

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

***One Hundred and Eighth  
Legislature***

OF THE

STATE OF MAINE

**Volume II**

**May 26, 1977 to July 25, 1977**

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**Senate Confirmation Session  
September 16, 1977**

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## HOUSE

Friday, June 17, 1977

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

Prayer by Father A. Raymond Smith, interim Pastor of St. Barnabas Episcopal Church of Augusta and St. Matthews Episcopal Church, Hallowell.

The journal of yesterday was read and approved.

## Papers from the Senate

The following Communication:  
The Senate of Maine  
Augusta

June 16, 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 Amend the Membership and the Legislative Mandate of the Capitol Planning Commission" (H. P. 1128) (L. D. 1345)

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

June 16, 1977

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

The Senate today Adhered to its action whereby it accepted the Minority 'Ought Not to Pass' Report on Bill, "An Act Relating to Arbitration under the State Employees Labor Relations Act" (S. P. 150) (L. D. 392)

The Senate today also Adhered to its action whereby it Indefinitely Postponed Bill, "An Act to Promote the Preservation of Historic Districts within the State of Maine" (H. P. 1192) (L. D. 1440).

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

June 16, 1977

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

The President today appointed the following members of the Senate to the Committee of Conference on Bill, "An Act to Remove the Commercial License of Smelt Fishermen" (H. P. 1045) (L. D. 1272);

Senators:

CHAPMAN of Sagadahoc  
HEWES of Cumberland  
LEVINE of Kennebec

The President today also appointed the following members of the Senate to the Committee of Conference on Bill, "An Act to Impose a 4-Quart Limit on the Taking of Smelts Throughout the Entire Smelting Season" (S. P. 320) (L. D. 1077);

Senators:

CHAPMAN of Sagadahoc  
HEWES of Cumberland  
LEVINE of Kennebec

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

The Communication was read and ordered placed on file.

The SPEAKER: The Chair would ask the Sergeant-at-Arms to escort the gentleman from Stonington, Mr. Greenlaw, to the rostrum to act as Speaker pro tem.

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

Report of Committee  
Leave to Withdraw

Report of the Committee on Health and Institutional Services reporting "Leave to Withdraw" on Bill "An Act to Authorize Services to Children and Youth" (S. P. 450) (L. D. 1646)

Came from the Senate with the Report read and accepted.

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

## Non-Concurrent Matter

Bill "An Act to Make Possible Property Tax Valuation Assistance to Local Officials" (Emergency) (S. P. 464) (L. D. 1607) which was passed to be engrossed in the House on June 16, 1977

Came from the Senate with that Body having insisted on its former action whereby the Minority "Ought Not to Pass" Report of the Committee on Taxation was read and accepted and asked for a Committee of Conference in non-concurrence.

In the House: On motion of Mrs. Post of Owl's Head, the House voted to insist and join in a Committee of Conference.

## Non-Concurrent Matter

Bill "An Act Relating to Setting Determinant Sentences for Inmates Sentenced Prior to Enactment of the Maine Criminal Code" (H. P. 703) (L. D. 884) on which the Majority "Ought to Pass" as amended by Committee Amendment "A" (H-607) Report of the Committee on Judiciary was read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (H-607) in the House on June 16, 1977.

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

In the House: On motion of Mr. Spencer of Standish, the House voted to insist.

Non-Concurrent Matter  
Tabled and Assigned

An Act to Prohibit the Sale of Gasoline Below Cost to Destroy Competition (H. P. 455) (L. D. 560) which was Passed to be Enacted in the House on June 15, 1977.

Came from the Senate with the Bill and all its accompanying papers Indefinitely Postponed in non-concurrence.

In the House: Mr. Davies of Orono moves that the House insist and ask for a Committee of Conference.

Whereupon, Mr. Truman of Biddeford moved that the House recede and concur and requested a vote.

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

Mr. DAVIES: Mr. Speaker, Ladies and Gentlemen of the House: A brief explanation of this bill before we vote on it. I hope you will reject the motion to recede and concur so we can insist and ask for a committee of conference.

This bill is the result of a study that was done by the Energy Committee between the 107th

Legislature and this present legislature. It was a reaction to the realities we discovered in some field investigations. We had some situations where you had a distributor who was supplying both his own retailers and independent retailers, and he was able, due to some flaws in the law, to charge more to the independent retailers he was doing business with at the wholesale level than he was charging at his own retail stations at the retail level. The result was that you had a number of small gasoline dealers who were unable to compete with the larger, better organized, more integrated oil distribution companies. The result was that the state was rapidly moving in the direction of having fewer and fewer distribution companies supplying the state and fewer and fewer small independent gasoline retailers who were able to survive and compete against this strong move to take over the market.

This bill was brought in. It was significantly modified and it was agreed to both by the independent retailers and the gasoline wholesalers and distributors as a reasonable compromise. What this will do is, it says that the invoice cost to the distributor will be the price that he will use for computing the price for his own service station and those independent service stations that he supplies. This means that all the stations are going to start out at the same point so that they have a competitive chance. The long-range implication of this bill is that we are going to have many more gasoline dealers in the state 20 years down the road with the anticipation that extra competition is going to keep the price at as low a level as possible.

I urge you to reject the recede and concur motion and vote to insist and ask for a committee of conference to see if we can work out whatever problems might exist between this body and the other body.

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

Mr. DUDLEY: Mr. Speaker, Members of the House: This bill is no less than government price fixing. Even though this bill would help me personally in my business, I still don't concede to socialism or government price fixing any more than the people I live with and represent. They want less government. They would rather have almost no government at all than what we have now, someone sticking their nose in everybody's business.

Let me tell you, the public would be the one that would suffer. This would automatically raise the price of gasoline even in my station. I have to keep the price down to meet with some of these stations myself. It costs me money, but I still think that I would rather have it that way than government control and government price fixing and this type of thing. I know the people I represent certainly would feel the same way.

The SPEAKER pro tem: The Chair recognize the gentleman from Sangerville, Mr. Hall.

Mr. HALL: Mr. Speaker, Ladies and Gentlemen of the House: I thank the good gentleman, Mr. Dudley from Enfield, in his remarks. I only wish that some of the people had remembered what he said in regard to the milk commission.

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

Mr. NADEAU: Mr. Speaker, Ladies and Gentlemen of the House: This bill comes out of a public hearing I asked the Committee on Energy to hold over two years ago. It involved the meeting of several of my dealers in Sanford who were just getting literally burned because of some of the distributors in the town of Sanford. I just want a little fair and equal competition without being burned at the gas pumps.

They are small, they are independent, and they just want to be able to make their own livelihood.

I ask you, let's just ask the other body for a committee of conference this morning and see if we can work something out. They don't like getting burned any more than anyone else in this world — give them a break.

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

Mr. GAUTHIER: Mr. Speaker, Ladies and Gentlemen of the House: I hate to go against my companion from Sanford, but I think that the people need a break too. I think the price of gas at the present time is way up there. According to the government, they are going to bring it up too. I would be in favor of going against this bill for that reason.

When my father was in the grocery store, we had a little corner grocery store and when the chain stores came in, we had to take the competition. My father had to get out of business on account of the chain stores knocking him out.

The SPEAKER pro tem: The Chair recognizes the gentleman from Portland, Mr. Connolly.

Mr. CONNOLLY: Mr. Speaker, Members of the House: Very briefly, as a member of the committee and also as sponsor of two companion bills that deal with the same subject, I would just like to point out that in the long run, if this bill is enacted, it is going to be of benefit to the consumer when he buys gasoline. If you are looking down the road at the price of gasoline and the energy situation as it relates to gasoline, then you should defeat this present motion and then support the motion to insist and ask for a committee of conference. At least keep the bill alive so we are in a position to work out some of the problems if they seem to be resolvable, but let's not, at least at this point, kill the bill, since it did receive a unanimous report from the committee.

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

Mr. BOUDREAU: Mr. Speaker, Ladies and Gentlemen of the House: I also rise to hope that you will vote against the motion to recede and concur. A lot of small gas station owners are really complaining about the problem. The distributor opens up a station across the street and he can charge five or six cents less at the pump. It is just ridiculous. I have talked to a lot of small gas station owners that just say they are going to close the door if we don't do something soon. I think those small gas station owners are providing a real service in that they are providing a service to people who drive automobiles. You get your sticker there, you get your muffler fixed there. These people who are just distributing gas and just set up a pump and have somebody there to collect your money are not providing any other service. I think those small, independent stations are very important.

I hope we can have a committee of conference and see if we cannot work something out.

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

Mr. AULT: Mr. Speaker, could I ask the Clerk to read the Report, please?

Thereupon, the Report was read by the Clerk.

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

Mr. GAUTHIER: Mr. Speaker, Ladies and Gentlemen of the House: In answer to Mr. Boudreau, I would like to say that it is the people who are using their car every day going to work, they are the ones who are going to have to pay for the whole thing. They are going to be the worst ones off on this if we raise the gas.

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

Miss BROWN: Mr. Speaker, Ladies and Gentlemen of the House: Before this bill is sent back to the Senate, I would like to explain why I signed the "Ought Not to Pass" Report. This bill is going to pass on the cost to the consumer. It is going to raise the price between \$5 million and \$15 million per year. That is a lot of money for us to pass on to the consumer again. We will be protecting some people, some of the businesses, but we are not going to keep the smaller people from going out of business. This has happened in other states. When this was researched, we found out in front of the committee that by passing this type of legislation we would not help them stay in business any more. I really think that we have to stop and think about this. Why should the Maine consumers absorb another \$15 million in gas prices? They are going to continue to go up anyway.

The legislature does have a major decision to make in deciding whether or not to pass this bill. If we pass L. D. 560 as amended, we will be making the major decision to protect small retailers in one business, the gas industry, at the expense of higher prices to the consumer.

The SPEAKER pro tem: The Chair recognizes the gentleman from Old Orchard Beach, Mr. Kerry.

Mr. KERRY: Mr. Speaker, Ladies and Gentlemen of the House: Prior to having this debate get too lengthy, this is Representative Kelleher's bill and I am a cosponsor on it. I feel that since Representative Kelleher had to be away today, we should table this for one day. I would appreciate it if someone might do that.

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

Mr. STROUT: Mr. Speaker, I move this lie on the table one day.

Whereupon, Miss Brown of Bethel requested a vote.

The SPEAKER pro tem: The pending question is on the motion of the gentleman from Corinth, Mr. Strout, that this bill be tabled for one legislative day pending the motion of Mr. Truman of Biddeford to recede and concur. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

56 having voted in the affirmative and 32 having voted in the negative, the motion did prevail.

#### Messages and Documents

The following Communication:

State of Maine

One Hundred and Eighth Legislature  
Committee on Veterans and Retirement

June 15, 1977

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

The Committee on Veterans and Retirement is pleased to report that it has completed all business placed before it by the first regular session of the 108th Maine Legislature.

Total Bills Received	31
Unanimous Reports	17
Leave to Withdraw	6
Ought Not to Pass	3
Ought to Pass	1
Ought to Pass in New Draft	2
Ought to Pass as Amended	5
Divided Reports	14
Total Number of Amendments	8
Total Number of New Drafts	2

Respectfully,

(Signed) ALBERT THERIAULT  
House Chairman

The Communication was read and passed.

#### Orders

An Expression of Legislative Sentiment (H. P. 1735) recognizing that:

Gene Coffen: General Manager of the Maine Truck Owners Association, has been awarded the Distinguished Service Award in the Field of Americanism by the American Legion, Department of Maine

Presented by Mrs. Berube of Lewiston (Cosponsor: Senator Hewes of Cumberland)

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

On motion of Mr. Kerry of Old Orchard Beach, the following Joint Order: (H. P. 1732)

WHEREAS, chapters 257 and 476 of the Public Laws of 1975 were enacted by the 107th Legislature to provide savings to consumers by requiring price posting, by authorizing pharmacists to advertise the prices of certain drugs and, under certain specified conditions, to substitute chemically equivalent drugs for drugs prescribed by physicians; and

WHEREAS, testimony has been received by legislative committees which suggests both shortcomings in and abuses of the present laws; and

WHEREAS, the alleged shortcomings and abuses cannot be evaluated without a full review of the effectiveness of the laws; and

WHEREAS, the Legislature has not assessed the effects of the laws since their enactment; now, therefore, be it

ORDERED, the Senate concurring, that the Joint Standing Committee on Health and Institutional Services is directed to identify and evaluate the extent of benefits realized from and any shortcomings or abuses of the present laws; and, be it further

ORDERED, that the committee is directed to examine the need for additional legislation relating to a state policy of encouraging the sale of lower priced chemically equivalent drugs, including, but not limited to, the establishment of a state formulary; and, be it further

ORDERED, that the Board of Commissioners of the Profession of Pharmacy, the Committee on Aging and the Department of Human Services are directed to cooperate and assist the committee in its carrying out of the study; and, be it further

ORDERED, that the committee shall complete this study no later than December 1, 1977, and submit to the Legislative Council by the same date 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 pro tem: The Chair recognizes the gentleman from Nobleboro, Mr. Palmer.

