CARPENTER of Aroostook

HEWES of Cumberland

— of the Senate.

Messrs. MOODY of Richmond

BURNS of Anson

GOULD of Old Town

COTE of Lewiston

JOYCE of Portland

BIRON of Lewiston

DUDLEY of Enfield

Mrs. DURGIN of Kittery

Mr. SHUTE of Stockton Springs

— of the House.

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

Report was signed by the following members:

Mrs. CUMMINGS of Penobscot

— of the Senate.

Mr. CARRIER of Westbrook

— of the House.

Reports were read.

Mr. Cote of Lewiston moved that the Majority "Ought to Pass" Report be accepted.

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

Mr. CARRIER: Mr. Speaker and Members of the House: I wish to say a few words about this bill. In the first place, I don't believe in it because I think that this will be an infringement on more people than we have right now.

Let me suggest to you, as this bill does, I want to give you a few notes on the background. This bill says that you can bring a complaint if the name is based on race, color, sex, religion or ancestry. So when somebody asked me this morning, I volunteered what my race was, which I think is white, what my color was, I told them pink, but they didn't agree with me. When they said sex, I said "what?" When they asked me my religion, I told them that I was Catholic, and ancestry, I told them I was apparently French-Canadian, American, or whatever you want to call it. And according to articles in the Press Herald, I am probably in the group that is the most downtrodden group, minority. I don't care what they say, and probably it is so, but I can only say to you that the people that I represent and I do happen to represent a lot of people of different races, and this bill here, I don't want it to be made an issue that it is a race bill. I don't care what they call me at times, and I don't think this bill really goes to the core of things.

If you start changing names of different places, I think that you are actually entering into legal bounds. You read this bill if you are interested. You really have to read this bill to get an some exercise. We don't, especially around Westbrook, or where I was from before, and I don't know if I should say so or not, but it was the great City of Lewiston, but we do have places there which a while back different types

of people lived in places like what we called Scotch Hill in Westbrook. Apparently the Scotch people years ago, before they ever permitted me to enter Westbrook, this was their section. We also have Frenchtown; we also have Irish Hill; we also have Deer Hill. So this could be considered offensive by some of us, but let me tell you one incident that we had where Scotch Hill was really the real poor section of town a few years back and today it is getting to be one of the most expensive sections of town to live in. It is not a matter of name, it is a matter of principle. It is all in the person's mind, apparently, according to this bill, alleges to be aggrieved by something that somebody else does or says.

I might be very aggrieved by a lot of people and what they say, I might be very aggrieved by just looking at them, I might be aggrieved by doing a lot of things that other people do or be subjected to their doings, but actually this is life, and I don't think they are infringing on my rights or anything. I think that some of these people that are always complaining are making a diagnosis as to how this world should be. Well, this world is not the way we all want it to be. We all have our individual tastes, we all have our values and how things should be, and I just think that actually each person, each one of us is the one to decide what is offensive to us, and whether you like it or not, just what can you do about it?

I can picture myself, looking at this bill, to be the type that would go around and buy a 50 acre farm, which I cannot afford, but I would do that, and then, just for the purpose of challenging such a foolish bill, put about three roads in there and call them Frog's Haven. I am French and I don't find a frog as being offensive. If it were offensive, I would go for this bill and we would change all the frog ponds that we have in this state. How ridiculous can we be?

I am not here to make a dissertation or innuendos, but these are facts. When you really think about it — I know that some people are hurt maybe by being called certain things, I am too, I am hurt when somebody gets up here and says that I said a certain thing which in fact I did not do. I might be hurt sometimes because some people do make remarks about my religion, but I just say, well, I will pray for you, you need it. This is the way that I think you have to get on these things.

I this bill goes through, I am just the type of guy who will go out and buy 50 acres and put these roads in there with names that are not offensive to me, but let the Human Rights Commission or the Human Wrongs Commission come in after me.

Ladies and Gentlemen, there are very dangerous parts to this bill, because this bill says "any other road within a municipality." For those of you who have been in state government and for those of you who are in municipal government or have been there before, this actually puts you in the position where you have to enforce such unpleasant things.

I want to say just a few things about the bill itself. In the first place, right off hand what I see under 1103, you have to put your complaint in to the Human Rights Commission. Well, this is a nice one, because I have always referred to it as the Human Wrong Commission, it is a useless commission. I said that five years ago when it was voted in the House, when it was voted into law, and it still is. I have a bill this afternoon, if you want to hear something real nice this afternoon and kind, you come to that hearing at 1:30 and you will hear something nice there.

You read this. The complaint can be brought — it doesn't have to be brought by the person that is aggrieved or hurt, or whatever it is. It can be brought by anybody. I don't care; you can have anybody bring a complaint if you want to, but it also can be brought by an employee of

the commission. We are not talking about the commission itself, we are talking about an employee. The commission is bad enough without having its employees putting some suit against me because they don't like what I do or how I look. These are the things that you really have — with belief, not with facts but with belief that this is happening and all this stuff.

It is an awful thing to be subjected to this stuff. Any person aggrieved by the alleged offensive names may intervene in such an action. He is not even the moving party. If he is aggrieved by this, he should be the moving party and not go out and get everybody that you want to on the streets and get them to put the thing in for you. I don't see this at all.

It says "in no such action brought by the commission shall any injunction be required, nor shall damages be assessed for the wrongful issuance of an injunction." How far can we go? Are we protecting the ones that do things wrong anymore? I submit to you that in the first place I don't want to be subjected to the mercy of the Human Rights Commission. I have great reservations about those people. I think it probably, with a lot of work and a lot of changing around, could turn out to have some usefulness, but right at present, I think it is useless.

I submit to you that this is a bad bill. I gave this an awful lot of thought and I move for the indefinite postponement of this bill, all its papers, and I ask for a roll call.

The SPEAKER: The gentleman from Westbrook, Mr. Carrier, moves that this bill and all its papers be indefinitely postponed.

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

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: What this bill tells me, there is something around twenty-five to thirty million dollars involved in trying to alter all these names across the state. I know I have got some down in my country that have an English name written in Indian and if you tried to write the Indian name, you couldn't write it anyway because they have a language of their own.

There are also names down there that are historic; they are in the Washington County Archives. I think this is the most ridiculous bill I have ever seen.

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

Mr. BIRON: Mr. Speaker, Ladies and Gentlemen of the House: If I may address a question through the Chair to the good gentleman who just spoke, Mr. Mills, he indicated it would cost \$30 million to change the names. I was wondering where he came up with that figure.

The SPEAKER: The gentleman from Lewiston, Mr. Biron, has posed a question through the Chair to the gentleman from Eastport, Mr. Mills, who may answer if he so desires.

The Chair recognizes that gentleman.

Mr. MILLS: Mr. Speaker, if Representative Biron was to study this bill and realize how many agencies, how many land courts, how many of this, that and the other thing have got to be notified of this change in legal form, you will find that these court transfers, changeovers and everything else are going to research back 300 years to change this thing and make the documents all correspond with the new name given. If you don't think that is going to cost millions of dollars, you had better think again.

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

Mr. HENDERSON: Mr. Speaker and Members of the House: Today I am not going to let Mr. Carrier hang out on a limb all alone on an issue which could be embarrassing, but I agree with him virtually one hundred percent. I

am one of those do-gooder types that thinks the Human Rights Commission ought to be getting into a lot of other areas and I think they need to put their energies in places that people really are in jeopardy and really have basic problems, and personally I don't think this is one.

Things may be offensive to us, but whether we can legislate a solution to that problem is something that I seriously doubt, let alone try to define a situation that causes resentful displeasure to and is repugnant to the moral sense of a group of persons and which has a connotation of prejudice.

There are a lot of things that are repugnant to and give displeasure to a broad majority of the people in this state, in opposition to a minority who might have a particular problem or particular justifiable grievance. This could very well act in reverse order.

The Chairman of the Human Resources Committee, who is also the sponsor of this bill, heard a bill yesterday having to do with rights for homosexuals. Any discussion of that subject and their sexual preferences is certainly repugnant to and displeasurable to a large portion of this state. Personally I think that the bill that he was hearing the other day ought to be reported favorably. What I am trying to point out is, this is not necessarily going to protect minorities. It may very well be a vehicle to put minorities down.

Another question that I have in addition to the fact that it may not protect the people who it is contending to protect. Second thing, is the fact that the human rights commission ought to do other things. The third thing is a question of whether this is constitutional. It is a question of freedom of expression whether we like it or not. We don't like that expression. We can try to get people to change their ways or change their thinking but as far as I know in this country, people can say and call people basically what they want other than short of libel. Also, these names are placed there by public bodies. If we feel that any names that the State of Maine has been responsible for are offensive to us, then we ought to change those in a legislative action. Municipalities, if they are involved, should do the same. But to do it this way, I think is inappropriate and dangerous.

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

Mr. GREEN: Mr. Speaker, Ladies and Gentlemen of the House: I am going to be brief, but I rise today, it gives me great pleasure to probably the first time and hopefully not the last time that I will agree with the good gentleman from Westbrook, Mr. Carrier, but I think he is absolutely right with this issue. The Human Rights Commission is a commission, as the good gentleman from Bangor, Representative Henderson pointed out, a commission which I believe was established to deal with human rights issues which are far more prevalent than names on maps and names of bodies of water.

I respect the good gentleman from Portland, Mr. Talbot's thoughts. I believe he is sincere in sponsoring this legislation. I believe he feels very strongly that this will help eliminate some of the discrimination that has existed in the past which he is trying to get rid of.

I would just turn your attention on page three of this bill. I would like to address this question if I might, Mr. Speaker, through the Chair to the good gentleman from Stonington, Mr. Greenlaw, that is, on page three, section four, there is a little thing in here that says "name change required". It says "Niggerhead Island located in Stonington, Hancock County, and owned by Freeborn G. Jewett of Lyme, Connecticut, is hereby renamed Sprout Island. The municipal officers of Stonington shall, within 30 days of the effective date of this act, notify Freeborn G. Jewett and the Maine Commission of Conservation, the Secretary of the United

States Department of the Interior and other public agencies, boards, committees or other groups responsible for changing names of places and for insuring that such name changes appear on maps and other public documents that the name of this island has been changed to Sprout Island."

I guess I would just like to ask through the Chair if I might to the good gentleman from Stonington, Mr. Greenlaw if, in fact, he is familiar with the history of this and how receptive his municipal officers might be in Stonington and also if it is possible if he perhaps knows the origin or perhaps the sponsor, the good gentleman from Portland, Mr. Talbot would explain to me if in fact the naming of Niggerhead Island years ago was in fact meant to be discriminatory or just give me a little background on it?

The SPEAKER: The gentleman from Auburn, Mr. Green, has posed a question through the Chair to the gentleman from Stonington, Mr. Greenlaw who may respond if he so desires.

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

Mr. GREENLAW: Mr. Speaker, Men and Women of the House: I would like to respond very briefly to the gentleman's question. Unfortunately, I don't know the history of why that island was named as it is. I know where the island is very well. I just sent a note to the good sponsor of the bill, Representative Talbot of Portland, asking him to confirm something that I believe I have read in the press. That was whether or not the owner of this island had agreed voluntarily to change the name of the island from Niggerhead Island to apparently Sprout Island. He confirms that impression that I had. Obviously, the bill has more implications than just the change of the name of this particular island.

But it seems to me, if I can just expand on some of my feelings about this bill very briefly. In this instance, some people have indicated apparently to the owner of this island that they would like to see the name changed and the owner has agreed. It seems to me that that is a much more desirable way of going about accomplishing some of the things we like to rather than this particular piece of legislation.

I think that the gentleman from Bangor, Mr. Henderson, expounded on some very good reasons why we should not support this bill and I am going to support the motion to indefinitely postpone.

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

Mr. TALBOT: Mr. Speaker, Ladies and Gentlemen of the House: Before anybody gets carried away, let me explain a few things. I am the sponsor of this excellent piece of legislation. I would respond in answering the gentleman from Auburn, Mr. Green, that I wrote to Mr. Jewett in 1974 and I also wrote to Mr. Jewett this year insofar as Niggerhead Island was concerned off Stonington. On both occasions, he has been in agreement with my position and has voluntarily asked that the island be renamed to Sprout Island.

I guess I have got a lot to say because a lot of questions have been asked. I guess I will try to take my time to answer some of them. I don't know where the gentleman from Westbrook has been for the last 30 years. I don't know where the gentleman from Bangor has been for the last 30 years, because there was a law passed in Congress that does exactly what we can do today. If there is any problem, they could have done it anyway. This is not a bill coming up today just to change a name. Federally, they could have been able to do that for 30 years, since 1947.

I presented this issue to the department of conservation in 1974 in hopes that something would be done, and in hopes that I could get

some kind of direction into having these names changed. You must realize as I must realize, you just can't change the name of a location. You just can't do that, whether it is on the map or anything, you just can't do that. There are certain formalities, there are certain directions which we have to follow. But unbeknown to me, in being a new legislator, I got the runaround from the department of mapping which said that they were going to take care of this particular issue without going through the legislative process. That was in 1974. I have been in contact with that particular bureau the last three months and they have not made that change. The reason is that some of the members feel as you do that some of those names are historic and they don't want it changed. The name "nigger" is also historic as far as I am concerned. No one in this body was brought up underneath that name and I still carry the scars from that name. I still carry the scars from that name, and my children carry the scars of that name. I have had to fight over that name. If you use that name today, you are going to get by with it. If you use it any other time, I am going to challenge you, as I have in the past.

