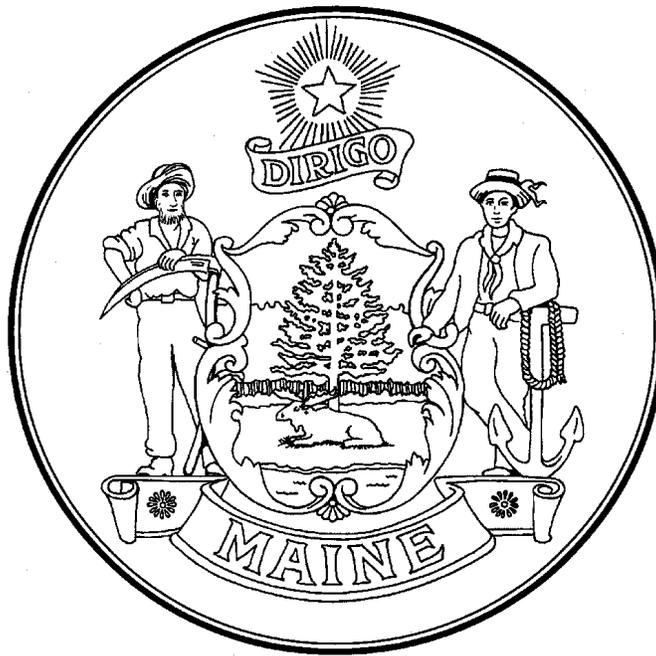


# MAINE STATE LEGISLATURE

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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**

KJ PRINTING  
AUGUSTA, MAINE

**HOUSE**

Thursday, May 19, 1977

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

Prayer by Reverend Gary Vencill of the Randolph Methodist Church.

The journal of yesterday was read and approved.

**Papers from the Senate**

The following Communication:  
THE SENATE OF MAINE  
AUGUSTA

May 18, 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 to Equalize the Registration Fee on Dogs" (H. P. 509) (L. D. 628).

The Senate today also Adhered to its action whereby it Indefinitely Postponed Bill, "An Act Relating to Public Compensation to the Victims of Crime" (H. P. 1535) (L. D. 1760).

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 18, 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 'Ought Not to Pass' Report on Bill, "An Act to Provide Statutory Procedures for Grievances against Attorneys" (H. P. 701) (L. D. 844).

The Senate today also Adhered to its action whereby it accepted the 'Ought Not to Pass' Report on Bill, "An Act to Limit Attorney's Fees under the Maine Tort Claims Act" (S. P. 268) (L. D. 826).

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 18, 1977

The Honorable Edwin H. Pert  
Clerk of the House  
108th Legislature  
Augusta, Maine 04333  
Dear Clerk Pert:

The Senate today voted to Insist and join in a Committee of Conference on Bill, "An Act to Revise the Measure of Damages Under the Unfair Trade Practices Act" (H. P. 277) (L. D. 341).

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 Appropriations

and Financial Affairs reporting "Ought Not to Pass" on Bill "An Act to Appropriate Funds for Cystic Fibrosis Drugs and Treatment" (S. P. 168) (L. D. 485)

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

**Leave to Withdraw**

Report of the Committee on Marine Resources reporting "Leave to Withdraw" on Bill "An Act to Require the Use of Tugboats by Tankers Transiting Hussey Sound in Casco Bay" (S. P. 388) (L. D. 1301)

Report of the Committee on Labor reporting "Leave to Withdraw" on Bill "An Act Relating to Workmen's Compensation for State Law Enforcement and Institution Personnel" (S. P. 331) (L. D. 1090)

Came from the Senate with the Reports read and accepted.

In the House, Reports were read and accepted in concurrence.

**Messages and Documents**

The following Communication:  
STATE OF MAINE  
OFFICE OF THE GOVERNOR  
AUGUSTA, MAINE

May 17, 1977

To: The Honorable Members of the House of Representatives and the Senate of the 108th Maine Legislature

I am this date returning without my signature and approval H. P. 772, L. D. 978, An Act to Authorize Rental Housing to be Financed by the Issuance of Revenue Obligation Facilities Under the Municipal Securities Approval Act.

I have seen no evidence which supports the need for this legislation. Presently, the Maine State Housing Authority is authorized to finance low income housing projects. I am also advised that municipalities currently have the ability to become involved in providing housing for low income citizens. This bill, then, is not needed and in fact may be duplicative or even at cross-purposes with existing law.

What the bill does do, however, is to permit financing with tax-free bonds for upper income housing projects. I question the approach of subsidizing those most able to pay as contrasted to those least able.

In addition, although the state or municipalities may have no legal obligation with respect to default, there are questions of moral and implied obligations. For example, I am told that a recent New York housing agency issue which defaulted was supposed to stand alone but eventually involved the credit of the state.

After discussing this bill with its sponsor, and after extensive staff research and review, I believe there is agreement that this bill serves no meaningful public purpose.

Very truly yours,

Signed:

JAMES B. LONGLEY  
Governor

The Communication was read and ordered placed on file.

The SPEAKER: The question now before the House is, shall Bill "An Act to Authorize Rental Housing to be Financed by the Issuance of Revenue Obligation Facilities Under the Municipal Securities Approval Act." House Paper 772, L. D. 978, become law notwithstanding the objections of the Governor?

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

Mr. HENDERSON: Mr. Speaker, Ladies and Gentlemen of the House: I would just like to call the House's attention to the substance of this bill which was passed through this House with no objection. It was tabled in the other body for further scrutiny and after that it was

also passed in the other body, obviously, or it wouldn't be here this morning.

I think the Governor may not understand the nature of this particular bill. Basically, it authorizes housing to be financed through local municipalities through revenue bonds. Local municipalities now can finance pollution treatment plants, parking facilities and a variety of other items through this same process. I think everybody realizes that there is quite a shortage of housing in many parts of the state and that while the state and local housing authorities deal with very low income housing projects, there is still a need for low to moderate income housing that is beyond the ability of many people to pay for this housing. One of the reasons that it is beyond them is the interest rate, the difficulty in borrowing.

What this would allow is if a community desires, in their own decision, that they wish to promote moderate income rental housing in their area, they could, in effect, float revenue bonds. I would like to explain, if you don't understand the difference between revenue bonds and general obligation bonds.

The general obligation bond is one which the community just basically says, we are floating this bond based on our tax base, and if anything goes wrong, the taxpayers will pay. Revenue bonds, however, are a bit different. They are paid off from the revenue on a particular project, and before they really can be floated, bond councilors usually are very cautious about the financial liability of any particular project and very often require overseers to make sure that the project is going to go through and bonds will be paid off. These kinds of bonds do not, notwithstanding some comments of the Governor in the Governor's message, do not obligate the governmental authority itself. He does say, I must point out, in one of his comments, for example, "I am told that a recent New York housing agency issue which defaulted eventually involved the credit of the state." That is a very vague reference, if you will pardon my saying so. Very often, I think, there are questions raised about people having been told something in a very general sense. I have never heard of this particular problem or it ever happening in the State of Maine.

So basically, this is a situation where local communities, if they wish, may float revenue bonds for moderate income rental housing which is not covered by state or local housing authorities. I wish you would give it your favorable consideration this morning.

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

Mr. DAVIES: Mr. Speaker and Members of the House: This bill was put in to be a general bill, but there is one specific case where it would apply to right away. As you may know, if you are at all familiar with the community of Orono, we have a rather large and growing population and we have a housing base that has been shrinking. It has been the policy of the town council to try and eliminate housing that is unsuitable for human occupation and we have removed a number of dwellings. So what this has done, it has produced a rather high incidence of rental dwellers living in rental units, so we have an occupancy rate in excess of 100 percent. We have more people living in the apartments that are available than should be living there, so we have a really serious housing crisis up there. Partly it is due to the fact that the University of Maine has been growing and there is a large number of students who want to live off campus.

What this bill will do is make it possible for the community of Orono to be involved in the building of low and moderate income housing so that we accommodate both students and low and middle income renters in the community of Orono. This bill is very good for the town of

Orono, we would like to see this passed. We don't think that it risks our credit rating or the credit rating of the State of Maine, and we hope that the House will look favorably upon this bill and will override the Governor's veto.

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

Mr. QUINN: Mr. Speaker and Members of the House: This is a good bill. It is a bill that deserves the attention of the legislature. It is a bill that has two things going for it. One is that it is designed to help the people, as we continually talk about, and, two, it is optional and provides totally complete control by local authorities over whether this is to be used or not.

It has long been an established procedure in this state that these revenue bonds are available for industrial purposes. There is not an industrial park in the State of Maine, I believe, that has not availed themselves of the revenue bonding source. All it is is a method by which the people who invest the money, the bond companies who invest the money in these kinds of bonds are allowed to be tax free from income tax on the proceeds that they receive and the bonds are therefore purchased at a lower rate, typically in the vicinity of 6 percent these days, and it gives a definite advantage to anyone who wishes to make an investment, for he or she knows that they will be able to sell their bonds at lower rates. We have done it in Gorham; it is being done consistently in the Cumberland County area. It has been done in Aroostook and Washington counties, in Oxford and Kennebec, of which I know. If we can extend this kind of opportunity to business and to industry, we must certainly can extend it to housing.

I further remind you, it is purely optional. If your town or your city does not wish to avail themselves of it, they need not, and I urge you to override the veto.

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

Mrs. NAJARIAN: Mr. Speaker and Members of the House: I would like to pose a question through the Chair to anyone who can answer, and that is: would these bonds be backed by any federal program? Would they be guaranteed by the federal government? The reason I ask that, in case they are not, what happens if the renters of the low income housing cannot afford to pay their rent and there weren't enough to fill the units? What would happen in that case?

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

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

Mr. HENDERSON: Mr. Speaker, I don't believe that this would involve any obligation for any federal monies to support this kind of a program. The revenue bond concept is such that bonds will not be supported by bond council or be recommended to be floated unless the project has a very high probability of success.

What it really means is that the people who are buying the bonds are taking the faith of the bond council that they are going to have close supervision over the project and that it is going to in fact be financially successful. If it isn't, then the people who are holding the bonds are going to be up the creek and the bond council is going to have a very bad reputation. It is exactly the same consequence whether they are talking about parking facilities or other things that are currently permissible under revenue bonds. They are financed from the revenue of the projects and the projects are usually very conservatively financed and organized to assure that there would be a return.

Another item, though, is that that is the theoretical aspect. Realistically speaking, there is a tremendous demand for moderate in-

come housing already, and it seems overwhelmingly likely, considering the rental rates these days, which are skyrocketing, that there would be perfect opportunity to fill up these units.

The SPEAKER: The pending question before the House is, shall this Bill become law notwithstanding the objections of the Governor? Pursuant to the Constitution, the vote will be taken by the yeas and nays. This requires a two-thirds vote of the members present and voting. All those in favor of this Bill becoming law notwithstanding the objections of the Governor will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Bachrach, Bagley, Beaulieu, Bennett, Biron, Blodgett, Brennerman, Brown, K. C.; Burns, Bustin, Chonko, Clark, Curran, Davies, Elias, Fenlason, Flanagan, Fowle, Goodwin, H.; Goodwin, K.; Greenlaw, Henderson, Hickey, Hobbins, Jensen, Kelleher, LaPlante, Locke, Lougee, Mackel, Mahany, Martin, A.; Masterman, Maxwell, McKean, Mills, Nadeau, Nelson, N.; Norris, Pearson, Plourde, Post, Prescott, Quinn, Theriault, Tierney, Trafton, Truman, Tyndale, Valentine, Wilfong, Wood, Wyman, The Speaker.

NAY — Aloupis, Ault, Berry, Berube, Birt, Boudreau, A.; Boudreau, P.; Brown, K. L.; Bunker, Byers, Carey, Carroll, Carter, D.; Carter, F.; Churchill, Connors, Cote, Cox, Cunningham, Devoe, Dexter, Diamond, Dow, Drinkwater, Dudley, Durgin, Garsoe, Gauthier, Gill, Gillis, Gould, Gray, Hall, Higgins, Huber, Hunter, Immonen, Jackson, Jalbert, Joyce, Kany, Kilcoyne, Laffin, Lewis, Lizotte, Lynch, MacEachern, Marshall, McBreairey, McHenry, McMahon, McPherson, Mitchell, Moody, Najarian, Nelson, M.; Palmer, Peltier, Perkins, Peterson, Raymond, Rideout, Rollins, Shute, Smith, Sprowl, Stover, Strout, Stubbs, Tarbell, Tarr, Teague, Torrey, Tozier, Twitchell, Whittemore.

ABSENT — Austin, Benoit, Carrier, Connolly, Dutremble, Green, Howe, Hughes, Hutchings, Jacques, Kane, Kerry, LeBlanc, Littlefield, Lunt, Masterton, Morton, Peakes, Silsby, Spencer, Talbot.

Yes, 54; No, 76; Absent, 21.

The SPEAKER: Fifty-four having voted in the affirmative and seventy-six in the negative, with twenty-one being absent, the veto is sustained.

#### Orders

On motion of Mr. Spencer of Standish, the following Joint Order: (H. P. 1574) (Cosponsor: Mrs. Boudreau of Portland)

WHEREAS, the procedures for conveying of real estate in Maine have grown increasingly more complex and title examinations are necessarily very exacting, frequently repetitive and highly expensive; and

WHEREAS, this situation has led to the introduction of a number of separate bills which address only aspects of the problem; and

WHEREAS, the need for comprehensive legislation in this area has become increasingly evident; now, therefore, be it

ORDERED, the Senate concurring, that the Joint Standing Committee on Judiciary be authorized to study the problem of title examinations, including, but not limited to, the subject matter of L. D. 1267, "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;" L. D. 1337, "An Act to Clarify Actual Notice Under the Recording Laws in Regard to Exceptions and Reservations;" and L. D. 1627, "An Act to Improve the Marketability of Real Estate," the questions of title insurance and the cost of title examinations, and any proposed model legislation; and be it further

ORDERED, that the committee shall com-

plete this study no later than December 1, 1977 or 90 days prior to the First Regular Session of the 109th Legislature and submit to the Legislative Council within the same time period its findings and recommendations, including copies of any recommended legislation in final draft form; and be it further

ORDERED, upon passage in concurrence, that a suitable copy of this Order shall be forwarded to members of the committee.

The Order was read.

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

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House: I rise this morning not so much to oppose the passage of this order but to ask some questions to clarify a little bit of thinking which I think should at this time be considered.

I think we are all concerned that during the last session of this legislature we passed many, many orders for studies, and those studies were carried on last summer and fall and it cost the State of Maine thousands and thousands of dollars. Most of us received copies of the reports of those commissions, and I doubt if over three or four of us in this House have read totally over 10 or 12 of the reports. It has become to me a very excessive expense to this legislature.

It may be that this particular order is fine, it probably will receive passage and go to the Senate. It may eventually be discussed again, but I would like to have more of an explanation, and I think we should, not because of the sponsors of this order, I respect the both of them very highly, but I would like to know — there are three bills involved in this particular order — what the status of those are and why the necessity of a commission or a group to study this particular problem. It seems to me as this session goes on, we are going to be receiving more and more of these, and I think they should be scrutinized quite carefully, regardless of where they come from, to avoid the kind of situation we had the past two years when we had people here practically every day studying problems that never were resolved and most of the orders which never, never were read. I would like to hear more about the order and the need for it before I vote on passage.

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

Mr. SPENCER: Mr. Speaker, Ladies and Gentlemen of the House: This order was put out by the Judiciary Committee and the purpose of it was to deal with the series of bills that have come in this session and which come in every session dealing with the whole area of title searches and the transfer of real estate. It is an area where there are a number of problems that keep coming up where people have to pay tremendous legal fees to solve very minor problems that they really shouldn't have to if it weren't for the technical requirements of the law, and the Judiciary Committee felt that rather than dealing with each of these little issues on a bandaid approach, that it would be worthwhile to have a subcommittee of the Judiciary Committee work over the summer and see if we couldn't come up with legislation which would resolve some of the problems in this area.

There is a study going on right now in the Bar Association to try to resolve some of the problems in the title search area, and it seems that it was an opportune time to have some members of the Judiciary Committee focusing on this same problem.

Representative Boudreau had a bill that died between the Houses in a reference fight, which is a very unusual situation and it was a major piece of legislation and we felt that it was one that ought to be considered.

I certainly am not one to try to seek more

work for the Judiciary Committee, but we felt that in the long run a comprehensive look at this problem would actually cut down on the number of bills coming in in this area and in the long run save some legislative time.

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

Mr. TIERNEY: Mr. Speaker and Members of the House: The good gentleman from Nobleboro, Mr. Palmer, knows very well that I share his feelings about the number of orders which are submitted by Joint Standing Committees as we approach adjournment, both because we don't have time to get to a bill and also because some members of the committee want to have something to do during the summer. He knows I agree with him on that, but this particular order is not one of those.

An interesting statistic which just appeared, ladies and gentlemen, was that the average new home in America now costs \$52,000 to build. I think you should think about what that means to yourselves and to your children when it comes to purchasing a new home, and I can assure you that the legal costs involved of clearing the title of the land that a \$52,000 house is going to be built on are also very significant items to people when they purchase property. If any of you have gone through a closing recently, you realize how expensive the legal fees can be.

I think it is very important that we examine the entire question of how we do clear titles and take a look at it legislatively from the public interest as opposed to leaving it to the Maine Bar Association. I feel that this type of order is an excellent idea.

We have the Judiciary Committee here composed primarily of non-lawyers, and I think they will give it a very fair and accurate reading in the months ahead. I also note that they are directed to report to our special session, and I always think that orders which are directed to report back to the same group are a good idea. The reports that get ignored are the reports that are given to the next legislature where we have a 50 percent turnover. So I think this is a good order and I hope it passes.

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

Mr. DEVOE: Mr. Speaker, I would like to ask the members of the House to vote in support of this study order. Time and time again in work that I do in my office in rendering title opinions, it becomes necessary to object to titles because of the present title standards, but more particularly, because the statutes which relate to real estate matters have not been revised in this field for years.

I have been a member of the Title Standards Committee of the Bar Association and the Bar Association has been studying this problem and it was at my suggestion that the Judiciary Committee establish a subcommittee to work perhaps with men in the Maine Bar Association to see if we can't come up with some uniform markable types of legislation so that when people purchase homes or transfer title to pieces of real estate, they will have clearer laws and they will not be subjected to long, involved and very costly suits to quiet title to real estate based on minute points of law that had their origin 50 or 100 years ago.

The object behind this order is to see if we can't modernize and bring more into the 20th Century the laws in Maine relating to transfer of title to real estate and also to study the statute of limitations and how long in the present day we want to have the statute of limitation apply to people who want to raise ancient claims to real estate.

As Mr. Spencer, the House Chairman of the Judiciary Committee, pointed out, there have been, in this session, many bills which if passed would have been the bandaid approach. That is, they would have tackled a minute subpoint of

law but not face the overall question. Mr. Speaker and Members of the House, I urge this House to pass this study order.

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

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House: I have no intention of opposing the passage of the order. My objective merely was, as I stated at the very beginning, that we scrutinize more carefully now as orders do come through, and they will be coming more and more for studies this summer and fall. The objective I had was to do exactly what we have done, which was to have a great exchange of ideas and find out whether or not there is indeed a need for such an order.

I will support passage. I probably will rise again on other occasions to question orders as we go along the way. I think it is necessary in order to keep our house a little bit cleaner before the 109th.