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House: While I have great respect for the gentleman from Old Orchard Beach, Mr. Kerry, this is again an example of the type of order that I think I rose on once before with the view in mind of how many of these orders are we going to pass in studies this summer. I think we have discussed this many many times on the floor of this House. In between the last session, we have spent about \$150,000, I believe, on individual studies and most of them are gathering dust in the offices around this State House or in the attics of people at home.

I am not going to move to kill this order right now. I just want to warn you that as far as I am concerned, before the session is over I think we have to do a real good pruning job on these things. I would, before the order passes though, ask the good gentleman who introduced it what he really thinks the Committee on Health and

Institutional Services could do in the form of a study to bring out the information necessary to improve the situation? It looks to me as though it is a morass. I can't really understand what a committee could do and how much money they could spend and how much benefit they could be to the people of Maine and to the taxpayers of Maine by the passage of this order. I would, before the order passes, like to have a brief explanation of what the committee exactly would do.

The SPEAKER pro tem: The gentleman from Nobleboro, Mr. Palmer, has posed a question through the Chair to the gentleman from Old Orchard Beach, Mr. Kerry.

The Chair recognizes the gentleman from Old Orchard Beach, Mr. Kerry.

Mr. KERRY: Mr. Speaker, Ladies and Gentlemen of the House: Thank you Mr. Palmer for that inquiry. I think the bottom line for this particular issue, and it has been around the House for quite awhile this year and it was in the past, is the service to the people of Maine, especially the elderly and families in need of purchasing drugs. I think the order will do one thing. The order, if you read it, will include a broad spectrum of the people from the industry as well as the people from the Committee on Aging, the people from the Department of Health and Welfare, it would include people involved in the pharmaceutical industry as well as people from the legislature and interested citizens. They all agreed that the drug advertising bill was not working. They all agreed that the prices for generic drugs were too high and people were suffering unjustly, but no one could document the facts. Even this body here did not want to pass the bill that we had suggested to the legislature because they did not have the facts.

What we are saying in this order is, okay, we are not going to leave it up to the unseen hand of the marketplace. We are going to go out and we are going to document. If it is proven that these prices are too high, that the 175,000 elderly people in the state are paying too much for their drugs and if the public themselves are not being treated properly, then we will say yes. If not, we will leave it up, as Mr. Palmer said, to the unseen hand of the market. I don't believe that the morass is the reason that we should not study this bill. The main reason is, we should go out and try to do the best job we can.

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

#### House Reports of Committees

##### Ought Not to Pass

Mr. Godwin from the Committee on Health and Institutional Services on Bill, "An Act Concerning Liability of Pharmacists for Dispensing Prescriptions Originating from a Physician's Assistant or Nurse Practitioner" (H. P. 413) (L. D. 516) reporting "Ought Not to Pass"

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

##### Ought to Pass in New Draft

Mr. Curran from the Committee on State Government on Bill, "An Act to Improve the Effectiveness of the State's Development Financing Mechanisms" (H. P. 1155) (L. D. 1474) reporting "Ought to Pass" in New Draft (H. P. 1727) (L. D. 1886)

Mrs. Mitchell from the Committee on Election Laws on Bill, "An Act to Clarify Election Related Laws" (H. P. 979) (L. D. 1201) reporting "Ought to Pass" in New Draft (H. P. 1734) (L. D. 1887)

Reports were read and accepted, the New Drafts read once and assigned for second reading on Monday, June 20.

#### Divided Report Tabled and Assigned

Majority Report of the Committee on Taxation reporting "Ought Not to Pass" on Bill, "An Act to Permit Municipalities to Levy and Collect Service Charges for Certain Municipal Services from Tax Exempt Residential Property Used to Provide Rental Income" (H. P. 1403) (L. D. 1657)

Report was signed by the following Members:

Messrs. WYMAN of Washington  
MARTIN of Aroostook  
JACKSON of Cumberland  
— of the Senate.

Messrs. CAREY of Waterville  
MACKEL of Wells  
TWITCHELL of Norway  
IMMONEN of West Paris  
CARTER of Bangor  
MAXWELL of Jay  
TEAGUE of Fairfield  
— of the House.

Minority Report of the same Committee reporting "Ought to Pass" as amended by Committee Amendment "A" (H-674) on same Bill.

Report was signed by the following members:

Mrs. CHONKO of Topsham  
Mrs. POST of Owls Head  
Mr. COX of Brewer  
— of the House.

Reports were read.

Mr. Carey of Waterville moved that the Majority "Ought Not to Pass" Report be accepted.

On motion of the same gentleman, tabled pending his motion to accept the Majority Report and specially assigned for Monday, June 20.

#### Divided Report

Report "A" of the Committee on Labor reporting "Ought Not to Pass" on Bill, "An Act to Extend the Exemption for Certain Individuals Engaged in Fishing From Coverage Under the Employment Security and Workmen's Compensation Laws" (Emergency) (H. P. 198) (L. D. 259)

Report was signed by the following members:

Mr. Pray of Penobscot  
— Of the Senate.

Messrs. FLANAGAN of Portland  
LAFFIN of Westbrook  
DUTREMBLE of Biddeford  
McHENRY of Madawaska  
ELIAS of Madison  
— of the House.

Report "B" of the same Committee reporting "Ought to Pass" as amended by Committee Amendment "A" (H-673) on same Bill.

Report was signed by the following members:

Messrs. McNALLY of Hancock  
REDMOND of Somerset  
— of the Senate.

Mrs. TARR of Bridgton  
Messrs. PELTIER of Houlton  
BUSTIN of Augusta  
Mrs. BEAULIEU of Portland  
— of the House.

Reports were read.

The Speaker pro tem: The Chair recognizes the gentleman from Augusta, Mr. Bustin.

Mr. BUSTIN: Mr. Speaker, I move the House accept Report B, "Ought to Pass."

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

Mr. LAFFIN: Mr. Speaker, Ladies and Gentlemen of the House: It is kind of hard to debate a bill that was put in by the Acting Speaker; nevertheless, this bill should not pass. I don't believe that we as individuals who support the very fine programs on Unemployment

Compensation and benefits to workers should allow, whether it is a big company, a small company or an individual that hires seven, eight, nine or ten people whatever the case may be. I don't believe that it is in the best interest of those who are working for that individual, regardless of what they do for work. I don't care if they are a fisherman, a paper maker or a store worker. All people should be covered. It was the wisdom of previous legislatures to do away with exemptions, at one time we had four, or three whatever the case was, so that all workers should be covered.

I feel that today, if we let this bill slip by without having some debate on it, as to the pros and cons, we would be doing a terrible injustice to people who work for other people. I know that many times we feel that compassion takes the place of good common sense, which this House did yesterday, but nevertheless, I feel that this bill would be detrimental to some working people, maybe in one small incident, only a few, but when that number is multiplied by the large number of people working in the fishing industry, it amounts to a lot of bread winners and this is what we are talking about.

This bill had a very long hearing. We had the sponsor of this bill before us, I don't know how many times, and to a point I can sympathize with him but I think that we should act on good judgment, not compassion, but logical intelligent sense which would be best for those who are actually doing the work. This bill, as you can see, is well divided, and rightly so it should be.

I would urge the members of this House this morning not to follow the wishes of our very good chairman of the Labor Committee, whom each and every member has the greatest respect for on that committee. However, there comes a time when we must divide, because we as individuals can't always think alike, and therefore, ladies and gentlemen, I would move that we do not accept the chairman's recommendation.

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

Mr. BUSTIN: Mr. Speaker, Members of the House: It is indeed a rare circumstance when I and the minority leader of the Labor Committee do divide on a report.

This bill seems to me to be a relatively harmless one, I think it does provide a benefit for both the working people and the management of people in this one particular area. Now, if any of you are beginning at this early hour of the morning to become in the least interested in this bill, I could suggest that you would turn to it in your books 259, it was a bill which did two things.

In the first place it removed fishermen, not all fishermen, just fishermen who work for part of the catch, from the unemployment laws. Secondly, it exempted them from the Workman's Compensation Law. We have been wrestling with this in Committee for practically four months and, in fact, the Speaker Pro Tem strained the patience of the committee from time to time, he kept going to the federal government getting this opinion and that opinion. Finally, we arrived, at least the majority signers at what we felt was a good compromise. We took out of the bill entirely all reference to Workman's Compensation and we, instead, said that we would exempt certain individuals from the unemployment laws and these people, it is not all fishermen, the title of the bill says "Certain People", those who work for part of the catch and with Committee Amendment "A" on a vote of less than ten tons. Now this is a very small group of people, but as you know, when you are dealing down there on the coast, you have these rugged individualists and even the workers, they tell me, I am the first to admit

and I am sure Mr. Laffin will be on his feet, that none of them were there but we at least are told that even the fishermen who elect to work for part of the catch are not interested in having this workman's compensation and would prefer probably to have a higher percentage of the catch so for that purpose, I hope you will accept the Majority Report.

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

Mr. FLANAGAN: Mr. Speaker, Ladies and Gentlemen of this House: I signed the "Ought Not to Pass" on this particular bill after my question, which was asked in committee, will this bill hurt the security of any fisherman? And my answer from the sponsor was, yes, it will. Now, I don't believe that this legislature, or any legislature, having gone through the years in the past creating Unemployment Compensation and Workmen's Compensation to protect these people when they need it, knowing full well that without these programs, the responsibility would fall back onto the municipalities.

We did find the information in committee, a good reason why some of these people said that they want this bill, some of these fishermen want this bill, they want it because instead of getting their ordinary take, since the owner didn't have to pay the insurance, they would get a little bonus and, of course, with too many people we have found out that a few quick dollars is something that they enjoy a whole lot better than thinking ahead to their future and their security.

Now, I voted against this bill and I voted against the bill because in my estimation and the information that was passed on in committee had proven to me that it will hurt some people and I don't believe that some people should be hurt.

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

Mr. PERKINS: Mr. Speaker, Ladies and Gentlemen of the House: I rise today in favor of this bill because the gentleman from Stonington, the gentleman from Gouldsboro and myself, have through the years, been sponsoring legislation of this type which we feel will enable people with small boats and small fishing industry to get jobs. I think if you are truly interested in jobs for people, this would be legislation that you could wholeheartedly support and I think this is why we had the support of the gentleman from Augusta today.

I think this is a true example of people being protected to the point that they are protected right out of a job and maybe we should remove a little of this protection and let them have a chance to work because by working, they are then self-sufficient and they are not drawing on our welfare systems of one form or another. This is a system where the individual small fisherman, these are not large fishermen, this is not the large corporation who can provide the protection for the others and has the sophistication of big bookkeeping systems and accountants who can cover them for the numerous forms that they have to fill out in order to provide their day to day work, these are small individual fishermen under ten ton, who because of these regulations can't afford to hire another man because the paperwork is so monumental that they can't begin to understand it, let alone fill it out and conform. By this enabling legislation, if we can just keep a very small people off the welfare roll then I think we will have accomplished something. We will also have provided people with an opportunity and a means to become self sufficient during whatever season, whether it is the lobster season or the scallop season but it will enable these people to become self sufficient, I will repeat myself, to have a little pride in workmanship and the free enterprise system.

The SPEAKER pro tem: The Chair recognizes the gentleman from Kingfield, Mr. Dexter.

Mr. DEXTER: Mr. Speaker, Men and Women of the House: I stood here alone to defend a bill like this if you remember right. Where oh where was my support here a while ago? I represent rugged individuals, I am proud to be in the company today of that great gentleman from Augusta, Mr. Bustin, and I support him.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Portland, Mrs. Beaulieu.