Don't get carried away with this piece of legislation about it being dangerous and it costing a lot of money. You can read as well as I can read. You can read the safeguards within this piece of legislation that is going to help alleviate some of the problems that you spoke about in the House today. First of all, you have got to file a complaint with the Human Rights Commission. I don't care what you say, there is no one in this body that has had any more dealings with the Human Rights Commission than I have. I have had dealings with the Human Rights Commission when this was an idea over in this corner in the hotel. So don't stand there and tell me the Human Rights Commission hasn't done a job. I think it has and that is why you are worried. Because it has done its job. A job that you don't want it to do and that is dig out prejudice and discrimination in this state. It is something that you don't want to deal with. Now that you have got to deal with it, you are saying it isn't doing its job. You are as intelligent as I am. Let's face the facts. I think this is a good piece of legislation. Of course, I think all the legislation brought forth is good. Make up your own mind on the legislation or make it up on the facts. Not on these red herrings that some of these people are pulling in here. It is like any other piece of legislation. You have got to file a complaint with the Human Rights Commission first of all. They have got to determine whether you have got a case, like any other case. The county commissioners have also got to determine whether you have got a case. If you haven't got a case, you haven't got a case. Then they file it. If you are not satisfied, you can go to court. There are safeguards built within the piece of legislation. It was well drafted. It can be well carried out. It is not going to cost \$12,000 or \$12,000,000 or anything else.

The reason why we have this specific case dealing with Freeborn Jewett is because he has specifically given us permission to change the name of that island. It is not going to cost a penny. You have got to contact the Secretary of State, you have got to contact all of these people, the mapping division, the board of geographical names in Washington. You have got to contact those agencies which have something to do with name changes. Let me go another step further. Under the board of geographical needs in Washington, you cannot use the name "nigger". I don't care where you are or what you are doing, you cannot use the name. You cannot use that name on anything, a hill, a road, a pond or anything else. You can't even name your grandmother nigger. They will not use it. Under the board, they have

guidelines as to what names can be used and what names they won't refer. They will not use the name of a living person. In the state of Kentucky, they went through all their typographical names on maps to do the very same thing. At that time, they did not know about the names here in the State of Maine which there are ten that I know of on Page 207 of length and breadth of Maine. It runs all the way from Nigger Brook to Nigger Island.

I want that name changed. I want that name changed because it is derogatory. It is derogatory not only to me but it is derogatory to my children and my relatives. It is derogatory.

You make up your own mind what you do. But you can't do that now. The committee knows that. That is why it came out with the report it did. Under the board of geographical names, you cannot just change a name. You are not going to do away with the history. You are changing the name. As far as I can remember to the best of my recollection, two of those have already been changed. I think in Waldoboro and some other place. They have already changed that name through their town officials. My memory is not well enough to know three or four years ago exactly what towns they would be because they were changed at a town meeting. If there are any questions on this, come see me. I can answer your questions. If somebody wants to table this so they can answer your questions, that is fine. But I am positive that because you pass this piece of legislation, nobody is going to come out and say now we want to change Squaw Mountain or Frog Lake. I know frogs that jump around on four legs and there is nothing derogatory about that. But I don't know any niggers that jump around on four legs. There is only one name for that. And that is what they have been calling me. That is what they have been calling my children. That is what they have been calling me. There is a derogatory connotation. And I dislike it.

If you want to vote against this piece of legislation, go against it because of the facts, not because of some red herring that somebody brought in here to do away with this piece of legislation. If there are any questions on this piece of legislation, come see me and we will try and straighten it out. If it is a bad piece of legislation, which it is not, then I will try to correct it. I am not here to pass bad legislation whether it is in behalf of myself or anybody else. I am not here to do that. I am here to pass good legislation and I am under the impression that this is good legislation. We can table this bill. There is no problem with it. And I am surely not a hard man to get along with, am I? If there are any questions, somebody table the bill and we will go over it. If it is not, let's vote on the merits of the bill. That is all I am asking you.

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

Mr. HENDERSON: Mr. Speaker, Ladies and Gentlemen of the House: I agree with the gentleman that we ought to deal with the bill on its merits and also the issues that he has raised on their merits. That list of places, those items that ought to be changed and that particular term is something that we shouldn't deal with, it shouldn't be part of the state's policy, which I agree then we ought to change that. That is not what this bill says. This bill says there are a lot of other things that we can't so easily agree on that are going to be involved. I don't disagree with the gentleman, obviously, about the use of that term and the offensive nature of it and that we ought to get rid of it as part of the state policy. The question is, this bill doesn't deal with that. It deals with a lot of other things that are a little fuzzier and I would rather have us deal with them directly.

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

Mr. BIRON: Mr. Speaker, Ladies and

Gentlemen of the House: I was one of the members of the committee that signed this bill out "Ought to Pass" and I would like to give you the reasons for it. I believe in the discussion that we have had here this morning on the floor of the House, you found some people were in opposition to the bill. I think that the real reason they are in opposition to the bill is that they are unhappy with the Human Rights Commission. That is their problem with the bill. The bill itself addresses a serious problem here in the State of Maine. The good gentleman from Portland, Mr. Talbot, has talked about his efforts, since 1974, in making the changes necessary, which the good gentleman from Bangor alluded to, about the problems here in the State of Maine with those names which he said should be changed. The good gentleman from Portland has made attempts to make those changes. However, he has had no response. No one has helped, no one has said yes, we will take the action necessary to make those changes so, unfortunately, he has had to draft legislation and bring it before this body in order to force these different departments to make those changes that are necessary.

Therefore, I would hope that you would support the legislation on its merits and if you have a problem with the Human Rights Commission, maybe possibly present an amendment in Second Reading for a different group to look at the different problems here in the state and address those problems. If that is the problem with the bill, I think it can be amended in Second Reading. I would hope that you would support the legislation. It is a good bill, only on its merits and not on personal feelings you might have about the Human Rights Commission.

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

Mr. GREEN: Mr. Speaker, Men and Women of the House: I respect the comments made by the good gentleman from Lewiston very much, but I resent the fact that he is insinuating that my opposition to this bill is a direct result of my displeasure, if you want to call it that, with the Human Rights Commission. It is quite the contrary.

This bill, in my opinion, does far more than what the original sponsor perhaps might have intended. I have the greatest amount of respect for the gentleman from Portland. My short period of time up here as a freshman legislator, I have gotten to know Representative Talbot quite well and I have the utmost respect for that individual. But I don't believe that this bill is necessary to do what the good gentleman from Portland wants us to do. I resent very much the fact that the good gentleman from Lewiston has inferred that opposition to this bill has come as a direct result of being unhappy with the Human Rights Commission.

I would only say in closing that I support the motion to indefinitely postpone and that I believe the Human Rights Commission exists for problems dealing with housing, with problems dealing with more immediate concerns than names on maps and so on. If there is a way that we can take care of that, then let's do it through another piece of legislation.

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

Mr. LaPLANTE: Mr. Speaker, Ladies and Gentlemen of the House: I have great respect for the good gentleman from Portland, Mr. Talbot. I have worked with him on the committee since January and I really do respect him. But I really don't think that this piece of legislation will do what it is supposed to do. I was hoping to get a map of Maine, but one of the Pages couldn't find one out back.

We have probably the most internationally named communities in Maine than anywhere across the country. They were named because people of certain origins, certain nations across the world came and settled in those areas. Now,

maybe many of their families have moved away and are not there any more, somebody from Sweden, Norway, whatever in these towns, no one from those areas now could easily say this is offensive to Norway, this is offensive to Sweden and this really would be costly. I really agree with Representative Mills that this would cost in the millions of dollars to change this all over the state.

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

Mr. GREENLAW: Mr. Speaker, Men and Women of the House: I would like to pose a very brief question through the Chair to the gentleman from Portland, Mr. Talbot, if I might. The question is, is this piece of legislation, with particular reference to Section 4 which addresses a change of the current name of Nigger Head Island in Merchants Row near Stonington to Sprout Island, is it necessary for this piece of legislation to be passed in order for that change to be effective?

The SPEAKER: The gentleman from Stonington, Mr. Greenlaw, has posed a question through the Chair to the gentleman from Portland, Mr. Talbot, who may respond if he so desires.

The Chair recognizes that gentleman.

Mr. TALBOT: Mr. Speaker, yes, I believe so. As it was explained to me, some of those names are names that are locations in geographical maps of geographical locations and sites for ships and what not. So to have your name changed on a geographical map, then it must go through the legislative process, as I understand it.

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

Mr. SPENCER: Mr. Speaker, Ladies and Gentlemen of the House: I have just conferred with the gentleman from Portland, Mr. Talbot, in the back of the hall, and if we vote against the indefinite postponement of this measure, I would offer an amendment tomorrow which changes the definition of offensive names simply to provide that an offensive name means a place which includes the word "nigger." That would then establish an orderly procedure. The rest of the bill simply establishes an orderly procedure for making those changes, and it seems to me we can eliminate the constitutional questions arising from the definition of offensive names and simply go about the business of removing that designation from the geographic names of this state in an orderly manner.

I would urge you to vote against indefinite postponement, allow this bill to go to second reading and then we could propose that amendment.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Westbrook, Mr. Carrier, that Bill "An Act to Prohibit the Use of Offensive Names for Geographic Features and Other Places Within the State of Maine," House Paper 1418, L.D. 1661, and all accompanying papers be indefinitely postponed. All those in favor of that motion will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Alopis, Ault, Austin, Boudreau, P.; Byers, Carrier, Carter, D.; Carter, F.; Connors, Cunningham, Dexter, Dudley, Fenlon, Gauthier, Gillis, Green, Hall, Hunter, Hutchings, Jackson, Kelleher, Kerry, Lewis, Lizotte, Lunt, MacEachern, Mackel,

Masterman, Masterton, Maxwell, McBreairty, McHenry, Mills, Morton, Nelson, N.; Perkins, Peterson, Plourde, Prescott, Raymond, Smith, Sprawl, Strout, Twitchell.

NAY — Bachrach, Bagley, Beaulieu, Bennett, Benoit, Berry, Berube, Biron, Blodgett, Boudreau, A.; Brernerman, Brown, K. L.; Brown, K. C.; Bunker, Burns, Bustin, Carey, Carroll, Chonko, Churchill, Clark, Connolly, Cote, Cox, Curran, Devoc, Diamond, Dow, Drinkwater, Durgin, Dutremble, Elias, Flanagan, Fowlie, Garsoe, Gill, Goodwin, H.; Goodwin, K.; Gray, Greenlaw, Henderson, Hickey, Higgins, Hobbins, Howe, Huber, Hughes, Jacques, Jalbert, Jensen, Joyce, Kane, Kany, Kilcoyne, Laffin, LaPlante, Locke, Lougee, Lynch, Mahany, Marshall, Martin, A.; McMahon, McPherson, Mitchell, Moody, Nadeau, Najarian, Nelson, M.; Norris, Peakes, Pearson, Peltier, Post, Quinn, Rideout, Rollins, Shute, Silsby, Spencer, Stover, Stubbs, Talbot, Tarbell, Tarr, Teague, Theriault, Tierney, Torrey, Tozier, Trafton, Truman, Tyndale, Valentine, Wilfong, Wood, Wyman, The Speaker.

ABSENT — Birt, Davies, Gould, Immonen, LeBlanc, Littlefield, McKean, Palmer, Whittemore.

Yes, 44; No, 98; Absent, 9.

The SPEAKER: Forty-four having voted in the affirmative and ninety-eight having voted in the affirmative, with nine being absent, the motion does not prevail.

Thereupon, on motion of Mr. Cote of Lewiston, the Majority "Ought to Pass" Report was accepted, the Bill read once and assigned for second reading tomorrow.

#### Consent Calendar

##### First Day

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

(H. P. 1066) (L. D. 1293) Bill "An Act to Repeal Certain Laws Relating to Corporations" — Committee on Business Legislation reporting "Ought to Pass"

(H. P. 1188) (L. D. 1424) Bill "An Act to Authorize Educational Rehabilitation under the Workmen's Compensation Statutes" — Committee on Labor reporting "Ought to Pass"

(H. P. 874) (L. D. 1067) Bill "An Act Relating to Workmen's Compensation for State Law Enforcement and Institutional Personnel" — Committee on Labor reporting "Ought to Pass"

(H. P. 296) (L. D. 353) RESOLVE, Authorizing the Treasurer of State to Release Funds (H. P. 296) (L. D. 353) — Committee on State Government reporting "Ought to Pass" as amended by Committee Amendment "A" (H-347)

(H. P. 1144) (L. D. 1391) Bill "An Act to Provide a Uniform Basis for Recognizing the Right of the University of Maine Employees, Maine Maritime Academy Employees, Vocational-Technical Institute Employees and State Schools for Practical Nursing Employees to Join Labor Organizations" — Committee on Labor reporting "Ought to Pass" as amended by Committee Amendment "A" (H-350)

(H. P. 1085) (L. D. 1309) Bill "An Act Relating to Time Limitation on Providing Written Reasons for Termination of Employment" — Committee on Labor reporting "Ought to Pass" as amended by Committee Amendment "A" (H-349)

(H. P. 63) (L. D. 88) Bill "An Act to Authorize the University of Maine to Execute a Charitable Gift Annuity with a Donor" — Committee on Business Legislation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-358)

(H. P. 265) (L. D. 333) Bill "An Act Concerning the Taking of Black Bass" — Committee on Fisheries and Wildlife reporting "Ought to

Pass" as amended by Committee Amendment "A" (H-353)

(H. P. 184) (L. D. 246) Bill "An Act Relating to Abandoned Safety Deposit Boxes" — Committee on Business Legislation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-355)

(H. P. 959) (L. D. 1151) Bill "An Act to Provide Limited Immunity to aid in Arson Investigation" — Committee on Business Legislation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-356)

No objections being noted, the above items were ordered to appear on the Consent Calendar of May 19, under listing of the Second Day.