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

An Expression of Legislative Sentiment (H. P. 1575) recognizing that: Nan Moyer, a student at the College of the Atlantic has served diligently and faithfully as a legislative intern for 10 weeks

Presented by Mr. Greenlaw of Stonington.

The Order was read.

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

Mr. GREENLAW: Mr. Speaker, Men and Women of the House: You will recall Friday that the gentleman from Nobleboro, Mr. Palmer, indicated that we have had a number of young people serving as legislative interns in this session. I have been fortunate enough to have a college student work with me as she completes part of her college requirements. Nan has worked very hard helping me and other members of this legislature draft legislation. She has worked with the Maine Resources Committee and has done a lot of other things.

Unfortunately, she is leaving tomorrow. I suspect that many of us would like to be leaving with her because she is going to be employed this summer by the schooner Victory Chimes doing a variety of things. I thought this morning that it would be nice if we expressed our appreciation to Nan. She is in the back of the House and with the Speaker's permission, I would ask Nan to stand in the well of the House and we could express our appreciation to her. (Prolonged applause.)

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

On motion of Mr. Nadeau of Sanford, it was ORDERED, that James Peakes of Dexter be excused May 19th, 20th for Legislative Business.

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

Mr. Gray from the Committee on Local and County Government on Bill "An Act to Annex Certain Territories to the Town of Howland" (H. P. 911) (L. D. 1109) reporting "Ought Not to Pass"

Ms. Goodwin from the Committee on Appropriations and Financial Affairs on Resolve, Appropriating \$255,665.36 for Unpaid Liability of State of Maine to Eleanor Turner, as Administratrix of the Estate of Durwood G. Turner, Durwood G. Turner Jr., David G. Turner, Ellen S. Turner and Francis Fitzmaurice (Emergency) (H. P. 856) (L. D. 1051) reporting "Ought Not to Pass"

Mr. Spencer from the Committee on Judiciary on Bill "An Act to Amend the Criminal Code Concerning Sexual Abuse of Minors" (H. P. 1170) (L. D. 1402) 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

Mrs. Berube from the Committee on Local and County Government on Bill "An Act Raising the Minimum Salaries of Deputy Sheriffs" (H. P. 1043) (L. D. 1270) reporting "Leave to Withdraw"

Mr. Carter from the Committee on Appropriations and Financial Affairs on Bill "An Act to Reestablish the Shade Tree Planting Programs in the Department of Conservation" (H. P. 512) (L. D. 631) reporting "Leave to Withdraw"

Mr. Hobbins from the Committee on Judiciary on Bill "An Act Providing for Mandatory Driver's License Suspension upon Conviction of Vandalism" (H. P. 1077) (L. D. 1299) reporting "Leave to Withdraw"

Mr. Hobbins from the Committee on Judiciary on Bill "An Act Relating to the Deduction of Additional Days a Month from a Sentence of Imprisonment for those Persons Assigned Duties Outside the Institution" (H. P. 1420) (L. D. 1631) reporting "Leave to Withdraw"

Reports were read and accepted and sent up for concurrence.

Mr. Blodgett from the Committee on Natural Resources on Bill "An Act Concerning the Storage of Nuclear Waste in Maine" (H. P. 1089) (L. D. 1313) reporting "Leave to Withdraw"

Report was read.

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

Mr. WILFONG: Mr. Speaker and Members of the House: Since this is my bill and since I requested the "Leave to Withdraw" Report, I felt that I might have a couple of things to say to you, because I had constituents ask me to put the bill in and then with my questionnaire, I have gotten about a 98 percent response in favor of passage of the bill and I didn't want those people to think that I had circumvented their wishes or anything.

I took the "leave to withdraw" report because I had asked the Attorney General's Office to give me a ruling as to whether we were presently covered by law or not as relates to the solid waste management. They agreed that yes, in fact we were covered by law, the pertinent provisions of MRSA, Title 17, Section 2253, and that we were covered under that, and they summed it up in the final paragraph. "The answer to your question" — and the question was, are we covered — "requires determination as to whether the definition of waste matter in the first paragraph of this section extends to nuclear waste. The definition is clearly intended to be all encompassing. Under that definition, nuclear waste would be covered under the terms 'solid or liquid waste.' Further, nuclear waste in most circumstances would be covered under the term 'industrial and commercial waste.' In addition, nuclear waste would certainly be covered under the term 'other refuse of every description.' Thus, the terms of this section are clearly all encompassing; no intent to exclude nuclear waste is expressed or can be implied. The only wastes which are excluded are those being deposited on property within the state as of January 1, 1970, by firms bordering the state as provided in the last paragraph of this section. I hope this information is helpful to you. Sincerely, Joseph Brennan."

With the Attorney General's opinion as it is, I felt that there was no sense in bringing this bill before the body and I just wanted to go on the record to make sure that my constituents were aware that I had not circumvented their wishes.

work for the Judiciary Committee, but we felt that in the long run a comprehensive look at this problem would actually cut down on the number of bills coming in in this area and in the long run save some legislative time.

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

Mr. TIERNEY: Mr. Speaker and Members of the House: The good gentleman from Nobleboro, Mr. Palmer, knows very well that I share his feelings about the number of orders which are submitted by Joint Standing Committees as we approach adjournment, both because we don't have time to get to a bill and also because some members of the committee want to have something to do during the summer. He knows I agree with him on that, but this particular order is not one of those.

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I have been a member of the Title Standards Committee of the Bar Association and the Bar Association has been studying this problem and it was at my suggestion that the Judiciary Committee establish a subcommittee to work perhaps with men in the Maine Bar Association to see if we can't come up with some uniform markable types of legislation so that when people purchase homes or transfer title to pieces of real estate, they will have clearer laws and they will not be subjected to long, involved and very costly suits to quiet title to real estate based on minute points of law that had their origin 50 or 100 years ago.

The object behind this order is to see if we can't modernize and bring more into the 20th Century the laws in Maine relating to transfer of title to real estate and also to study the statute of limitations and how long in the present day we want to have the statute of limitation apply to people who want to raise ancient claims to real estate.

As Mr. Spencer, the House Chairman of the Judiciary Committee, pointed out, there have been, in this session, many bills which if passed would have been the bandaid approach. That is, they would have tackled a minute subpoint of

law but not face the overall question. Mr. Speaker and Members of the House, I urge this House to pass this study order.

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

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House: I have no intention of opposing the passage of the order. My objective merely was, as I stated at the very beginning, that we scrutinize more carefully now as orders do come through, and they will be coming more and more for studies this summer and fall. The objective I had was to do exactly what we have done, which was to have a great exchange of ideas and find out whether or not there is indeed a need for such an order.

I will support passage. I probably will rise again on other occasions to question orders as we go along the way. I think it is necessary in order to keep our house a little bit cleaner before the 109th.

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

An Expression of Legislative Sentiment (H. P. 1575) recognizing that: Nan Moyer, a student at the College of the Atlantic has served diligently and faithfully as a legislative intern for 10 weeks

Presented by Mr. Greenlaw of Stonington. The Order was read.

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

Mr. GREENLAW: Mr. Speaker, Men and Women of the House: You will recall Friday that the gentleman from Nobleboro, Mr. Palmer, indicated that we have had a number of young people serving as legislative interns in this session. I have been fortunate enough to have a college student work with me as she completes part of her college requirements. Nan has worked very hard helping me and other members of this legislature draft legislation. She has worked with the Maine Resources Committee and has done a lot of other things.

Unfortunately, she is leaving tomorrow. I suspect that many of us would like to be leaving with her because she is going to be employed this summer by the schooner Victory Chimes doing a variety of things. I thought this morning that it would be nice if we expressed our appreciation to Nan. She is in the back of the House and with the Speaker's permission, I would ask Nan to stand in the well of the House and we could express our appreciation to her. (Prolonged applause.)

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

On motion of Mr. Nadeau of Sanford, it was ORDERED, that James Peakes of Dexter be excused May 19th, 20th for Legislative Business.

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

Mr. Gray from the Committee on Local and County Government on Bill "An Act to Annex Certain Territories to the Town of Howland" (H. P. 911) (L. D. 1109) reporting "Ought Not to Pass"

Ms. Goodwin from the Committee on Appropriations and Financial Affairs on Resolve, Appropriating \$255,665.36 for Unpaid Liability of State of Maine to Eleanor Turner, as Administratrix of the Estate of Durwood G. Turner, Durwood G. Turner Jr., David G. Turner, Ellen S. Turner and Francis Fitzmaurice (Emergency) (H. P. 856) (L. D. 1051) reporting "Ought Not to Pass"

Mr. Spencer from the Committee on Judiciary on Bill "An Act to Amend the Criminal Code Concerning Sexual Abuse of Minors" (H. P. 1170) (L. D. 1402) 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

Mrs. Berube from the Committee on Local and County Government on Bill "An Act Raising the Minimum Salaries of Deputy Sheriffs" (H. P. 1043) (L. D. 1270) reporting "Leave to Withdraw"

Mr. Carter from the Committee on Appropriations and Financial Affairs on Bill "An Act to Reestablish the Shade Tree Planting Programs in the Department of Conservation" (H. P. 512) (L. D. 631) reporting "Leave to Withdraw"

Mr. Hobbins from the Committee on Judiciary on Bill "An Act Providing for Mandatory Driver's License Suspension upon Conviction of Vandalism" (H. P. 1077) (L. D. 1299) reporting "Leave to Withdraw"

Mr. Hobbins from the Committee on Judiciary on Bill "An Act Relating to the Deduction of Additional Days a Month from a Sentence of Imprisonment for those Persons Assigned Duties Outside the Institution" (H. P. 1420) (L. D. 1631) reporting "Leave to Withdraw"

Reports were read and accepted and sent up for concurrence.

Mr. Blodgett from the Committee on Natural Resources on Bill "An Act Concerning the Storage of Nuclear Waste in Maine" (H. P. 1089) (L. D. 1313) reporting "Leave to Withdraw"

Report was read.

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

Mr. WILFONG: Mr. Speaker and Members of the House: Since this is my bill and since I requested the "Leave to Withdraw" Report, I felt that I might have a couple of things to say to you, because I had constituents ask me to put the bill in and then with my questionnaire, I have gotten about a 98 percent response in favor of passage of the bill and I didn't want those people to think that I had circumvented their wishes or anything.

I took the "leave to withdraw" report because I had asked the Attorney General's Office to give me a ruling as to whether we were presently covered by law or not as relates to the solid waste management. They agreed that yes, in fact we were covered by law, the pertinent provisions of MRSA, Title 17, Section 2253, and that we were covered under that, and they summed it up in the final paragraph, "The answer to your question" — and the question was, are we covered — "requires determination as to whether the definition of waste matter in the first paragraph of this section extends to nuclear waste. The definition is clearly intended to be all encompassing. Under that definition, nuclear waste would be covered under the terms 'solid or liquid waste.' Further, nuclear waste in most circumstances would be covered under the term 'industrial and commercial waste.' In addition, nuclear waste would certainly be covered under the term 'other refuse of every description.' Thus, the terms of this section are clearly all encompassing; no intent to exclude nuclear waste is expressed or can be implied. The only wastes which are excluded are those being deposited on property within the state as of January 1, 1970, by firms bordering the state as provided in the last paragraph of this section. I hope this information is helpful to you. Sincerely, Joseph Brennan."

With the Attorney General's opinion as it is, I felt that there was no sense in bringing this bill before the body and I just wanted to go on the record to make sure that my constituents were aware that I had not circumvented their wishes.

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

Mr. Goodwin from the Committee on Health and Institutional Services on Bill "An Act to Provide Dental Care to Developmentally Disabled Boarding and Nursing Home Clients and to other Persons" (H. P. 867) (L. D. 1060) reporting "Leave to Withdraw"

Report was read and accepted and sent up for concurrence.

#### Ought to Pass with Committee Amendment

Mr. Carter from the Committee on Taxation on Bill "An Act to Amend the Law Relating to Gas Tax Reimbursement" (H. P. 1219) (L. D. 1446) reporting "Ought to Pass" as amended by Committee Amendment "A" (H-362)

Report was read and accepted and the Bill read once. Committee Amendment "A" 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 to Pass" as amended by Committee Amendment "A" (H-352) on Bill "An Act to Provide that Voter Registration Forms Include a Warning Concerning Knowingly Supplying False Information" (H. P. 747) (L. D. 952)

Report was signed by the following members:

Mr. DANTON of York — of the Senate.  
 Mr. McMAHON of Kennebunk  
 Mrs. BOUDREAU of Portland  
 Messrs. BIRT of East Millinocket  
 RAYMOND of Lewiston  
 Mrs. MITCHELL of Vassalboro  
 Mr. TALBOT of Portland  
 Mrs. DURGIN of Kittery — of the House.

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

Report was signed by the following members:

Messrs. KATZ of Kennebec  
 TROTZKY of Penobscot — of the Senate.  
 Messrs. TRUMAN of Biddeford  
 BOUDREAU of Waterville  
 BUSTIN of Augusta — of the House.

Reports were read.

Mrs. Boudreau of Portland moved that the Majority "Ought to Pass" Report be accepted.

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

Mr. BUSTIN: Mr. Speaker, Ladies and Gentlemen of the House: A number of House members this morning have asked why I signed the "Ought Not to Pass" Report, and the basic reason that I signed the "Ought Not to Pass" Report is that I believe this is a crocodile bill. A crocodile bill is something like this. If you were walking down in Capitol Park and you were taking a leisurely stroll on a Sunday afternoon and somebody placed a sign there that said "beware of the crocodile," you probably would divert the route that most people were taking on their walk. The point is this, that when you take a voter registration form and put on it "beware, this can result in a fine of so many days in jail," it is going to prevent some people, is going to dissuade some people from signing a registration card.

I don't think it is a particularly heavy issue, but I take the same position on this as I do on other election law bills, which is to say that anything we do that inhibits people from registering and voting is not good. Now, if you could present to me a body of evidence that shows that there is even a little voter registration fraud, then I could see it.

The sponsor of this bill had a similar amendment to put on liquor I.D.'s. Well, we all know that among the young people of the state there are some who would falsify a liquor I.D. in order to partake of that particular product, but I can't think of any evidence that would show that citizens would willingly falsify voter registration forms, and that is why I think it is not necessary and it probably will prevent some people from signing up. So I am just in favor of not accepting this report and accepting the minority report.

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

Mrs. BOUDREAU: Mr. Speaker, Men and Women of the House: You can see the majority of the committee did not agree with Representative Bustin. We have taken much of the formerly asked for information off the registration cards, and today on the Consent Calendar, Item No. 4, we are removing another requirement. We just felt that we should put this warning on. It is much better for the people to realize in advance that there is a penalty for giving false information and I don't think that this bill has the chilling effect that has been predicted.

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

Mr. BURNS: Mr. Speaker, I would ask a question to anyone who wishes to reply. Are you also removing the requirement that this be a sworn statement before a notary or justice of the peace?

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

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

Mrs. BOUDREAU: Mr. Speaker, no, not an outside registration.

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

Mr. MORTON: Mr. Speaker, Ladies and Gentlemen of the House: The gentleman from Augusta is very adept at bringing similes into the debate. The only problem with the simile that he brought in this morning is that there is a possibility of voter fraud, voter registration fraud. I doubt very much if there is a possibility of finding crocodiles on the lawn across from the State House.

The SPEAKER: The Chair will order a vote. The pending question is on the motion of the gentleman from Portland, Mrs. Boudreau, 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.

67 having voted in the affirmative and 30 having voted in the negative, the motion did prevail.

Thereupon, the Bill was read once. Committee Amendment "A" (H-352) was read by the Clerk and adopted and the Bill assigned for second reading tomorrow.

#### Divided Report

Majority Report of the Committee on Labor reporting "Ought Not to Pass" on Bill "An Act to Improve Public Access to Public Labor Negotiations" (H. P. 1316) (L. D. 1548)

Report was signed by the following members:

Mr. PRAY of Penobscot — of the Senate.  
 Messrs. PELTIER of Houlton  
 McHENRY of Madawaska  
 BUSTIN of Augusta  
 LAFFIN of Westbrook  
 ELIAS of Madison  
 FLANAGAN of Portland  
 Mrs. BEAULIEU of Portland  
 Mr. DUTREMBLE of Biddeford — of the House.

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

Report was signed by the following members:

Messrs. McNALLY of Hancock  
 REDMOND of Somerset — of the Senate.  
 Mrs. TARR of Bridgton  
 Mrs. LEWIS of Auburn — of the House.

Reports were read.

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

Mr. BUSTIN: Mr. Speaker, I move the House accept the Majority "Ought Not to Pass" Report.

The SPEAKER: The gentleman from Augusta, Mr. Bustin, moves that the House accept the Majority "Ought Not to Pass" Report.

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

Mrs. LEWIS: Mr. Speaker, Ladies and Gentlemen of the House: I hope that you will not accept the "Ought Not to Pass" Report and will accept the "Ought to Pass" Report.

If you look at the bill, it is a very very short bill, it just takes a couple of lines on one page. What this bill really is all about is whether we think the people's business should be opened to the public, the people's government.

I signed the "Ought to Pass" Report because I feel very strongly about the Constitution of the United States. The First Amendment does guarantee freedom of the press. If people want to align themselves with any group in this body, for example, if they want to be on the side of labor or the side of management or if they like the neutral side of the labor relations board, you can't be with any of them on this bill because all three are in opposition. They all like closed negotiations. If, as I say, you believe in the First Amendment to the Constitution, if you believe that the people's government, which ours is, belongs to the people, then why isn't the people's business open to the people?

I certainly hope that you will go along with me. I know it would be an awful lot easier to negotiate in private. You can take one side and another takes the other side and perhaps you can come to an agreement and I know it would be easier, but is that the right way to go? We talk about sunshine laws and I hope that we believe what we say and that we will accept the Minority "Ought to Pass" Report.

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

Mr. LAFFIN: Mr. Speaker, Ladies and Gentlemen of the House: I certainly hope this morning that the members of this House will support the Majority "Ought Not to Pass." This bill that is before us this morning would give the right to newspapers to be in attendance when negotiations are going on. You know as well as I do that all newspaper writers do not print the truth. Newspaper writers want a good story and they will do anything for that story, and rightly so, because that is their business and that is their livelihood.

Many times I have been to meetings and speaking and the next morning I read in the Portland paper, and I thought maybe someone else had said what I said because it wasn't that way at all. Many times when we get negotiations going between labor and management, it is hindered, it is hurt by having the press there because of the fact that the press is only interested in getting some good juicy story for the next morning's edition. That is not the purpose of negotiation. Negotiations are serious business. Negotiations are between the parties involved to see that the best compromise can be reached by the parties involved.

Many times I know that they talk about having equal rights and all this stuff but you know, I noticed that when I am up here, the times that the people speak about equal rights and things that they want is when it is the bill that they are particularly interested in and that is the bill

that they want passed. Any other time, they never mention it, which is probably to their advantage.

The bill that we have before us today is a bad bill, for the simple reason that negotiations done by professionals, people that know what they are doing and truthfully and honestly should not be reported back to the people for the simple reason that it will hinder the negotiation process. They will be contacting one party or the other and say, well, I read in the Portland paper this morning that so and so said so and so and I think you should do this and that. That is not the purpose of the bargaining process. Therefore, Mr. Speaker, ladies and gentlemen of the House, I certainly hope that you will support today the Majority "Ought Not to Pass" Report.