Mrs. BEAULIEU: Mr. Speaker, Members of the House: I wish to correct something that was said earlier. It is true that when the question was asked, is this going to hurt people, the answer was yes. But because of the title of the bill, if you read it, it said: "to exempt people from coverage under the Employment Security and Workman's Compensation Laws." It was the Workman Compensation Law aspect of it that would hurt the people. If you can take the time to look at the amendment that is called upon for Report B, you will note that that exemption has been removed from the bill, and as it stands now, in my opinion, it will not hurt anyone.

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

Mr. LAFFIN: Mr. Speaker, Ladies and Gentlemen of the House: I would like to correct a couple of things that have been said here this morning. First of all, the Unemployment Compensation Program that we have in this state is not welfare. It has nothing to do whatsoever with welfare. This is a program that is set up to help people when they are out of work. We also have a program to help people when they get hurt on their jobs for insurance for these type of people and that is what we are talking about this morning. We are not talking about welfare, we are not talking about jobs, we are talking about people who are already working. We are not talking about that this is going to put people out of work, this has nothing to do with it. The bill that my good friend from Kingfield, who sits in front of me, that type of a bill is true, it is the same kind of a bill that this is. Now, are we going to exempt people in the logging industry? Are we going to exempt fishermen from being protected? Are we going to take it and then turn around and say "OK we have exempted these kind of people, now let us exempt storeowners, people that work for stores, people that work in the big department stores, the small ones? Is this going to start a precedent that we are going to start exempting these kind of people? I say no, because what you are doing then is you are taking away from the people the protection they so rightly deserve. That is what this bill is all about. We want all working people to be protected on insurance whether they are working on the docks or repairing their fishing nets, whether they get half of the take has nothing to do with it, in my opinion, and that is why I opposed it, because I want all the people protected. I am sure that the majority of the people who work for someone else want that same thing too. We are not talking this morning about letting them go on welfare. We are talking about working people and we have an obligation to see that laws are not weakened so that any group of people will not be protected by insurances, will not be protected for the work they so rightly do. That is the issue that we are talking about.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Owl's Head, Mrs. Post.

Mrs. POST: Mr. Speaker, Men and Women of the House: I agree with the statement that the good gentleman from Westbrook made in his speech, that we should act with good judgment and logic and common sense.

The question, some of you may remember hearing this debate a year ago when we were talking simply about lobstermen, the question is, whether or not, fishermen who go for a share of the catch on a small boat are, in fact, employees or are they self-employed. Up until a few years ago, the Internal Revenue Service had always considered them self-employed. That change came about in this Maine legislature which affected then the income tax and social security. This Maine legislature made the change last year which recognized what had been the prevailing attitude for many years before that, that when lobstermen were going for a share of the catch, they were, in fact, in more of a partnership type of arrangement and were not employees. We then said that there should not be withholding of their income tax. Then the federal government turned around and exempted all fishermen, I think when there were nine or ten in a boat, from Social Security and Income Tax. So, as far as the federal government is concerned, when you have nine or ten people in a boat now and they go for a share of the catch, they are not getting any weekly bonus or any kind of salary, strictly a share of the catch, then they are considered self-employed.

I think in some instances, the federal law went a bit far because on some of the larger boats, the men may have been considered employees, and as I indicated at the time of the hearing, we didn't know at that point that we wouldn't be able to deal with unemployment for a boat of more than ten ton.

I wouldn't support the bill if it were, in fact, going to deal with some of those larger boats because I think on some of those larger boats the men have been considered employees and it is more appropriate for them to be continued to be considered so and they should be covered by unemployment. However, with the smaller boats, you have an entirely different thing. You have a situation where maybe you have three or four lobstermen and they get together and go salting in the winter time because there is no way for them to lobster and you maybe have a couple of lobstermen who will get together and go ground fishing. They are not really employees and should not be considered so. Yet, under the present law, they are. So, what we are saying is, when fishermen get together and go fishing for a share of the catch, the Unemployment Compensation is not an appropriate mechanism to apply.

So what this bill does is it only deals with unemployment when they are going for a share of the catch and it is consistent with present federal law. Under present federal law now, there is no federal unemployment taxes for boats of ten tons or less, so this would be consistent with federal law.

So, I would ask that you accept the Report B, which is the "Ought to Pass" Report.

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

Mr. FLANAGAN: Mr. Speaker, Ladies and Gentlemen of the House: This bill is not a bill of large boats against small boats. It doesn't make any difference whether these boats are large or small. It takes men to work them, it is people that are working on them and it makes no difference whether these people are working on a small boat or a large boat. Now, we have seen fit to secure these people with programs of insurance. What I dislike, most of all, is the opportunity for these people to lose their Workman's Compensation insurance. They say, well, this is nothing, the owner can take out an insurance. All the workers can take out insurance on themselves. Well, we know from the experiences in the past, yes, they can, but do they? Now, the good thing about this Workman's Compensation Insurance that we have protecting our workers here is the fact

that when a worker is injured, yes, and even killed, his family is protected. There are many insurances on workman's compensation today that can be bought but they all don't protect the family.

Now, I have had the experience in my own home town of people getting hurt in the fishing industry and their families and themselves being secured to give them an opportunity to live a normal life. We are not talking about boats here, we are not talking about boat owners. We are talking about workmen, are they workmen? If they are workmen, shouldn't they have the security?

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

Mrs. TARR: Mr. Speaker, Men and Women of the House: We did not, in this bill, change anything about workmens compensation. This bill was very confusing, no doubt about that, I talked with the Speaker pro tem several times about the bill and as has been said here he appeared before our committee several times, this does not change anything with workmens compensation. I would not support a bill that did that, to fishermen or to anybody else. This bill deals only with the unemployment aspect of it, and they fish together, they shouldn't have to pay for unemployment. They are not actually employees, they are not hired by one another, it is very similar to the Sternmen thing we passed last year. So, in the report that Mr. Bustin and I are on together, I think you could support it.

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

Mr. HALL: Mr. Speaker, Ladies and Gentlemen of the House: I would like to pose a question to the Chairman of the Committee, if I may.

We had a bill go through here a short while ago. It was presented by my good seatmate Ed Dexter, in regard to relieving woodsmen with a small crew of up to five or six, from having to come under this, and it was turned down. Now, the question I would like to ask is: Is that bill different, is that bill in the same capacity as this one here?

The SPEAKER pro tem: The gentleman from Sangerville, Mr. Hall, posed a question through the Chair to anyone who may respond.

The Chair recognizes the gentlewoman from Owl's Head, Mrs. Post.

Mrs. POST: Mr. Speaker, Men and Women of the House: In the absence of the chairman, I am not familiar with how the federal government presently recognizes a small crew of loggers and I am assuming that they are considered employees as far as the federal government is concerned. With the situation that we have, and perhaps the gentleman from Dexter can perhaps give you a better answer, what we are trying to do is to bring this in line with the way that the federal government deals with fishermen who are fishing totally for a share of the catch and get no kind of salary, no kind of weekly base amount at all, it is strictly on a risk basis.

The SPEAKER pro tem: The Chair recognizes the gentleman from Kingfield, Mr. Dexter.

Mr. DEXTER: Mr. Speaker, Members of the House: In the eyes of the federal government, those rugged individuals manning the boats are just the same as the rugged individuals in the woods.

The SPEAKER pro tem: The pending question before the House is the motion of the gentleman from Augusta, Mr. Bustin, that the House accept Report "B", "Ought to Pass". The Chair will order a vote. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

Whereupon, Mr. Laffin of Westbrook requested a roll call.

The SPEAKER pro tem: A roll call has been

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

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

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

Mr. JOYCE: Mr. Speaker, I would like to pair my vote with the gentleman from Ellsworth, Mr. Silsby. If Mr. Silsby was here, he would be voting yes; and I would be voting no.

The SPEAKER pro tem: The pending question before the House is on the motion of the gentleman from Augusta, Mr. Bustin, that the House accept Report "B". Those in favor will vote yes; those opposed will vote no.

**ROLL CALL**

YEA — Aloupis, Ault, Austin, Bagley, Beaulieu, Benoit, Berry, Berube, Birt, Blodgett, Boudreau, A.; Boudreau, P.; Brown, K. L.; Bunker, Burns, Bustin, Carey, Carter, F.; Chonko, Churchill, Clark, Connors, Cote, Cunningham, Curran, Dexter, Diamond, Dow, Drinkwater, Durgin, Fenlason, Fowlie, Garsoe, Gill, Goodwin, H.; Goodwin, K.; Gould, Gray, Green, Greenlaw, Hickey, Higgins, Hobbins, Huber, Hughes, Hunter, Hutchings, Jackson, Jensen, Kany, Kerry, Kilcoyne, LaPlante, Lewis, Littlefield, Lizotte, Locke, MacEachern, Mackel, Marshall, Martin, A.; Masterman, Masterton, Maxwell, McBreairty, McKean, McMahan, McPherson, Mitchell, Morton, Nadeau, Nelson, N.; Norris, Palmer, Peltier, Perkins, Peterson, Plourde, Post, Prescott, Rideout, Rollins, Shute, Sewall, Silsby, Smith, Spencer, Sprowl, Stover, Strout, Tarbell, Tarr, Teague, Theriault, Torrey, Trafton, Valentine, Whittemore, Wilfong, Wood.

NAY — Bachrach, Brown, K. C.; Carroll, Carter, D.; Connolly, Cox, Dudley, Dutremble, Elias, Flanagan, Gauthier, Hall, Henderson, Howe, Jacques, Laffin, Lougee, McHenry, Najarian, Pearson, Quinn, Raymond, Stubbs, Talbot, Tierney, Tozier, Truman.

ABSENT — Bennett, Biron, Brenerman, Carrier, Davies, Devoe, Gillis, Immonen, Jalbert, Kane, LeBlanc, Lunt, Lynch, Mahany, Mills, Moody, Nelson, M.; Peakes, Twitchell, Tyndale, Wyman, The Speaker.

PAIRED — Joyce, Silsby.  
Yes, 99; No, 27; Absent, 22; Paired, 2.

The SPEAKER pro tem: Ninety-nine having voted in the affirmative and twenty-seven in the negative, with twenty-two being absent and two paired, Report B, "Ought to Pass" was accepted and the Bill read once.

Committee Amendment "A" (H-673) was read by the Clerk.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Owls Head, Mrs. Post.

Mrs. POST: Mr. Speaker, Men and Women of the House: It was my understanding that the Committee on Labor intended the 10 ton issue to reflect on the federal legislation and there was mistake in the drafting which I didn't notice until the bill came yesterday. I think the amendment has been distributed to the House. It is under filing H-696, and I would like to present House Amendment "A" to Committee Amendment "A", which brings the statutes more accurately into federal guidelines, as I understand was the intention of the Labor Committee.

Mrs. Post of Owls Head offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

House Amendment "A" to Committee Amendment "A" (H-696) 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 Monday, June 20.

**Divided Report**

Majority Report of the Committee on Labor reporting "Ought to Pass" on Bill "An Act Permitting Binding Arbitration for Public Employees in Critical Public Services" (H. P. 1317) (L. D. 1553)

Report was signed by the following members:

Mr. PRAY of Penobscot — of the Senate.

Messrs. ELIAS of Madison  
McHENRY of Madawaska  
LAFFIN of Westbrook  
BUSTIN of Augusta  
FLANAGAN of Portland  
Mrs. BEAULIEU of Portland — of the House.

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

Report was signed by the following members:

Mr. McNALLY of Hancock — of the Senate.

Mrs. TARR of Bridgton  
Mr. PELTIER of Houlton  
Mrs. LEWIS of Auburn — of the House

Reports were read.

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

Mr. BUSTIN: Mr. Speaker, I move that the House accept the Majority "Ought to Pass" Report.

Mr. Marshall of Millinocket requested a roll call vote.

The SPEAKER pro tem: 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 havint expressed a desire for a roll call, a roll call was ordered.

The SPEAKER pro tem: The pending question is on the motion of the gentleman from Augusta, Mr. Bustin, that the House accept the Majority "Ought to Pass" Report. Those in favor will vote yes; those opposed will vote no.