#### Consent Calendar Second Day

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

(H. P. 719) (L. D. 854) Bill "An Act to Regulate the Placing by Nonutilities of Electric Utility Facilities within Public Ways" (C. "A" H-340)

(H. P. 621) (L. D. 762) Bill "An Act to Amend the Law Creating the Commission on Governmental Ethics and Election Practices"

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

(H. P. 213) (L. D. 223) Bill "An Act to Strengthen the Counties' Role in Human Services" (C. "A" H-338)

On the objection of Mr. Connolly of Portland, was removed from the Consent Calendar.

Thereupon, the Report was accepted and the Bill read once. Committee Amendment "A" (H-338) was read by the Clerk and the Bill assigned for second reading tomorrow.

(H. P. 718) (L. D. 840) Bill "An Act to Amend the Charter of the Augusta Sanitary District" (Emergency) (C. "A" H-339)

(H. P. 877) (L. D. 1102) Bill "An Act Concerning County Contingent Funds and the Rate of Interest Which May be Charged for Delinquent County Taxes" (C. "A" H-337)

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

#### Passed to Be Engrossed

Bill "An Act Relating to Instruction Posting under the Election Laws" (H. P. 454) (L. D. 559)

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

Mrs. Boudreau of Portland offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-341) was read by the Clerk and adopted.

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

#### Second Reader Tabled Unassigned

Bill "An Act Establishing the Maine Student Incentive Scholarship Program" (S. P. 423) (L. D. 1481) (C. "A" S-133)

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

Mr. Wyman of Pittsfield moved that the Bill and all accompanying papers be indefinitely postponed in non-concurrence.

On motion of Mr. Tierney of Lisbon Falls, tabled unassigned pending the motion of Mr. Wyman of Pittsfield to indefinitely postpone.

#### Finally Passed Constitutional Amendment

Resolution, Proposing an Amendment to the Constitution to Repeal Provisions Relating to the Poll Tax and to Payment in Lieu of Military Duty (S. P. 387) (L. D. 1300)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being a Constitutional Amendment and a two-thirds vote of the House being necessary, a total was taken. 113 voted in favor of same and none against, and accordingly the Resolution was finally passed, signed by the Speaker and sent to the Senate.

#### Emergency Measure Later Today Assigned

An Act to Allocate Money from the Federal Revenue Sharing Fund for the Fiscal Years Ending June 30, 1978 and June 30, 1979 (S. P. 106) (L. D. 235) (C. "A" S-128)

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

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

Mr. GREENLAW: Mr. Speaker, I would like to pose a question to either Mr. Theriault or Mr. Lynch. This is allocation of state revenue-sharing money for teacher retirement. I just got an engrossed copy of the bill, and I guess the question I am asking is why is this money allocated to the Department of Education and Cultural Services. I realize that it has a teacher retirement identification on it, but I am just confused and would like an answer to the question.

The SPEAKER: The gentleman from Stonington, Mr. Greenlaw, has posed a question, through the Chair to the gentleman from Livermore Falls, Mr. Lynch, who may answer if he so desires.

Mr. LYNCH: Mr. Speaker, Ladies and Gentlemen of the House: In answer to the question, I think it is because when the legislature decided to pick up the local contribution of the teachers' retirement, it became part of the Education funding at that time. I believe that is correct.

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

Mr. TALBOT: Mr. Speaker, I would pose a question through the Chair to anyone who may care to answer. I would like to have somebody explain to me Section 5 of the Bill.

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

Whereupon, on motion of Mr. Curran of Portland, tabled pending passage to be enacted and later today assigned.

#### Passed to Be Enacted Emergency Measure

An Act Appropriating Funds for Current Services of the Maine Human Services Council for the Fiscal Years Ending June 30, 1978 and June 30, 1979 (H. P. 564) (L. D. 689)

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. 109 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.

#### Emergency Measure Reconsidered

An Act to Increase and Clarify Borrowing Capacity of the Topsham Sewer District (H. P. 837) (L. D. 1025) (C. "A" H-291)

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

On motion of Mr. Kelleher of Bangor, under suspension of the rules, the House reconsidered

its action whereby the Bill was passed to be engrossed.

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

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

House Amendment "A" to Committee Amendment "A" (H-360) was read by the Clerk and adopted.

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

#### Passed to Be Enacted

An Act Concerning Damage to Cars Involved in Collision with Deer (H. P. 692) (L. D. 874)

An Act Relating to a Single State Contract Agency for Matters Dealing with the Federal Fire Prevention and Control Act of 1974 (H. P. 949) (L. D. 1143)

An Act Concerning the Disposition of Human Remains (H. P. 1543) (L. D. 1771)

An Act to Amend and Repeal Certain Laws Relating to Public Utilities (H. P. 1091) (L. D. 1315) (C. "A" H-290)

An Act to Provide Accessible Polling Places for the Physically Handicapped and the Elderly (H. P. 68) (L. D. 98) (C. "B" H-283)

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.

#### Orders of the Day

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

"An Act in Support of Regional Library Systems" (S. P. 462) (L. D. 1585) (S. "A" S-122)

Tabled — May 16, 1977 by Mr. Stubbs of Hallowell.

Pending — Passage to be Enacted.

On motion of Mr. Stubbs of Hallowell, under suspension of the rules, the House reconsidered its action whereby this Bill was passed to be engrossed in concurrence.

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

House Amendment "A" (H-359) was read by the Clerk.

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

Mr. LYNCH: Mr. Speaker, Ladies and Gentlemen of the House: I have no objection to the amendment as long as everybody understands what it does. It allows small libraries to remain outside the regional library function.

This has been set up to allow small libraries to have access to the large library centers for books which they cannot afford to carry in their own library. It also includes audio-visual and talking books and things that are very expensive and periodicals that small libraries cannot afford to carry by themselves. If a small library elects to withdraw and take the 10 cents rather than the 25 cents per capita, I think it should be understood that they, by rights, should have no access to the regional centers without paying something.

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

Mrs. MITCHELL: Mr. Speaker, I move the indefinite postponement of this amendment and would speak to my motion.

The SPEAKER: The gentlewoman from Vassalboro, Mrs. Mitchell, moves the indefinite postponement of House Amendment "A".

The gentlewoman may proceed.

Mrs. MITCHELL: Mr. Speaker and Members of the House: Mr. Stubbs amendment deals with a small portion of this bill designed to make library service better for all Maine users, particularly those people in rural areas who

either have small libraries or access to local libraries by paying a fee. For example, I live in Vassalboro. We have a small public library open a few number of hours a week. I spend a great deal of time in Augusta as you do. Under the regional plan, I could use a library card, go into the Augusta library and use their facilities without charge. As it is now, as a non-resident of the city of Augusta, I have to pay a \$10 fee.

The philosophy of the entire law, and I would like you to look at the entire bill, is to encourage access to the state's major library resources through cooperative activities. Mr. Stubbs deals with the 25 cents per capita aid to these libraries. The only thing a library has to do to be eligible for the 25 cents per capita state aid is to agree to share their resources. That is the only real requirement. There is nothing new. Hallowell was allowed to receive a 10 cents per capita aid under the same agreement. We are simply upping the amount of money but they have to agree to share their resources with those of us from less fortunate communities.

So I urge the indefinite postponement of Mr. Stubbs' amendment.

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

Mr. STUBBS: Mr. Speaker, Ladies and Gentlemen of the House: All this amendment does is insure that small libraries that do not care or wish to join a regional system will continue to receive 10 cents per capita as they have been doing in past years. Whether or not they wish to join a regional system, I firmly believe should be a matter of local decision. I do not believe we should mandate it here on this level. One of the prime objections of the trustees of the library, in my district, is that they would have to honor cards from all over the state, circulate books all over the state, anybody from any section of the state could come in, borrow a book, then if it wasn't returned, they would have to chase it down.

Now, I know some will say well, it is simply a matter of calling up on the phone and letting the library in that district go get it. It is easier said than done. It just isn't done.

In order to comply for this 25 cents, many of these small libraries just don't have the staff, the expertise or what have you and I would strongly suggest that if you investigated of these hundred odd libraries out of 214 libraries in the state, an estimated hundred odd very small libraries, what they would be forced to do would be to spend far in excess of what they would be getting in return. I think we should leave it to the local officials.

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

Mr. HICKEY: Mr. Speaker, Ladies and Gentlemen of the House: I would like to ask Mr. Stubbs how his amendment affects the fiscal cost of this bill?

The SPEAKER: The gentleman from Augusta, Mr. Hickey, has posed a question through the Chair to the gentleman from Hallowell, Mr. Stubbs who may respond if he so desires.

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

Mr. STUBBS: Mr. Speaker, Ladies and Gentlemen of the House: I would answer that, through investigation on my part of the state library, it is certain that in the part one budget, there is sufficient funds to take care of this. The appropriation you see in this bill will take care of the 25 cents per capita. It is not necessary to appropriate any more money.

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

Mr. HENDERSON: Mr. Speaker, Ladies and Gentlemen of the House: I think I am one who would agree that local control is something that we ought to keep paramount. I think what goes with local control is local responsibility. I think what Mr. Stubbs amendment wants is he wants

all the people of Maine to help support his library, but he is not willing to let the people of Maine use that library by taking books out of it. I think that is the crunch.

I really don't think this is a great threat to the small libraries to take books out. In fact, the flow big cities aren't just craving to go to the very small libraries to take books out. In fact, the flow is usually in the other direction, overwhelmingly in the other direction. These people from smaller communities who would like to have the right to go to the larger communities and take books from there. That is the basic flow. I think by not encouraging the small libraries to join, by giving my tax money to support their library, they are going to get a benefit in terms of a certain amount of support and at the same time are not going to be encouraged to allow their own members to come to the Bangor library to take books out of that library.

Also, I am not sure of Mr. Stubbs' explanation of the fiscal note. If the money is already in the figures that exist, it just has to mean there is less leftover for those other libraries who are getting a 25 cent reimbursement. It is either there is less left for those communities or else there has got to be a greater appropriation. I support the motion for indefinite postponement of this amendment.

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

Mr. CONNORS: Mr. Speaker, Ladies and Gentlemen of the House: I have had several telephone calls and some correspondence with some of my communities. The original bill, without Representative Stubbs' amendment, takes away the 10 cent per capita. Either the small town libraries have to receive the 25 cent per capita or receive nothing from the state which they have been receiving. It is compulsory as far as I am concerned for the small libraries to continue to operate to go under this system under the original bill. With Representative Stubbs' amendment, the small libraries would continue to receive 10 cents per capita.

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

A vote of the House was taken.

62 having voted in the affirmative and 35 in the negative, the motion did prevail.

Thereupon, the Bill was passed to be engrossed as amended by Senate Amendment "A" in concurrence.

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

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

An Act to Increase Flexibility in the Funding and Operation of the Vocational-Technical Institutes (H. P. 221) (L. D. 285) (H. "A" H-270 to C. "A" H-153)

Tabled — May 16, 1977 by Mr. Birt of East Millinocket.

Pending — Passage to be Enacted.

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

Mr. HIGGINS: Mr. Speaker, Ladies and Gentlemen of the House: I have been having great conversations with the gentleman from East Millinocket, Mr. Birt and several others through the past week or so since this bill was first brought to my attention. I have been accused to some extent by several people of being against flexibility for the vocational-technical centers throughout the State of Maine. I can assure this body that that is certainly not the case, that I am very much in favor of vocational education and more so than a lot of people I think would believe. They may be getting me confused with another gentleman who is on appropriations who I think is going to make a mo-

tion that we indefinitely postpone this bill. I am not going to. I am going to ask later on, I hope anyway, that the rules be suspended.

First, I would like to tell you why I am concerned about this bill. If you will take a look at the original bill, then look at the engrossed copy if you happen to have it available, the bill essentially calls for as it's written now in the engrossed copy, that all tuition received from students at all vocational centers, will go into a special revolving account to supplement funding the vocational centers. This money will be used at the discretion to some extent of the Commissioner of Education and the Board of Education. In addition to that, it calls for a single budget request for personal services so that, right now, the budget has appropriations for each individual vocational center a gross appropriation and also an appropriation or personnel count. If this bill should pass, we will not have that personnel count and it will be just one big gross appropriation that the legislature will have no control over, at least where they are sent. We will have control over the number of people that are there, but we won't have any control over where within the state they are and I guess that is one of the problems that I have with it.