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

Mr. PEARSON: Mr. Speaker, Ladies and Gentlemen of the House: I would like to make a couple of points for the members of the House. This is an old bill; this was in last session. Is management in favor of this bill? No. Is labor in favor of this bill? No. Neither side wants this bill. The reason for it is of course, as everybody knows, if you go into negotiations, your management will take one position on an extreme and oftentimes labor will take a position on an extreme hoping that somewhere in the middle they will be able to meet. Let's assume that they go into the first meeting and the two extremes are pointed out by the two different sides of the negotiating table. The newspaper is there. They report it the next day that Councilman Jones or School Board Member Jones has said that he won't give an inch on this measure. Well, the negotiations progress. Councilman Jones has postured himself in taking a position, the newspapers have written it up and he finds it almost impossible to withdraw from his position and so, consequently, he thrusts himself into a position of bargaining in bad faith if he continues to hold on. The newspapers would become a party to the negotiations and that is not what it is supposed to be. It is supposed to be labor and management.

I can appreciate the fact that the sponsor of this bill has got some problems with a newspaper in the local area — I have too. They want this bill too so they can write a juicy story just like the gentleman from Westbrook has just told you. It is a bad bill, it is a bad, bad bill. I hope you just throw it right down to the deep six where it belongs.

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

Mr. PERKINS: Mr. Speaker, Ladies and Gentlemen of the House: I rise because in the age old story this is my bill. I would like first to respond to the juicy allegation of what some newspapers might print and what they might not. I would just refer you to the track record of the allegation and the gentleman who is alleged to be going to write the juicy story because he is a former Ambassador to the United Nations of the United States. I don't think that kind of a track record would really sponsor any juicy stories.

I think perhaps first I would open by saying we welcome you to the labor room this morning because this is the type of bill we have, it is a labor bill. When I came to the legislature, there is a part of history, one of the things that was told to me is that there are two things that really the public should not be allowed to see in the making — one was public laws and the other was sausage. Since I have been here, we have opened the area of making public laws because all our executive sessions are now open to the public under the public's right to know. Therefore, if you and I agree here today that the public has a right to know on our executive sessions and the making of public laws, then maybe you would go the one step further with

me and agree that the public has a right to know how its monies are spent and among these monies are the monies for public education.

Public education is taking two thirds of the State of Maine's budget this year. Last year, \$260 million alone was spent on public education. Of this, between 60 and 70 percent was spent on salaries. Of these salaries, to my knowledge and the best information I can find, only one negotiation in the State of Maine was held open to the public, that being in the town of Dover-Foxcroft, and this opened up after months of stalemate. After it was opened to the public, within weeks there was a solution.

In the State of Florida now, all public negotiations are open to the public. Florida hasn't broken off and sunk into the sea. We have here in Augusta open working sessions and I don't see any problem with the press playing up; in fact, I don't see many of the people who disclaim the fear of the press really shunning them here in Augusta.

I think one of the oppositions to this thing has been that when you open this up, there will be grandstanding. All we are asking is that both parties agree that the meeting be closed before it is closed. Now, it takes one to trigger the curtain closed to have the secrecy. We say, let it take two to trigger the curtain closed for secrecy, else let's have the public know how we are spending the bulk of their money. If it is such a shameful process that we dare not let the public do it, then maybe we should scrutinize it.

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

Mr. BUSTIN: Mr. Speaker, Men and Women of the House: I want to compliment the gentleman, Mr. Perkins, on his remarks. He has spoken like a true Ellsworth American. When the newspaper publishers' lobbyists came before our committee pushing for open negotiations, I asked them the direct question whether or not the collective bargaining that took place between the newspaper publishers and their employees was open to the public or was conducted in private, and he said that he didn't know. I ask you, what do you think?

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

Mr. PEARSON: Mr. Speaker, I move the indefinite postponement of this bill and all its accompanying papers and ask for a roll call.

The SPEAKER: The gentleman from Old Town, Mr. Pearson, moves that this Bill and all of its accompanying papers be indefinitely postponed.

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

Mrs. TARR: Mr. Speaker, Men and Women of the House: I would like to start a little discussion with a quote if I may. "Things don't get much better until you find new paths to take." That is a quote from Dr. John Marvin but I hasten to add that it is out of context and it was not spoken in regard to this particular bill, but it sounded so good, I wanted to borrow it. I would submit to you that new paths to take may include holding open negotiations.

You know I have been in Labor the last session, again this session. Seems like I have been in Labor forever, Mr. Speaker. We had some hearings last week at the Civic Center dealing with the collective bargaining process. I heard an awful lot of testimony about the dragging on and on and on of negotiations, of teachers working without contracts for two years, that the sides just could not seem to get together. I submit again to you that if this process is not working well now, why can't we try open negotiations? I think the public would understand so much better when they get their increased costs for education. I think if the community is made a part of these negotiations and understand the process and just what takes place at the collective bargaining table, that they would have more sympathy for the

teachers and the teachers are interested in their students and in their jobs and rightly so. I sincerely believe that it is worth a try; I really think it is worth a try. Everybody is against it but nobody has tried it. I think it might be worth taking a real good look at, and seriously this morning.

We also in the collective bargaining procedure have what we call a fact-finding session. They have this fact-finding panel come in when things are stalled, when things are at an impasse and they can't get the sides together. This panel takes a look and says, all right, either you shape up here and you give a little on this side. These fact-finding results are made public in 30 days. If you don't want to go the whole route of open negotiations, perhaps you might find something good about having the fact-finding session open to the public. I am not just talking about the press, I am talking about regular people that are in the communities. Since the results on fact finding are made public in 30 days, why not either have that whole session open or have it made public in 10 days so the people will know, so they will understand who is dragging their feet, who doesn't want to settle the negotiations.

I don't think it is a bit fair for teachers to have to work without a contract for a couple of years. On the other hand, I don't think it is fair for their negotiator to set a figure and say, we are sitting right here and we are not going to move. I really wish you would give it some consideration.

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

Mr. HALL: Mr. Speaker, I would like to pose a question to the author of the bill if I may, to Mr. Perkins. All I have heard so far on the floor of the House is in regard to teachers. I am in favor of the bill but only if it includes everybody. I don't want to pass a bill just for teachers. That is all I am getting here. If that is true, I am not for the bill.

The SPEAKER: The gentleman from Sangerville, Mr. Hall, has posed a question through the Chair to the gentleman from Blue Hill, Mr. Perkins.

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

Mr. PERKINS: Mr. Speaker, in response to my good friend from Sangerville, Mr. Hall, this does not refer only to teachers. I used this as an example because this was two-thirds of our whole state of Maine budget. It refers to all public monies and all public negotiations.

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

Mr. MASTERMAN: Mr. Speaker, Ladies and Gentlemen of the House: I think at this point in time you recognize me as standing up and making the shortest speeches on the floor. I would like to make one of those short speeches now and I think it covers most everything in my mind that should be said and that is that open negotiations will give the public an opportunity to be informed about the largest single public expenditure. I am talking now about Piscataquis County because that is where I come from and the people I represent, but it applies to the whole state. An informed public is more likely to make reasonable decisions than an uninformed public.

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

Mrs. BEAULIEU: Mr. Speaker, Ladies and Gentlemen of the House: I don't like to disagree with a fellow worker on the Labor Committee, but I am absolutely opposed to this bill. I work for a newspaper. We have been without a contract since last June. It is not open to the public. Even the employees cannot go into the process except those that belong to the union. As a school board member, I am absolutely opposed. At some point in any negotiation process you get into personalities, you discuss people. I



think they have rights too and they must be protected. I hope you will follow Representative Pearson's advice and deep six this bill.

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

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

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

Mr. PERKINS: Mr. Speaker, Ladies and Gentlemen of the House: I would only point out one thing to you. It has been alleged here that neither management nor labor wants this bill, that nobody wants this bill. I would suggest to this House today that the people who pay the money deserve this bill. They, the taxpayers, are the ones who deserve to know how and where their monies are being spent.

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

Mr. TIERNEY: Mr. Speaker, Men and Women of the House: I always enjoy having this bill come up because it is the only labor bill that the good gentleman from Cumberland, Mr. Garsoe, and I ever agree on. Ladies and Gentlemen, it is a bad bill. I would just like, I guess, to bring a practitioner's view to this if I could. I enjoy the right to know rhetoric, I guess, as much as anyone. I have used it myself on occasion back when I was sitting in the back row.

Let me tell you about a conversation I had with a newspaper reporter in my area. The newspaper is the Brunswick-Bath Times Record and it covers probably about 15 towns. There is collective bargaining going on all the time in those 15 towns. Oftentimes, many different units — you have got the policemen, you have got the firemen, you have got the teachers, you have got the bus drivers, you have got the cafeteria workers. I asked for a report of the quest, and I said, how can you possibly cover the collective bargaining sessions. I mean, in your newspaper areas alone there are hundreds of these sessions that go on every year. He said, well, we don't intend to cover them. I said, well why do you favor the bill? He said, well, if someone calls us up and tells us something exciting is going to happen that night, then we want to be there.

What happens, ladies and gentlemen, is that one side or the other, when it feels that press is to its advantage, then contacts the local newspaper or the state newspaper or the wire services or whatever and creates the story, creates the public pressure as part of the negotiation techniques. The newspapers of this state have absolutely no intention of actually covering these things, just like when we opened up our working sessions in the legislature. The only people we really opened them up to were the lobbyists. Let's face it. We never have the press come down and bother to cover our working sessions, and this is the exact same type of operation.

The gentleman from Old Town, Mr. Pearson, has asked what we corrected. All this type of legislation does is to freeze the parties into their positions. You open up the negotiations and all the members of that collective bargaining agreement show up, probably more so than your taxpayer and it puts pressures on the parties which are extremely unfair. It will unnecessarily delay collective bargaining. I think it will probably double or triple the number of sessions that will be necessary in order to eventually come to an agreement, and that is what we are trying to do, we are trying to bring the parties together and I feel that this sort of approach simply does not lead to that type of

rational, steady approach to collective bargaining.

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

Mr. PERKINS: Mr. Speaker, I would like to pose a question through the Chair if I might to the gentleman in the other corner. I wonder if he had ever attended or worked in an open negotiation session?

The SPEAKER: The gentleman from Blue Hills, Mr. Perkins, has posed a question through the Chair to the gentleman from Lisbon Falls, Mr. Tierney, who may answer if he so desires.

The Chair recognizes that gentleman.

Mr. TIERNEY: Mr. Speaker, no, I have not personally, Mr. Perkins, but I have talked to individuals who have negotiated in the arena, and I do say the arena. There is one Cumberland County town which, as a matter of fact, borders my district, which is why I am so familiar with it, which held its negotiations in the high school gymnasium with three to four hundred people in attendance at each collective bargaining session. And whenever the people who were there that favored the teachers, when the teacher negotiator made a point, all the teachers cheered, and then when the people were there on the other side, when the school board member made a point, the other side cheered and the teachers booed. You had a circus going on; there was nothing constructive that went on and they never came to a contract until they finally did come to their senses and go into executive sessions. I hope that answers your question.

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

Mrs. TARR: Mr. Speaker, Men and Women of the House: I will be very brief. Just before we take the vote, I want to thank Mr. Tierney for bringing me the flowers this morning. I am sure it is in honor of the demise of this bill.

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

Mr. NORRIS: Mr. Speaker, Ladies and Gentlemen of the House: I was going to vote for the indefinite postponement of this bill until the good gentleman over in the right-hand corner spoke and it sounds like the American process to me, so I am going to vote to keep the bill alive.

The SPEAKER: A roll call has been ordered. The pending question is on the motion of the gentleman from Old Town, Mr. Pearson, 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.

#### ROLL CALL

YEA — Ault, Bachrach, Bagley, Beaulieu, Bennett, Benoit, Blodgett, Boudreau, A.; Brenerman, Brown, K. C.; Burns, Bustin, Carey, Carroll, Carter, D.; Chonko, Clark, Connolly, Cote, Cox, Cunningham, Curran, Davies, Devoe, Diamond, Dow, Drinkwater, Elias, Fenlason, Flanagan, Fowlie, Garsoe, Goodwin, H.; Goodwin, K.; Green, Hall, Hickey, Hobbins, Howe, Huber, Jackson, Jacques, Jalbert, Jensen, Joyce, Kane, Kelleher, Kerry, Kilcoyne, Laffin, LaPlante, Lizotte, Lynch, MacEachern, Mahany, Marshall, Martin, A.; McHenry, McKean, Mills, Mitchell, Moody, Morton, Nadeau, Najarian, Nelson, M.; Nelson, N.; Pearson, Peltier, Plourde, Post, Prescott, Quinn, Raymond, Shute, Spencer, Strout, Stubbs, Theriault, Tierney, Tozier, Trafton, Truman, Twitchell, Tyndale, Valentine, Wilfong, Wood, Wyman, The Speaker.

NAY — Aloupis, Austin, Berry, Berube, Biron, Birt, Boudreau, P.; Brown, K. L.; Bunker, Byers, Carter, F.; Churchill, Conners, Durgin, Gauthier, Gill, Gillis, Gould, Gray, Greenlaw, Henderson, Higgins, Hunter, Immonen, Kany, Lewis, Littlefield, Locke, Lougee, Mackel, Masterman, Masterton, Maxwell, McBrearty, McMahon, McPherson,

Norris, Palmer, Perkins, Peterson, Rideout, Rollins, Smith, Sprowl, Stover, Tarbell, Tarr, Teague, Torrey, Whittemore.

ABSENT — Carrier, Dexter, Dudley, Dutremble, Hughes, Hutchings, LeBlanc, Lunt, Peakes, Silsby, Talbot.

Yes, 90; No, 50; Absent, 11.

The SPEAKER: Ninety having voted in the affirmative and fifty in the negative, with eleven being absent, the motion does prevail.

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

Mr. PEARSON: Mr. Speaker, having voted on the prevailing side, I now move reconsideration and ask that you all vote against me.

The SPEAKER: The gentleman from Old Town, Mr. Pearson, 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 Labor reporting "Ought Not to Pass" on Bill "An Act Relating to Refusal to Accept Work as Disqualification for Benefits under the Employment Security Law" (H. P. 360) (L. D. 452)

Report was signed by the following members:

Mr. PRAY of Penobscot — of the Senate.

Messrs. McHENRY of Madawaska

BUSTIN of Augusta

PELTIER of Houlton

FLANAGAN of Portland

Mrs. BEAULIEU of Portland

Messrs. ELIAS of Madison

DUTREMBLE of Biddeford

LAFFIN of Westbrook

— of the House.

Minority Report of the same Committee reporting "Ought to Pass" as amended by Committee Amendment "A" (H-351) on same Bill.

Report was signed by the following members:

Messrs. McNALLY of Hancock

REDMOND of Somerset

— of the Senate.

Mrs. LEWIS of Auburn

Mrs. TARR of Bridgton

— of the House.

Reports were read.

Mr. Bustin of Augusta moved that the Majority "Ought Not to Pass" Report be accepted.

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

Mr. BOUDREAU: Mr. Speaker, Ladies and Gentlemen of the House: I would like to take a few minutes this morning to explain this bill. Essentially, the amendment is now the bill under filing number H-351.

What I have done in this bill is I have changed the suitability definition for unemployment benefits. The bill as it now reads says that after 12 weeks of unemployment, if a person is offered a job which gives that person 120 percent of what they are getting on unemployment, if that job does not affect the person's health, morals, safety, if that job is not so far away that the cost of transportation would be prohibitive, that person should take the job.

I ask the ladies and gentlemen of this House, if after a person has been unemployed for three months, and the provisions of this bill deal only with people who have been unemployed for three months or more, if an able bodied man or woman, after three months of unemployment, is offered a job that does not in any way affect their health, safety, morals and pays them 120 percent of what they are getting on unemployment and pays them the prevailing wage for that kind of work in a locality, why should they not take the job?

My concern here, and I think one of the greatest tragedies of our society today and our modern economy, is that there are many people who are beginning to believe that they are better off not working than working. I find that unfortunate.

I put this bill in because I think there are a lot of people in the State of Maine who are getting tired of the whole unemployment situation, the fact that the fund is \$20 million in the red, and I think something has to be done soon. I think the principles upon which this country was founded — hard work, personal initiative, motivation — 30 years ago if you had said to someone, I am going to offer you a job after you have been unemployed for three months but you don't have to take it, you probably would have been laughed out of the stadium, wherever you were speaking from.

I think this is a good bill and I hope you will vote against the Majority "Ought Not to Pass."

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

Mr. BUSTIN: Mr. Speaker, Ladies and Gentlemen of the House: This is the first of many sensitive issues coming out of the Labor Committee relative to the unemployment compensation statutes.

I think I can give an example that will answer the question of why shouldn't this bill pass. Let's take for example a bulldozer operator working on construction and he makes anywhere from \$350 to \$400 a week in the summertime and then he is laid off in the wintertime. What Mr. Boudreau would say is that if he were earning the very highest level of unemployment check, which is \$79 at present, and he went to the unemployment office and they said, we have a job here for you, it is for a dishwasher at the local restaurant, it pays \$96 a week and if you don't take that job then you are off the unemployment rolls. There are probably people sitting here who say, that is all right, he should take that \$96 a week dishwasher job. I would ask you to consider this fact. Is there an unlimited number of jobs to be had? Do you really believe that there is an infinite number of jobs? Most of us agree, I think, that there is only a certain number of jobs to go around, no matter what they are.

If the bulldozer operator comes into the restaurant for \$96 a week, where is the dropout who may have a family of his own, where is he going to find a job? If you were the restaurant owner, would you rather have a highly skilled technician washing your dishes as opposed to a high school dropout washing your dishes? Of course you would get the highest quality you could get. You might even be able to find a dishwasher with a college degree. You might be able to persuade him to do a few things on the side as well.

What this bill would do is depress the wage level across the state. The average wage level in this state would go plummeting downward and you would create a very large pool of low-priced labor and a tremendously higher rate of unemployment among low wage earners and people with potential for only very low wage earning. So I would hope that you would accept the Majority "Ought Not to Pass" Report.

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

Mr. LAFFIN: Mr. Speaker, Ladies and Gentlemen of the House: My good friend from Waterville, for whom I have a great deal of respect, stated that 30 years ago you would have been laughed out of the hall. Well, I am certainly glad today that we are not living 30 years ago when the working people of this state were abused and had the abuses that took place, the sweatshops and management was always the dictator — I am glad we are not back 30 years ago. I don't ever want to see those days again because I could tell you some horrible stories and I was part of them as a boy.

This bill will degrade the working people of this state, and that is just what it will do. The most important thing that we have today is to see that the workingmen and women maintain a living wage and the respectability that this legislature can offer them. This type of legislation does just the opposite.

This bill would take an electrician or a plumber or a skilled man in his field and degrade him as a man. That is what this bill does. This is a horrible bill; this is a terrible bill. This bill is not for the best interest of the working people of Maine, and I certainly would urge the members of this House to keep the high standards that we are striving for in the field of the labor movement, to keep the working people above the poverty level. We have got too much poverty now, and let's keep the working people on the upgrade and give them the dignity that they so rightly deserve.

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

Mr. WHITTEMORE: Mr. Speaker and Members of the House: I am very strongly in favor of this bill. I am not much of a speaker and maybe I won't be able to get across what I want to say, but I have got to try.