**ROLL CALL**

YEA — Bachrach, Beaulieu, Benoit, Berry, Berube, Biron, Blodgett, Boudreau, A.; Boudreau, P.; Brenerman, Brown, K. C.; Burns, Bustin, Carey, Carroll, Carter, D.; Chonko, Clark, Connolly, Cote, Cox, Curran, Diamond, Dow, Elias, Fenlason, Flanagan, Fowlie, Goodwin, H.; Goodwin, K.; Green, Greenlaw, Hall, Henderson, Hickey, Hobbins, Howe, Hughes, Jacques, Jensen, Joyce, Kany, Kilcoyne, Laffin, LaPlante, Lizotte, Locke, MacEachern, Martin, A.; Maxwell, McHenry, McKean, McMahan, Mitchell, Nadeau, Najarian, Nelson, N.; Post, Prescott, Quinn, Raymond, Spencer, Stubbs, Talbot, Teague, Theriault, Tierney, Trafton, Truman, Valentine, Wilfong, Wood, Wyman.

NAY — Aloupis, Ault, Austin, Birt, Brown, K.L.; Bunker, Carter, F.; Connors, Cunningham, Dexter, Drinkwater, Dudley, Durgin, Garsoe, Gauthier, Gill, Gould, Gray, Higgins, Hunter, Hutchings, Jackson, Lewis, Littlefield, Lougee, Mackel, Marshall, Masterman, Masterton, McPherson, Morton, Palmer, Pearson, Peltier, Perkins, Peterson, Plourde, Rideout, Rollins, Sewall, Shute, Smith, Sprowl, Stover, Strout, Tarbell, Tarr, Torrey, Tozier, Whittemore.

ABSENT — Bagley, Bennett, Carrier, Churchill, Davies, Devoe, Dutremble, Gillis, Huber, Immonen, Jalbert, Kane, Kelleher, Kerry, LeBlanc, Lunt, Lynch, Mahany, McBreairty, Mills, Moody, Nelson, M.; Norris,

Peakes, Silsby, Twitchell, Tyndale, The Speaker.

Yes, 73; No, 50; Absent, 28.

The SPEAKER pro tem: Seventy-three having voted in the affirmative and fifty in the negative, with twenty-eight being absent, the motion does prevail.

Thereupon, the Bill read once and assigned for second reading Monday, June 20.

#### Divided Report Tabled and Assigned

Majority Report of the Committee on Labor reporting "Ought to Pass" on Bill "An Act Concerning Arbitration for Municipal Fire Departments" (H. P. 522) (L. D. 640)

Report was signed by the following members:

Mr. PRAY of Penobscot

— of the Senate.

Mr. ELIAS of Madison  
McHENRY of Madawaska  
LAFFIN of Westbrook  
FLANAGAN of Portland

Mrs. BEAULIEU of Portland

Mr. BUSTIN of Augusta

— of the House.

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

Report was signed by the following members:

Mr. McNALLY of Hancock

— of the Senate.

Mrs. TARR of Bridgton

Mr. PELTIER of Houlton

— of the House.

Reports were read.

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

Mr. BUSTIN: Mr. Speaker, I move that the House accept the Majority "Ought to Pass" Report. Since this bill is sponsored by the gentleman from Lewiston, Mr. Jalbert, I would ask that my assistant leader table this for one legislative day.

On motion of Mr. Quinn of Gorham, tabled pending the motion of the gentleman from Augusta, Mr. Bustin that the House accept the Majority "Ought to Pass" Report and specially assigned for Monday, June 20.

#### Consent Calendar First Day

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

(H. P. 1230) (L. D. 1475) Bill "An Act to Expand the Availability of Certain Social Services by Increasing Income Eligibility" — Committee on Health and Institutional Services reporting "Ought to Pass" as amended by Committee Amendment "A" (H-672)

(H. P. 740) (L. D. 945) Bill "An Act to Provide for Tourism, Promotion and Information Services" — Committee on Appropriations and Financial Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (H-671)

(H. P. 1407) (L. D. 1565) Bill "An Act to Assist Municipalities in the Acquisition of Land or Interests in Land" — Committee on Taxation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-675)

(H. P. 610) (L. D. 747) Bill "An Act Relating to the Right of Public and Private Residential Care Facilities to Provide Special Education" — Committee on Education reporting "Ought to Pass" as amended by Committee Amendment "A" (H-679)

(H. P. 547) (L. D. 664) Bill "An Act Concerning Solicitation by Law Enforcement Officers" — Committee on Business Legislation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-678)

(H. P. 1397) (L. D. 1658) RESOLUTION,

Proposing an Amendment to the Constitution to Delegate Certain Emergency Budgetary Powers to a Joint Legislative Committee — Committee on State Government reporting "Ought to Pass" as amended by Committee Amendment "A" (H-676)

(H. P. 1391) (L. D. 1618) Bill "An Act to Provide Legislative Oversight of Appropriated Fund Transfers" — Committee on State Government reporting "Ought to Pass" as amended by Committee Amendment "A" (H-680)

(H. P. 527) (L. D. 657) Bill "An Act to Amend the Statutes Relating to Airmobiles" — Committee on Natural Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (H-681)

No objections being noted, the above items were ordered to appear on the Consent Calendar of June 20, under listing of the Second Day.

(H. P. 1451) (L. D. 1736) Bill "An Act Relating to Charitable Solicitations" — Committee on Business Legislation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-690)

On objection of Mr. Biron of Lewiston, was removed from Consent Calendar.

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

Committee Amendment "A" (H-690) was read by the Clerk and adopted and the Bill assigned for second reading Monday, June 20th.

(H. P. 795) (L. D. 939) Bill "An Act to Establish a Maine Veterans Home" — Committee on Veterans and Retirement reporting "Ought to Pass" as amended by Committee Amendment "A" (H-691)

No objection being noted, the above item was ordered to appear on the Consent Calendar of June 20, under listing of 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. 1279) (L. D. 1510) Bill "An Act to Repeal Certain Laws Relating to Local and County Government" (C. "A" H-645)

On the objection of Mr. Henderson of Bangor, was taken from the Consent Calendar, Second Day.

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

Committee Amendment "A" (H-645) was read by the Clerk.

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

Mr. HENDERSON: Mr. Speaker, Ladies and Gentlemen of the House: I would like to call your attention to this bill and also there will be an amendment offered tomorrow in Second Reading. This is what you might call an Errors and Inconsistencies Bill with respect to Local and County Government but I want to point out that it is not strictly speaking errors and inconsistencies, that there are some other minor substantive matters in here and I just want to call it to your attention so that you can review it and be aware of them if you have any objections to them.

Thereupon, Committee Amendment "A" was adopted and the Bill assigned for second reading Monday, June 20th.

(H. P. 435) (L. D. 542) Bill "An Act to Redefine 'Wages' to Include Fringe Benefits" (C. "A" H-643)

(H. P. 1547) (L. D. 1772) Bill "An Act Relating to Training, Counseling and Managerial Service Programs in State Government"

(H. P. 570) (L. D. 694) Bill "An Act to

Redefine the Designation of Beneficiaries of Priority Social Services"

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

(H. P. 1236) (L. D. 1389) Bill "An Act Relating to the Administration of Medication" (C. "A" H-640)

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-640) was read by the Clerk and adopted and the Bill assigned for second reading Monday, June 20th.

(H. P. 638) (L. D. 820) Bill "An Act to Revise and Clarify Portions of the Workmen's Compensation Act" (C. "A" H-642)

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

Thereupon, the Report was accepted and the Bill read once. Committee Amendment "A" (H-642) was read by the Clerk and adopted and the Bill assigned for second reading Monday, June 20th.

(H. P. 390) (L. D. 479) Bill "An Act Concerning an Exemption from the Real Estate Transfer Tax"

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

Thereupon, the Report was accepted, the Bill read once and assigned for second reading Monday, June 20th.

(H. P. 1476) (L. D. 1709) Resolve, to Authorize the Maine Guarantee Authority to Issue a Payment in Lieu of Taxes to the Town of Pittsfield

No objection being noted at the end of the Second Legislative Day, the House Paper was passed to be engrossed and sent up for concurrence.

(H. P. 1124) (L. D. 1342) Bill "An Act to Require an Annual Adjustment in the Standards of Need for Families Receiving Aid to Dependent Children" (C. "A" H-653)

On the objection of Mr. Higgins of Scarborough, was removed from the Consent Calendar.

Thereupon, the Report was accepted and the Bill read once. Committee Amendment "A" (H-653) was read by the Clerk and adopted and the Bill assigned for second reading Monday, June 20th.

#### Tabled and Assigned

(S. P. 317) (L. D. 1075) Bill "An Act to Base Adjustments of Teacher and State Employee Retirement Allowances on the Consumer Price Index" (C. "A" S-236)

On the objection of Mr. Garsoe of Cumberland, was removed from the Consent Calendar.

Thereupon, the Report was accepted and the Bill read once. Committee Amendment "A" (S-236) was read by the Clerk.

On motion of Mr. Garsoe of Cumberland, tabled pending adoption of Committee Amendment "A" and specially assigned for Monday, June 20th.

(H. P. 1367) (L. D. 1596) Bill "An Act Relating to Irreconcilable Marital Differences as Grounds for Divorce and Mental Illness as an Impediment to Divorce (C. "A" H-658)

No objection being noted at the end of the Second Legislative Day, the House Paper was passed to be engrossed and sent up for concurrence.



(H. P. 1009) (L. D. 1212) Resolution, Proposing an Amendment to the Constitution Allowing the Legislature to Impose a Different Rate of Taxation Upon Properties Outside of Incorporated Municipalities and Plantations (C "A" H-659)

On the objection of Mrs. Post of Owl's Head, was removed from the consent Calendar.

Thereupon, the Report was accepted and the Bill read once. Committee Amendment "A" (H-659) was read by the Clerk and adopted and the Bill assigned for second reading Monday, June 20th.

(H. P. 654) (L. D. 797) Bill "An Act to Terminate Administration of the Industrialized Housing Law" (C "A" H-662)

(S. P. 441) (L. D. 1552) Bill "An Act to Provide for Marine Resources Education by the Department of Marine Resources and to Establish a Marine Communication Center" (C "A" S-253)

(S. P. 374) (L. D. 1218) Bill "An Act to Allow Public Inspection of Absentee Ballot Applications and Envelopes" (C "A" S-249)

(S. P. 339) (L. D. 1124) Bill "An Act to Require Implementation of Standards of Treatment for Residential Drug Treatment Centers Related to Special Education" (C "A" S-241)

No objections being noted at the end of the Second Legislative Day, the Senate Papers were passed to be engrossed in concurrence and the House Paper was passed to be engrossed and sent up for concurrence.

(S. P. 342) (L. D. 1126) Bill "An Act to Provide for Special Education Facilities for Children at Drug Treatment Centers" (C "A" S-242)

On the objection of Mr. Green of Auburn, was removed from the Consent Calendar.

Thereupon, the Report was accepted and the Bill read once. Committee Amendment "A" (S-242) was read by the Clerk and adopted and the Bill assigned for second reading Monday, June 20th.

(S. P. 116) (L. D. 275) Bill "An Act Amending the Maine Property Insurance Cancellation Control Act" (C "A" S-243)

(S. P. 101) (L. D. 230) Bill "An Act Relating to Valuation of Real Estate Held by Insurers" (C "A" S-248)

(S. P. 117) (L. D. 276) Bill "An Act to Make Certain Revisions in Highway Related Laws Concerning State Aid Funds" (C "A" S-246)

No objections being noted at the end of the Second Legislative Day, the Senate Papers were passed to be engrossed in concurrence.

#### Second Reader

##### Later today Assigned

Bill "An Act to Amend the Powers and Duties of the Maine Committee on Aging" (H. P. 229) (L. D. 292)

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

On motion of Mr. Burns of Anson, tabled pending passage to be engrossed and later today assigned.

##### Passed to Be Engrossed

Bill "An Act to Clarify Certain Statutory Provisions for the Licensing of Camps, Eating and Lodging Places" (H. P. 1260) (L. D. 1489)

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

Mrs. Post of Owls Head offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-695) was read by the Clerk.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Owls Head, Mrs. Post.

Mrs. POST: Mr. Speaker, Men and Women of

the House: The title of this bill is "An Act to Clarify Certain Statutory Provisions for the Licensing of Camps, Eating and Lodging Places," and although Sections 2 through 6 do, in fact, clarify the statutory provisions, Section 1 goes much further, in that it broadens considerably the power of the department for licensing of eating establishments. What that section does essentially is, at the present time, the department does not license eating establishments which either prepare or serve the public for consumption off premises. It doesn't license a hot dog stand, it doesn't license a stand on the beach maybe that sells sandwiches and this bill would give the power to the department to do that. What that essentially means is that if you have a little corner store that maybe makes up sandwiches for sale or maybe some cookies, they would have to get a license from the Department of Human Services in order to continue practice.