I think it has several disadvantages. First of all, I think the legislature is losing a good deal of its control over vocational educational features that are offered by the centers throughout the state, not only in dollars spent and dollars received, but also in the number of people at each vocational center. I think that people that are involved in vocational education should be concerned somewhat with this. I know that they want the bill as it's written now, but I think, at least I have given it considerable thought and I would pose a hypothetical situation, that would be one in which a particular vocational-technical institute was at disfavor with a particular governor or perhaps a particular commissioner of education and they wished through the means of this bill and it is available to them to phase out a particular school or somehow penalize them politically by saying for example: If we are going to teach welding, we are going to teach it at Central Maine Vocational Technical and anybody who wants to teach it that happens to be a teacher at S.M.V.T.I. is going to either be transferred or they are going to lose their job. This could happen throughout the state and eventually we could end up with a system where we have perhaps one or two real big vocational centers throughout the state and several smaller ones or at least what I would call less effective ones in the peripheral areas which I don't think is the intent of the legislature at least at this point in time. I am not saying that that is going to happen, it is certainly not the intent of this bill and I do applaud the intent of the bill and am very much in favor of it, but I think that some control should be left to the legislature as to where this money and where these people are going to be. That, in the sense, is why I am very much at least at this point in time, opposed to the bill as it is written. I think when you look at it in depth, we are talking here about making almost a blunt grant appropriation as the bill is written, to the vocational-technical centers throughout the state. They are going to keep all their tuition, they are going to have complete control over where the personnel are sent. To me it just borders on becoming another University of Maine system. If that is what the legislature wants, fine. But let's do it on a conscientious basis and let's not lose sight of that fact.

I guess I am sure that Mr. Birt has some other comments to make about the Bill.

I would urge you to give it considerable thought because I think it is a real definite policy decision that this legislature should be making.

I would only close in saying that the bill that Mr. Birt presented at the beginning of the session which was the governor's bill, did not call for all tuition to go to the vocational centers, it only called for excess tuition over and above the governor's estimate. So with that, I would ask you to give it some deep consideration.

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

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: I would like to go in and explain the other side of what I understand this bill was, having lived with it for about three or four months.

First off, this was not the Governor's bill. This bill first came to my attention in discussion with some of the problems at the vocational schools and the discussion with the head of the school at Bangor, the Eastern Maine Vocational-Technical Institute. I talked with the commissioner about the development of this bill. The Commissioner of Education indicated that I had an interest in supporting it. When the education bills were presented to the Governor, the Governor did isolate this as one that he gave a high priority to. It is not, in the sense, a bill that was developed in the Executive Office. It was developed in the Department of Education.

I think that probably in order to be able to explain this out, it requires going into to some degree, some of the information that was put in a Task Force Report on Economic Development. One of the areas where they felt that a major assistance could be offered to economic development would be in the vocational-technical institutes. There are several recommendations in there, expand the capacity of the state vocational-technical institutes to respond to the training needs of Maine's business and citizens and improve centralized V.T.I. data resources. A well-trained labor force is, in the sense, a resource to successful economic development. The State of Maine provides vocational-technical training in its regional vocational-technical centers which operate primarily at secondary level, that funded under the Educational Finance Act and has six vocational-technical institutes, V.T.I. which operate at the post-secondary level and are independently funded by the Legislature. The Task Force believes that the vocational-technical institutes have the greatest potential of these resources, a highly productive element of the state's economic development effort, and are particularly as an element of the industrial development effort. The excellent placement record of over 90 percent every year have tested the efficiency and success of the Maine V.T.I. However, the V.T.I. currently faced severe limitations on their efforts to provide training for Maine citizens and occupations for which are in demand in the state. The following specific recommendations are intended to reduce these limitations to provide for a V.T.I. system which is more responsive to immediate training needs, able to serve more Maine students, more flexible in its program offering and still fully accountable to the people of the State of Maine through the legislature. All money now goes directly to the state's General Fund. There is little incentive for the V.T.I.'s and I think this is some of the important issue, to expand enrollment because they do not retain the increase in revenue to offset the increased cost. Tuition rates which are set by the Board of Education have little or no relationship to actual funding. This change would provide a greater incentive for better management and more responsive services. The businesses would send employees to V.T.I. training, indicates would be willing to pay higher tuition rates who would be willing to underwrite the costs of the program not now available. Currently, approval is needed from the Board of Education, the Governor and Executive Council to apply for

and again to accept such funds. The time delays involved make it very difficult to attract foundation and private industry and federal agency interests and to respond properly to a pressing training need.

One of the other recommendations has allowed the Commissioner to change programs under the direction of the State Board of Education. This would allow faster, yet still a fully accountable response to immediate needs at the institute level. The V.T.I.'s are post-secondary education institutes and as such have needs and problems quite different from those of the elementary and secondary schools. In many cases, rapid response to a particular need may make the difference in the decision of a particular company or business to locate or expand in the state. This is some of the background of why this bill was developed.

Take a look at some other thoughts. The V.T.I.s are the only schools in the state that have actually no flexibility, no autonomy in their own right. The Maine Maritime Academy has a one-line item in its budget. The University of Maine has a one-line item in its budget. Yet, both of these schools are still subject to the actions of the Appropriations Committee and the legislature. The University of Maine, which has been under some criticism for the last two or three years in its spending program, have been put under severe fiscal restraints by the actions of the Appropriations Committee and the legislature. As a result, have brought into line some things that I think were very positive actions. I refer particularly and I was on a study committee that reviewed the university is to indicate that a positive percentage would be funded from tuition from the students, then the balance would be funded from the state. That and other sources pick up 67 percent. I think this was a very positive move.

There is before us, and I think this is the issue because we have gone this far in there is before us a proposed amendment. The good gentleman from Scarborough, Representative Higgins, indicated that he eventually intended to make a motion to suspend the rules but we are having the debate prior to that action so we can decide what we will do. This amendment doesn't allow a great deal of opportunity for funding because it will say that all vocational-technical institute tuition revenue other than those funds received from a general tuition increase in any given year exceeds the governor's budget. That is true as I read it that this would allow if they do take in more students that this money can be put into the special revolving fund. The amount of money that would go in there would not be, I wouldn't feel, a very large amount of money that would go into this revolving fund.

What the intent is at the present time is to separate the tuition which, would be roughly a million dollars, separate the tuition from the appropriation. This money would go into the revolving fund to be spent by the individual schools themselves. If there was any additional money left in the fund, then the authority to transfer that to one of the other schools could be granted by action of the commissioner. It clearly indicates that the commissioner would have — this would have to be done under his direction. I do feel that if we want to develop the vocational-technical institutes so that they can be a really valuable tool for educating students at the post-secondary level, the proposal as written today is a good proposal. It bears the endorsement and support of the State Board of Education, the commissioner, the heads of the Maine vocational-technical institute.

I think that the approach to it is a good, sound approach. When the motion is made to suspend the rules, having thoroughly debated this, I would hope that probably the rules will not be suspended and then we can proceed to enact this bill.

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

Mr. JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: I am delighted to hear the gentleman from East Millinocket, Mr. Birt, say that he hopes the rules would not be suspended because I would object to the rules being suspended. Mr. Speaker, members of the House, there is nothing outside of Seat 78 that I cherish more in this legislature than vocational education.

I can remember two and a half decades ago when I first got into vocational education. The second time I put a bill in, I did get two people that helped me, a gentleman by the name of Al Schnerles, and a gentleman by the name of Frank S. Hoye, who later on became Chairman of the Board of Education.

I begrudgingly, at a special session a few years ago, went along with the super university. You know that I fought against it this time because it would have combined a couple of schools and I was afraid of it. I don't want to start a super vocational educational school. The first opponent, year in and year out, when I put in a bill concerning vocational education, was higher education, headed by the commissioner, deputy commissioners and others. The second group at the time, and they have left it alone in the last few years, were some labor organizations. If you did suspend the rules, all it would do is just open the door, just like the original bill is concerned.

I have pleaded with the gentleman from Scarborough not to put that amendment, in and as far as this not being a Governor's bill, last Friday the Appropriations Committee was graced with company, Mr. Birt from Millinocket, accompanied by a representative of the Governor pleading for the bill. As I say, this would absolutely and positively set up a super vocational education system. This bill would take all the tuition revenue and would go into a non-lapsing account and this would cost the general fund \$1,000,000 per year that we don't have for this purpose.

Incidentally, I could very well, Mr. Speaker, question the fiscal note on this measure. This L. D. would set up one personal services appropriation which will include all faculty and administrative positions in the VTI's. The department will then have the legislative approval to allocate these funds in positions at their discretion. The gentleman from Millinocket says it could spend the money of the schools and be distributed at the discretion of the Commissioner of Education. In this instance, we have a good commissioner, but sometimes commissioners might not listen.

This L. D. would eliminate all of the legislative control that we have over the programs in the VTI's. The suspension of the rules to put in an amendment is a door opener. It sets up a mini slush fund and it is no good. The bill itself grabs every tuition dime and puts it into a special account and costs the general fund \$1,000,000 a year. If you want to recess and if you want to go ask the Legislative Finance Office, and if they don't tell you that my figures are correct, then I will say no more; but I assure you that I am correct. I will not call for the fiscal note on this thing. I could very well do it because there is none. That would automatically deep six the bill anyway, so I will do it the proper way, Mr. Speaker. I move that this bill and all accompanying papers be indefinitely postponed and when the vote is taken, I ask for the yeas and nays.

The SPEAKER: The Chair recognizes the gentleman from Calais, Mr. Gillis.

Mr. GILLIS: Mr. Speaker, Ladies and Gentlemen of the House: I rise in support of this bill and in an effort to back up the remarks of the gentleman from East Millinocket, Representative Birt, I would like to give you an

illustration of where these funds would have come in handy in the City of Calais in District 102.

A year ago, the Norwalk Shoe Company came into Calais with the proposal of settling there. They came in to review the manpower availability and inasmuch as we have had a shirt manufacturing corporation there for some time and which had recently moved out, they were elated to find that we had stitching operators there. Inasmuch as this operation was a stitch and sew, so to speak, they wanted a training program to determine the capability of the people. This program was set up in conjunction with the vocational training school. As a result of this operation and this training program, the shoe company came in, established the operation and started off with approximately 35 jobs at the beginning. Within four months, the quantity and quality of the product so impressed the shoe people that they increased the force to 75 people.

Last week, I went back home to an industrial appreciation banquet and there I was informed that this same company had now decided to increase the factory operation to include another 50 personnel, to bring it to 125, with the great possibility of adding 25 jobs before the summer is over. Thanks to the good people in the vocational training institute who set up the training program, the city of Calais has a going concern there now with 125 jobs in the pocket and the good possibility of more. This would not have been possible without the availability of the training facilities of the vocational training institute. I ask you to support this bill.

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

Mr. JALBERT: Mr. Speaker, Members of the House: I was sent a note that I should know better when I speak about the gentleman, Mr. Birt, I should know that he is from East Millinocket and I make that correction. I am delighted to say that because the gentleman from East Millinocket well remembers that on an evening, one of the historic days of my life happened when the bill was enacted for the vocational training institute in Androscoggin County which wound up in Auburn on the beautiful shores of Lake Auburn at the time to my chagrin, to now my joy, I put in an order to study the feasibility, \$25,000, of a school in eastern Maine, and that passed and there is a beautiful school in eastern Maine.

The gentleman from Calais, Mr. Gillis, what he was speaking about has nothing to do with this program here. I might remind him that the bill to set up the vocational school in Washington County was presented, my name as cosponsor was not on it, but he can ask another gentleman in the other branch just who gunned the bill through the committee and he will get his answer.

I was very much and still am very much involved in vocational schools in that area as I am involved in vocational schools anywhere. As a matter of fact, I am the author of the high school vocational school program. I am just saying to you that this thing here can happen just this week and work the other way than the gentleman from Calais is talking about. Anybody from any school can walk in and sitting on his desk is a note — you are hereby transferred from Auburn to Portland to North Hampton, to Northern Maine. A director can get a note — a course has been eliminated. A director can get a note to say that he is transferred elsewhere.

Please hear me. In Central Maine Vocational School, 94 percent of the students who have graduated from that school since 1965 are still working at trades. The average of hiring is 93, 94, 95 every year. One third of the graduating school cannot go even to graduation because they are working. Ninety-four percent are at trades. Ninety-two of that 94 percent are work-

ing at the trades that they graduated from. If they graduated from the electrical course, they are still working in some capacity in the other program of electrical course. If they were working on construction when they graduated, they are still working in construction. Right now, we can't put another person in the school, nursing school or vocational school, the program is going fine. It is going triple A. I want to leave it alone.

I know that I can ramble and I know that I can talk, but there are others that can talk. I don't get up too often. I get up on money matters and I get up once in awhile on little political bills just to keep my hand in with Bob Doyle. This thing is a serious situation. I beg you, I plead with you for the sake of vocational education in this state to leave a good thing alone, please.

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

Mrs. NAJARIAN: Mr. Speaker and Members of the House: I rise to support the motion to indefinitely postpone. I think it is a serious situation and I think that although the motivations and intent behind this bill are good, I think it is a bad bill. I will tell you why I think it is, because it establishes another fund of \$1,000,000 or more over which the legislature has no control. In my experience in this legislature with a couple of other funds, they are not spent according to the way the legislature wishes them to be spent, even though it is written in the law exactly how it is to be spent. We have had that problem with the mental health improvements fund and we had it just recently with the medical education fund which we established, a fund for continuing education of doctors. Out of \$125,000, only about \$800 of that has been spent the way the legislature intended it to be spent.