I have been working ever since 1933 when there were no jobs, so they say, and I have supported myself ever since and I know of many other people who have, but this younger generation has been brought up spoiled by us oldtimers to give them the type of life that we didn't have, and now they think we owe it to them.

This unemployment is a good thing for a period of time, but after three months, if I couldn't find a job to survive on, I would not survive. I know that may sound cruel to some people, but the person who is able to work mentally, physically capable of working, I think he should go out and get a job to support himself rather than draw unemployment.

When you get unemployment, somebody is paying for this. You all are in a roundabout way, but your employer is paying this. My own son was loafing and I asked him why. He said, because I can get as much on unemployment as I can working. I said, do you like charity? He said, that is not charity, I paid for it. I said, you didn't, your employer paid for it, the state and the government. The next day he found a job and he has never drawn unemployment since, and that was about 15 years ago.

I think if I were a shovel operator making \$15 an hour, was unemployed, I would find a job of any means that I was capable of doing until I could find another job as a shovel operator. I would not sit back and ask somebody else to support me.

We are making it too easy for people, and I have seen it. I have apartments and the people that are getting this help, they don't want to work. You ask them if they want to paint and they don't want to, they can do better on unemployment. We are taking away the initiative. What is this country going to be for our grandchildren? Nobody wants to work. I say help them if they are trying, and if they don't want to try to help themselves, I say don't help them.

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

Mr. WYMAN: Mr. Speaker, Ladies and Gentlemen of the House: This is not only a very sensitive issue, it also appears to be an issue which is going to be revealing a lot about individual philosophy and individual attitudes towards the working people of this state, and for that reason, Mr. Speaker, I would ask for the yeas and nays.

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

Mr. BOUDREAU: Mr. Speaker and Members of the House: I would like to make a few more points about this bill. The first is, what was the original reason for having an un-

employment fund in the first place? I think the reason for having an unemployment fund was to help those who for some reason were laid off, who had bad times, to help those people until good times came again.

I think to allow someone 12 weeks after they become unemployed to look for the job they want is ample time. I agree with Mr. Bustin. I think it is very unfortunate that there are not a whole lot of jobs in this state.

Another one of the great tragedies of this state is that people my age who go to college, who go on to get graduate degrees, have to go out of state to get a job. I know that because many of my friends have had to do it. I think that is a tragedy also. But I also think that it is not unreasonable to ask someone who has been working at whatever profession, and I realize the tradesmen, the electricians, the people of this state who have their own profession are very proud of their profession and they don't want to go out and do another kind of job if they have gone to school or whatever to do plumbing, they want to do plumbing, but I say that if they have been unemployed for three months and haven't been able to find a plumbing job, then they should consider taking another kind of job.

There have been comments made here about degrading the workingman and depressing wages. I think the bill deals with wages. It says that any job will not be suitable if the person is not paid the prevailing wage for that type of work in the locality. How is that going to depress wages?

Another comment I would make is, in the State of Maine the average unemployment span is about 12 weeks. The average person in this state is unemployed for about 12 weeks. This bill will not even affect that person, but this person will affect some of my friends who have been on unemployment for 40 weeks and have bartended nights and live a lot better than some of the people who go to work every morning.

When I was campaigning, I talked to many people who said, you know, when I get up in the morning to go to Scott Paper, Joe next door is getting up to go fishing. He picks up a few jobs on the side and with his \$80 a week unemployment and a couple of jobs that he picks up on the side, he makes as much money as I do going to work everyday at Scott. That is the problem.

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

Mr. HENDERSON: Mr. Speaker, Ladies and Gentlemen of the House: I have cross pressures on me right now because points are well taken on both sides. I guess I need some further convincing from either side. One: Are we really indicting the existing system of unemployment? That is, the theory is that a person is supposed to be out there looking for a job, not bartending and fishing. Or, if he is bartending, somebody ought to know about it. What we are saying is that the existing system isn't doing its job. So why do we have to change the system? Why don't we make the existing system work? If someone is supposed to be out looking for a job, then they should be out looking for a job. If they are not, then they should be ineligible for unemployment under the existing rules. Is that not true? If it isn't, then we ought to change the rules. If it is true, then we ought to enforce the existing rules. That leads me somewhat against this.

The second thing is that I am wondering how a person who is relatively highly skilled who must take a relatively low skilled job, puts in a lot of hours a week doing something, also be able to try to keep up his skills and try to find a job for which he was originally trained, that seems to be a difficulty. I don't like the idea of freeloaders spending my, and other people's money for not working, but I am not sure if this is the best way to deal with the problem. We ought to be making the system work the way it should be, at least on paper.

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

Mr. BIRON: Mr. Speaker, Ladies and Gentlemen of the House: I also have mixed feeling about this legislation but in sitting here and listening to the testimony that is being given, I have made a decision. That decision, I think, as far as I am concerned, is in the best interest of the voters and the citizens of this state. One of the largest complaints that I have had as a legislator is the fact that our present if I may call it, welfare system, unemployment benefits, food stamps and everything else, is being abused to a point where everybody has lost trust in government, the reason for what we are doing. Mr. Boudreau's bill is an attempt, I think, the first attempt, before this body to rectify the situation. All of these different bills or legislation, when it was passed, was passed with the intent of helping people. Unfortunately, the American society today has found it easier to take advantage of this system than to work with it and to help it.

The labor question is a serious one. The man who is a professional, who has gone to school and has learned a trade, be it what it may, a man who is part of a union and for some unknown reason is no longer employed. Personally, I think a man who has gone through that experience has educated himself, learned a trade, is a proud man. I really do. And I think that those people who have pride don't want to be employed for more than the specific amount of time that is specified in this bill.

I talk to people like you do, I think every day. I have also had the instances where the person says to me "well, I am better off not working than I am working." They say it but they don't feel too good about it but they do it because that is the thing to do. That is the thing to do in America here today is, let's get as much as we can from the government. Let's not work. Let's take advantage of food stamps. You get the comments from back home as far as food stamps are concerned. The guy works and he only makes \$100-\$150 a week and he has got three or four kids and he is struggling, then he sees the guy drive up with the Cadillac and pick up his food stamps at the store and he is not working and he is upset about that. I can understand why. Maybe there is a very very good reason why that person with the Cadillac picked up his food stamps.

But this bill is the only piece of legislation before this body this year that can institute trust back in government. I think you have to think about that. If you are really concerned about what your constituents are saying and your constituents have to be an awful lot different than mine if they are not saying that people are abusing the system. I am not saying that this is going to be Utopia but I am saying it's a step. Maybe not the perfect answer, but it is a step, I feel, in the right direction. As I sat here this morning, I wasn't sure.

I talked to Mr. Boudreau prior to today on this legislation. I really wasn't sure how I was going to vote on this because I have my constituents who are very very strong union people. They are against this kind of legislation. But I also have the majority of my constituents that are, unfortunately, the people who work for the \$150 a week and work very hard, and are upset to see people on welfare make as much as they are making. That is basically what it comes down to. And people abusing this system. Therefore, I urge you not to support the "Ought Not to Pass" Report.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: Contrary to the remarks made by the good gentleman from Lewiston, I personally think he is 199 percent wrong. Anyone that I know of or I am sure people that you know of that are employed and un-

fortunately find themselves unemployed do not stay on the unemployed rolls for the sake of \$80 a week or for the sake of getting \$80 a week and moonlighting somewhere else to supplement their income. We all know what the cost of living is in this state. We all know that as a single individual, be whoever it may, it would be difficult for anyone to live on \$80 a week. But to have a family to ride up in the Rolls Royce or the Cadillac that Mr. Biron blanketly indicts people for in the system, we all know is absolutely ridiculous.

The intentions of Mr. Boudreau may be good. But, in my opinion, it would be a step backward in the unemployment system, not a step forward. People of this state are disgusted with the fact by comments that abuses are made in government. Probably some of the biggest abuses in government are some of us sitting here today not knowing exactly what the needs of the people are in this state or even nationally for that matter. But to support this type of legislation, in my opinion, would not be a step in the right direction. It would be reversible. It would be in the opposite direction.

I move that this bill and all its accompanying papers be indefinitely postponed.

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

Mr. FLANAGAN: Mr. Speaker, Ladies and Gentlemen of the House: I have never really been convinced that brainwashing was a reality but I cannot help but realize standing here today after listening to many of my colleagues that it is a fact. We are faced with it.

One: I ask you people that are in opposition to this bill, do you know what the unemployment act is? Do you know why it is there? I am afraid you don't and I hate to take this time for all of these others but I must read to you the policy of the Unemployment Act, "Economic insecurity due to unemployment is a serious menace to the health, morals and welfare of the people of this state. Unemployment is, therefore, a subject of general interest and concern, which requires appropriate action by the legislature to prevent its spread and to lighten its burden which may fall upon the unemployed worker, his family and the entire community. The achievement of social security requires protection against the greatest hazard of economic life. The objective can be furthered by operating free public employment offices in affiliation with the nationwide system of public employment services, by devising appropriate methods for reducing the volume of unemployment and by a systematic accumulation of funds during periods of employment from which the benefits may be paid through the periods of unemployment. This maintaining purchasing power promoting the use of the people's highest skills and employment workers and limiting the serious social consequences of unemployment."

Now you people are grasping at straws to believe that some of these things don't happen is a fact of life but realize the individuals that this bill was put together for. If you will read the unemployment laws, you will readily see that anything, even this bill here today, is more than properly covered. All this bill will do will be to clutter the rules and regulations that the administration now has. Are you aware of unemployment? Do you think it is a reality? Or is it a myth? Go out and try to find yourself a job. Find yourself a job under the regulations that this employment program was set up on, a job that you have been trained in or worked at. To cast anyone into any job that comes across the unemployment desk could possibly injure that individual by not being able to look for his real career in life, his real want to work and to be able to do the job right and not to do half a task on something he is not acquainted with.

I am highly in favor of the motion to indefinitely postpone this bill and I will gladly vote for it.

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

Mr. GAUTHIER: Mr. Speaker, Ladies and Gentlemen of the House: I am not in favor of postponing this bill. I think that my good friend, Mr. Biron, from Lewiston was right a few minutes ago in his statements. I think you people here in the House have seen it often.

I saw it last Sunday and I have seen it previously before. I went into my neighboring supermarket to buy my Sunday paper and this lady in front of me bought about \$10 or \$15 worth of groceries, she paid it with food stamps and when she came out, I was so surprised, she took the amount of groceries she had and put it into a beautiful, 1977 car. It was a sports car. You see that quite often.

The SPEAKER: Would the gentleman defer for just a moment?

The Chair recognizes the gentleman from Madawaska, Mr. McHenry.

Mr. McHENRY: Point of Order? This has nothing to do with unemployment. He is talking about welfare.

The SPEAKER: The gentleman from Madawaska has posed a point of clarification and information to the Chair. The Chair would advise the gentleman from Sanford, Mr. Gauthier, the matter before us is unemployment. Would you please restrict his remarks to unemployment?

Mr. GAUTHIER: This has to do with unemployment, Mr. Speaker, because every one of us has to pay a good share of this unemployment.

The SPEAKER: The Chair would advise the gentleman that the gentleman does not pay unemployment taxes, it is paid by the employer. The gentleman may proceed.

Mr. GAUTHIER: Well, I have been an employer and I have paid for about 40 odd years and I think I have paid my share.

The SPEAKER: The gentleman may proceed to debate the bill.

Mr. GAUTHIER: Mr. Speaker, Ladies and Gentlemen of the House: I think that the bill is a good bill. I think it is about time that we, ourselves, of the middle class don't become in a position that we will have to go for the food stamps ourselves if we continue supporting those people and supporting ourselves.

I am in favor of supporting those who need it badly anytime. In fact, I have helped some of my neighbors. I have never asked them for the money back for it but I think we had better straighten our laws today that those that can afford to, should pay for their own way and I think that this law is a good one.

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

Mr. SPENCER: Mr. Speaker, Ladies and Gentlemen of the House: I, like many of you, have heard numerous complaints about the existing structure of unemployment, welfare system and so on. One of the principal complaints that I have heard is that while we help people at the very bottom of the scale and we help people at the very top of the scale, there is very little that we do for the people that are caught in the middle.

With that in mind, I would like to recount to you one experience that I had with a constituent of mine about a year ago. Because of office difficulties in the unemployment office, people's checks were not coming for about two months from the time that they were laid off. I had about a dozen complaints from the Portland office. I went into the office one day to talk to the people in there to see if there was anything that could be done to straighten it out. While I was there, I saw waiting on one of the long wooden benches I saw one of the more prominent Republicans in my district who is an accountant. He was very embarrassed when I walked in that he was there and he had been laid off from his accounting firm. He is a man in his

50's, he has worked hard all his life, he is very well respected in our community. He had been laid off and suddenly found himself caught in a position that generally affects people who are in jobs that are less permanent in nature. He spent the next five and one half months looking for a job. He is in his 50's, he is not easily employable. There were not very many openings, he simply couldn't find a job that was anywhere close to what he had been earning. He was able to hang on through those five and one half months and he has now found a job that is not as good as the job he had before, but it is comparable and it enabled him to keep up with his mortgage. It enabled him to continue to meet his responsibilities. That was an example where the system that we have in the unemployment system provided some help to somebody who is caught in the middle, who is not terribly poor but also is not what you would call rich. If this law had been in effect, after three months, he would have had to take any job he could find. He wouldn't have been able to do what he did which was to get up early in the morning every single day and spend it beating his way from one employer to the next, trying to find a job. He finally was successful. As I say, he was in his 50's, he was not somebody that they would leap at, because of his age.

My own feeling is that the abuses in the system, if there are any, ought to be attacked by some other mechanism. This is one example that I can say and I never would have known about it if I hadn't gone into the unemployment office and happened to see him there because he never would have told a single person that he was going through this.

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

Mr. BIRON: Mr. Speaker, Ladies and Gentlemen of the House: First, let me say that I am pleased that I am 195 percent in disagreement with Mr. Kelleher from Bangor. It makes me feel a little better about my position at this time.

The issue before us here today, I personally believe, is a matter of pride. I look back in my own personal history and my father's employment, my father working as a foreman in a local mill, with a family of seven kids and the mill going out of business and him turning around and doing any job that he could do so he would not have to collect unemployment because he had the pride, the pride that I was brought up with, the pride that the American people today have lost because they are now saying "Why work, we can get it from unemployment." We are talking three months here, ladies and gentlemen. Three months of unemployment that is available under this bill. I think that is an awful long time for any man be it an accountant or anyone else and if, at the end of three months, that man or woman does not wish to take on another job for whatever reason, that is fine. That is their choice. But why should we keep supporting these people for not working? Because if they are disabled, if they are unable to work, we will take care of them. The problem that I have is that those people who are physically capable, mentally capable of working, refuse to work. That is the problem that I have with society today. That is the problem we should be addressing here today, not the accountant that was out of work for five months, that is not the problem. I am talking primarily about people not in that age group, I am talking about people in my age group, my friends, 30 years old and younger. These are the people that are abusing this system without a question. I am not attacking the older people because the older people have got pride, they have pride in their society, they have pride in themselves, enough pride to go out and work doing whatever it might be. It is the younger people today who are abusing this system. We in

the legislature need to address the problem. This bill addresses the problem. If you're really concerned about what your constituents are saying, you need to act on this legislation and you need to act positively.

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

Mr. LAFFIN: Mr. Speaker, Ladies and Gentlemen of the House: I certainly do take exceptions to some of the remarks that have been said here. First of all, it is very apparent — we have unemployment compensation and we have welfare. That is two things; they are entirely separate. None has anything to do with the other. We are talking this morning about unemployment compensation. We are not talking about food stamps or Cadillacs or anything else, we are talking about the bill that is before us. The bill that is before us deals with unemployment compensation and nothing else.

When my good friend from Lewiston mentions pride, I don't see any pride in a man having to be out of work. But I certainly wouldn't want to degrade that individual by having that individual accept some job that he was not trained or qualified to do. Would you school teachers in this House give that up and say well, you have got to go do some other job. How about you lawyers? How about you store owners? How about you law enforcement people, the whole bunch of you?

We are talking about an individual's profession that he makes his living at. When an individual is unemployed, under the laws of the unemployment compensation, he has a right by law to draw benefits, benefits, to be sure, are paid by the employer, only because the employee made him fat and wealthy. That is the only reason he can pay it, because the working people of this state have made owners of businesses and mills and professions wealthy. The working people make lawyers wealthy. I say to you, ladies and gentlemen of this House, when we pass or propose to pass legislation that would degrade the working people of this state, we are degrading ourselves.

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

Mr. HICKEY: Mr. Speaker, Ladies and Gentlemen of the House: I think we are all very aware that there are definite problems in the unemployment, but the thing about the bill that concerns me deeply is the fact that it discriminates against the older person, a person who has worked most of his years in a shoe factory or on an inside job to be forced to take any job that they decree. He could go outside and physically impair his health to the extent that he would be a burden to society for the rest of his life.

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

Mr. BOUDREAU: Mr. Speaker, Ladies and Gentlemen of the House: I hate to take exception with my good friend from Augusta, Mr. Hickey, but the bill says the commission shall consider the degree of risk involved to a person's health, safety and morals, his physical fitness in prior training before a job is suitable. Secondly, I would like to talk about another problem, the problem of the under-employed, not the problem of the employed or the unemployed but the problem of the under-employed, the problem of the person who is in a low skilled job but who has enough initiative to go to work and to bring home whatever he brings home. The average salary in Maine is about \$5,500. At \$80 a week in unemployment, I could make almost that much. So let's have a little bit of consideration for the janitor, the guy who is making \$125. Let's not say to him, "hey, you should stop working and collect \$80. You might be able to pick up a job somewhere and make as much as you're making now."

I think it is extremely unfortunate in this state that we have the limited job opportunities that we have. I would be all for increasing the amount of money we gave to people who were unemployed in those first three months, bring it up from \$80. I am concerned with the guy who is getting it for 40 weeks who has no intention of working. We all know some. That is the main person I am concerned with, not with the person who happens to be laid off who happens to be an accountant. I wouldn't ask a person who is 50 years old who has worked in a bank all his life to go out and shovel gravel. Under this bill, he wouldn't have to.

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

Mr. ROLLINS: Mr. Speaker, Ladies and Gentlemen of the House: It has been mentioned this morning that you would degrade yourself if you took a job that was below you. During the 30's and 40's, I worked on many jobs that possibly were degrading, but it didn't seem that way to me because all the time I was trying to find a better job. Until I found that better job, I was willing to work at anything. I would like to just mention that in those days we had people of this sort that didn't care to work very much. We had a man named Mr. Bishop in my area who was taken before the judge as being a vagrant. The judge asked him what his profession was. He said he was a Christmas Tree decorator when he worked at his trade.

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

Mr. WYMAN: Mr. Speaker, Ladies and Gentlemen of the House: I would like to pose a question to the gentleman from Waterville regarding a remark that he has just recently made. He says that under this bill a banker who becomes unemployed would not be forced to shovel gravel. I want to know and I would like the gentleman from Waterville, Mr. Boudreau, to explain to me how, if this bill is passed, that he would be able to avoid taking a job like that if that was the only job available. I would like him to explain that to me.

The SPEAKER: The gentleman from Pittsfield, Mr. Wyman, has posed a question through the Chair to the gentleman from Waterville, Mr. Boudreau.