Now, as I understand it, the department has come in and said "well these regulations are going to be very reasonable." However, my experience with regulations promulgated by the departments is that they are not necessarily reasonable. I will tell you the kinds of situations that you can get into.

Before I came to the legislature, I ran a day care center and we had a very small kitchen. The kitchen was probably about 10 or 15 feet long, there was barely room enough for one person to work in because it was a small day care center. We had to have three sinks in that kitchen, even though about 20 feet away, there was another sink in the bathroom. We had to have one sink for washing dishes and then another sink for rinsing dishes even though we had a dishwasher and then we had to have another sink for the cook to wash, we only had one cook, their hands, because they couldn't wash their hands in the sinks that was either for rinsing or washing dishes and they couldn't rinse their hands in the bathroom. So, what little counter space we had was actually sink space by the time we got through.

We heard this bill in Health and Institutions last year and I certainly wasn't convinced at that time, that there was any need for the department to get into this area. All that my amendment does, essentially, is take out that Section 1 and really make the department a little bit more honest in that this is an act to clarify certain statutory provisions.

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

Mr. GOODWIN: Mr. Speaker, I move the indefinite postponement of this amendment.

The department did come in with this bill. I do feel it does clarify the existing statutes because there is a lot of confusion in the field right now in relation to this particular section of the law. The law right now requires that any eating place establishment shall mean any place where food or drink is prepared and served to the public for consumption on the premises and that is the catch right there "on the premises". Any type of eating establishment whether it be in a boarding home or a boarding house, a restaurant, a mobile eating place such as a hot dog cart or one of those trucks that go around to various factories, a short order cafe or luncheonette, everything that comes under this, except for a stationary hot dog stand, a pizza place or what have you, that doesn't allow a person to eat on the premises.

What this means is that you could have in your town or city a place that makes pizzas and Italian sandwiches and has a couple of tables in there or even a counter that a person can lean up against and that place has to be licensed, O.K.? That has to be inspected and meet the requirements of the Health Sanitation Code. But if

that person takes out those tables and that counter, then they don't have to meet the standards. I think this is a major inconsistency in the law. We have this law on the books in an attempt to protect the public health. Now, if you feel that there is no reason why, if you go to a hot dog stand and you can't eat the hot dog right there, that hot dog should not have been prepared in a clean and sanitary environment, then they might as well repeal the whole law because if that is the case, then there is no reason if you are going to go to Deering Ice Cream and sit down and have a hot dog that they should have to meet the same requirements. I think there is this inconsistency in the law.

I realize in the last session, I did support the committee in reporting this "Ought Not to Pass," I didn't feel the department had made a case for this change. However, after talking this time with a couple of pizza places in my town, I received some letters on it from various people who feel there is this inconsistency in the law and talking with the department who have had cases of people, reported cases, where people have had food poisoning and they got complaints from people who felt they had gotten some bad food, I think it is about time that we take this step. I don't think it is going to affect that many places.

I will give you an example of how inconsistent the law is, and this is based mainly on Attorney General rulings. One case, Old Orchard, which has, as many of you who have been there in the summer, have a variety of little stands all around — the pier, french fries and various pizza places and things like this. The AG rules that because that is all in one central location and even if you don't eat inside a building where you get your pizza, you are walking down the sidewalk, that that is considered on the premise so everybody within that section of Old Orchard has to be inspected and licensed. Yet, if the same stand was say going up to Route 1 a little ways and they just there wouldn't have to be. Is there that big a difference in the type of food? I just don't see where the difference is. I think if we are going to have these laws on the books to require that food that is prepared on the premises and served to the public is prepared in a clean and sanitary manner, then I think that we would clear up this inconsistency in the law.

I have got some copies of the rules and regulations for anybody who wants to look at them. They cover things such as the health of the employees, whether or not they are supposed to work there, if they are known carriers of various communicable diseases, the cleanliness, the food protection, preparation, storage of food and this type of thing. And I think that it is about time that we clear up this inconsistency and move ahead with this bill.

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

Mr. GARSOE: Mr. Speaker, Ladies and Gentlemen: I want to give an example too. I have a little old lady in Harpswell who runs a take-out ice cream stand and for the two sessions I have been up here, I have had to go down there after each session and explain why we have done what we have done to her. We have put her business in jeopardy each time we have been up here. To my knowledge, she has never poisoned a soul, she is eeking out her income on her own initiative. I don't want to have to go back there after this session and tell her that in order to standardize the laws to erase inequities, we are going to do this to that little old lady.

I hope we can respond to the gentlelady from Owl's Head and put this very sensible amendment onto the bill.

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

Mr. McKEAN: Mr. Speaker, Ladies and Gentlemen of the House: There are a lot of things in this bill that it doesn't tell you. It doesn't tell you that it costs \$22.50 for the license, or \$17.50. It doesn't tell you that it costs \$22.50 to have the water tested to get the license. So there are a lot of things that the bill doesn't tell you.

I think in order to speak on something like this there should be just a small manner of expertise. Well, I own a grocery store and I sell sandwiches and these are the sandwiches that are sealed when they come into the store, they are sealed when they are put into the coolers, the coolers are inspected by the federal inspectors, they are put into an infra red machine, they are cooked, they are taken out of the store in the same way, they are not even touched. So there are a lot of things that this bill doesn't tell you. This is just another measure to stifle the small business in the state of Maine. We are going to license them right out of business. These people contribute a lot of money to the coffers of this state.

I would urge you to support Mrs. Post in her proposed amendment.

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

Mr. GOODWIN: Mr. Speaker, Members of the House: I would like to respond to the two previous gentlemen. First, to Representative McKean, as long as the food that comes into his store is already packaged, already wrapped up, he would not come under this. If that food is not prepared on the premise, then this store would not come under this section of the law.

Second, to Representative Garsoe, I understand his concern. All I want to say is this, if that little old lady put a picnic table out in front of her ice cream stand, then she would come under this. I don't know if ice cream would come under this, but let's say if she served hot dogs, if she put a picnic table for persons to sit down, then she would come under this. What I am pointing out is the fact that we are not trying to differentiate between the size or the type of food or anything. The way the law is written now, it just means that if you have a picnic table out there you come under this, and if you take that picnic table off and put a sign there so no one can sit in the parking lot and eat that ice cream or that hot dog, then they don't come under the law. This is the inconsistency of this whole thing. Damon's, right here in Augusta, has voluntarily asked to be licensed and they meet the requirements because of the problem that people were sitting out after they got a sandwich, they would sit on their driveway and eat that sandwich. So, they didn't want to keep running out to tell the people that they couldn't sit there in their cars and eat their pizza or their sandwich there. This is the problem with the law. It is not a matter that we are trying to close down people or anything of this nature. It is just a matter of this inconsistency.

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

Mr. McKEAN: Mr. Speaker, Ladies and Gentlemen of the House: The secret is in the word "preparation". When you put your sandwiches or your food that are sealed into an infra red or a microwave oven, the department says you are preparing it and that is a portion of the preparation process. Therefore, you would come under the rules as set forth by this L. D.

Again, I urge you to support Mrs. Post.

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

Mr. CONNORS: Mr. Speaker. I would like to ask a question through the Chair. If we accept this amendment, which I think we should, but if we accept this amendment, then what dif-

ference is there between the present law and this proposed clarification of the law?

The SPEAKER pro tem: The gentleman from Franklin, Mr. Connors, has posed a question to the Chair.

The Chair recognizes the gentlewoman from Owls Head, Mrs. Post.

Mrs. POST: Mr. Speaker, Men and Women of the House: It is my understanding that if we accept this amendment, as far as take-out service, or the non-requirement for a license for take out service goes, the law will stay the same. The rest of the bill is more of a housekeeping bill for the department dealing with other issues, such as, license renewals and clarifying the authority of the department to promulgate regulations, etc.

My amendment only deals with the section as far as take-out service goes, and in relation to that issue, the law will stay the same.

Mr. Goodwin of South Berwick was granted permission to speak a third time.

Mr. GOODWIN: Mr. Speaker and Members of the House: The rest of the bill, and I want to thank the good lady from Owls Head that she didn't just move to indefinitely postpone the bill in its entirety, because the rest of the bill, basically, clarifies some recommendations made by the Attorney General to the Department of Human Services to help clarify some of the issuances of licenses, to allow them to clarify the issuance between a temporary and a conditional license, to set up a licensing procedure whereby they can issue their licenses quarterly rather than as they come due. The reason they wanted this is it is a sort of management type of thing where they can deal with one particular type of license in one particular period of time, where right now, when someone's license in Presque Isle comes due and someone's license in Machias comes due, they have to do both those on the same day or at the same time. This would allow them to sort of group the licenses together and say for the seasonal ones, they could do them at the end of the first quarter so everybody would get them ready for the summer. Then they would deal with other ones at different quarters.

Also, under Section 5, it puts in some language that more clearly clarifies why the department is licensing eating establishments. The Attorney General requested this after some cases he was handling in regards to a court case called Small vs. the Board of Optometry in which the court ruled that you must have a more clearly defined guideline by which you develop your regulations.

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

Mr. CONNORS: Mr. Speaker, Ladies and Gentlemen of the House: I thank Representative Goodwin for his answer.

The reason I asked this question, when you come down to some of these things, I get a little leery because, two years ago, I testified in opposition to a bill in front of state government, I believe, on licensing of lodging, eating places, adult recreation camps and so forth, and at that time, there was to be I think a \$2.50 increase in the license fees. I am licensed as an adult recreation camp. Well, last year when I got my bill for my new adult recreation license, it was thirty odd dollars and I have not yet questioned where that came from but I am going to. This is why I get a little skittish of some of these things.

The SPEAKER pro tem: The Chair will order a vote. The pending question before the House is the motion of the gentleman from South Berwick, that House Amendment "A" be indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

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

Whereupon, House Amendment "A" was adopted.

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

Bill "An Act to Continue the Division of Special Investigations within the Department of Public Safety" (S. P. 552) (L. D. 1882)

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

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

House Amendment "A" (H-682) was read by the Clerk.

The SPEAKER Pro Tem: The Chair recognizes the gentlewoman from Bath, Ms. Goodwin.

Ms. GOODWIN: Mr. Speaker, I move the indefinite postponement of House Amendment "A".

This is a bill which was before the Appropriations Committee. The original bill which came before us was to put the Division of Special Investigations, and for those of you who are not aware of that, that is the unit which investigates violations of the drug laws, into the Attorney General's Office. The Appropriations Committee felt that it was not appropriate to have both the investigators and enforcement divisions incorporated into the same office which would also have the prosecutorial functions. So we decided to maintain it within the Department of Public Safety. It has been funded in the past by LEAA and if you notice in the appropriation that first year is \$80,000 less, that is because there is still \$80,000 dollars left in the LEAA money. We also reduced the position count from five to three.

What the amendment, which Mr. Joyce presents, will do, is to strike the portion of the bill which sets up a board of directors for the Division of Special Investigations and I feel that if this amendment does pass, then really the entire purpose of the bill is gutted. The board of directors will be made up of local law enforcement officials, municipal police officers and sheriffs, and the whole purpose of this unit, of this bill, is to help the local sheriffs or the local police departments in enforcing drug laws and we feel that if we don't have this board of directors to advise the Commissioner of Public Safety, there will be no input from the local agencies and we feel that this would also help to insure cooperation between the local agencies and the Commissioner of Public Safety. Even under the bill as we brought it out of the Appropriations Committee, which sets up the board of directors to insure that cooperation and input from the local officials, the Commissioner of Public Safety shall exercise overall administrative and operational supervision of the division. We feel that he does have enough authority, under the bill as it stands, but we feel that board of directors made up of local enforcement officials is very important to insure cooperation and the best enforcement possible for drug laws in the State of Maine.

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

Mr. JOYCE: Mr. Speaker, Ladies and Gentlemen of the House: I feel this is a good bill. I feel that the amendment will make it better. I read through the bill and I could see a lot of problems with it. I am familiar with the Special Investigation Unit and how it has operated over the past several years.

My concern now is, that what is being transferred to the Department of Public Safety is really being transferred to the state police and I think this is the proper place for it. Law enforcement units all over Maine have an excellent working rapport with the Maine State Police. Let us leave it that way.