I just think this is a bad way to go about solving this problem, because it takes absolutely all control out of the legislature's hands. In addition, we will have to appropriate a million dollars or more. It is a loss of revenue to the general fund. To me, that is not the most important thing, it is that we're establishing a fund of \$1,000,000 or more over which the Commissioner of Education, an appointed official, will have exercise and control over probably \$1,000,000, and I think that is just bad policy and I hope you will support the motion for indefinite postponement.

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

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: I would just like to correct a few statements that have been made that are complete misstatements. In the first place, the \$1,000,000 loss to the general fund, that is not true. I have here in hand a paper that was written February 18 in which is said the tuition money will go to the V.T.I. and the General Fund Appropriation is to be reduced by tuition estimates. That is the intent of this bill and I think that the Finance Office has been notified of it. They have made that statement and that statement is not true, it is false.

As far as flexibility is concerned, fiscal accountability, two previous speakers having served on the Appropriations Committee, and I spent a little time on that committee myself, they have a great deal of ability to control how funding is spent. I was a little surprised at the gentleman from Lewiston wondering about fiscal accountability having spent as many years on there, because I am sure that the Appropriations Committee has been able to control just about any effort that they want or any misdirection that is going in any program in the state.

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

Mr. HOWE: Mr. Speaker and Members of the House: I am rising today to oppose the present motion and I don't for a minute question the gentleman from Lewiston's expertise in this

matter. He has been around vocational education certainly longer than I have, but my position is based on talking with administrators and faculty at the one V.T.I. that is pretty much in my backyard. What concerns me is that our V.T.I.'s are slipping into sort of an educational never-never land. They're clearly not public secondary schools but they're just not being treated like institutions of higher education. I think part of this is because much of the public and maybe even the legislature and the Department of Education still sort of look down the noses at the trade schools. That is certainly not universally true in this body, but there may be some of that.

We have a system of higher education in the state that has three segments, it seems to me, the university, the Maine Maritime Academy, and the vocational-technical institutes. I think there is a sort of a class distinction somehow between the first two and the third. Many folks now can't tell the difference between the secondary level of the vocational regional centers and the VTI's. I think that this is just one of the reasons that there are some morale problems developing at the VTI's. Another tangible reason for these morale problems is the fact that the maximum attainable salary is \$13,053.60, which is a drop of well over \$2,000 from their old previous salary maximum, while at the same time, the maximum salary, for example, for an instructor at the Portland Vocational Regional Center is \$16,380, over \$3,000 higher than a VTI instructor can ever get.

L. D. 285 is not a vocational instructor pay bill. I just offer that as what I think is one of a number of problems that the VTI's are facing right now and I think they are approaching a state of stagnation.

This bill would permit the VTI's to retain and use their money that they generate, not tax dollars but not only tuition but gifts, endowments and that sort of thing which may be given to them. I see it as providing an incentive to the VTI's to go out and try to raise enrollment and perhaps offer new courses where there is a need for that.

Yesterday I wasn't here. I spent the day in Fort Kent at an Army Corps of Engineer's Conference on Dickey-Lincoln, and while I am not necessarily an advocate of the project, if the project should go through, one of the things we discussed yesterday was that Maine, according to our own Bureau of Manpower Affairs, does not have all the skills among its labor force necessary to build the dam and the thought was raised that, well, can we provide the training? It may be that if construction is begun and we are short of, I don't know what particular trade, it might be that the Vocational-Technical Institute nearest the Dickey-Lincoln site in Presque Isle, on short notice might want to put in motion a training program for some of these skills. I think it would be much better able to do so if it had this fund which it could use to institute a new program with the approval of the commissioner on short notice without having to wait for another legislative session to begin and an appropriation to be made. The bill certainly isn't going to affect the legislature's ability to appropriate more or less tax money to the VTI.

The University, to the best of my knowledge, has long had a mechanism where it can go out and seek and retain and use special gifts of money given to it for earmarked projects, and this is one of the aspects of this bill; it permits the VTI's to do the same thing.

Overall, I think it is a good bill and I urge you not to support the motion to indefinitely postpone.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Last Friday, as I stated, the gentleman from East Millinocket, Mr. Birt,



with a representative of the Governor, came into the Appropriations Room. After a lot of talking, I asked the Chairman of the Appropriations Committee to ask the Assistant Director of the Legislative Finance Office how much this is going to cost the General Fund. Mr. Birt was there and the answer was \$1 million per year out of the General Fund. Three quarters of an hour ago, I got the second member of the Legislative Finance Office who spends his time with us in the Appropriations Room and I said, are you sure of the \$1 million loss in revenue and he said, absolutely. I can figure — I can't do much of anything else but I can figure, and you take and add the tuition of the nearly 3,000 to 3,500 students at the vocational school and you just multiply that and figure it out for yourself.

Somewhere we talk about integrity here, I wasn't going to ask it but, Mr. Speaker, let's put the chestnuts where they are — I question the fiscal note on this bill?

The SPEAKER: The Chair would advise the gentleman from Lewiston, Mr. Jalbert, and members of the House, that the original bill did carry an original note with a loss of revenue of \$100,000. The amendment which came from the Committee on Education carries no fiscal note and further requires that all revenues be transferred to a non-lapsing fund and out of the General Fund. The Chair would therefore rule that the bill is in violation of the rules and would further indicate to the members of the House that if a motion to indefinitely postpone does not prevail, the Chair will rule the bill out of order on final enactment.

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

Mr. BIRT: Mr. Speaker, would it be permissible to have this tabled for one legislative day?

The SPEAKER: The Chair would answer that the motion to table would be in order.

Mr. BIRT: I so move.

Mr. Jalbert of Lewiston requested a division.

The SPEAKER: The pending question before the House is on the motion of the gentleman from East Millinocket, Mr. Birt, that this matter be tabled for one legislative day, pending the motion of the gentleman from Lewiston, Mr. Jalbert, that the bill be indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

Mr. Jalbert of Lewiston requested a roll call.

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

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

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

Mr. TIERNEY: Mr. Speaker, a parliamentary inquiry? You inferred that were the indefinite postponement motion to fail and this bill enacted one way or the other, you would rule the bill out of order. Would you please explain to me what you mean by out of order and what would happen to the bill at that point?

The SPEAKER: The Chair would advise the gentleman from Lisbon Falls, Mr. Tierney, and Members of the House, that basically what would then transpire is that the bill would not be allowed for consideration. Unless at that point someone should amend the bill to insert a fiscal note on the bill, the bill would not be entertained by this body.

The SPEAKER: The pending question before the House is on the motion of the gentleman from East Millinocket, Mr. Birt, that this Bill be tabled for one legislative day pending the motion of the gentleman from Lewiston, Mr. Jalbert, to indefinitely postpone. Those in favor will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Aloupis, Ault, Austin, Bachrach, Bagley, Bennett, Berube, Birt, Boudreau, P.; Bunker, Carter, F.; Churchill, Connors, Connolly, Cunningham, Curran, Dexter, Drinkwater, Durgin, Dutremble, Elias, Fenlason, Garsoe, Gill, Gillis, Goodwin, H.; Gray, Henderson, Higgins, Howe, Hunter, Hutchings, Immonen, Jackson, Kane, Kany, Kerry, Kilcoyne, Laffin, LaPlante, Littlefield, Locke, Lynch, Mackel, Mahany, Marshall, Martin, A.; Masterton, McBreairty, McPherson, Mitchell, Nelson, M.; Pearson, Peltier, Perkins, Plourde, Quinn, Rideout, Rollins, Shute, Silsby, Smith, Spencer, Sprowl, Stubbs, Tarbell, Tarr, Teague, Torrey, Truman, Valentine, Wyman.

NAY — Beaulieu, Benoit, Berry, Biron, Birt, Blodgett, Boudreau, A.; Brenerman, Brown, K.C.; Bustin, Byers, Carey, Carroll, Carter, D.; Chonko, Clark, Cote, Cox, Diamond, Dudley, Flanagan, Fowlie, Goodwin, K.; Green, Greenlaw, Hall, Hickey, Huber, Hughes, Jacques, Jalbert, Jensen, Joyce, Kelleher, Lewis, Lizotte, Lougee, Lunt, Masterman, McHenry, Mills, Moody, Morton, Nadeau, Najarian, Nelson, N.; Norris, Peakes, Post, Prescott, Raymond, Stover, Strout, Talbot, Theriault, Tierney, Tozier, Trafton, Twitchell, Wilfong, Wood.

ABSENT — Brown, K.L.; Burns, Carrier, Davies, Devoe, Dow, Gauthier, Gould, Hobbins, LeBlanc, MacEachern, Maxwell, McKean, McMahon, Palmer, Peterson, Tyndale, Whittemore.

Yes, 72; No, 60; Absent, 18.

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

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

House Report — "Ought to Pass" as Amended by Committee Amendment "A" (H-292) — Committee on Appropriations and Financial Affairs on Bill "An Act to Award Transitional Allowances to Permanent Full-Time and Limited Period Full-Time Unclassified Employees" (Emergency) (H. P. 309) (L. D. 400)

Tabled — May 16, 1977 by Mrs. Najarian of Portland.

Pending — Acceptance of the Committee Report.

Thereupon, the Report was accepted and the Bill read once.

Committee Amendment "A" (H-292) was read by the Clerk and adopted and the Bill assigned for second reading tomorrow.

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

House Divided Report — Majority (10) "Ought Not to Pass" — Minority (2) "Ought to Pass" — Committee on Veterans and Retirement on Resolve, to Increase the Retirement Benefits of Helen B. Pearson (H. P. 1057) (L. D. 1287)

Tabled — May 16, 1977 by Mr. Theriault of Rumford.

Pending — Motion of the same gentleman to Accept the Majority "Ought Not to Pass" Report.

On motion of Mr. Theriault of Rumford, retabled pending his motion to accept the Majority "Ought Not to Pass" Report and specially assigned for Friday, May 20.

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

An Act to Dissolve Vocational Region 9 and to Establish a Vocational Center to Serve Northern Oxford County (Emergency) (H. P. 1113) (L. D. 1372) (C. "A" H-273) — In House, Failed of Passage to be Enacted on May 17.

Tabled — May 17, 1977 by Mr. Tierney of Lisbon Falls.

Pending — Motion of Mr. Lynch of Livermore

Falls to Reconsider Failing of Passage to be Enacted. (Roll Call Ordered)

On motion of Mr. Tierney of Lisbon Falls, retabled pending the motion of Mr. Lynch of Livermore Falls to reconsider failure of passage to be enacted and specially assigned for Friday, May 20.

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

Bill, "An Act Relating to the Law Governing the Manufacturers, Distributors and Dealers of Beverage Containers" (S. P. 213) (L. D. 662) (C. "A" S-125) — In House, House Amendment "A" (H-343) to Committee Amendment "A" (S-125) Read and Adopted on May 17.

Tabled — May 17, 1977 by Mr. Strout of Corinth.

Pending — Adoption of House Amendment "A" (H-344)

The SPEAKER: The Chair recognizes the gentleman from Easton, Mr. Mahany.

Mr. MAHANY: Mr. Speaker, I withdraw House Amendment "A" which I offered yesterday to S.P. 213, L. D. 662.

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

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

HOUSE REPORT — "Ought to Pass" as Amended by Committee Amendment "A" (H-332) — Committee on Transportation on Bill "An Act Relating to Application Fees for Official Inspection Stations" (H. P. 136) (L. D. 169)

Tabled — May 17, 1977 by Mr. Quinn of Gorham.

Pending — Acceptance of the Committee Report.

Thereupon, the Report was accepted and the Bill read once.

Committee Amendment "A" (H-352) was read by the Clerk.

Mr. Joyce of Portland offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

House Amendment "A" to Committee Amendment "A" (H-354) was read by the Clerk.

Mr. JOYCE: Mr. Speaker, Ladies and Gentlemen of the House: I have an amendment here for this bill, L.D. 169, and my amendment would have an effect, I believe, on all members of this House and it is a problem that we all get involved with at different times during the year.

All my amendment does is take the auto inspection period — we have to have our vehicles inspected now every six months — my amendment would make the requirement an annual inspection so that we wouldn't have to be running out saying, when is the inspection sticker void on my red vehicle, my green vehicle. It would only give us this problem once a year. The amendment is written so that it would be due the month before your auto registration is due. It would give some uniformity to the motor vehicle laws and the annual inspection would be \$5.

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

Mr. JENSEN: Mr. Speaker, Ladies and Gentlemen of the House, I rise in opposition to this amendment and I would start off by moving indefinite postponement of this amendment.

I was actually quite surprised to see the good gentleman from Portland, Mr. Joyce, a former police officer, who is responsible in part for enforcing traffic laws and insuring the motor vehicles within the State of Maine were relatively safe, I was very surprised to have him offer this amendment.

What this amendment is going to do, it is go-

ing to say that a car that is inspected that is on the Maine roads will be required to be inspected once every year instead of the current once every six months. This is going to have several impacts, the most important of which is that it is going to create quite a number of additional clunkers on Maine roads, old cars, cars that are shot, cars that are not really fit to be on the road. It further is going to increase the insurance rates because of this. It is going to increase the accident rates.