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

Mr. BOUDREAU: Mr. Speaker, what we are doing in this bill is changing the suitability definition. You asked the question about the banker. If a job does not satisfy the suitability criteria in this bill, which includes physical fitness, prior training, distance from available work, safety, morals, health, if it does not satisfy those criteria, the person is not forced to take the job.

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

Mr. GAUTHIER: Mr. Speaker, Ladies and Gentlemen of the House: When I spoke, I didn't speak about the elderly people. I would like to answer my good friend Mr. Laffin, I wasn't talking about the elderly people. I feel the elderly people have worked all their lives and they have never reneged on many jobs. I know many that have taken jobs that weren't comparable to their own. Also, it isn't the elderly people, it is the younger people that I meet around and I hear about. In fact, I've had some of my own relatives that have been offered jobs, comparable jobs to what they have had before but they wouldn't take them because they could make \$80 a week in compensation. They are not the only ones; I have heard it plenty of times.

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

Mr. McMAHON: Mr. Speaker, Ladies and Gentlemen of the House: This is one of those issues that I am sorry to say or surprised to say

that I have been sitting here listening to the debate and I am in the process of changing my mind on this issue. I need one question to be answered, however, and I would like to address that to Mr. Boudreau. The gentleman has alluded several times to the fact that he knows people who can be collecting unemployment benefits and can be moonlighting and together earn more income than someone who was working to support the unemployment system. I would like to know specifically what the law is in this regard, whether someone who is collecting unemployment benefits can also work at another job? If so, is he penalized to any extent or is he in fact breaking the law?

The SPEAKER: The gentleman from Kennebunk, Mr. McMahon, has posed a question through the Chair to the gentleman from Waterville, Mr. Boudreau.

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

Mr. BOUDREAU: Mr. Speaker, he in fact is breaking the law. I know many instances of where people do it. Employers do in fact pay people under the table while they are collecting unemployment benefits, so they are both breaking the law.

The SPEAKER: The Chair recognizes the gentleman from Springvale, Mr. Wood.

Mr. WOOD: Mr. Speaker, Ladies and Gentlemen of the House: I had the unfortunate opportunity to collect unemployment. It is not a very pleasant task and I didn't enjoy it at all. I also would like to point out a statistic that those people that collect unemployment suffer from a greater risk of heart attack and stress diseases than the people that are able to work. I would suggest that if Mr. Boudreau knows of instances where people have acted illegally, that he take them up with the Employment Security Commission, because if I know of wrongdoing, I report it.

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

Mr. FLANAGAN: Mr. Speaker, Ladies and Gentlemen of the House: Just to try to bring some perspective into this situation, I have a memo here from the Manpower Division. It says, "In response to your request, I have provided the following information: What I want you to understand, for the year of 1976 the percentage of exhaustees, that is individuals who have claim to unemployment compensation, who receive 26 weeks or more, were 23 percent. In 1976, the percentage of exhaustees who received less than 20 weeks of unemployment compensation was 58.4 percent." The information is available to you through your Manpower Division.

The SPEAKER: The Chair recognizes the gentleman from Winslow, Mr. Carter.

Mr. CARTER: Mr. Speaker, Ladies and Gentlemen of the House: There is no question that there are abuses in unemployment compensation. I think the good gentleman from Bangor, Representative Henderson, put his finger on it when he spoke of enforcing the current laws. I think that is the real problem.

I took the time to read the amendment and I am somewhat puzzled by it. In the statement of fact, the last sentence, and I will read it, it states that the purpose of the amendment is also to comply with the mandatory minimum labor standards as provided in Section 3304, Paragraph A-5 of the Federal Unemployment Tax Act. I have always been under the impression that the federal law superseded the state law. I wasn't aware that we had to put federal law onto the statute books of the state. I am not familiar with what this particular section of the law deals with, but if this is what the amendment is supposed to comply with, then I presume that the law is already enforced and that this would be unnecessary. Perhaps somebody can clarify this.

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

Mr. BOUDREAU: Mr. Speaker, Ladies and Gentlemen of the House: The reason for that is that the unemployment people in Boston who handled the New England region for the federal government wrote to me and said "There is one problem with your bill. It has to include number four in this amendment which says, 'wages and other conditions of work offered must be comparable to those prevailing for similar work in a locality.' If that is not included, your bill will be in direct conflict with federal law."

Mr. Wyman of Pittsfield requested a roll call vote.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Bangor, Mr. Kelleher, that 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 — Bachrach, Beaulieu, Bennett, Benoit, Berry, Berube, Brennerman, Burns, Bustin, Byers, Carey, Carroll, Carter, D.; Chonko, Connolly, Cote, Cox, Curran, Davies, Dow, Elias, Flanagan, Fowlie, Goodwin, H.; Goodwin, K.; Greenlaw, Hall, Henderson, Hickey, Hobbins, Howe, Huber, Jacques, Jalbert, Jensen, Joyce, Kany, Kelleher, Kerry, Laffin, LaPlante, MacEachern, Martin, A.; Masterman, Maxwell, McHenry, McKean, McMahon, Mitchell, Moody, Nadeau, Najarian, Pearson, Peltier, Plourde, Post, Prescott, Quinn, Raymond, Shute, Spencer, Strout, Stubbs, Teague, Theriault, Tierney, Trafton, Truman, Valentine, Willfong, Wood, Wyman, The Speaker.

NAY — Alopis, Bagley, Biron, Birt, Blodgett, Boudreau, A.; Boudreau, P.; Brown, K. L.; Brown, K. C.; Bunker, Carter, F.; Clark, Conners, Cunningham, Devoe, Dexter, Diamond, Drinkwater, Dudley, Durgin, Fenlason, Garsoe, Gauthier, Gill, Gould, Gray, Green, Higgins, Hunter, Immonen, Jackson, Kane, Kilcoyne, Lewis, Littlefield, Lizotte, Locke, Lougee, Lynch, Mackel, Marshall, Masterton, McBrearty, McPherson, Morton, Nelson, M.; Norris, Palmer, Perkins, Peterson, Rideout, Rollins, Smith, Sprowl, Stover, Tarbell, Tarr, Torrey, Tozier, Twitchell, Tyndale, Whittemore.

ABSENT — Ault, Austin, Carrier, Churchill, Dutremble, Gillis, Hughes, Hutchings, LeBlanc, Lunt, Mahany, Mills, Nelson, N.; Peakes, Silsoy, Talbot.

Yes, 73; No, 62; Absent, 16.

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

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

Mr. BUSTIN: Mr. Speaker, having voted on the prevailing side, I now move reconsideration and hope the House votes against the motion.

The SPEAKER: The gentleman from Augusta, Mr. Bustin, moves that we reconsider our action whereby this Bill was indefinitely postponed. All those in favor of that motion will say yes; those opposed will say no.

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

Sent up for concurrence.

#### Consent Calendar

##### First Day

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

(S. P. 105) (L. D. 234) Bill "An Act to Make Allocations from the Maine Coastal Protection Fund for the Fiscal Years Ending June 30, 1978 and June 30, 1979" — Committee on Marine Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (S-145).

(H. P. 1206) (L. D. 1434) Bill "An Act to Repeal Certain Laws Relating to Alcoholic Beverages" — Committee on Liquor Control reporting "Ought to Pass" as amended by Committee Amendment "A" (H-364).

(H. P. 1320) (L. D. 1550) Bill "An Act Concerning Wharf and Piers under the Submerged Lands Law" — Committee on Marine Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (H-367).

(S. P. 343) (L. D. 1127) Bill "An Act to Eliminate the Requirements that Registrars View Naturalization Papers of Naturalized Citizens" — Committee on Election Laws reporting "Ought to Pass".

(H. P. 1396) (L. D. 1635) Bill "An Act Relating to the Powers of Plantations and their Organization" — Committee on Local and County Government reporting "Ought to Pass".

(S. P. 190) (L. D. 587) Bill "An Act Relating to Membership on the Maine Council on Alcohol and Drug Abuse Prevention and Treatment" — Committee on State Government reporting "Ought to Pass" as amended by Committee Amendment "A" (S-144).

(S. P. 367) (L. D. 1217) Bill "An Act to Designate the Arnold Trail Highway" — Committee on Transportation reporting "Ought to Pass" as amended by Committee Amendment "A" (S-146).

No objections being noted, the above items were ordered to appear on the Consent Calendar of May 20, 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. 1066) (L. D. 1293) Bill "An Act to Repeal Certain Laws Relating to Corporations".

(H. P. 1188) (L. D. 1424) Bill "An Act to Authorize Educational Rehabilitation under the Workmen's Compensation Statutes".

(H. P. 874) (L. D. 1067) Bill "An Act Relating to Workmen's Compensation for State Law Enforcement and Institutional Personnel".

(H. P. 296) (L. D. 353) RESOLVE, Authorizing the Treasurer of State to Releasae Funds (C. "A" H-347).

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

(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" (C. "A" H-350).

On the objection of Mr. Burns of Anson, was removed from the Consent Calendar.

Thereupon, the Report was accepted and the Bill read once. Committee Amendment "A" (H-350) was read by the Clerk.

Mr. Burns of Anson offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

House Amendment "A" to Committee

Amendment "A" (H-368) was read by the Clerk and adopted.

Committee Amendment "A" as amended by House Amendment "A" thereto was adopted and the Bill assigned for second reading tomorrow.

(H. P. 1085) (L. D. 1309) Bill "An Act Relating to Time Limitation on Providing Written Reasons for Termination of Employment" (C. "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" (C. "A" H-358)

(H. P. 265) (L. D. 333) Bill "An Act Concerning the Taking of Black Bass" (C. "A" H-353)

(H. P. 184) (L. D. 246) Bill "An Act Relating to Abandoned Safety Deposit Boxes" (C. "A" H-355)

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

(H. P. 959) (L. D. 1151) Bill "An Act to Provide Limited Immunity to aid in Arson Investigation" (C. "A" H-356)

On the objection of Mr. Henderson of Bangor, was removed from the Consent Calendar.

Thereupon, the Report was accepted and the Bill read once. Committee Amendment "A" (H-356) was read by the Clerk.

On motion of Mr. Henderson of Bangor, tabled pending adoption of Committee Amendment "A" and later today assigned.

#### Passed to Be Engrossed

Bill "An Act to Improve Prosecution Services" (H. P. 1571) (L. D. 1785)

Bill "An Act to Clarify the Confidentiality Provisions of the Maine Housing Authorities Act" (H. P. 1570) (L. D. 1784)

Bill "An Act Concerning Expenses of the Commission on Governmental Ethics and Election Practices" (Emergency) (H. P. 816) (L. D. 989)

Bill "An Act Concerning Residential Utility Consumer Action Groups" (H. P. 1285) (L. D. 1507)

Were reported by the Committee on Bills in the Second Reading, read the second time, passed to be engrossed and sent to the Senate.

Bill "An Act to Establish a Consumer Complaint Office within the Public Utilities Commission" (H.P. 170) (L. D. 208)

Was reported by the Committee on Bills in the Second Reading and read the second time. Mr. Kelleher of Bangor offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-369) was read by the Clerk.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: This changes the responsibility of the Consumer Complaint Office in L. D. 208. Under the existing bill right now, it would make the Secretary of the Commission the responsible party for who the complaint office would be responsible to. This would be inconsistent with utility regulatory laws and inconsistent with the wishes of the members on the committee that signed this bill out. It would make the duties and responsibilities of this particular complaint office, the direction would come under the PUC Commission itself.

Thereupon, House Amendment "A" was adopted.

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

Mr. BERRY: Mr. Speaker and Members of the House: I move the indefinite postponement of this bill and all its accompanying papers.

This is another bill that has that catchy little

phrase "consumer" in it which probably isn't that at all. Looking at the sponsors and cosponsors, I think I can understand why it is before us.

Before I go any further, let me just tell you right now that if you want to step out into the office and dial 3123, you will get the Consumer Complaint Office already located in the Public Utilities Commission. It has been there for a number of years. As a matter of fact, I just dialed that number and I had a long conversation with the person that answered and I asked them, how many complaints do you handle in the course of a year, consumer complaints? They offered to make an accurate count but I didn't think that was necessary so I said, just an average amount, and they said about 3,000 to 4,000 consumer complaints and they told me what the complaints generally dealt with. Generally, they deal with terminations.

We passed a law in here last session that deals with terminations and it resulted in general order 38, which fairly well takes care of most of the, I suppose you could call them, unfair practices, that the utilities are engaging in as far as terminations.

What we are proposing to do here, my good friend from Bangor almost every time that a bill comes in here from the Public Utilities Commission with a divided report will tell you they are already doing it but we want to make it statutory. The only problem with making it statutory is that they are now handling complaints and handling them very well and if you will look at the bill, it calls for a fiscal note of \$28,995. The point is, if they are already handling 2,000 to 3,000 complaints a year, why should we create a statute that says that they will still handle 2,000 or 3,000 complaints a year and pay \$28,995 to do it.

I am sure that the question will come up and somebody will tell you that they are understaffed, that they are underpaid and that is true, they are, but we do have legislation, we have already passed legislation to increase the staff in the Public Utilities Commission, we have more legislation coming on that will add another \$150,000.

There are a good many of these items that we deal with before our committee that come out divided. In fact, almost all of them come out divided. A lot of them, I have been on one side or the other, naturally I would have to be, and usually opposite my good friend from Bangor, and I have chosen not to take up a lot of your time because after being around here for a few years, I can look at a divided report, see who signed the first three slots on the top and generally determine what is going to happen to that bill anyway.

At any rate, I think before you pass this bill to be enacted, you ought to ask yourself, is it really necessary? If you doubt that there is a very good Consumer Complaint Office over in the PUC, just dial 3123 and spend a little time talking with these people.

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

Mr. GOODWIN: Mr. Speaker, Men and Women of the House: As one of the cosponsors of this bill, I would like to correct a few points that have just been brought up.

I introduced this bill at the regular session of the 107th Legislature and at that time there was no Consumer Complaint Office. I talked with Commissioner Bradford at the time; he thought it was a very good idea. The bill came out of committee, the Public Utilities Committee at that time. I think, unanimous "Ought to Pass" and as many things did, it died on the Appropriations Table. I am a cosponsor of the bill this time. In the interim, when the new commissioner was appointed and everything, they were able to set up this office on a much more regular basis. In the past, before it was set up,

the only place you had to go was either like to Mr. Cunningham, who is the Secretary, or one of the commissioners or to one of the engineers. They did set it up and it has been in operation for a short period of time as a consumer complaint office.

What we would like to do is to establish in the statutes so that if in another year or so the new commissioner is appointed and the feeling of the commission may be changed slightly, this office won't be disbanded. I think it has been extremely valuable to the engineers and the people that have to work on the rate cases.

In the past, when I have had a call from someone whose television set burned up because of a surge in their electrical power or because their phone lines have been inoperative, I have had to go to one of the engineers or somebody that has been dealing with rate cases and other things and had to take some of his time away. With the Consumer Complaint Office, you can go directly to them, you don't have to bother with the people that are working on the rate cases, and I think this is very important.

I would like to make sure that this office stays and I think this is what we are really concerned with. I have an amendment in the works, I am sorry that it is not ready now so you could see it, it would take off the appropriation because I don't think it is needed because they are able to do it now, which is true, but I think the gut issue here is whether or not we put this into statute so that we can be assured when we leave here at some point, I hope, in another month or two, that that office will stay. At this point, we can't be assured that it will and I think that is what the key question on this whole thing.

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

Mr. BERRY: Mr. Speaker, Ladies and Gentlemen of the House: I won't belabor this but I have talked to all three commissioners many times and I have always asked them the question, what about making this statutory or not making it statutory? The possibility is there, that if sometime in the future three new commissioners were appointed, they could change regulations, but all three commissioners have assured me that that would be very difficult to do and very unlikely that it would ever happen. You will find on most of these bills that most of the commissioners are very happy with their regulations, they have no fear that they can't carry out what they are charged to carry out by law — general law 38 is a very good example of that.

I am a little bit surprised that somebody has found out already that they don't need this appropriation and I guess I am even more surprised that the amendment isn't here. The bill is in second reading and I suspect if I hadn't raised any objection, it would have sailed right through second reading and probably gone into enactment with the appropriation.

I hope you will support the indefinite postponement motion.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: As I told this House several weeks ago, that there were bills coming out of the committee with the philosophy of some members of that committee in putting some of the rules and regulations of the PUC on the statutes. I am not so sure that I do agree with the good gentleman from South Berwick, Mr. Goodwin, in eliminating the cost of operating this particular office.

Understanding the philosophy of the commission right now, I can understand the general feeling of Mr. Berry in feeling confident that the commission itself will not remove or change this office. However, I don't believe that this legislature, because of the actions of the office,

because of the intentions and the philosophies of the present commission, that we should change our position right now and not continue along in support of this bill.

It is a workable office. Many of us here in this room have constant complaints from our own constituents because of problems with utilities, be it electrical or telephone. It hasn't been operative, I believe, in the number of years that was indicated this morning. I think the remarks made by Mr. Goodwin so stating that it has been operative the last two or three years because of the change in the commission.

I would hope that you would support the bill and not the indefinite postponement motion.

The SPEAKER: The Chair recognizes the gentleman from Mars Hill, Mr. Smith.

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: I would like to stand and concur with Mr. Berry that this bill is not necessary.

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

Mr. VALENTINE: Mr. Speaker, Men and Women of the House: I would like to clear up a couple of things here relative to the bill. First of all, the good gentleman from Buxton indicated that when looking at the names of the sponsors and cosponsors of the bill, he could understand why it was put in. That bill was submitted probably a good month or more before our little power outage incident here in Augusta, which might suggest that maybe we have a little bit of clairvoyance and have some foresight that others may not have.

Also, relative to the appropriation, I think most of us were aware of it in the Governor's message. One of the proposals was for an appropriation of about \$150,000 for the PUC to increase its staffing. As with many things, there is no way of knowing at the very beginning whether that sort of thing will happen, so I think it was wise to at least have an individual appropriation on that bill for that particular purpose. But if it appears as though the funds will be available for additional staffing for the PUC, that it might not be necessary for that particular appropriation.

I was involved in cosponsoring this because one of the things over the last several years that I have had complaints about have been problems with utilities; most of which, incidentally, were misunderstandings between a particular customer and a particular utility and once an individual was able to be in contact with someone, either in the utility or through the PUC, they were able to solve those problems and I think this particular office is a very valuable one. It is apparently doing a reasonably good job. I have had good service from it so far and I would like to be assured that it will continue to exist. What this bill proposes is to make sure that it will continue.

I think it was also the gentleman from Buxton a moment ago who said that in talking to the commissioners they said it was very unlikely that it would be discontinued. Why don't we make sure that it is impossible to be discontinued and take care of that problem right there.

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

Mr. CUNNINGHAM: Mr. Speaker, Ladies and Gentlemen of the House: I think one of the big issues that we have tried to address ourselves to, one of the big issues that was talked a lot about during the last campaign, was the piling on of regulations, the addition of another commission or another sub-commission at whatever cost. Constantly, our government is adding on another bill to the taxpayers burden.

You have before you today one you know that is going to cost you nearly \$29,000. One of the efforts to address this problem has been the ef-

forts of the people who I call the Sunsetters and I don't mean that in a derogatory way. I mean that these people are sincere and they do want to review our programs and our agencies, periodically, to determine what is needed and what is not needed. I think today we are at a position of sunset. Even before we have to burden the taxpayers all day long with a \$29,000, we can bring the sunset down here at dawn, even before this subagency is put into statutory law.