The way the bill is, when it came out of the committee, I see it as having too many chiefs. Nine representatives and they go through a litany of how you have to find them. The Director of Public Safety is a capable individual and should have the sole responsibility of managing each unit within his organization. The responsibility for proper functioning of the special investigation unit should rest solely with the Commissioner of Public Safety. You are integrating this division into the present structure of the Department of Public Safety, and my feeling is, you are making it too cumbersome. When you are transferring it from the old system to the new, you are transferring the whole board. I don't want a board of two or ten or twenty people telling the Chief of the State Police how to do his job. I think if there is a foul up on this unit. As in any unit, you have to look up and see where the buck stops, and it has to stop, in this instance, with the director of the department. I don't think you have to look through a board of directors on this. This is mainly taking care of the drug situation. I feel it is a foot in the door. I don't want a board of directors in every division over there. You don't need a chief if you are going to run it that way. It looks like they are trying to put a board of directors in there and making them a working board, this kind of disturbs me.

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

Mr. BURNS: Mr. Speaker, Ladies and Gentlemen of the House: I hope you will vote against the motion to indefinitely postpone House Amendment "A", for several reasons. Mainly, I would like to go over briefly what the gentleman from Portland, Mr. Joyce, stated. It appeared to me to be somewhat confusing because he was referring back and forth between the Commissioner of Public Safety and the Chief of State Police. It is very true, they have been one and the same individual since the office has been created. However, I don't believe that this is what should be and we will address that down the road. I firmly feel that this unit should be under the Commissioner of Public Safety and not under the direction of the Chief of the State Police. I don't believe this board is necessary because when we wrote the law in the 107th in regards to the duties and responsibilities of the Commissioner of Public Safety, we included very specifically in there that he was to coordinate and work in harmony with all of the other law enforcement agencies within the state. This unit has been functioning very well, up to date, in the manner which it is currently placed into the authority lines and they have been operating without a board of directors. It has worked out very well in our county, in Somerset County, and I have heard nothing about it being bad in any other area, so I do hope that you do not indefinitely postpone this amendment.

The SPEAKER pro tem: The Chair will order a vote. The pending question before the House is the motion of the gentlewoman from Bath, Ms. Goodwin, to indefinitely postpone House Amendment "A". Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

Mr. Boudreau of Waterville requested a roll call.

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

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

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

Mr. HIGGINS: Mr. Speaker, Ladies and Gentlemen of the House: I hope you will indefinitely postpone this amendment today. If you should happen to add this amendment, you have gutted the entire context of this bill.

The good gentleman from Portland has indicated that this board is cumbersome, it is not needed and it is another bureaucracy to some extent. I submit to you that the board is working well now. It has the support of the Department of Public Safety. The existing board is very much in favor of it. The reasons for the board are strictly advisory. They aren't telling the Department of Public Safety or the Attorney General or anyone else what to do. They are advising them in the matters of drug control and trafficking within the State of Maine.

In addition to that, it is these people, the board of directors, that is made up of nine representatives of municipal police chiefs, sheriffs or district attorneys from throughout the state, it is these people who are, in fact, supplying the manpower to a great extent in enforcing these laws. Without those nine representatives, you don't need the Department of Special Investigation because there is not going to be anybody out there to do the work. I think if you adopt the amendment, you would be well advised to kill the whole bill. I don't think that is the intent of this legislature.

I hope you will vote to indefinitely postpone this amendment so we can let the bill go on its way.

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

Mr. JOYCE: Mr. Speaker, Ladies and Gentlemen of the House: This is a law enforcement bill. We have one chief in charge of the public safety unit. We don't need a collection of chiefs. We have a top law enforcement officer over there on State Street. We passed legislation this session to enable him to swear, under oath, any law enforcement officer in the state. The purpose of that legislation was to give him fresh undercover people to work on the drug problems.

The Special Investigation Unit was mostly federally funded. They were the big spenders. They have not been given more money. Rather than as an independent unit, we are transferring them over to the Commissioner of Public Safety and that is good. We don't have to move over a board of directors to put them in there. There is no level in the state police operation of this state for a board of directors outside the department.

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

Mr. MORTON: Mr. Speaker, Ladies and Gentlemen of the House: I just want to reemphasize what has been said by the gentleman from Scarborough.

The bill, as it came out of committee, which includes the board of directors under Section one of Page 2 giving the duties of the board of directors is very clear. Its responsibility is to assist the division to provide guidelines, to act in an advisory capacity, to provide operational guidance, to participate directly in the selection of the director and the deputy director and to establish rules and regulations for its own activities. It doesn't mandate any controls over the Chief Commissioner of Public Safety or anyone else.

But I want to emphasize again what the gentleman said. The vast bulk of the people utilized under this bill, and you will note if you will just take a glance at the fiscal note, that the great bulk of the monies under this bill are for all other. The vast bulk of the people utilized here are not in our own personal services line but they are temporary, hired from municipal police departments, county sheriffs departments, trained law officers who are coming in under this L.E.A.A. to provide them a large

pool of not easily identified operatives. That is the whole reason, to have this coordination between the sheriffs and the municipal police departments and the state. I think it is absolutely necessary to have this board and I certainly hope that you will indefinitely postpone this amendment.

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

Mr. HIGGINS: Mr. Speaker, Ladies and Gentlemen of the House: In conclusion, I would just like to add that this board has been in effect since the inception of this piece of legislation years ago. Everyone is in favor of it, the department of public safety, the police chiefs throughout the state.

At the public hearing, there was no one there saying they didn't want the board. The board is an active viable aid to the State of Maine. I would just like to make my feelings known that I wonder how willing local police chiefs, district attorneys and county law enforcement people throughout the state, how willing are these people going to be to supply the help and the assistance to the state if they aren't granted some input into the way in which this system is managed?

I think if the amendment should be adopted and we wish for some reason to keep the bill, then we should consider adding a good deal more state money into this because we are going to have to hire a lot of people on our own to do the work because the local people are not going to want to do it unless they have some input.

The SPEAKER pro tem: A roll call has been ordered. The pending question is on the motion of the gentlewoman from Bath, Ms. Goodwin, that House Amendment "A" be indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Aloupis, Ault, Austin, Bachrach, Bagley, Beaulieu, Bennett, Benoit, Berry, Berube, Birt, Boudreau, P.; Brenerman, Brown, K. L.; Brown, K. C.; Bunker, Bustin, Carroll, Carter, D.; Carter, F.; Chonko, Churchill, Clark, Connors, Cote, Cox, Cunningham, Curran, Davies, Dexter, Diamond, Dow, Drinkwater, Dudley, Durgin, Elias, Fenlason, Fowlie, Garsoe, Gill, Goodwin, H.; Goodwin, K.; Gould, Gray, Greenlaw, Henderson, Hickey, Higgins, Hunter, Hutchings, Immonen, Jackson, Jacques, Kany, Kilcoyne, Lewis, Littlefield, Locke, Lougee, Mackel, Marshall, Masterton, Maxwell, McBrearty, McMahon, McPherson, Mitchell, Morton, Nadeau, Najarian, Nelson, M.; Palmer, Pearson, Peltier, Perkins, Peterson, Plourde, Post, Prescott, Raymond, Rideout, Rollins, Sewall, Shute, Smith, Sprowl, Stover, Stubbs, Tarbell, Tarr, Teague, Theriault, Tierney, Torrey, Tozier, Trafton, Valentine, Whittemore, Wilfong, Wood, Wyman.

NAY — Biron, Blodgett, Boudreau, A.; Burns, Connolly, Dutremble, Flanagan, Gauthier, Green, Hall, Hobbins, Howe, Huber, Hughes, Joyce, Kerry, Laffin, LaPlante, Lizotte, MacEachern, Masterman, McHenry, McKean, Nelson, N.; Quinn, Spencer, Talbot, Truman.

ABSENT — Carey, Carrier, Devoe, Gillis, Jalbert, Jensen, Kane, Kelleher, LeBlanc, Lunt, Lynch, Mahany, Martin, A.; Mills, Moody, Norris, Peakes, Silsby, Strout, Twitchell, Tyndale.

Yes, 101; No, 28; Absent, 21.

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

Thereupon, the Bill was passed to be engrossed and sent to the Senate.

#### Amended Bills

Bill "An Act to Regulate Affiliated Interests

of Public Utilities" (S. P. 539) (L. D. 1870) (S. "B" S-240)

Bill "An Act Regarding the Sales Tax for Sales Made Through Vending Machines" (S. P. 396) (L. D. 1355) (S. "A" S-239 to C. "A" S-214)

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

#### Tabled and Assigned

Bill "An Act to Control Conversion of Seasonal Dwellings to Year-round Use in Shoreland Areas" (H. P. 1385) (L. D. 1573) (C. "A" H-628)

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

On motion of Mr. Garsoe of Cumberland, tabled pending passage to be engrossed and specially assigned for Monday, June 20th.

Bill "An Act Concerning Standards for the Measurement of Wood and Providing for a Standard Contract for Use Between Paper Companies and Wood Supplies" (H. P. 1337) (L. D. 1650) (C. "A" H-624)

Bill "An Act to Clarify the Authority of the Board of Registration in Medicine to Conduct Programs of Medical Education" (H. P. 1349) (L. D. 1621) (C. "B" H-619)

RESOLVE, to Provide for the Development of Recommendations on Coastal Policy Issues (Emergency) (H. P. 1384) (L. D. 1664) (C. "A" H-626)

Bill "An Act to Provide for a Sales Tax Rebate for Machinery and Equipment used in Commercial Fishing" (H. P. 1405) (L. D. 1614) (C. "A" H-649)

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.

#### Tabled and Assigned

Bill "An Act Relating to Taxable Personal Property" (H. P. 851) (L. D. 1042) (C. "A" H-647)

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

On motion of Mrs. Post of Owls Head, tabled pending passage to be engrossed as amended and specially assigned for Monday, June 20th.

Bill "An Act to Eliminate Dissimilar and Inequitable Taxation of Mobile Homes Owned by Maine Homeowners" (H. P. 1401) (L. D. 1656) (C. "A" H-650)

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.

#### Second Reader

##### Indefinitely Postponed

Bill "An Act to Provide Tax Incentives for Energy Efficient Automobiles" (H. P. 908) (L. D. 1107) (C. "A" H-655)

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

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

Mr. MORTON: Mr. Speaker, I move this be indefinitely postponed.

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

Mr. HOWE: Mr. Speaker, Ladies and Gentlemen of the House: The auto dealer from Farmington, Mr. Morton, has apparently changed his mind. The Majority Report was unanimously accepted yesterday. He must have had second thoughts overnight.

I set before you a modest proposal in the words of Dr. Swift. With no ill-intent toward those of Irish descent, we are not talking about a potato famine. We are talking about the pos-

sibility of a gasoline famine. This is the gas guzzler bill. It is not the same bill you saw before you last year. It is a watered down version of that bill.

Let me say first of all that the amendment is the bill. I direct your attention to Committee Amendment "A" to L.D. 1107 under (H-655). I submit to you that this is a most gentle nudge on our free enterprise system. We are not proposing to outlaw Buick Electras under this bill but rather to provide some small incentives both positive and negative to encourage the manufacture of automobiles which use less gasoline and then, in turn, to encourage the purchase of same. We are not forcing everybody into foreign compacts because as I go through the bill, I hope to demonstrate that the bill provides rebates on a number of American automobiles, which are not tiny automobiles. Within that range between the tax and the rebate, there are a number of American automobiles, including wagons with V-8 engines and automatic transmissions which are not taxed.

Before I go through the substance of the bill, I would like to use another visual aid in this debate. I would like to hold before you a full page advertisement that ran some time ago in the Portland papers by a dealership which sells American Motors Corporation automobiles. As you can see in very bold type, this auto dealer is taking advantage of what they hoped would become the congressional tax rebate on energy-efficient automobiles. I submit that this proposal will not damage the business, the profits of American automobile manufacturers. In fact, it is precisely the kind of thing, as you can see, the automobile dealers can turn into a promotional device. I think it is fine. The problem is that the Maine legislature has a chance to vindicate this dealer because congress has already stricken from its gas guzzler provision the rebate aspect of it, leaving nothing now but the negative incentive, the tax on the guzzlers.

This bill would take effect in the 1979 model year. Therefore, it would not affect anything on the road today. When it takes effect, it will affect only new automobiles. It won't touch used automobiles even when the 1979 model year cars become used. It is not my interest to put a tax on persons of lower income status who cannot afford a new automobile. It seems to me once an automobile has been manufactured and put on the road, it might as well be used; because to junk it and replace it with yet another automobile that much earlier will use a lot of energy anyway.