I have had four or five cars since I first got my license some six or seven years ago, each time, for economic reasons, I have been forced to buy an older car and each time I have had to get a sticker every six months. Most every time I have gone to get a sticker, I have had to have some work done on the car because it really was not fit to drive on the Maine roads without that. As a matter of fact, last December, I bought a Plymouth Scamp which was substantially newer than the Toyota that I had. That Toyota was fairly old, it was very rusty and it certainly was in no condition to be on Maine roads. The reason that I bought the Scamp was because the Toyota simply would not pass inspection. Now, if that car didn't need to be inspected again until June or July, I probably would have run it until then. The car was old, the car was shot. I think you are going to find a lot of people would do this.

Maine roads are covered with snow in the winter, they are covered with ice, as a result, they are also covered with salt. The salt has a very corrosive effect on the metal, this corrodes the car, this causes real problems.

I would ask the members of the House to vote for the indefinite postponement of this amendment and keep the cars in the State of Maine relatively safe.

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

Mr. DUDLEY: Mr. Speaker, Members of the House: This happens to be an area that I am quite familiar with, having had an inspection station in my garage for some 15 or 20 years probably. I note that probably 20 percent of the cars that come in every six months have to have tires, if nothing more, even the new ones every six months if they do any traveling at all. There is a large percentage of the cars in my area that really need to be looked over every six months because the brakes that are worn and rust and numerous things happen to old cars, and I think it would be unwise. This might be all, this bill, if it was amended to say, my car that was under four years old, but you are saying in this amendment, all cars, I don't believe that this would work satisfactorily to the safety of motorists.

The SPEAKER: The Chair recognizes the gentleman from Orland, Mr. Churchill.

Mr. CHURCHILL: Mr. Speaker, Ladies and Gentlemen of the House: I am not a garage mechanic but I have listened to my good friend Mr. Dudley speak on this several times and I am in full accord with the Representative Joyce's amendment, but I do think that the first amendment, Committee Amendment "A", is a very poor amendment. As a matter of fact, the whole bill is a poor bill. Committee Amendment "A" only reduces the amount of total money. They started out asking \$5 for each inspection station to buy biennial license and also to increase the fee from 20 cents to 25 cents for each inspection sticker. There are not many garages that you go in to have your car inspected at but what their labor cost is anywhere from — you might find a cheap one for \$5 an hour, but most of them are up now to about nearer \$12 an hour for working on a car and some garages are going to use up a half hour's time. They are losing money every time they do you a favor in putting one of these stickers on, and unless we increase the garageman's fee, such as Mr. Joyce has suggested, only having a one year inspection sticker instead of twice a year at \$2 which it is

right now, they are losing a lot of money right now, and why should we give the state more money?

All this Committee Amendment "A" is doing is increasing to \$4 each time they buy a license to inspect your car and also going from 20 cents to 25 cents that we are going to give the state, which is ridiculous. You are not increasing the garageman's fee any from \$2 up and they certainly can't give you a decent inspection for \$2, and if we can't do it twice a year, increase it, let's go to once a year as Representative Joyce has said. But I think the whole bill is a bad bill, as some people say.

I think Mr. Dudley will go along and agree that this should be right in reverse. We should be increasing the garageman's fee rather than the states fee for issuing the license to these garages.

I don't know what someone wants to do, but I hope someone makes a motion to kill this thing.

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

Mr. STROUT: Mr. Speaker, Ladies and Gentlemen of the House: The last gentleman, I believe, doesn't understand the Committee Amendment. What he is saying is that we are increasing the fees that the state is going to receive. The bill that was proposed before the Taxation Committee was to increase it to \$5 biennially.

In deliberations in the committee, we felt that there was some provisions of the bill that we wanted to save and some of us were in disagreement in raising the fee up to \$5, so if he reads the Committee Amendment very carefully, he will see that we amended it to say that it would be \$4 biennially, which is the same fee as we are charging now, which is \$2 annually. So there has been no increase here.

On the sticker itself, we increased it from 20 to 25 cents. The reason for this is that there seems to be some feeling that they want a better sticker. In order to have this better sticker, we felt that the department needed the additional 5 cents. I think there is one other provision in the Committee Amendment that some of us would like to see the sticker down in the lower left hand corner rather than having it either/or up in the center of the windshield.

As far as the amendment that we are discussing, I would have to agree with the gentleman from Portland that we should indefinitely postpone this because I think in all reality I do not want to lose the bill as amended by the committee. I think if we adopt this amendment today, this is an attempt to kill the whole bill.

I further would like to say that the law now says that when a tire is down to 2/32, the garageman is required to ask the owner to remove these tires, that one year is too long a time to go for inspection.

I think there is another point in this amendment, as I read it, that we are in fact, under the amendment, increasing the fees to the state to \$5 biennially, and this is one thing that the committee disagreed with. Now we are coming out in amended form increasing it up to \$5. I guess for safety and being realistic, we should defeat this amendment.

The SPEAKER: The Chair recognizes the gentleman from Belfast, Mr. Drinkwater.

Mr. DRINKWATER: Mr. Speaker, Ladies and Gentlemen of the House: I rise today because I have spent 30 years in lifesaving enterprises. As a lot of you know, I was a police officer for a good many years, former deputy chief of police in Belfast, a couple of years as a game warden, and I have been involved in this type of thing. I can't believe that we can trust any automobile, including one of mine, to go a whole year without being inspected. Just recently, and about a month at least before the proper time to inspect one of my vehicles, I had it in the garage because I had a nail in a tire. While they had it on the lift, they found that I

had a situation in the steering mechanism that could have been fatal to a member of my family.

I have to rise today to support the indefinite postponement of this bill.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: Now, this 5 cents raise they want on the sticker, let me tell you how I see it.

This goes to the state and they say they need it. I hope some member of the committee probably has the exact figures and this is just off the top of my head and probably isn't right within a few dollars, but it is my understanding the total stickers they buy in a year is a round figure of about \$10,000. I understand that raising this a nickel will bring in about \$100,000 to the state. In other words, it brings in at least 10 times more than what they need to cover the price of stickers and they say they want to buy a better sticker. There is nothing wrong with the stickers they have now, you have to dig for 15 or 20 minutes to get them off. They say they are afraid they are going to come off.

I think the proper thing to do with this bill, in the final analysis; after we all get done talking, is to have somebody move to indefinitely postpone it and they would be doing the motorists a favor, because that is eventually what will have to be done.

The only thing with inspections in that area, that I think is wrong, you have a licensed mechanic and he buys the license and he is licensed, he is a mechanic, but they now want him to take a test every year. They don't ask the lawyers and other professional people to take a test every year and some of these people that are good mechanics, it bothers them to take these tests because they are not too good in reading and writing and arithmetic but they might be the best mechanic in town. They resent having to take a test every year. In this respect, something should be done but other than that, all these other things are immaterial and the bill eventually should be disposed of down the drain here.

I move that we indefinitely postpone this bill and all its accompanying papers.

The SPEAKER: The Chair hates to inform the gentleman that his motion at this time is not in order. The pending motion is the indefinite postponement of the amendment.

Mr. DUDLEY: Well, I will buy that, but eventually the whole deal.

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

Mr. JOYCE: Mr. Speaker, Ladies and Gentlemen of the House: This might be a good bill but this amendment makes it a better bill. What do you get for \$2 every six months? You don't get a good inspection, you don't even get much more than just a good, quick look. A lot of states now require no inspections. I think the \$1 you are paying the garageman is what he has earned if he does a proper inspection.

This every six months, I think it creates too much of a hassle now. You drive into a station, I had the experience six months ago, I drove into a place and the guy said, I haven't got time. I inquired around, they said, all he will inspect is somebody that buys their gas there and his gas is 4 cents more than the place that I can afford to buy it. I went back another time to him with another car and he said, well, I would like to do it, we have no problem, he said, if we give a lubrication and an oil change along with the inspection sticker we can schedule you in. If this is the way they are operating, it is a ripoff.

The thing about clunkers on the road. Look, don't look outward, look inward on this when you want to answer this one. Sure, I was out there in the field where you had the auto accidents, but you know, the kids of today are the ones who take care of their cars. It is the old duffers like you and I who drive up and don't

even check the oil. Our car can rot away as long as we put the key in the ignition and turn it on. We are the ones that let the cars get away. You meet these kids today, they can do a motor job in an afternoon. They are proud of the wheels they drive and they are safe. I found most of them safe. They might like a loud muffler but you can check them on that.

I just hope that my amendment, which is a good amendment, and I think the people here know I only offer good amendments, I urge you to support me on this.

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

A vote of the House was taken.

70 having voted in the affirmative and 25 in the negative, the motion did prevail.

Whereupon, Committee Amendment "A" was adopted.

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

Mr. DUDLEY: Mr. Speaker, Ladies and Gentlemen of the House: I think there is something that the people in this House don't understand and that is that these garages don't need, even in my place, to have someone tell us that we are not charging enough. If you come in, that is one thing we will surely do, charge you enough.

Like Mr. Joyce has already admitted, if the sticker wasn't enough, he would find some way to charge you by having to change your oil or do some other things. Rest assured that you will be charged enough, I will warrant you that, that in any shop in the State of Maine, so you don't have to worry about them getting their pay.

The aspect that I would like to point out to you people is any merchant — I don't care what you sell in the store or anything — how pleased you would be to have anybody in that town be sent into your place of business twice a year. If you are any kind of a merchant or any kind of a salesman, you are going to sell them a brake lining job, you are going to sell them a set of tires, because one tire for sure would be worn out, and before you get out of there, you are going to get more than the fee that it costs to inspect the car. The inspection is to get the car in there so you can get it on the lift and look it over and see what it has to have, that is the point. After he is in there, such a few cars come in that pass inspection that don't have to have something done to them, that is where they get their money and every garage gets their money. And like he says, the price ranges from \$5 to \$12 an hour and they generally keep their own time too, you know. So, I don't think you have to worry about these garages being underpaid and for that reason I think the best thing is — I move for indefinite postponement of this bill and all papers.

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

Mr. STROUT: Mr. Speaker, Ladies and Gentlemen of the House: I think you have heard some testimony from the gentleman from Enfield, Mr. Dudley, that is misleading. I guess I would ask him one question before I sit down and then he can be taking some notes.

If a garage mechanic is licensed for five years, why does he have to take a test each year? That is one question. The second thing is that the 25 cent fee, the figure that I had was \$60,000 and I can understand that there is some revenue here, but before we leave this session maybe we could use a few extra dollars and I don't think it is putting any real large increase on the garages to pay an additional 5 cents for the sticker. I have had nobody complain about this, and I think later on we will have a bill that we will be dealing with that maybe will help the

garages with an increased fee. I think that that should be dealt with in a separate issue. I don't think it should be concerned with this bill here.

I do think that there are a couple of things in this Committee Amendment that I am sold on and one is that by going to a biennial fee here, this is going to allow the Commissioner of Public Safety to inspect some of these garages one year and some the second year. It is my understanding now that they don't have the time to get around to do this each year.

I think the other thing is that we had a lot of testimony that people would like to have the inspection sticker down in the lefthand corner, and it is my understanding that by present statute the state police could promulgate that this could be done through the rules. It was my intent and the feeling of the committee that we wanted this in the statute and this is the way it is. If you don't want to go along with these changes, kill the bill, vote with Mr. Dudley. If you think that without too much added cost of 5 cents on a sticker that you can go along with this, maybe we will need a little extra revenue, vote for the bill.

The SPEAKER: The Chair recognizes the gentleman from Limerick, Mr. Carroll.

Mr. CARROLL: Mr. Speaker, Ladies and Gentlemen of the House: As House Chairman, I would be remiss in not carrying out my duty unless I got up and supported my committee's action. I feel that this legislation is good legislation.

We know of past practices where the sticker was put behind the mirror, riding in your automobile you could never see it and one of the statements they told me was, let the guy filling your gas tank tell you when your sticker runs out. I want that sticker down in the lower lefthand corner so I can see it. If a state trooper wants to see it, he can stop me and inspect it, he doesn't have to stand on the sidewalk and read it when I am going by. I felt that this should be something that should be legislated, not left with administrative order, because the administrative orders can be changed. I am a hundred percent for this.

I would hope that you would support the committee. We spent a lot of time on this and inspection stations do have some problems, I agree, but they perform a service. I have had my vehicles inspected and a job that I thought would cost me \$20 here just recently cost me \$53. So they have done pretty well on the inflation scale too. They have helped out to inflate things a little bit. I don't think they are getting a socking like I got.