The people who have been asking for the sunset are the same people who are today asking to make sure that an agency stays. Let's make sure this agency stays. If this agency is doing its job, if the consumer complaints are being handled properly, I have a great deal of faith that this agency will stay, that it is a demanded agency and that we do need it. However, if it is something that is unnecessary, if something that we are doing adequately at the present time, let's bring the sunset down now. Let's indefinitely postpone this legislation, not making sure that we are going to add another \$29,000 to the tax burden.

The SPEAKER: The Chair recognizes the gentleman from Saco, Mr. Hobbins.

Mr. HOBBS: Mr. Speaker, Men and Women of the House: I am one of those individuals in this legislature who favors the Sunset proposal that was enacted by this legislature. In drafting the bill, unfortunately I don't think the good gentleman from New Gloucester has read the first revision, it includes the sunset provision, which would, in effect, terminate the agency along with every other agency which we passed in 1980 unless they are justified by the PUC and other particular agencies. That is the first point I would like to raise.

Secondly, many of you have probably seen some lobbying efforts in the hallway and I ask you, if it is working so well, why are they lobbying? I was sitting outside talking with a legislator and I don't think the lobbyist knew that I was the sponsor of the bill because the lobbyist came and sat next to the person I was talking to and was pointing out to her that this was a bad bill. Probably it is a bad bill because there is one little provision of a bill which I think is important and it provides the accountability to, I think, the ratepayers of Maine. That is the provision which talks about use of data. The bill states that the Public Utilities Commission may use any data accumulated by the Office of Consumer Complaints as evidence of the effectiveness of any utility which is before the commission in connection with a proceeding, involving utility ratepayers charges and classification.

I submit to you that this is a good bill. It is a concept that should be put into the statutes to insure, in future years, no matter what the makeup of the commission, the consumer of Maine will have a place to go to express his voice.

When the vote is taken, Mr. Speaker, I request that it be taken by the yeas and nays.

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

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

The SPEAKER: The pending question before the House is the motion of the gentleman of Buxton, Mr. Berry, that L. D. 208 and all accompanying papers be indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Aloupis, Ault, Austin, Bagley, Berry, Berube, Biron, Birt, Brown, K. C.; Bunker,

Burns, Bustin, Byers, Carter, D.; Carter, F.; Churchill, Conners, Cote, Cunningham, Devoe, Dexter, Diamond, Drinkwater, Dudley, Durgin, Fenlason, Garsoe, Gill, Gillis, Gould, Gray, Green, Hall, Hickey, Higgins, Hunter, Hutchings, Immonen, Jackson, Jacques, Lewis, Littlefield, Lizotte, Lougee, MacEachern, Mackel, Marshall, Masterman, Masterton, Maxwell, McBrearty, McKean, McPherson, Mills, Morton, Palmer, Pearson, Peltier, Perkins, Peterson, Plourde, Raymond, Rideout, Rollins, Shute, Smith, Sprowl, Stover, Stubbs, Tarbell, Tarr, Teague, Theriault, Torrey, Tozier, Twitchell, Whittemore.

NAY — Bachrach, Beaulieu, Bennett, Benoit, Blodgett, Boudreau, A.; Brennerman, Brown, K. L.; Carey, Carroll, Chonko, Clark, Connolly, Cox, Curran, Davies, Dow, Dutremble, Elias, Flanagan, Fowlie, Goodwin, H.; Goodwin, K.; Greenlaw, Henderson, Hobbins, Howe, Jalbert, Jensen, Joyce, Kane, Kany, Kelleher, Kerry, Kilcoyne, Laffin, LaPlante, Locke, Lynch, Martin, A.; McHenry, McMahan, Mitchell, Moody, Nadeau, Najarian, Nelson, M.; Nelson, N.; Norris, Post, Prescott, Quinn, Spencer, Strout, Tierney, Trafton, Truman, Tyndale, Valentine, Wilfong, Wood, Wyman, The Speaker.

ABSENT — Boudreau, P.; Carrier, Gauthier, Huber, Hughes, LeBlanc, Lunt, Mahany, Peakes, Silsby, Talbot.

Yes, 77; No, 63, Absent, 11.

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

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

Mrs. TARR: Mr. Speaker, having voted on the prevailing side, I now ask for reconsideration and please vote against me.

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

Mr. GOODWIN: Mr. Speaker, I request a division.

The SPEAKER: The pending question before the House is reconsideration, those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

Mr. Kelleher of Bangor requested a roll call.

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

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

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: I would hope that you would reconsider this bill. I think it is extremely important. This bill deals with the Consumer Complaint Office, as I am sure that you are well aware of. Some of you may have some problems with the amounts of money that are attached to the bill. As Mr. Berry stated, there are bills in the Appropriations Committee, there is a bill on the Unassigned Table dealing with funding for the PUC.

I, in good conscience, couldn't support this bill unless the money was on it so I know that they would have because of the position they are in down there and there isn't a member of my committee that won't admit they have, they are not able to deal with all the issues that are before them now that they do need additional staff. You can rest assured that if any bill is passed to provide money for the PUC that I will see, when the Errors and Inconsistency Bill is put into this House, that this amount of money will be removed so there won't be a duplication of funds.

I urge the House to support the reconsideration.

tion motion because, in my honest belief, I think we should have this statutorily on the books. Do not be afraid of the amounts of money that are in this bill. If, in fact, we can pass a decent appropriations for the PUC Committee, it will be in the wrapup bill that this money will be removed.

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

Mr. GOODWIN: Mr. Speaker, Men and Women of the House: When you deal with this motion to reconsider, I would like you to consider one question. Why are the lobbyists working so hard against this bill that supposedly is already a Consumer Complaint Office? Why? It is because of that one little section that Representative Hobbins mentioned that the Office of Consumer Complaints uses evidence. The effectiveness of any utility which is before the commission in connection with the proceedings involving the utilities rates, fares, charges and classifications. I think you ought to consider this.

Those that have been here for awhile know that there are a lot of complaints that our constituents have at various times dealing with various utilities. I think it is important that we start to consider some of these complaints when we are dealing with the rate structures and whether or not they are offering effective service.

I would urge you to go along with the reconsideration so we can let this bill go through. If, at the end, as Representative Kelleher has stated, there is some problems, we can either take off the appropriation if we do fund the commission adequately or we can leave the appropriations on if we don't fund it so that the money will be there. I urge you to reconsider because there are a lot of important aspects about this bill that I think that we should have on the statutes.

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

Mr. BERRY: Mr. Speaker, Ladies and Gentlemen of the House: I apologize for having to get back into this thing. I can win or lose and I would have done it either way the first time. I think you voted right the first time and I hope that you will stick to your vote.

The section that the good gentleman from South Berwick has mentioned once and the gentleman from Saco mentioned once is just like the rest of the bill. That is already being done too. I am sure they will dispute that but can you imagine three commissioners that are going to decide a rate case and not go into the complaint office and say, "what is going on down here?" They do know that. They use it. If you choose to make it statutory, all right. I can win or lose.

We have just heard the gentleman from Bangor say that later on, we will take care of this. It was only two days ago that I heard the gentleman from Bangor sit in that very seat, get up and plead with the House to do this on a particular bill and tomorrow he would put an order in here. I am sure that he persuaded a lot of people to go his way by making a promise that I am also sure that he tried to his utmost to fulfill. He got shot down down down that end. That happens day after day after day. Act today and don't wait for tomorrow.

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

Mr. WOOD: Mr. Speaker, Ladies and Gentlemen of the House: I hope that we do reconsider on this bill. It is a very good bill. I think you should take a moment to reflect on what we are dealing with. We are dealing with monopolies that have a great deal of power over peoples lives. More power than we have. If you were elderly and your electricity is cut off for no good reason or if you were low income and can't pay for your telephone services and you

were cut off, that is a great deal of power. These monopolies have a great deal of power over our lives. The message that we are sending when we defeat this bill to our constituents is that you don't deserve to be heard, that you are not important enough to be put in the statutes. I think that we should put this on the books so that people that have problems with their utilities will have a fair hearing and will have someplace to go. I think it is great that we have a Public Utilities Commission now that is consumer oriented but there is no guarantee, there is nothing in statute that guarantees that that PUC is going to continue to be consumer-oriented. I think we have to give some protection to those consumers that have a powerful monopoly over their heads, to have them have some access the same as we have access.

I would hope that we would reconsider on this bill.

The SPEAKER: A roll call has been ordered. The pending question before the House is on the motion of the gentleman from Bridgton, Mrs. Tarr, that the House reconsider whereby the Bill was indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Bachrach, Beaulieu, Bennett, Benoit, Blodgett, Boudreau, A.; Brenerman, Brown, K. C.; Burns, Bustin, Carey, Carroll, Carter, D.; Chonko, Clark, Connolly, Cox, Curran, Davies, Diamond, Dow, Dutremble, Elias, Flanagan, Fowlie, Goodwin, H.; Goodwin, K.; Greenlaw, Hall, Henderson, Hickey, Hobbins, Howe, Huber, Jacques, Jalbert, Jensen, Joyce, Kane, Kany, Kelleher, Kerry, Kilcoyne, Laffin, LaPlante, Lizotte, Locke, Lynch, MacEachern, Martin, A.; Masterton, McHenry, McKean, McMahon, Mills, Mitchell, Moody, Nadeau, Najarian, Nelson, M.; Norris, Plourde, Post, Prescott, Quinn, Spencer, Strout, Tierney, Trafton, Truman, Twitchell, Tyndale, Valentine, Wilfong, Wood, Wyman, The Speaker.

NAY — Alopous, Ault, Austin, Bagley, Berry, Berube, Biron, Birt, Brown, K. L.; Bunker, Byers, Carter, F.; Churchill, Conners, Cote, Cunningham, Devoe, Dexter, Drinkwater, Dudley, Durgin, Fenlason, Garsoe, Gill, Gillis, Gould, Gray, Green, Higgins, Hunter, Hutchings, Immonen, Jackson, Lewis, Littlefield, Lougee, Mackel, Marshall, Masterman, Maxwell, McBreairty, McPherson, Morton, Nelson, N.; Palmer, Pearson, Peltier, Perkins, Peterson, Raymond, Rideout, Rollins, Shute, Smith, Sprowl, Stover, Stubbs, Tarbell, Tarr, Teague, Theriault, Torrey, Tozier, Whitemore.

ABSENT — Boudreau, P.; Carrier, Gauthier, Hughes, LeBlanc, Lunt, Mahany, Peakes, Silsby, Talbot.

Yes, 77; No, 64; Absent, 10.

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

The pending question now before the House is the motion of the gentleman from Buxton, Mr. Berry, that this bill be indefinitely postponed. The Chair will order a vote. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

64 having voted in the affirmative and 70 in the negative, the motion did not prevail.

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

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)

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

Mr. Spencer of Standish offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-372) 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.

#### Amended Bills

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) (C. "A" H-357)

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) (C. "A" H-348)

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) (C. "A" H-336)

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

#### Second Reader Indefinitely Postponed

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

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

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

Mr. McMAHON: Mr. Speaker, Ladies and Gentlemen of the House: I would ask you to look at L. D. 223 and the Committee Amendment H-338. I am going to pose a series of questions that I have about the bill as it has been amended. Most of the substance now is in the amendment rather than the bill but you must consider them together. I am not going to make a motion with regard to this bill, although I must confess that my inclination is not positive toward it. I really hope you consider carefully the questions that I am going to pose. Perhaps the good gentleman from Bangor, Mr. Henderson, or other members of the county government committee might also be prepared to respond to them.

The bill is entitled "An Act to Strengthen the County's Role in Human Services." It attempts to do several things, the first important part of which in 441 on the amendment is to allow for the appropriation of funds and the appointment of a county human services coordinator, or it authorizes the commissioners to contract with the Regional Planning Commission to perform that function. I do like the use of the conjunction "or" but I don't particularly like the idea of giving any authority to establish the Office of County Human Services coordinator.

I feel it is a duplication of effort already existing structure of county government allows for this to be done now. Counties don't have expanded responsibilities now. Efforts to give counties home rule and give them more responsibilities have largely been defeated. They do have the authority to contract with municipalities to perform on a regional or sub-regional basis certain functions. I think that is wonderful. That is in the law now. They also have the responsibility and the authority to contract to perform other services. I have no objection to that. But I do object very much to plugging into county government an office, a person if you will, that we are going to have to fund and that will become the subject of future debates up here. We also have on the books now a statute that allows for the appointment of a county manager, which I favor. But the statute also requires the commissioners to forfeit all but a token amount of their salary plus expenses if, in fact, they hire a manager since the manager will be doing the work. At the risk of sounding repetitious, I also favor that.



The point of the bill departs from that though. It specifically says that there can be a human services coordinator and then it goes on to very very poorly, in my opinion, define what that person will do. In counties that have adopted a manager form of government, the manager would be the person to do this. What else would he have to do, if not this kind of function? Counties like ours in York which have not adopted the manager plan but which does have a very competent county clerk, he will perform this function as well as other functions for the board of commissioners. Finally, if a county has no clerk or manager, what is to prevent the commissioners themselves from performing the function? Because after all, they don't have a great deal to do. You would assume that if they are going to be making recommendations to us and the county delegation to fund various social service programs that they themselves ought to be convinced of the worth of those programs.

I might add in York County and in our county delegation, we have established what I think is a mechanism for providing a good oversight for the county budget and that is, a permanent five-member subcommittee of the delegation who is very much involved with the commissioners in the budget. Our process is the social service agencies in York County, and there are many of them, and we do fund them through the county budget. They provide to the commissioners and to the delegation the justification of what they do and an explanation of what they do. Under 441, I seriously question the need for establishing a new position to accomplish this.

Further down in the amendment, it talks about this person being able to assist municipalities in the county in solving local human service problems and provide technical aid and information. That is very nice, but I submit to you that the manager or the clerk or the commissioners or the delegation or the agency can do that. There is four or five sources for that to be done already. Number seven on the amendment: Review of federal and state projects. He may provide information and comments on any applications relating to human services within the county. Does this mean that the coordinator is going to be going to our various social service agencies in York County which are largely funded through a combination of federal grants and looking over their shoulders and inspecting the applications and passing on the validity of the applications? It could, as I read this. I submit that the agencies would not like that. Nor do I submit that that would be very legal under the terms of the various privacy acts and the various federal laws that govern the functioning of agencies that are funded with federal money, so I see a potential conflict there in the amendment.

On page two of the amendment under 8, Report. He shall keep the county commissioners informed about the use of county appropriations, etc. I don't know how you operate in other counties but the agencies themselves provide to the commissioners and the delegation as a justification for their budget requests this very information. Why do we need a coordinator to go out and receive this information when we have already four levels of government that could do it?

Going down to the establishment of a county human services board. This is interesting. Your amendment here tells you how the board will be chosen, but it does not give the board any job. Is the board, once it is in existence going to be assuming the function of the delegation, of passing on the merits of these various programs? If so, I submit to you that you are adding another layer of possible conflict which will only result in more problems for the county budget process rather than help it.

The next page three of the amendment again, with regard to how these members of the board

are chosen, talks about the case of a tie vote for any member's seat. Remember, we are talking about a seven-member board that has no powers and is not supposed to do anything, we provide for a run-off election. That is very very cumbersome and unnecessary, in my opinion, for a board that doesn't do anything and which I don't really believe would serve any useful purpose.

1404, Page three of the amendment: this is the interesting little gem. The county commissioners may provide the clerical assistants, office expenses, suitable rooms as are necessary, just and proper to the performance of the board's official duties. I just told you that the board has no duties, but I can assure you that once the board is structured and formed, it will immediately need clerical assistants, probably a clerk, perhaps an administrative assistant. That person will need a secretary, a full-time office and a phone bank. We will eventually be wondering about the wisdom of that when we are asked to fund it up here in the legislature.

The final part of the bill talks about the board shall establish procedures to encourage human service agencies to consult among themselves prior to the presentation of budget requests. I think that is excellent phraseology and I hope that is done. In York County, the delegation insists when we meet with the agencies that there be no overlapping of functions. So I submit that the delegation and the commissioners can accomplish that at the local level.

In conclusion, to deviate slightly, but also on the topic of county government, I would point out to you how valuable we have found, in the York County delegation, the new budget format that the county government committee has advanced this year. I would commend the committee for doing that and I would encourage all of you once you receive engrossed copies of your various county budgets to keep them because they are the perfect vehicle for you to compare against next year's requests.

I am sorry for speaking so long. I will make no motion, but as you can perhaps tell, I am not too fond of this bill and I would urge you to think about the wisdom of enacting it.

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

Mr. NADEAU: Mr. Speaker, Ladies and Gentlemen of the House: I thank the good gentleman from Kennebunk, Mr. McMahon, for pointing this out.

As a member of the subcommittee of York County, I now move the indefinite postponement of this bill and all of its accompanying papers.

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

Mr. HENDERSON: Mr. Speaker, Ladies and Gentlemen of the House: I appreciate Representative McMahon's exhaustive study and you have to admit he did look at this thing very closely and I also appreciate the upbeats on the last note in any event.

This is one of several bills that will be dealing with changes in the way counties operate, county reform if you want to call it that, depending on whether you like the current system or not. Our committee had a question in its mind whether it should put out bills concerning the role of counties first or whether it should put out bills concerning the structures of counties. We chose, and this is one of those, to first float through the legislature what the counties ought to be doing and whether there should be any changes in the way the counties do their work. Once we find out what we would like to have them do, we can then try to assess whether the structures that are now existing are appropriate or whether we ought to make some changes. I just want to give you that background on part of the history of this bill. This was part of a joint-select committee study

that was worked on. It was one of those that didn't get lost contrary to popular belief and there has been some reaction to it. This is one of those reactions.

First of all, I have to point out that this is absolutely unequivocally not mandatory. So if York County is very happy with the way they run things, that is fine. The question is, is York County so happy that it is willing to deny the opportunity of any other county who would like to go this route? I would hope not. I think there is a basic conflict in one of Representative McMahon's propositions. On the one hand, he says this is already authorized and on the other hand, he says this is bad news. It doesn't seem that we can have it both ways. In fact, the counties are authorized to enter into contracts on a variety of subjects but this is not one of them. That is one of the reasons for the bill, to authorize counties to coordinate human services within their counties.

I think we all know that there are a lot of agencies that come to towns and to counties for money. It is not always clear who is asking who for money and where that money goes. In some counties, there is good supervision of that. In other counties, the regional planning commissions perform a filtering function. That is fine. In other counties, there is no structure available. This bill would allow a structure to screen these things to find out just where the money is going and to make somebody responsible. The general thrust of this bill was to place responsibility on where the various human service money is going within a region, in this case, the counties. The counties may execute that responsibility through some other party, like the regional planning commission, or they may do it themselves. If they decide not to do it, they can't say they didn't have the opportunity.

The delegation, of course, is still in control of the county's budget and it always would be, even under this bill. This authorizes the delegation, in effect, to approve a budget which does have a human services coordinator in it or a human services board, but it does not require that they be set up, and if a particular county doesn't want it, fine, they can eliminate it, absolutely no need.