There is a sunset provision in this bill. The bill will be in effect for only two model years at which time we hope that the federal government will have taken some action. If the federal government is too timid and the Maine legislature has the courage, we could extend the provisions of this act to provide tax incentives for energy efficient automobiles. The maximum tax on any automobile will be \$300. The maximum rebate will be \$250. It is a little bit easier to see this if you turn to Page three of the Statement of Fact. The tax of \$300 would be on all cars obtaining 14 miles per gallon or less, and \$150 on all cars obtaining 15 or 16 miles per gallon. The rebate would be \$100 on all cars obtaining 25, 26, or 27 miles per gallon; \$200 on all cars obtaining 28, 29 or 30 miles per gallon and \$250 on all cars obtaining 31 miles per gallon or better.

This wasn't an arbitrary scheme. It was done partly so that the revenue intake and output would essentially balance one another. The figures were based on 1976 sales in the State of Maine as computed for us by the Department of Motor Vehicles and based upon 1976 E.P.A. ratings of the combined highway/city mileage figures. Of course, those ratings are going up, and that is to the good. The sales of a given model and engine size will change.

In the bill, we are instructing the Office of Energy Resources to conduct a study on the 1978 model year cars, the cars that will start coming out next month or the month after. If necessary, the taxing scheme will be shifted a little bit so that, again, we try to get a balance between the tax the state takes in and the rebate it hands out. To try to demonstrate that we are not forcing everybody into foreign compacts, I have a list of all the 1976 models. In the range between the tax and the rebate which would be between 17 and 24 miles per gallon inclusive, there are a number of fairly good sized automobiles which would neither be taxed nor on which there would be a rebate. For example, a Dodge Aspen wagon with a 318 cu. in. V-8 engine and automatic transmission would not be taxed, nor would an Oldsmobile Cutlass with a manual transmission and 260 in. engine. There is an AMC Hornet wagon. Most of the cars, in fact, the vast majority of cars in this range are American cars. The cars that are neither taxed, nor on which there is a rebate. In that area, in which there is a rebate, except once you get over 31 miles per gallon, there are a good number of American made cars, Pontiac Sunbird, Pontiac Astro wagon, Chevrolets, Fords, Ford Pinto wagons, so we are not trying to drive people into foreign compacts.

I submit to you that this is indeed a modest proposal. Nothing is being mandated upon manufacturers or drivers. We hope to encourage in this fashion both the manufacturers to begin producing more automobiles as we hope to change buying habits. We also hope by passage of this legislation that we will provide some moral support to a Congress which, at this moment, seems very shaky and very timid in this area.

So I hope you will vote against the pending motion.

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

Mr. MORTON: Mr. Speaker, Ladies and Gentlemen of the House: I regret the amount of time this debate is apparently going to take. I would advise the gentleman that I was not in the chamber yesterday. Had I been, I probably would have taken the step yesterday that I have taken this morning. I was hoping that perhaps someone else would see the wisdom of that move and take care of it for me. Be that as it may, I do not negate the sincerity of the people who are considering this kind of legislation but I assure you, ladies and gentlemen of the House, that it is misguided. You have had an excellent academic discussion of the points of this bill from the good gentleman. I would again say that that is one of the problems with it. It is academic. It doesn't face the problems of the real world.

He has alluded to my being an automobile dealer. That is correct. It is all recorded down in the Secretary of State's Office so I am not flying under any false colors here. I don't know as I have any conflict anyway because I sell cars. In my stable, there are those that would benefit under the provisions of the rebate and those that might come close to being gas guzzlers, although I would point out right at this juncture that General Motors seems to be about a year ahead of the industry in this particular area.

However, the things that are wrong with this bill are many. In the first place, it is futile. All you have to do is look at the Committee Report. Also, it is futile in what it attempts to do. First, I would point out to you that it is a tax increase. If you are concerned about tax increases, here is one that you can vote for or against. It is a discriminatory tax increase in that it discriminates against the average income guy down at the shoe shop with the wife and four or five youngsters, who wants to buy himself a fairly decent sized car to drive his kids around with. He is the one who tends to be near the gas

guzzler area. He can't possibly pack those youngsters into some of these compact automobiles. It sure as heck doesn't deter the fellow that is going to buy the eight miles to the gallon, \$50,000 Rolls Royce or the 12 miles to the gallon, \$15,000 Mercedes. It is discriminatory in that sense.

I have been in the automobile business for a great many years. I do think I speak with some knowledge of what goes on. I can assure you that this would have little or no impact on conservation here in the State of Maine. In the first place, just about one half of one percent of national sales take place here in the State of Maine. Despite these computed national ratings on these automobiles, ladies and gentlemen, it is the driver of the car that pretty much determines how much mileage you are going to get on that automobile within limits, of course. The young fellow with the high mileage rated car who goes out and burns rubber and spins his wheels and has a lot of fun with it, he is not going to get very much mileage, although he is going to get the benefit of the rebate. The little old lady in tennis shoes, if you will, who has got the Buick, she is going to be driving down the highway at 45 miles an hour, admittedly we get a little irritated when we come up behind her on these winding Maine roads but she is probably going to be within the limits of the gas guzzler even though it may well be that the formula which has said what the mileage is going to be on that car is entitling her to have to pay the extra money. It is futile, if you are concerned about conservation.

Finally, I would say that the bill obviously creates more bureaucracy. It says so right in the bill, right in the amendment which is the bill. It is going to pick up three or four more positions there in one of the departments, I guess it is taxation. In the final analysis, ladies and gentlemen, this is a national problem, one which can and should only be addressed at the national level. What the State of Maine does in this area is going to have absolutely zero impact on the way manufacturers produce automobiles. The federal government can exercise controls. The gentleman has very kindly noted that the federal government is certainly having trouble in this area at the present time. They are responding to the marketplace to their constituents. That is why they are down in Washington, just the same as that is why we are here to do this very same thing.

Ladies and gentlemen, this bill creates unnecessary overregulation no matter how it is watered down, oiled, greased or deflated, it is a futile, unnecessary bill. The automobile business is a dynamic ongoing business. We are going to continue to need personal transportation of some kind or another here in Maine for much more than two years. Who knows what is going to be the situation in two years or five or ten? Mark my words, ladies and gentlemen, the industry will provide the transportation that the people of this country want to buy. This bill has absolutely no impact on that situation.

I am not going to retract my motion to indefinitely postpone.

The SPEAKER pro tem: The Chair recognizes the gentleman from Orono, Mr. DAVIES.

Mr. DAVIES: Mr. Speaker, Ladies and Gentlemen of the House: I would like to briefly review some of the comments of the good gentleman from Farmington, Mr. Morton, and point out the fallacies in his arguments.

First of all, the good gentleman points out that this bill is futile. I would say that if you look at the behavior of consumers of gasoline, the people who drive automobiles both in this state and in this country since the energy crisis in 1973, you will note a very disturbing tendency. During and right after the energy crisis, the consumption of gasoline dropped — a good sign. A sign that people recognized that there was a

problem and they were going to do something to reduce the amount of gasoline that they consumed so that the supply we have available in this world will be stretched further.

However, once the initial impact of the energy crisis faded away into our memories, a rather disturbing development took place. What happened was, the amount of gasoline being consumed, both in the State of Maine and in the United States, went up, not at the average increase in consumption from year to year that took place prior to 1973, but at double and triple that earlier rate. So, that in the State of Maine, since the energy crisis, we have been averaging between 5.8 and 8 percent increases in our use of gasoline every year. What that means is that the market system is not working. The automobile dealers, the manufacturers have not come far enough and what is happening is that we are using up gasoline all too rapidly. The free market system is not functioning properly to slow down that growth or to reverse it so it is the obligation of our government recognizing that gasoline is a scarce resource that we all need for a lot of purposes and that unless we start cutting down on our wasteful use of it in those areas where it is most frequently wasted, such as in the transportation area, that we are simply not going to have enough around so that we, in our old age, or our children, will have an opportunity to drive a car of any size.

What this bill proposes to do, in the State of Maine, is to do much what the state has done in the past and break some new ground. Our environmental laws are seen nationwide as being landmarks, directions that all other states are trying to move in because we have demonstrated by being the first, that they work and they achieved the purpose for which they were set forth. This bill proposes to do the same thing.

Recognizing as the gentleman from Farmington indicated that there are problems at the federal level, we would suggest that the State of Maine step boldly forward and say to the rest of the nation, it is foolish the policy that you pursue, it is criminal the behavior of the automobile manufacturers in attempting to subvert legitimate efforts to conserve energy in this country and that we are going to resist those lobbying efforts of those giant multinational conglomerates and we are going to put forth a very modest proposal as the good gentleman from So. Portland has stated, to encourage people, to pry them with a very gentle nudge, shift their consumption patterns, so that when they make that decision to purchase an automobile, a new automobile, that along with the other factors that they are taking into consideration, the size of the car, all its options, how many kids they have that they are going to have to accommodate, that they also take into consideration the miles per gallon, that their automobile is going to receive. If they should choose to purchase an automobile that receives less than 14 miles per gallon, combined EPA rating, that for the privilege of doing that and since they are purchasing that car locking themselves into a pattern of consumption of three to five years with that automobile, which is going to use up more than what we would consider to be their fair share of gasoline that is available that they are going to have to pay for that privilege. The money that is generated by this tax will be used to compensate those individuals who make a wise decision, who purchase an automobile that conserves energy, gets more miles per gallon and therefore, reduces the burdens on our already over-taxed system for supplying gasoline and fuels to our economy, that those people will receive a rebate, a very small rebate, a maximum of \$250 with the intention of encouraging them and rewarding them for doing what is wise and what we, as the legislature, representing the society

of the State of Maine, have declared to be state policy, encouraging conservation in the transportation sector.

There are built in protections that will take care of the situation where you have a large family, a number of children that have to be moved around in the automobile, this does not apply to the vehicles in the excess of eight passengers. The large station wagons and for vans, this does not apply. So, those large families are going to be able to go out and purchase a vehicle that will accommodate their families without having this law apply to them at all.

The good gentleman pointed out that it is the driver and not the automobile that affects the actual gasoline mileage and that is true but that is true in very strict limitations. You take any automobile, you find out its estimated EPA mileage that is based on tests that are run by the EPA in Washington, you can assume that there is going to be a slight degree of prowess one way or the other on that combined figure. It may fluctuate three or four miles from one side to the other. An automobile that gets 31 miles per gallon, even if the fluctuation is between 26 and 35, that automobile is conserving energy, using far less per mile travel than an automobile that is less than 14 miles per gallon. It gets twice as much mileage as that car that gets only 14 miles per gallon. If you look at it that way, say, you have two individuals and one is driving a car that is getting 31 miles per gallon and one that gets only 14 miles per gallon, that the person who is driving a 14 mile per gallon car is using up energy twice as fast a rate and that is gasoline that one of these days, you may very well want so that you can drive and visit a relative or go to the store, take a trip to Boston to see the Red Sox play and that person is using your gasoline. Your name may not be on it but when we get to the end of the barrel and there is no more left, that person is going to have used twice as much than you have and there is nothing that we are going to be able to do to make any more gasoline because the supply is definitely limited.

I would also suggest to you that the problems at the federal level and the reason that the federal government is not moving as rapidly on the subject is because of the intense lobbying pressure of the automobile manufacturers. The boys in Detroit, who would much rather make their large profits than to conserve energy. They are not thinking about tomorrow or the next day, they are thinking about right now. To give you an example of what it means in the business that the good gentleman from Farmington runs or any other automobile dealer in the state runs, on a large car, a gas guzzler, they receive 21 percent commission on the sale of an automobile, a full sized automobile but on a small compact car, they receive only approximately 11 percent commission. So, it is built into that commission system that is implemented by the manufacturers, passed on to the dealers, like Mr. Morton, a bias, a built in bias that says, you sell a big car, you go out and work hard and sell a big car and you are going to get more money, not only in relative terms but in absolute terms. However, if you turn around and try to do something that is beneficial to society, sell an automobile that is smaller in terms of energy, uses less of it on the roads, you are going to get less money in both absolute and relative terms than on that big car so there is a built in bias now in the system right now that encourages people to sell large cars. The result is that large cars get purchased.