I can assure you that as House Chairman that the committee spent quite some time on this, we are concerned about the problem with the mechanic and what the gentleman that goes around and inspects has asked them and what he has told them to do. We have made known to them that we are not too happy and we have had some assurances that they are going to call them back and read the rules to them again, to inform them that certain practices are not to be carried out. With that assurance, we did not legislate everything we felt perhaps we should have; also believing that an administrator should have some leeway in administering in carrying out his office, we felt it only proper that he should have that discretion. I can assure you that I have the mechanics' problems at heart. We are hoping to correct it and I would hope that you would support the committees' motion today.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: One very brief statement. Originally, the sticker had to be in the lower lefthand corner and the filling station man was glad to put it there. However, some of the late model cars came out with a slanted windshield and it

was slanted to such a pitch that you couldn't get the sticker down in there and once you did you couldn't get it dug out to put another one. At that point, the state police made it administrative that you had a choice, you could put it in the lower lefthand corner or you could put it up behind the mirror. I think it is a very good choice, if you go in a garage now, you have that choice, just tell the man sticking the sticker that you want yours in the lower lefthand corner or behind the mirror, but you will find it impossible on some of the new sports cars to get the sticker down in the lower lefthand corner on account of the steep slant of the windshield and that is why the state police made this rule that you could put it either place. I think it is a good idea; otherwise, you will have to stick the sticker on the outside of some of these sports cars and the weather would probably take it off.

I hope it stays the way it is and they are allowed to administer it as it must be, because it is impossible on quite a few models and I could go in detail and give you the models if you needed it but it is not necessary because they are there, they exist and they have to have theirs up behind the mirror. There are a few cars that have a tinted windshield and they almost have to be put in the lower left-hand corner because you can't see the sticker with these tinted windshields. It is left up to the discretion of the state police to administer and to the choice of the motorist and the guy putting on the sticker.

I still think this bill is bad legislation and it should be defeated.

The SPEAKER: The Chair recognizes the gentleman from Roque Bluffs, Mr. Nelson.

Mr. NELSON: Mr. Speaker, Ladies and Gentlemen of the House: I rise to oppose the indefinite postponement of this bill for the simple reason that I think that sticker in the lower lefthand corner of the windshield, as the gentleman from Limerick stated before, it reminds you of when that is due. I go into a garage and I ask the guy who is putting on my sticker, I said, I wish they could put that somewhere else besides up behind my mirror where I can't see it until a trooper points to me and stops me somewhere or drives into a parking lot and tells me, buddy, you had better get your car inspected or else.

Another thing, the gentleman from Enfield says it is a difficult job to get the sticker out from behind the glass and the windshield. I agree with him. That is why I am in accord with the better quality of the sticker, that it will come out easier if it is of better quality than paper. If you don't believe so, try to take a paper bumper sticker off your car rather than one made of some other material.

I think this is a good bill. I don't think it is going to hurt anybody. I think it would help them, at least by getting the sticker down in the lefthand corner of the windshield, if nothing else.

I urge you not to go along with the motion to indefinitely postpone.

The SPEAKER: The pending question is on the motion of the gentleman from Enfield, Mr. Dudley, that this Bill and all accompanying papers be indefinitely postponed. All those in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

Whereupon, Mr. Morton of Farmington requested a roll call vote.

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

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

The SPEAKER: The Chair recognizes the

gentleman from Portland, Mr. Jensen.

Mr. JENSEN: Mr. Speaker and Members of the House: It would seem to me that in the course of the debate there has been a good deal of confusion as to exactly what this bill does and why it is in. It is a bill that I introduced at the request of the Department of Public Safety, and it appears that there may very well be a problem with the requirements that the committee put in requiring that inspection stickers simply be placed on the lower left-hand corner of the windshield.

The point that Mr. Dudley and others have raised about some of the newer cars being constructed in such a way as to not be able to have a sticker taken off easily when the time comes for getting a new one may be valid, and I would be very happy to prepare an amendment to remove that section tomorrow.

I would ask you to vote against indefinitely postponing the bill. The bill has three functions. First of all, it requires the change in the placement of the sticker, which we can remove tomorrow. Second of all, it changes the present procedure whereby a gas station must, every December, get a new permit from the State Police in order to issue inspection stickers. The bill says that this requirement will be changed from every year to every other year, will institute a stagger system, and you will further have an increase in fees to \$4 every other year instead of \$2 every year.

Lastly, the bill increases the price of the actual sticker itself from 20 cents to 25 cents. Presently the stickers are paper, they can very easily be steamed off, removed from one car and put on another one. With a 25 cent sticker, what you will have is a plastic sticker, much like the sticker that you have on your license plate. Once you put it on, if you try to take it off, it will tear, it will rip, it can't be taken off wholly. That is a small increase of 5 cents. It is nothing of any great importance in terms of costs. It is something of importance in terms of insuring that only properly inspected cars actually get these stickers.

The committee is presently considering a bill, I believe we are hearing it this afternoon, which would increase the amount of money to be given to a gas station attendant, and I believe the committee will deal with that very shortly.

I would urge you to vote against indefinitely postponing the bill and I would be very happy if this was kept alive until tomorrow to offer an amendment to remove the section dealing with the placement of windshield stickers.

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

Mr. MORTON: Mr. Speaker, Ladies and Gentlemen of the House: In the heat of the day, we make mistakes, and I didn't realize the impact of the vote. I was on the prevailing side and I certainly regret having caused this extra time for the House and the support of this bill. I do support the legislation; I am opposed to the indefinite postponement. It seems to me this is good administrative procedure, and I certainly would hope that you would go along and do not vote for indefinite postponement.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I think the gentleman from Portland explained very well what the bill does. And the thing that it really does is wrong, it has increased the sticker 5 cents. Now, if they would increase what the cost of the sticker was, then I would have no objection to it, but they are using this as a matter of raising revenue. I don't think this is the right place to do it. This extra 5 cents on a sticker, that isn't what the cost of the sticker is; it is a lot less than that. Besides, there is nothing wrong. You can't take one of those stickers off. If you think so, try it. You would have to tear it in little bits to get it off and scrape it off half an inch at a time. That is

not so, and this cry of a new sticker, they don't cost that much more than the ones that we are getting now. That is what the cry is all about; that is my big objection.

There is really nothing good about the bill; there is something bad about it, the fact that they are charging a nickel. Why don't they come out and say they need some revenue and we will find some way to get it, but I think this is a sneaky way to do it, because this new type of sticker they want, they can do that as an administrative thing now. They don't have to have this extra nickel. I think it is the wrong approach and it costs a lot more. They are asking more money than the cost of the sticker.

About the rest of it, I don't have any objection. I think they should do that administratively now. They can sell you a license for two years for \$4 or one year for \$2. I think they can do that administratively right now.

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

#### ROLL CALL

YEA — Aloupis, Bagley, Berry, Berube, Biron, Blodgett, Boudreau, P.; Byers, Carey, Carrier, Carter, D.; Churchill, Connors, Connolly, Cote, Cunningham, Devoe, Dexter, Diamond, Dow, Drinkwater, Dudley, Durgin, Dutremble, Elias, Fenlason, Flanagan, Garsoe, Gillis, Gray, Green, Hickey, Jacques, Joyce, Kane, Kelleher, Kerry, Laffin, Lewis, Mackel, Mahany, Marshall, McHenry, McMahon, McPherson, Mitchell, Moody, Palmer, Pearson, Raymond, Rideout, Rollins, Shute, Sprowl, Stover, Teague, Tozier, Truman, Valentine, Wilfong.

NAY — Austin, Bachrach, Beaulieu, Bennett, Benoit, Boudreau, A.; Brenerman, Brown, K. C.; Bunker, Carroll, Carter, F.; Chonko, Clark, Cox, Curran, Davies, Fowlie, Gill, Goodwin, H.; Goodwin, K.; Greenlaw, Hall, Henderson, Higgins, Hobbins, Howe, Huber, Hughes, Hutchings, Immonen, Jackson, Jensen, Kany, Kilcoyne, LaPlante, Littlefield, Locke, Lougee, Lunt, Lynch, MacEachern, Masterman, Masterton, Morton, Nadeau, Najarian, Nelson, M.; Nelson, N.; Peltier, Perkins, Plourde, Post, Prescott, Quinn, Silsby, Smith, Spencer, Strout, Stubbs, Talbot, Tarbell, Tarr, Theriault, Tierney, Torrey, Trafton, Wood, Wyman.

ABSENT — Ault, Birt, Brown, K. L.; Burns, Bustin, Gauthier, Gould, Hunter, Jälbart, LeBlanc, Lizotte, Martin, A.; Maxwell, McBreairty, McKean, Mills, Norris, Peakes, Peterson, Twitchell, Tyndale, Whittemore.

Yes, 60; No, 68; Absent, 22.

The SPEAKER: Sixty having voted in the affirmative and sixty-eight in the negative, with twenty-two being absent, the motion does not prevail.

Thereupon, the Bill was assigned for second reading tomorrow.

The Chair laid before the House the following matter:

Bill "An Act to Require Towns without Secondary Schools to Provide Transportation to Secondary Schools" (H. P. 1025) (L. D. 1273) which was tabled earlier in the day and later today assigned pending further consideration.

On motion of Mr. Tierney of Lisbon Falls, retabled pending further consideration and tomorrow assigned.

The Chair laid before the House the following matter:

"An Act to Allocate Money from the Federal Revenue Sharing Fund for the Fiscal Years Ending June 30, 1978 and June 30, 1979" (S. P. 106) (L. D. 235) (C. "A" S-128) which was tabled

earlier in the day and later today assigned pending passage to be enacted.

The SPEAKER: The Chair recognizes the gentleman from Bath, Ms. Goodwin.

Ms. GOODWIN: Mr. Speaker, Men and Women of the House: I apologize for not being able to find my L. D. quick enough earlier. The question was asked as to what Section 5 of this bill does. Section 5 does precisely what it says it does, and that is, "provisions of federal laws and regulations as amended shall be complied with." What this specifically refers to is the sex discrimination dispute which you may remember at the time of the school funding act, there was a controversy over in the Department of Education concerning federal money and alleged sex discrimination. At that time, we did not use the federal revenue-sharing money in the school funding bill but used all of General Fund appropriation. We are now, therefore, going to take that \$14 million and put it into the State's share of teachers' retirement.

We also inadvertently left out of the school funding bill, which will be taken care of in the appropriations act, a section which will tell the Commissioner of Education that with all federal funds, including revenue sharing, he must comply with all federal regulations and state regulations concerning the Civil Rights Act, the Human Rights Act and the Code of Fair Practices and Affirmative Action. I hope that answers the gentleman's question.

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

Mr. TALBOT: Mr. Speaker, Ladies and Gentlemen of the House: The gentlelady from Bath answered my question. I would point out one more question. Would I be correct in assuming that this money was taken from the first allocation because the Department of Education and Cultural Services was in non-compliance and placed in this particular L. D.?

The SPEAKER: The gentleman from Portland, Mr. Talbot, has posed an additional question through the Chair.

The Chair recognizes the gentlewoman from Bath, Ms. Goodwin.

Ms. GOODWIN: Mr. Speaker, there was some question as to whether they were in non-compliance and whether or not that federal revenue sharing money might be in jeopardy. Therefore, we did not use it at the time. We feel that the Section 5 in this law and also the amendments which we are going to put in the Appropriations Act will make sure that the Department of Education will be in compliance and that no federal funds will be jeopardized.

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

Mr. LYNCH: Mr. Speaker, Ladies and Gentlemen of the House: I have a very uneasy feeling that the procedure that we are using for funding teacher retirement is going to require additional appropriations of an uncertain amount of money because of the difficulties that are going to arise across the state.

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

A vote of the House was taken.

117 having voted in the affirmative and 2 having voted in the negative, the motion did prevail.

Signed by the Speaker and sent to the Senate.

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

On motion of Mr. Kelleher of Bangor, the following Order: (H. P. 1573) (Cosponsor: Mr. Morton of Farmington, Mr. McBreairty of Perham)

ORDERED, the Senate concurring, that the

Joint Standing Committee on Taxation be directed to review the tax structure on spirits and wines in this State and to report out a bill to this legislative session repealing any tax advantage to the manufacturer or bottlers of this State.

The Order was received out of order and read.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: The order that is presented before you this afternoon for your consideration is the result of debate that was held here yesterday dealing with the fortified wines and the apparent tax breaks that have been allowed to some certain companies in the state. It was my understanding that the Taxation Committee was unable to deal with the particular debate that had arisen, and this would provide them a mechanism for reporting out such a bill, and I would hope that the House would support the order.

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

Mr. GARSOE: Mr. Speaker, Ladies and Gentlemen of the House: I feel somewhat reluctant today to rise on this issue, but I feel even more reluctant to let this go through without having a chance to vote against it.

If there was any merit to extending a tax break to a Maine industry in the first place, I think we should think carefully before we repeal it. This order directs the Taxation Committee to repeal that tax benefit. I am not familiar with the industry, but it must supply jobs to Maine people, and my reluctance springs, I guess, from the fact that I share the anger and the frustrations and all the reasons that prompted this to be introduced.

But I would point out to the members of this body that I think this is an intemperate type of action, taken perhaps in the heat of those emotions that I have just mentioned. I would also point out that we have an arm of this government that is investigating the improprieties that we had described to us here, and I would hope we could vote to not pass this piece of legislation today and allow justice to take its course in the proper theater.

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

Mr. CAREY: Mr. Speaker and Members of the House: I would point out to the gentleman from Cumberland, Mr. Garsoe, that while he is not familiar with the industry, he is also obviously not familiar with the Taxation Committee either, because while the order itself may direct the Taxation Committee to report out a bill which would tax these people, while the order may pass, the Taxation Committee, at least I can speak for the House members, will study the merits of any order that comes out of this body and then we will vote accordingly but will not necessarily put out a unanimous report that that particular industry should be taxed.