It may be in some counties that the county manager, if there is one, can perform these functions; therefore, there is no need to hire a separate coordinator or the county commissioners, but in some counties, this is just going to have a specialized person perform this function of gathering the information on where the money is going. That is one element.

The second element is to try to keep track of that money as it has been spent throughout the year. It may be very well that the agencies tell the county commissioners and others where they spent the money, but I, for one, prefer to see a relatively independent person making that evaluation rather than the agencies themselves.

In addition, as was pointed out, this human service coordinator could be available to help the town to solve some of the problems that they have. I am sure that many of you people who live in smaller communities know that the general assistance wrap is really pretty tough. There are a lot of rules and regulations, that have been a lot of guidelines, a lot of abuse, and there are a lot of difficulties that some of the small towns are really not equipped to handle and sometimes they get in over their heads. All this says is that if the counties feel it is a useful policy for them, they can direct their coordinator or person from the county to go and help these communities out, providing them with some assistance, and it seems only reasonable that they should be allowed to do that.

With respect to the review of federal money and so forth, there is currently something called the A-95 review process, which is a process that is undertaken by regional planning

commissions for the State of Maine. Basically, the notion of that process is that if there are federal monies coming into an area, the A-95 review process attempts to clean out overlapping. It is an attempt to try to deal with that problem so that people aren't being funded three or four times for the same job.

Regional planning commissions in many areas are overwhelmed by this process. They have a tremendous amount of paper work to go through and very often they either routinely send the item back with a favorable comment or routinely send it back with no comment. Now, on the big, spectacular issues, they do get involved. This would only allow the human service coordinator to develop some information to assist that process, to give information to different human service agencies if someone is coming into that area to do the same thing that they are doing now, try to eliminate some of the duplication. Again, this is all a permissive situation.

I think I have covered all the angles and basically it is to allow counties to do something if the delegation and a system wishes to do something that they are not doing now; namely, to coordinate human services' funds in their areas.

One other element the bill also encourages, when there are the creation of new, special districts, that county boundaries be considered. As I am sure you know, there are many different districts — health, sewer, you name it, we have got a district for it, that sometimes do not even conform with county lines, let alone anything else. This is an attempt, again, to place responsibility in a single area.

When we are done with this discussion, if the bill is not indefinitely postponed, I do plan to ask that it be tabled for one day for a House Amendment which will merely be able to deal with the situation in Portland, to allow councils of government as well as regional planning commission to be contracted with to take care of this coordinative function, which would be the reasonable thing to do in Cumberland County.

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

Mr. DUTREMBLE: Mr. Speaker, Ladies and Gentlemen of the House: I wish you would go along with Mr. Nadeau on his motion to kill this bill.

The SPEAKER: The pending question is on the motion of the gentleman from Sanford, Mr. Nadeau, 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. Henderson 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 Chair recognizes the gentleman from Brunswick, Mrs. Martin.

Mrs. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: This is just another proof of trying to reform county government and people will not accept it. I think it is a shame that we have this committee to work on and get no response from you people here.

The SPEAKER: A roll call has been ordered. The pending question is on the motion of the gentleman from Sanford, Mr. Nadeau, 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 — Alopous, Ault, Austin, Bagley, Bennett, Benoit, Berry, Birt, Blodgett, Boudreau, A.; Brown, K. L.; Brown, K. C.; Bunker, Bustin, Byers, Carey, Carroll, Carter, D.; Carter, F.; Chonko, Churchill, Clark, Connors, Cox, Cunningham, Curran, Davies, Dudley, Durgin, Dutremble, Elias, Flanagan, Fowlie, Garsoe, Gill, Gillis, Goodwin, H.; Goodwin, K.; Gould, Green, Greenlaw, Hall, Higgins, Howe, Huber, Hunter, Hutchings, Immonen, Jackson, Jacques, Jalbert, Jensen, Joyce, Kane, Kany, Kerry, Kilcoyne, Laffin, Lizotte, Lougee, Lynch, MacEachern, Mahany, Marshall, Masterman, Maxwell, McBreairty, McHenry, McKean, McMahon, Mitchell, Moody, Morton, Nadeau, Nelson, N.; Pearson, Peltier, Perkins, Plourde, Post, Quinn, Raymond, Rideout, Rollins, Shute, Smith, Stover, Strout, Stubbs, Tarbell, Teague, Theriault, Tierney, Torrey, Trafton, Truman, Twitchell, Tyndale, Valentine, Whittemore, Wilfong, Wood, The Speaker.

NAY — Bachrach, Beaulieu, Berube, Biron, Brennerman, Burns, Connolly, Diamond, Dow, Drinkwater, Gray, Henderson, Hickey, Hobbs, Kelleher, LaPlante, Lewis, Littlefield, Locke, Martin, A.; McPherson, Najarian, Prescott, Spencer, Tarr, Wyman.

ABSENT — Boudreau, P.; Carrier, Cote, Devoe, Dexter, Fenlason, Gauthier, Hughes, LeBlanc, Lunt, Mackel, Masterton, Mills, Nelson, M.; Norris, Peakes, Peterson, Silsby, Sprowl, Talbot, Tozier.

Yes, 103; No, 27; Absent, 21.

The SPEAKER: One hundred three having voted in the affirmative and twenty-seven in the negative, with twenty-one being absent, the motion does prevail.

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

Mr. NADEAU: Mr. Speaker, having voted on the prevailing side, I now move we reconsider our action and hope you all vote against me.

The SPEAKER: The gentleman from Sanford, Mr. Nadeau, 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.

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) (C. "A" H-292)

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

#### Second Reader

##### Tabled and Assigned

Bill "An Act Relating to Application Fees for Official Inspection Stations" (H. P. 136) (L. D. 169) (C. "A" H-332)

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

On motion of Mr. Jensen of Portland, the House reconsidered its action whereby Committee Amendment "A" (H-322) was adopted.

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

House Amendment "B" to Committee Amendment "A" (H-370) was read by the Clerk.

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

Mr. STROUT: Mr. Speaker, Ladies and Gentlemen of the House: Before this amendment is adopted, I would like to ask the gentleman from Portland a question. As I understand the present law, it says that stickers shall be placed in the lower lefthand corner of

the windshield or in the center of the windshield in back of the mirror. That is the present law. As I understand, an individual could go to a garage now and ask this be done, but it is also my understanding that the state police send out a memoranda that is requiring the garages to put those at the present time in back of the mirror. If this amendment were adopted, is the state police still going to require the games to do this? I understand what he is trying to say in the amendment, but I think one of the big reasons the state police want consistency here is, there is no question in my mind they want it for the state troopers themselves so that when they are meeting oncoming cars, they will have consistency to see where that sticker is if it has run out.

I would just like to ask the gentleman what advantage is this amendment?

The SPEAKER: The gentleman from Corinth, Mr. Strout, has posed a question through the Chair to the gentleman from Portland, Mr. Jensen, who may answer if he so desires.

The Chair recognizes that gentleman.

Mr. JENSEN: Mr. Speaker and Members of the House: This amendment is designed to do what the law had originally said and what I think the legislature had originally intended when the law was enacted. What occurred is that the law said that a motor vehicle inspection station may put a sticker behind the mirror, in the center of the windshield or in the lower lefthand corner. Unfortunately, the law also said the state police were given the authority to enact necessary rules and regulations concerning the administration of this section and quite a number of other sections of the law. As a result, the state police said that even though the legislature said it could go one of two places, the state police said no, we are only going to allow it to go one place. What this amendment does it says again it can go in either of two places as the owner or operator may prefer, not as the state police may prefer.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: If we must have this bill, which I find unnecessary, this amendment would be necessary. Some cars have a tinted windshield and it is very unpopular to put behind the mirror because the state police can't see it through this tint. Those would have to be put in the lower lefthand corner. There are other sport cars that you can't get one in the lower lefthand corner and they would have to be behind the mirror, so there has to be some discretion. If we must have this no good bill, we must have the amendment.

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

On motion of Mr. Morton of Farmington, tabled pending the adoption of Committee Amendment "A" as amended by House Amendment "B" thereto and tomorrow assigned.

#### Passed to Be Enacted

"An Act to Authorize the Towns of Litchfield, Sabattus and Wales to form a new School Supervisory Union" (H. P. 611) (L. D. 748) (S. "A" S-137)

"An Act Concerning the Municipal Refund Claims for the Tree Growth Reimbursement" (H. P. 932) (L. D. 1129)

"An Act Concerning the Issue of Special Licenses by the Commissioner of Marine Resources" (H.P. 996) (L. D. 1185) (C. "A" H-303)

"An Act Concerning a Standard Method of Tallying Ballots" (H. P. 1212) (L. D. 1442) (C. "A" H-301)

"An Act to Provide Malt Liquor Licenses for Caterers" (H. P. 1549) (L. D. 1773)

Were reported by the Committee on Engros-

sed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

#### Enactor Reconsidered

RESOLVE, Authorizing the Exchange of Certain Public Reserved Lands with Brown Company (S. P. 375) (L. D. 1390) (C. "A" S-130)

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

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

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

House Amendment "A" (H-371) was read by the Clerk and adopted.

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

On motion of the same gentleman, Committee Amendment "A" was indefinitely postponed in non-concurrence.

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

RESOLVE, Authorizing the Exchange of Certain Public Reserved Lands with Diamond International Corporation (H.P. 1001) (L. D. 1392)

RESOLVE, Authorizing the Exchange of Certain Public Reserved Lands with the Dead River Group of Companies (H. P. 1381) (L. D. 1687) (C. "A" H-302)

RESOLVE, Authorizing the Exchange of Certain Public Reserved Lands, Oxford Paper Company (H. P. 1383) (L.K. D. 1683)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, the Resolves finally passed, 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:

Senate Divided Report — Majority (8) "Ought to Pass" as Amended by Committee Amendment "A" (S-136) — Minority (5) "Ought Not to Pass" — Committee on Transportation on Bill "An Act to Prohibit the Use of Electronic Devices for the Purpose of Detecting Radar" (S. P. 147) (L. D. 389) — In Senate, Majority "Ought to Pass" Report Read and Accepted and Bill Passed to be Engrossed as Amended by Committee Amendment "A" (S-136) as Amended by Senate Amendment "A" (S-142) thereto.

Tabled — May 17, 1977 by Mr. Palmer of Nobleboro.

Pending — Motion of Mr. Strout of Corinth to accept the Majority "Ought to Pass" Report.

The SPEAKER: The Chair recognizes the gentleman from Limestone, Mr. McKean.

Mr. MCKEAN: Mr. Speaker, Ladies and Gentlemen of the House: I would like to thank my good friend from Nobleboro, Mr. Palmer, for tabling this while I was gone. I think that this shows that two parties can work hand in hand at times for the good of the State of Maine.

The number of arrests for speeding in this state have not climbed at an alarming rate; however, they are now climbing. Excessive speed is one of the major causes of accidents, and the more speed involved, the worse the accidents seem to be, with death, mutilation and injuries seemingly tied to the gas pedal on the car.

I have been to accidents as a police officer, and a high speed crash is not a pretty sight. One wonders as they look at the carnage, how would you feel if that was part of your family that that speeder hit?

The radar detection device, commonly called

the fuzz buster, has one sole purpose, and that is to deliberately flaunt the laws that we in this great House worked hard to conceive. The state police, although stating it is not a big problem now, have recognized that it can and probably will be in the very near future, and now is the time to take the action, before it is too late.

Some states have already recognized that speeding and the radar detection device is a problem. In fact, Committee Amendment "A" to this particular bill was designed after the laws of the State of Virginia.

Looking back at some of the old adages that a few of us remember, now I think is the time for us to lock the barn door before the cows all get loose. And along the same line, we should also remember that an ounce of prevention is worth a pound of cure, and in this case, that ounce of prevention, by supporting the "Ought to Pass" Report, will save the State of Maine \$700 per radar unit in the very near future. Yes, as more radar detection devices appear on the market and in the cars, the need for the more sophisticated radar units now used by law enforcement becomes more apparent. In fact, it is so apparent that the police have already checked and found that the new radar units needed to compensate for the fuzz buster, and if you will pardon me, even that name is atrocious, it is offensive, those units will cost us \$700 apiece more than the units that we already use, and they have four units now in force and need a heck of a lot more.

Let's do the Maine motorists and let's do ourselves and our families who ride in the cars with us and our state treasury a real favor by overwhelmingly supporting the "Ought to Pass" Report as amended.

The SPEAKER: The Chair recognizes the gentleman from Bethel, Miss Brown.

Miss BROWN: Mr. Speaker, Ladies and Gentlemen of the House: I have some very strong feelings about this, that residents in the State of Maine should not be told that they cannot have these in their cars. Number one, a fuzz buster, as he calls it, you can pay \$200 for one that works, and when it goes off, the alarm goes off after you have already been clocked by the alarm on the radar system. Very few of them, only the extremely sensitive ones will allow you to know within a mile or so that the radar is ahead. It is a ridiculous piece of legislation and I move for the indefinite postponement of this bill and all its accompanying papers.

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

Mr. JACQUES: Mr. Speaker, Ladies and Gentlemen of the House: I sat on that committee and listened to these people that introduced this bill and I couldn't understand why this legislation was being introduced.

Let me tell you what this is going to do. First of all, they are going to try to do this. Then the next thing is CB's. As a matter of fact, if you read between the lines, a CB could be banned in your car because it is an electronic device. They are using it to detect radar if you are on the highway.

I will tell you that I have a schematic to build one of these, I am in the electronic business and I don't sell them and I am not a distributor, so let's get peoples minds off this.

First of all, if you were going to build radar equipment to detect radar like the State Police have, it would cost you about \$700. I don't think that any man would want to put that in his car so he would not get caught for speeding. It would be a unit that would be twice the size of your radio and I don't know where you would put it, especially in a sports car. This electronic device right now does absolutely nothing unless you are right in line with it. If you are in line with it, then it works. If you are going 70 miles an hour, you will get to the unit before it buzzes, before it warns you that there is a State Police there. If you are on the city streets, where the

officer has the radar on and you are in line, with it then naturally it is going to buzz and you are going to know about it. If you are going 70 miles an hour and there is a State Police blocking you and you have to be in line with it, then most of the time your State Police are over the hill and you cannot detect it. The State Police now have a better job, they have a better way of doing it, they point the thing at you when you are coming toward them, not before or after, when they see you, they point it at you and they have you. Really, this piece of legislation is a ridiculous thing. It was tried a few years back, it never passed and I hope you do support the indefinite postponement of this bill.

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

Mr. CAREY: Mr. Speaker I have one question I would like to ask the gentleman from Lewiston, Mr. Jacques. Is there any other use for this piece of equipment in your car besides trying to get away from the state cops?

The SPEAKER: The gentleman from Waterville, Mr. Carey, has posed a question through the Chair to the gentleman from Lewiston, Mr. Jacques who may respond if he so desires.

The Chair recognizes that gentleman.

Mr. JACQUES: Mr. Speaker, Ladies and Gentlemen of the House: I don't know of any other. I wish I could have brought the unit to show it to you. As a matter of fact, we tried it out. I don't know of any one that works really but if people want to buy them, let them buy it.

The SPEAKER: The pending question before the House is on the motion of the gentleman from Bethel, Miss Brown, that this bill and all its accompanying papers be indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

Mr. Jacques of Lewiston 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. Those in favor will vote yes; those opposed will vote no.

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

The SPEAKER: The pending question before the House is on the motion of the gentleman from Bethel, Miss Brown, that this Bill and all its accompanying papers be indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Aloupis, Ault, Bennett, Berry, Blodgett, Brown, K. L.; Bustin, Carter, D.; Carter, F.; Churchill, Clark, Connors, Connolly, Davies, Devoe, Drinkwater, Gill, Gillis, Gray, Henderson, Hickey, Hobbins, Howe, Hunter, Hutchings, Immonen, Jacques, Lewis, Lizotte, Lougee, MacEachern, Mahany, McHenry, Moody, Nelson, M.; Nelson, N.; Peltier, Quinn, Rideout, Shute, Smith, Stubbs, Torrey, Tozier, Twitchell, Valetine, Whittemore, Wilfong.

NAY — Austin, Bagley, Beaulieu, Benoit, Berube, Biron, Birt, Boudreau, A.; Brennerman, Brown, K. C.; Bunker, Burns, Byers, Carey, Carrier, Carroll, Chonko, Cox, Cunningham, Curran, Diamond, Dow, Dutmembre, Elias, Flanagan, Fowlie, Garsoe, Goodwin, K.; Gould, Greenlaw, Higgins, Huber, Jackson, Jalbert, Jensen, Joyce, Kane, Kany, Kerry, Kilcoyne, Laffin, LaPlante, Littlefield, Locke, Lynch, Mackel, Marshall, Martin, A.; Masterman, Masterton, Maxwell, McBreaity, McKean, McPherson, Mitchell, Morton, Nadeau, Palmer, Pearson, Perkins, Plourde, Post, Prescott, Raymond, Rollins, Spencer, Stover, Strout, Tarbell, Tarr, Teague, Theriault, Tierney, Truman, Wood, Wyman, The Speaker.

ABSENT — Bachrach, Boudreau, P.; Cote,

Dexter, Dudley, Durgin, F'enelson, Gauthier, Green, Hall, Hughes, Kelleher, LeBlanc, Lunt, Mills, Najarian, Norris, Peakes, Peterson, Silsby, Sprowl, Talbot, Trafton, Tyndale.

Yes, 50; No, 77; Absent, 24.

The SPEAKER: Fifty having voted in the affirmative and seventy-seven in the negative, with twenty-four being absent, the motion does not prevail.

Thereupon, the Majority "Ought to Pass" Report was accepted in concurrence and the Bill read once.

Committee Amendment "A" (S-136) was read by the Clerk. Senate Amendment "A" to Committee Amendment "A" (S-142) was read by the Clerk and adopted in concurrence.

Committee Amendment "A" as amended by Senate Amendment "A" thereto was adopted in concurrence.

The Bill was assigned for second reading tomorrow.

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

Bill, "An Act Concerning the Small Claims Laws" (S. P. 301) (L. D. 927) (C. "A" S-131)

Tabled — May 17, 1977 by Mr. Henderson of Bangor.

Pending — Passage to be Engrossed.

On motion of Mr. Spencer of Standish retabled, pending passage to be engrossed and tomorrow assigned.

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

Bill "An Act to Encourage Energy Conservation by Means of Reform of Utility Rate Designs" (H. P. 1553) (L. D. 1774)

Tabled — May 17, 1977 by Mr. Berry of Buxton.

Pending — Passage to be Engrossed.

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

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

House Report — "Ought to Pass" as Amended by Committee Amendment "A" (H-159) — Committee on Education on Bill "An Act to Facilitate Out-of-state Postgraduate Education in Certain Professions" (H. P. 408) (L. D. 502)

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

Pending — Acceptance of the Committee Report.

On motion of Mr. Lynch of Livermore Falls, the Majority "Ought to Pass" Report was accepted and the Bill was read once.

Committee Amendment "A" (H-159) was read by the Clerk.

On motion of Mr. Lynch of Livermore Falls, Committee Amendment "A" was indefinitely postponed.

The Bill was assigned for second reading tomorrow.

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

Bill "An Act to Provide for Exemption of Farm Supplies from the Sales Tax" (H. P. 538) (L. D. 653)

Tabled — May 17, 1977 by Mrs. Post of Owls Head.

Pending — Motion of Mr. Hobbins of Saco to Reconsider Accepting Majority "Ought Not to Pass" Report.