I would hope that the gentleman was not referring to the Taxation Committee as being one that would just rubber stamp any actions that were requested. I would also point out that a very short time ago Mr. Norris from Brewer had a bill in here which would have given a tax break to a malt liquor industry which was going to be set up in the Brewer area which we have now lost to the New Hampshire and Massachusetts area, so if malt liquor can't have a tax break, it may very well be that we should be examining the tax break that we are giving to the liquor industry as a whole anyway.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: Just answering the comment made by the Assistant Minority Floor Leader, I might remind the gentleman that this

order, as Mr. Carey has said, is instructing them to review the tax structure on spirits and wines, and I might also remind the gentleman that in the fortified wine bill yesterday, part of the mechanism and part of that request was in that bill. This House killed that bill yesterday and there were some portions of the bill that I think this House wanted to support. What this provides, as I am sure the gentleman understands, is an opportunity for the House to review it again, only on a separate case, not in combination with the fortified wines, and it was not the intention of Mr. McBreairty, Mr. Morton or Mr. Kelleher, on a whim or the excitement or emotions that happened yesterday, to supplement this order here today, and I think he knows better than that.

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

Mr. HOWE: Mr. Speaker, a point of parliamentary inquiry, I guess it is. Not being entirely familiar with the rules of this House, I wonder what options the Taxation Committee would have if we passed this order.

The SPEAKER: The Chair would advise the gentleman from South Portland, Mr. Howe, that the Taxation Committee could report out a bill unanimous "ought not to pass," but the order is specific in that a bill has to be reported from the committee in one fashion or another.

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

Mr. McBREAIRTY: Mr. Speaker and Members of the House: In the last few days, a great shadow has been cast over this body by the offering of bribes by the officials of the Fairview Wine Company. A great shadow has been cast over the many necessary, honest lobbyists who work with the members of this House. With the scandal created 25 years ago and the scandal brought to light yesterday, I am sure the Fairview Wine Company has raised a great question in the public mind as to how such a company got a tax break. I feel that tax break should be reviewed. That is why I cosponsored this order.

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

Mr. CONNORS: Mr. Speaker, Ladies and Gentlemen of the House: What transpired here yesterday morning is alleged, and due to what transpired here yesterday morning, I oppose this order at this time. If we are going to study tax advantages to industries, let's study all of the industries that are presently receiving tax advantages, and I hate to do legislation in this type of manner, so I request a division on this.

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

Mr. KELLEHER: Mr. Speaker, I understand and appreciate the gentleman's remarks from Franklin. I might remind the gentleman, had he looked at the fortified wine bill yesterday, a portion of the request in this order was dealt with in that bill. That is the reason why this order is back in here this morning, to implement an opportunity for the Taxation Committee to review the process.

This order, if it were dealing with CMP or if it was dealing with an agricultural industry, would be no different in its general language except for the title and the intent of where it was going. This is a standard order that was drafted down in the Legislative Research Office, and the words here would be similar to any other order that any other member would be offering today or any other day.

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

Mr. GARSOE: Mr. Speaker, Ladies and Gentlemen of the House: I certainly didn't want to imply, and if I did, I retract, any burden on the motive of the individuals who submitted this measure. I have the highest respect for every one of them and I know they know it. But this

order wouldn't be introduced today, I don't believe, unless what had transpired yesterday had transpired.

So while I am on my feet, the gentleman from Bangor has, I think, raised a legitimate point. Is this properly before us whereas we have rejected the substance that was in the bill that was disposed of yesterday?

The SPEAKER: The Chair would advise the gentleman from Cumberland, Mr. Garsoe, that he does not have the bill that was disposed of yesterday before him, and the Chair is not aware of what took place in the other body. Therefore, the Chair is not in a position to rule at this point, but in fact if it were the same and the other bill had been killed in the other body, this order would be out of order.

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

Mr. CAREY: Mr. Speaker, it would be my impression that this handles an entirely different matter. It is taking away a tax exemption which was not, in my mind, in the bill that passed through this House yesterday; it is a different matter altogether.

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

Mr. QUINN: Mr. Speaker, Members of the House: Speaking strictly as a Representative from District 30, I note with interest the two different positions. The gentleman from Bangor, and I, too, fully respect his intentions, does insist that this is part of the bill that existed yesterday while the gentleman from Waterville says no such thing, it isn't part of a bill that existed yesterday. So it is sort of a question of "you pays your money; you takes your choice" as to whether it has or has not been before the body.

I rise to oppose the order on a basis that has just barely been touched so far. I think frequently in politics and in government appearance is reality and no matter how you slice it, no matter what you say, it will appear clearly to the people of Maine that we are taking out after Fairview Wine Company and furthermore, that we are taking out after them without the benefit of a trial, without the benefit of a completed investigation, and as a member of the House, I resent loaning my name to this kind of what seems to be, whether it is or not, a vindictiveness. We represent all of Maine, we represent this company and we represent any other company dealing in spirits or wines in this state who may or may not have a tax break.

I agree that the tax break given to Fairview is wrong, I would vote against it. I think it is typical of the special interest legislation where any state bureaucracy is involved in the profit-making venture such as alcohol, but I don't think today is the day to fly off the handle and make that move. It has existed for 20 years; it can go a few more days, it can even go to another session. I respectfully urge you to object to the order.

Mr. Kelleher of Bangor was granted permission to speak a third time.

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: Thank you for the opportunity to speak a third time. I don't suspect, Mr. Quinn, and members of the House, that the Taxation Committee is going to act upon this this afternoon. Perhaps they are not going to act upon it tomorrow afternoon, but it does request that they act upon it before we leave this session. And the order is drafted broad enough, at the request of Mr. Morton and Mr. McBreairty, so that it would give some latitude for the Taxation Committee to deal with an issue that was before us yesterday, it is before us today and it will hopefully be before us before this session ends.

I would urge the House to support the order. It is no witch hunt, it is no vindictiveness on the part of the sponsors or any other member in

this House. It is a simple order that deserves consideration, and I have the greatest respect for the Taxation Committee and the members of this House that they will use the order that is presented to them with some reasonableness. I object to any insinuations that we are buying this or buying that because of actions here yesterday. Apparently the Liquor Control Committee that dealt with the fortified wine bill looked into this area and thought there was some considerations that deserved merit in the bill. It may not be exactly drafted here or in the minds of many in this House in dealing with what the fortified wine bill was; however, the intention is, I think, clear, not only from yesterday's action but the actions of the committee that finally voted out, or the members of that committee that voted out the fortified wine bill.

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

Mr. RAYMOND: Mr. Speaker, Ladies and Gentlemen of the House: I stand up to oppose this order. When we debated the bill yesterday, the exemption that was given on the bill that was defeated in this House, I mentioned at the time, I believe, that the Fairview people could care less whether or not that exemption was on there or not. I don't know how much the manufactures we have in this state, what the gallonage a year is that they sell. I didn't realize that this order would come in this form, so, consequently, I was not prepared to get all the information that would be required.

However, in the law the way it reads now, and I see no wrong in that, there shall be levied and imposed an excise tax of 30 cents per gallon, or fraction or multiple thereof, on all table wines containing 14 percent or less alcohol, which is the table wines, by volume imported in this state, except the excise tax shall be 20 cents, 10 cents cheaper per gallon for those manufactured or bottled in the state.

I wish I had the gallonage figures to find out moneywise how much this involves. We have been giving a lot of these people in the state, because they are situated in the state or because they are state companies, different tax breaks. We have done it this year and we are going to keep doing it, I am quite sure, on other things. We did it last year.

Most states that manufacture wines or liquor, they don't impose a tax at all, but the State of Maine, that exports, we have to pay a tax, so we are not unique as a state by giving a tax break to a local concern.

For these reasons, I will not support this order.

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

Mr. QUINN: Mr. Speaker and Members of the House: I think Mr. Raymond, to some extent, has illustrated exactly the next point that I want to make. We had cloture two months ago. We hear weekly and sometimes semi-weekly lectures from our Speaker that we are way behind and that we still have 800 and some odd bills in committee. When our Governor asked to have a bill put in to review some relatively important administrative procedures, we infer, perhaps, that he should have done that, and he should have, by all means, earlier in the year, even last year: yet, today we are deciding that our Taxation Committee, who, if I am not mistaken, still has bills that haven't been heard, has time to review an entirely new and complex field with great range of complexity, and I would suggest that simply from the point of view of trying to get our administrative work done, this proposal should have exactly the same fate that anything that is near and dear to each of us in our own bailiwicks, we all have things we would like to break cloture with and I don't think this is necessary from a work point of view.

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

Mr. MORTON: Mr. Speaker, Ladies and Gentlemen of the House: I signed this order fully understanding what I was doing and I fully support the order.

The gentleman from Gorham points out the administrative problems of the Taxation Committee and I am sure they have them in other committees, but when I came here to Augusta, I came here to address the problems of the people of the State of Maine as they were brought to my attention. That doesn't make any difference to me whether they were brought to my attention yesterday or 20 years ago. Very frankly, until yesterday during the debate, I wasn't even aware that such a tax break existed, but it certainly does not conform to the general policy of other tax exemptions in the State of Maine, and I have always been fundamentally opposed to that sort of thing.

For that reason, I have great hopes that this procedure will take place and that the Taxation Committee will get an opportunity to look at this. The problem has arisen; we are now aware of it. Now is the time to take a look at it and go to work on it.

Mr. Kelleher of Bangor requested a roll call vote.

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

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

The SPEAKER: The pending question is on passage of this Order, House Paper 1573. All those in favor of this Joint Order receiving passage will vote yes; those opposed will vote no.

#### ROLL CALL

YEAS — Austin, Bachrach, Bennett, Berry, Biron, Blodgett, Boudreau, A.; Boudreau, P.; Brenerman, Brown, K. C.; Bunker, Burns, Byers, Carey, Carrier, Carroll, Carter, D.; Chonko, Churchill, Clark, Connolly, Cox, Cunningham, Curran, Davies, Dexter, Diamond, Durgin, Elias, Fenlason, Flanagan, Fowlie, Gill, Goodwin, H.; Goodwin, K.; Gray, Green, Greenlaw, Hall, Hickey, Hobbins, Huber, Hughes, Hutchings, Immonen, Jackson, Jensen, Joyce, Kane, Kany, Kelleher, Kerry, Kilcoyne, Laffin, Locke, Lougee, Lunt, Lynch, MacEachern, Mahany, Masterman, McBreaarty, McHenry, McPherson, Mitchell, Moody, Morton, Nadeau, Najarian, Pearson, Perkins, Peterson, Plourde, Post, Prescott, Shute, Silsby, Smith, Spencer, Sprowl, Stover, Strout, Stubbs, Tarr, Theriault, Tierney, Tozier, Trafton, Valentine, Wilfong, Wood, Wyman.

NAYS — Aloupis, Bagley, Benoit, Berube, Carter, F.; Conners, Cote, Devoe, Dow, Drinkwater, Garsoe, Gillis, Henderson, Howe, Jacques, LaPlante, Littlefield, Mackel, Marshall, Masterton, Nelson, M.; Nelson, N.; Palmer, Peltier, Quinn, Raymond, Rideout, Rollins, Talbot, Tarbell, Teague, Truman.

ABSENT — Ault, Beaulieu, Birt, Brown, K. L.; Bustin, Dudley, Dutremble, Gauthier, Gould, Higgins, Hunter, Jalbert, LeBlanc, Lewis, Lizotte, Martin, A.; Maxwell, McKean, McMahan, Mills, Norris, Peakes, Torrey, Twitchell, Tyndale, Whittemore.

Yes, 92; No, 32; Absent, 26.

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

Sent up for concurrence.

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

Bill "An Act to Revise the Application and Effective Date of the Administrative Court Law"

(Emergency) (H. P. 1567) (L. D. 1783) which was referred to the Committee on Judiciary in the House on May 16, 1977.

Came from the Senate, under suspension of the rules read twice and passed to be engrossed without reference to a Committee in nonconcurrency.

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

Reference was made to (H. P. 354) (L. D. 447) Bill "An Act to Clarify the Powers of the Department of Inland Fisheries and Wildlife"

In reference to the action of the House on Thursday, May 12, whereby it Insisted and asked for a Committee of Conference, the Chair appointed the following conferees on the part of the House:

Mr. Greenlaw of Stonington  
Mr. Pearson of Old Town  
Mr. Churchill of Orland

Reference was made to (H. P. 339) (L. D. 430) Bill "An Act to Remove the Manufacturer's Excise Tax on Tires from the Sales Tax"

In reference to the action of the House on Wednesday, May 11, whereby it Insisted and Joined in a Committee of Conference, the Chair appointed the following conferees on the part of the House:

Mr. Carey of Waterville  
Mrs. Martin of Brunswick  
Mr. Mackel of Wells

Reference was made to (H. P. 577) (L. D. 701) Bill "An Act Pertaining to License Fees for the Regulation of Certain Amusements"

In reference to the action of the House on Wednesday, May 11, whereby it Insisted and Joined in a Second Committee of Conference, the Chair appointed the following conferees on the part of the House:

Mr. Joyce of Portland  
Mr. Burns of Anson  
Mr. Moody of Richmond

#### (Off Record Remarks)

On motion of Mr. Wyman of Pittsfield, Adjourned until nine o'clock tomorrow morning.