Whereupon, the House voted to reconsider its action whereby it accepted the Majority "Ought Not to Pass" Report.

The SPEAKER: The Chair recognizes the gentleman from Jay, Mr. Maxwell.

Mr. MAXWELL: Mr. Speaker, Ladies and Gentlemen of the House: In the next few minutes, I am sure you can make me very

happy by voting against this motion. This is a good bill. It passed the House two years ago, I said this, I guess, the last time I was up, it passed the other body and it ended up on the Appropriations Table and the last night of the session, of course, we didn't have the amount of money. I am in hopes that this time we might have. This bill and some more tax bills in committee and one of them could be amended to raise money if need be, I don't know that we need to. I just hope that you can vote against the "Ought Not to Pass" Report so we can accept the "Ought to Pass" Report and send this bill on its way.

The SPEAKER: The pending question before the House is on acceptance of the "Ought Not to Pass" Report. Those in favor will vote yes; those opposed will vote no.

35 having voted in the affirmative and 59 in the negative, the motion did not prevail.

Thereupon, the Minority "Ought to Pass" Report was accepted, the Bill read once and assigned for second reading tomorrow.

The Chair laid before the House the sixth 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-158)

Tabled — May 18, 1977 by Mr. Birt of East Millinocket.

Pending — Motion of Mr. Jalbert of Lewiston to Indefinitely Postpone Bill and all Accompanying Papers. (Roll Call Requested)

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

Mr. BIRT: Mr. Speaker, just what is the position of the bill because of a ruling that you made yesterday? Could I have an interpretation of that?

The SPEAKER: The Chair would advise the gentleman that the pending motion is the motion to indefinitely postpone.

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: I would hope that you would not indefinitely postpone this bill. We did have a long discussion on it yesterday and I would hope that it could be passed today.

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

Mr. JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: It is my understanding that you have a communication from the Commissioner of Education wherein it concerns fiscal implications of this bill, a fiscal note, is not needed. Am I correct in that assumption, Mr. Speaker?

The SPEAKER: The Chair would advise the gentleman from Lewiston that is correct, the Chair will make known his ruling if the motion to indefinitely postpone does not prevail.

Mr. JALBERT: Mr. Speaker, you know I am reading also from comments — yesterday there was a comment made that this was not the Governor's bill. This letter here says: "in the Governor's total budget package, he endorsed the concept embodied in L. D. 285, following the presentation of the Governor's budget in the printing of L. D. 285. Communication is between Jack Daigle, Chairman of the Governor's Task Force on Economic Government, Governor Longley and myself led to the recommendation of the Education Committee that the L. D. 285 be amended."

I heard yesterday a couple of things that the Governor had no part in this and certainly he does, as I told you. I am going to be brief. The Governor did have a representative from his office last Friday and the gentleman from East Millinocket, Mr. Birt, was there.

Also, yesterday, there was talk about the fact that the money that I claimed would be lost to the General Fund was "false." That was the very word the gentleman from East Millinocket

used. False. I have here summary sheets from the budget office and on those sheets are the names of the Commissioner of Education and the school that it concerns. Northern Maine, Commissioner of Education figures and the Director of the school: \$152,000 for 1978; \$152,000 for 1979. Southern Maine Vocational-Technical Institute, Commissioner Sawin Millett's figures; John Greer, Director, \$306,250; \$306,250. Central Maine Vocational School, Sawin Millett's figures; Nelson Ingalls, Director; \$150,500; \$157,500 for the second year. Eastern Maine Vocational School, Sawin Millett's figures; Francis Dranke, Director: \$160,000 for the first year and \$160,000 for the second year. The Washington County Vocational School, Sawin Millett figures, \$90,000 for the first year and \$90,000 for the second year. Kennebec Valley Vocational School, Sawin Millett's figures; Commissioner and Sawin Millett, Commissioner, \$90,000 for the first year and \$90,000 for the second year, for a toll from the Department of Education. We will forget this time, I will accommodate the gentleman from Eats Millinocket, my dear friend, Mr. Birt, we will forget. This is the department that he was talking for yesterday and the figures total \$933,640 for the first year and \$940,640 for the second year. Now those are the figures that come directly from the budget office, from the Finance Office and from the Department of Education.

Mr. Speaker, I certainly hope that my motion to indefinitely postpone the measure does prevail. This is not a good bill and I am going to be very honest about it, I know that yesterday I was quite disturbed, I don't like to toss figures around and be told that they are false. These are the facts. The figures are not false. The one that made the statement that they were false did not make a factual statement.

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

Mr. BIRT: Mr. Speaker, I would move that this bill be recommitted to the Committee on Education.

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

Mr. TIERNEY: Mr. Speaker, Men and Women of the House: I don't think that is too good an idea. We debated this bill an hour yesterday and ended up tabling it. We debated it about 20 minutes this morning and we are not going to be done. I suggest that we dispose of this. Everyone should have some opinion as to what they want to do with the bill, we make up our minds and send it down to the other body.

The SPEAKER: The Chair will order a vote. The pending question is to recommit to the Committee on Education. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

34 having voted in the affirmative and 62 in the negative, the motion did not prevail.

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

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: I really do believe that this is a good bill. It did not originate in the Governor's Office. I think I explained some of those things yesterday. It did not originate in the Governor's Office, it came out of the Department of Education and this is where I first became aware of it. It was assigned and I mentioned this yesterday, to high priority by the Governor when he reviewed the bills of all the departments and, in that way, he does endorse it.

The information that I have continually brought and this is one of the reasons that I did have in mind in recommitting this, was to try to clear up the differences between the viewpoints of the good gentleman from Lewiston, Mr. Jalbert and myself on the funding. The information that I have continuously got that there was

no fiscal note required, that there was no loss of revenue. I guess that it is probably a question of mechanics as which you way you interpret it. The commissioner, according to the information I have, has indicated that he did discuss this with the Appropriations Committee at the time it was mentioned to him at the time that he will review the Governor's Budget, the total overall budget before the Appropriations Committee.

I think most of the discussion that went on yesterday does not need repeating and I would hope that the motion to indefinitely postpone does not prevail.

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

Mr. HOWE: Mr. Speaker and Members of the House: I, too, shall not go through with the questions of the merits of the bill but I would hope that our vote is not based upon whether or not this is the Governor's bill because that certainly is hardly dealing with the merits of the bill. Furthermore, if you are inclining to vote for indefinite postponement because of the Chair's ruling yesterday that this bill lacked a fiscal note, there is apparently some evidence that that ruling may change. I don't know what the Chair's rule would be if we fail to pass this motion but I would like to find out and therefore, 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, I could probably give the ruling of the Speaker if you would want me to.

I am up to here with these statements that just aren't factual. The Commissioner of Education has not discussed this with the Appropriations Committee and I was there and I have ears to hear. Lets come down with the facts. All at once we all get these stories. Let's come down with one fact anyway. I will give you one fact. This bill stinks.

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

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

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

Mr. CAREY: Mr. Speaker, Ladies and Gentlemen of the House: Mr. Speaker, you have forced me to be in a position that I hate to be in, I hate to have anyone listen to me where the door is locked behind them.

I have one question that I would like to ask somebody who may be knowledgeable. Does this not, in fact, dedicate revenues and aren't we, most of us, opposed to dedicated revenue?

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

Mr. JALBERT: Mr. Speaker, the gentleman from Waterville, Mr. Carey, never could be any more right.

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

Mr. HIGGINS: Mr. Speaker, Ladies and Gentlemen of the House: I talked about this bill a little bit yesterday and how I ever got started on this I don't know. I guess it is because I originally thought that perhaps a fiscal note was involved.

It was my understanding, and I don't know whether the Commissioner made any remarks to the Appropriations Committee nor not regarding this bill. I was there, but I don't care to get involved as to whether or not he did. It is my understanding that if this bill should pass, I am sure that the Appropriations Committee would delete a half a million dollars or

whatever the amount is from our appropriation to the vocational centers.

I would ask you today, even though I spoke in principle against the bill yesterday, to vote against the motion to indefinitely postpone because I think the theory beyond the bill is a good one, and that theory is that the state, through its vocational centers, should be able to react to special opportunities of industry moving into the state. We have got to be able to react and we can wait two years for the legislature to be in session or six months even, for that matter, and this bill in theory will provide that.

I would hope that you would vote against it. The good gentleman from Lewiston, Mr. Jalbert, has said we have got a good thing and we ought to leave it alone. Well, I agree, we have a good thing, but I happen to think that maybe we can make it better, and I would be the first to admit, at least as far as my philosophy goes, that this bill lacks a lot of things. But I have an amendment that I would like to at some point at least attempt to put on the bill that would eliminate, at least as far as I am concerned, any discrepancy as to whether or not a fiscal note is needed.

I would hope that those of you out there who believe in this bill, at least theoretically, could vote against the motion to indefinitely postpone, maybe give me a chance to put the amendment on. If I don't get the chance to put the amendment on, we can always reconsider and then we can dispose of it in due form. If those of you who happen to believe as I do, so feel fit to do so.

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

Mr. HOWE: Mr. Speaker and Members of the House: In response to the gentleman from Waterville, Mr. Carey, in a sense, this may be termed dedicated revenue, but we are not talking about dollars derived through the tax system, we are talking about tuition, money and other gifts which are generated by the VTI and no tax dollars.

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

Mr. CAREY: Mr. Speaker, Ladies and Gentlemen of the House: I understand the position of the gentleman from South Portland, Mr. Howe, very well. I would much prefer that we went through a miscellaneous account or whatever you want to call it with the commissioner so that each and every VTI would have to come to the commissioner and then get awarded a particular sum of money, whatever it needed. Therefore, we could hopefully control whatever might end up as waste otherwise.

The SPEAKER: A roll call has been ordered. The pending question is on the motion of the gentleman from Lewiston, Mr. Jalbert, 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.

#### ROLL CALL

YEA — Aloupis, Bachrach, Beaulieu, Benoit, Biron, Boudreau, A.; Brenerman, Brown, K. L.; Brown, K. C.; Burns, Byers, Carey, Carrier, Carroll, Carter, D.; Chonko, Churchill, Clark, Connolly, Cox, Curran, Davies, Dutremble, Elias, Flanagan, Fowlie, Goodwin, H.; Goodwin, K.; Greenlaw, Hickey, Hobbins, Huber, Hunter, Jackson, Jacques, Jalbert, Joyce, Kerry, Laffin, LaPlante, Locke, Lougee, MacEachern, Mahany, Martin, A.; Masterman, McBreairty, McHenry, McKean, McMahan, Morton, Nadeau, Najarian, Pearson, Post, Prescott, Quinn, Raymond, Tarbell, Theriault; Tierney, Tozier, Valentine, Wilfong, Wood.

NAY — Austin, Bagley, Bennett, Berry, Berube, Birt, Blodgett, Bunker, Bustin, Carter, F.; Connors, Cunningham, Devoe, Dexter, Diamond, Drinkwater, Garsoe, Gill, Gillis, Gould, Gray, Henderson, Higgins, Howe, Hutchings, Immonen, Jensen, Kane, Kany, Kilcoyne, Lit-

tlefield, Lynch, Mackel, Marshall, Masterton, McPherson, Mitchell, Moody, Nelson, M.; Nelson, N.; Palmer, Peltier, Perkins, Plourde, Rideout, Rollins, Shute, Smith, Stover, Strout, Stubbs, Tarr, Teague, Torrey, Trafton, Truman, Whittemore, Wyman.

ABSENT — Ault, Boudreau, P.; Cote, Dow, Dudley, Durgin, Fenlason, Gauthier, Green, Hall, Hughes, Kelleher, LeBlanc, Lewis, Lizotte, Lunt, Maxwell, Mills, Norris, Peakes, Peterson, Silsby, Spencer, Sprowl, Talbot, Twitchell, Tyndale.

Yes, 65; No, 68; Absent, 27.

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

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

Mr. JALBERT: Mr. Speaker, having voted on the prevailing side, I now move that we reconsider our action whereby this bill was indefinitely postponed and I hope you will vote against me.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, moves that we reconsider our action whereby this Bill was indefinitely postponed. All those in favor of that motion will say yes; those opposed will say no.

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

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

Bill, "An Act to Require Towns without Secondary Schools to Provide Transportation to Secondary Schools" (H. P. 1025) (L. D. 1273) — In House, Passed to be Engrossed as Amended by Committee Amendment "A" (H-275) and House Amendment "A" (H-295) on May 10. — In Senate, Bill and Papers Indefinitely Postponed.

Tabled — May 18, 1977 by Mr. Tierney of Lisbon Falls.

Pending — Further Consideration.

On motion of Mr. Carroll of Limerick, retabled pending further consideration and tomorrow assigned.

On motion of Mrs. Najarian of Portland, the House reconsidered its action of earlier in the day whereby Bill "An Act to Award Transitional Allowances to Permanent Full-Time and Limited Period Full-Time Unclassified Employees," House Paper 309, L. D. 400, was passed to be engrossed as amended.

On motion of the same gentlewoman, under suspension of the rules, the House reconsidered its action whereby Committee Amendment "A" (H-292) was adopted.

The same gentlewoman offered House Amendment "A" to Committee Amendment "A" (H-373) and moved its adoption.

House Amendment "A" to Committee Amendment "A" (H-373) was read by the Clerk.

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

Mrs. NAJARIAN: Mr. Speaker and members of the House: The purpose of the bill was to include in the Hay Report transitional allowances for some state employees who were overlooked. After the bill was introduced, we found out that we had also overlooked some permanent part-time employees in the state, about 800. The purpose of the House Amendment that I am offering is to also include them so that they will also be covered by the transitional allowances which we gave every other state employee.

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

Mr. DAVIES: Mr. Speaker, I would pose a question to the sponsor of this amendment or anyone who might answer. Does this bill with

the amendment cover those faculty members at VTI's who had some difficulty as to how their salary schedules are?

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

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

Mrs. NAJARIAN: Mr. Speaker, no, it does not.

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

Committee Amendment "A" as amended by House Amendment "A" thereto was adopted.

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

The Chair laid before the House the following matter:

Bill "An Act to Provide Limited Immunity to Aid in Arson Investigation" (H. P. 959) (L. D. 1151) (C. "A" H-356) which was tabled earlier in the day and later today assigned pending adoption of Committee Amendment "A".

Thereupon, Committee Amendment "A" was adopted and the Bill assigned for second reading tomorrow.

On motion of Mr. Tierney of Lisbon Falls, the following matter was taken from the Unassigned Table:

RESOLVE, to Appropriate Moneys for Research on Black Fly Biology and Continued Research on an Environmentally Safe Insecticidal Control for Black Flies (Emergency) (H. P. 291) (L. D. 348)

Tabled — May 3, 1977 by Mr. Tierney of Lisbon Falls.

Pending — Passage to be Engrossed.

Mr. Davies of Orono offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-361) was read by the Clerk.

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

Mr. DAVIES: Mr. Speaker and Members of the House: We debated this bill a couple of weeks ago and there was some disagreement about whether or not we should be using any of these funds for a program out in the field of doing testing on chemicals. Since that debate, when the bill was on the unassigned table, we have spoken with federal officials and we have come up with a minor problem of getting the approval for use of any chemicals prior to the certification of these chemicals on the federal level. This has not taken place yet, so the amendment you have before you would take care of that problem. It has a prohibition against using any of these chemicals, or any of the funds that would be appropriated under this bill to provide for any application of insecticides to streams, rivers, lakes, ponds or other waters in the state.

Also in the amendment is a provision that some of this money will be used by the staff of the University of Maine to look into the adverse economic impact caused by black flies and the economic benefits that might accrue should we have some method of control that is actually put into effect.

Basically, this eliminates the problem of testing in the field and puts in some provisions so that we can collect useful information so if any of these chemicals are registered in the future, we will know in advance what the benefits will be should we decide to use them in the State of Maine.

Thereupon, House Amendment "A" was adopted.

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

Mr. Laffin of Westbrook was granted unanimous consent to address the House.

Mr. LAFFIN: Mr. Speaker, Ladies and Gentlemen of the House: I don't know about the rest of the state, but the members in the Cumberland County area where I live, we got a notice from the New England Telephone Company that effective immediately — in a little yellow card of this nature — and they state how to do everything and how to call everything, these calls will be billed at the operator assistant rate. In other words, they have started to charge the people for information services effective immediately. That bill is being held to try to get it passed in this legislature — we passed it in the House. I would like to have the members of this House be aware, and you can tell your constituents, the elderly people who rely on this, that they are being charged effective immediately.

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

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House: We have with us as a member a very distinguished gentleman from Old Town who oftentimes gives us good bits of advice and humor. I think we all know Steve as a good legislator who does brighten the day a lot and sometimes we think of him, I guess, in that light, totally on the humorous side. But there also is a very serious side to the good gentleman from Old Town, and I thought I would bring it to the attention of the House today, because tomorrow he will not be here. He will be going to Bangor to accept an award from the Eastern Maine Medical Hospital in Bangor, he being one of ten men who have put in unusually long hours, many hours of volunteer service to the hospital. Steve, I believe, is to receive the highest award, having given in the last ten years over 3,000 volunteer hours to the hospital and continues to do so. When he is not here in the House, that is what he is doing. When he is on vacation, that is what he is doing. This is the type of service that I think needs to be recognized and I think it is so nice that we have someone here in the House who does it.

I would ask each of you if you wouldn't think it appropriate that we give him a good round of applause, but before that, don't you think really, if you were ill and in the hospital and things didn't look too good, that it would be an awfully nice thing to have a visit from the good gentleman from Old Town. I am sure he could brighten up your day.

I want to thank him and I hope we will give him the proper applause that he deserves. (Applause, the members rising.)

Mr. Gould of Old Town was granted unanimous consent to address the House.

Mr. GOULD: Mr. Speaker, Ladies and Gentlemen of the House: I suppose I am about the only one who ever got an award for acting foolish, but up there at the hospital, I have a free rein to act as foolish as I like, as long as I keep my actions within due bounds in order to make those people laugh.

I won't take but a minute of your time, but just consider a room that I had to visit last summer. They wanted me to go in and see if I could brighten up the folks day. There was a young mother of four in this room who was on a motorcycle, a car on the wrong side of the road hit her and she had to have her left leg amputated six inches below the knee. In the same room with her was another young mother whose husband and children were out on a ride one Sunday, a car on the wrong side of the road hit them and killed her husband and banged her up and she had been in the hospital for six weeks and it was kind of gloomy. In about a day and a half I had them laughing, and that is what I have to do up there.

So as I say, I don't know how many hours I have over 3,000, because we just get a pin for either three or four thousand and they keep it a secret how many hours we have, but I know it is over 3,000, and if you don't think that is a long time, try that on your piano and play the other side.

Mr. Pearson of Old Town was granted unanimous consent to address the House.

Mr. PEARSON: Mr. Speaker, Ladies and Gentlemen of the House: It will come as no surprise to anybody in this House, I don't think, to realize that the people of the City of Old Town feel the same way about Representative Gould as the people here in the House do. He is a household word in Old Town. There isn't anywhere you can go that you don't know about Steve Gould, and they say, what is Steve up to in the House, and I will say, well, you know Steve and they will smile. Everybody knows and everybody loves him in Old Town.

(Off Record Remarks)

On motion of Mrs. Tarr of Bridgton, Adjourned until one o'clock tomorrow afternoon.