After a marked change in the patterns of sales of automobiles in the state, in the country, right after the gasoline crisis, there was a shift back for awhile, compact and sub-compact cars were getting a larger percentage of the market but that changed very rapidly after the threat of the energy crisis passed. Now, a larger and

larger, every month, share of the market is going to larger cars.

What we are attempting to do with this bill is to provide one more factor in the decision making process in the purchase of automobiles is to try to encourage our citizens to shift their consumption patterns, to resist the built in bias in the automobile marketing system in this state and in this country and to purchase those cars that based on their designs, conserve energy and mean that the supply is going to last longer for all of us.

I would urge you to reject the motion of the gentleman from Farmington, Mr. Morton, and accept that this is a reasonable proposal, a modest proposal, very much trimmed down from the rather radical proposal that I laid before you a year ago, one that has bi-partisan support, one that for all intentioned purposes addresses the problem realistically and will have an impact, though small on a nationwide basis, its symbolic value is monumental. No other state has considered seriously a bill that would provide tax incentives for people to purchase energy conserving automobiles. It is obvious; that the federal government has fallen trade to the severe pressures of the lobbyists and that Maine can, once again, step proudly forward before the states of this nation and say, we have taken a first step and we challenge you to follow our lead because we have made a wise decision and eventually, you are going to see that wisdom. The sooner that you move on it, the better.

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

Mr. PEARSON: Mr. Speaker, I would like to pose a question through the Chair to my neighbor from Orono, Mr. Davies, and that is, in the case of an out-of-stater from New Hampshire or Massachusetts who comes in, does the bill offer him a rebate, or only Maine citizens?

The SPEAKER pro tem: The gentleman from Old Town, Mr. Pearson, posed a question through the Chair to the gentleman from Orono, Mr. Davies, who may respond if he so desires.

The Chair recognizes that gentleman.

Mr. DAVIES: Mr. Speaker: Rebate would be provided to any purchaser of an automobile purchased in the State of Maine. If a person from New Hampshire wishes to come over to the State of Maine and purchase an automobile here, do business with one of our businessmen in the state, they would be entitled to the rebate. If they purchased an automobile that was a gas guzzler, they would also pay the tax.

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

Mr. COTE: Mr. Speaker, Ladies and Gentlemen of the House: I rise today to support the gentleman from Farmington, Mr. Morton, indefinite postponement of this bill. It isn't because I know somebody in Detroit, not because I have friends that sell automobiles, it is because, as far as these small cars are concerned, I can't get into one. Same thing happened, I was mandated a few years back, to buy seat belts, I have them in my car, never used them, they don't fit. So, I am going to go around, because I buy a large car and I have never bought a new one yet, because I can't afford it, I buy second hand cars. I need a large car, I don't know if it is a gas guzzler or not, I have never figured out how many miles per gallon I get because I am not concerned with that to that extent. There are many ways to save gas besides taxing the individual who can't do anything about it. Why don't we cut down the size of these eighteen wheelers that we see on the road here? They are guzzling gas and diesel and what not. Why don't we stop that transportation and use the railroads? They don't use gas.

It is beautiful to stand up here and say what

we are going to do for the nation, which is great. Nobody knows how much gasoline there is or isn't, nobody can put their finger on it. I am one of those that maintains that I don't think we have to worry about that. Some people think so. Anyone can get up and rise to an issue and get emotional about it, but I say, let's be practical. It is the large family, the shoe worker or the mill worker who works all week long, who likes to get out for a weekend and enjoy himself with his family, he doesn't want to get into a compact car and squeeze himself to death. He wants to leisurely go down the road, go to the beach, or to his camp or any place he wants to go to, in a manner that he won't suffocate before he gets there. So this is the issue, I think.

Think about the fellow who can't squeeze himself into one of these compact cars, who needs a large car, who hasn't got the money to pay the \$300 tax over and above the excise tax, the tires tax and all the other taxes on the car and now we are talking about another penny on gasoline. Who pays? The motorist — all the time, all the time, and everytime we talk about getting new money from somewhere, new taxation, we attack the motorist. I think it is time we stopped. I think it is about time that people who come here with stars in their eyes, with idealism that they are going to change the country over, gentlemen and ladies of this House, it is not going to be done overnight. They are not going to be done now, and I hope we kill this bill.

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

Mr. BAGLEY: Mr. Speaker, Ladies and Gentlemen of the House: I hesitate to get up and speak on this thing because I have a real personal interest but I recollect that there are a lot of other people in the same situation as I am.

I had small cars for most of my life, they are all I could afford, many of them are second hand cars, I finally, in my old age, got to the point where I can afford a little bigger car and I like to ride in comfort. I hate to pay an extra \$300.00 for that comfort and the added safety of a larger car which is one of the factors.

I think there are two ways to save gasoline and one of them is to have a car that gives a lot of miles per gallon and the other is to stay home a good deal of the time and not drive so many miles. Frankly, I would much rather not drive too many miles, if I have to save gasoline. I don't drive too much and I am hoping that this car and one more will see me through, I don't have too many more years.

I saw an elderly couple riding along, and their license plate had one of these so called vanity plates that said, LAST 1, well, I guess perhaps I will put that on my next one.

But, anyway, I hope you will indefinitely postpone this bill so that I can save \$300 on my last car.

The SPEAKER pro tem: The Chair recognizes the gentleman from Millinocket, Mr. Marshall.

Mr. MARSHALL: Mr. Speaker, Ladies and Gentlemen of the House: Tax rebates paid by the competitive car manufacturers, as demonstrated by Representative Howe's newspaper advertisement is indicative of free enterprise, but tax rebates paid by the State of Maine is an unacceptable intrusion, in my opinion. We should not involve the state in the tax rebate system of the competitive car industry for questionable, and I say questionable, cost effective measures to cope with the energy conservation movement. This is a tax increase which I will not vote for and question its impact.

I submit that the cost of gasoline is making it a prohibitive enough commodity to convince as many people as possible to use a small, energy efficient car. Those people, and many of those

people who can afford a larger car, in many cases can also afford the tax increases proposed in this bill, that being of a \$150.00 to \$300.00. I am not convinced that his measure will work. I am not a car dealer but I do drive a small economy car and I might even benefit from this bill, but I cannot and I will not support this questionably effective tax increase.

The SPEAKER pro tem: The Chair recognizes the gentleman from Biddeford, Mr. Truman.

Mr. TRUMAN: Mr. Speaker, I request a roll call.

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

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

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

Mr. DAVIES: Mr. Speaker and Members of the House: I would like to clear up one point. I believe I misspoke earlier when I spoke on this bill the first time. I said that the rebates and the taxes would be available to anyone who purchased a car in the State of Maine. I received a note from my legislative assistant who pointed out that it applies only to residents of the state. I apologize for making that misstatement.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Falmouth, Mrs. Huber.

Mrs. HUBER: Mr. Speaker and Members of the House: I wish Mr. Morton hadn't made the argument that we could do nothing about this problem because to me it brought back memories of some of the arguments we heard against banning aerosol cans. I do recall that that bill sailed through here. Apparently we felt we could do something about that, maybe not everything about it, but we could put ourselves on the right side, we could show the way, and it wasn't a futile gesture at all.

I think, dealing with this problem at the state level is purposely reasonable. There are a couple of reasons that I would suggest. One is, I think in addition to what Mr. Davies has already mentioned, we have a real problem on the national level with this type of legislation because it affects jobs, and as we all know, jobs is something we just can't ignore. Basically, I would ask you, how many manufacturing plants of automobiles do we have in the State of Maine, and the answer is, none. Therefore, I don't think we have that problem on the state level. Apparently Massachusetts, Connecticut, and Vermont, all of whom are currently considering this type of legislation, would agree. I think if a few states could get going on this, it would give the national leadership a lot more possibility of passing this bill although they still have the problems of jobs on the national level to consider, and that, frankly, may be the sticker on the national level. It is not in Maine, no one is going to lose a job. As a matter of fact, I would suspect there might be quite a boom in the auto industry in the business end of it.

I don't know whether you realize it, but gasoline represents about 23 percent of the total northeast energy consumption. A lot of us rely on automobiles to go to work. We have no mass transport. The people from up country know exactly how important it is to have an automobile to get them from one place to another. In spite of Mr. Cote's remarks, I think you would rather ride in a small car than walk.

Finally, I would like to point out, I happen to have a large family, I drive a small energy efficient car that gets about 32 miles per gallon. I

don't have any problem getting them into it and that includes the dog. I really think, as Mr. Howe has pointed out, we have a great range of options available to us under this legislation. It is tied to the EPA energy efficiency standards and, basically, what really will happen here is you will reward, probably not too large a number of people, but quite a few, enough to get the thing moving, get the trend going, and you won't do anything, probably to the great majority of people, such as Mr. Cote, who drives a second hand car, or just a good sized car to get around in.

Finally, I would just stress again the point that we are, in fact, all using each other's gasoline. There is only so much of it. Driving back and forth to Augusta every day, when a speeder goes by me, or when a person has a gas guzzler, I am very much aware that that means I am going to have problems in the future, that gas will be used up that much faster. Not only will it perhaps disappear, and it will in time, but as it gets in short supply, it is going to become more and more expensive. So, basically, we will all be penalized by the people who do not think of the whole situation and just want to have their own comforts and their own gas guzzlers.

I urge you to vote no on motion to indefinitely postpone.

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

Mr. COTE: Mr. Speaker and Members of the House: Talking about small cars — driving up this morning on the turnpike, I saw one turned over. I understand it was a fatality, somebody got killed. How many times do you see people getting killed in large cars? Very, very seldom. It is in these small compact cars that people get killed in. So one reason, if you are interested in the safety feature, the small car is a killer.

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

Mr. ROLLINS: Mr. Speaker, Ladies and Gentlemen of the House: I would like to agree with the gentleman from Lewiston, Mr. Cote, this afternoon.

I would like to tell you about a neighbor of mine, back in 1925, who bought a smaller car and he had nine children. They were pretty crowded in that car and after he had driven it for about 6 months, he traded it for an older car, a seven passenger automobile that he liked very much.

I think this is just one more attempt to tell us what we can do from the cradle to the grave and I hope that you would go along with Mr. Cote and Mr. Morton.

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

Mr. MORTON: Mr. Speaker, Ladies and Gentlemen of the House: I regret getting up again. I vowed I was not going to, but there have been a few things said that disturb me. The gentleman from Dixfield is right on. This is exactly what is going on. It is the typical wish of those who think they know what is best and what is good for all. In this particular instance, it is that everyone better drive small cars.

I would say to the gentlelady from Falmouth that I was particularly impressed during the campaign of President Carter to hear him tell a story about an old gentleman from somewhere in Georgia, the old fellow said to him something like this, "you are running for President, and he said, yes, and the old fellow said, well, let me tell you one thing, "if it ain't broke, don't fix it."

Now, we do have the options, as the gentlelady from Falmouth pointed out. They are myriad today, they are there. And I get greatly disturbed when I hear a gentleman like the gentleman from Orono, say, it is disturbing

to him that the tendency of the public to do something he doesn't like should be controlled. Well, it is disturbing to him but it is not disturbing to the public.

I remember two years ago, one gentleman in this House was talking about the terrible deprivations of the manufacturers that they were creating nothing but these big cars and that only the foreigners were building small cars. Well, ladies and gentlemen, the domestic manufacturers built small cars till they were coming out our ears and nobody was buying them. They tried them for six months or a year and they just got sick and tired of riding in them. So they opted for larger ones. It was the public who made this decision, it is the public who is making the decision on whether to buy a small car or a large car. I say this is discriminatory, it is "shove it down your throat legislation" for the average guy and it is absolutely the wrong kind of a bill.

I can go on here for fifteen minutes about other errors that the gentleman from Orono made in addition to the one where he got up and acknowledged that he didn't know what his own bill said but he is just as wrong on the rest of it as he is on that.

The SPEAKER pro tem: The Chair recognizes the gentleman from Millinocket, Mr. Marshall.

Mr. MARSHALL: Mr. Speaker, I would like to pose a question to Mr. Davies, of Orono.

Looking at the bill, it is my impression that a small car getting more than 16 miles per gallon, would that be exempt from any tax?

The SPEAKER pro tem: The gentleman from Millinocket, Mr. Marshall, posed a question through the Chair to the gentleman from Orono, Mr. Davies, who may answer if he so desires.

The Chair recognizes that gentleman.

Mr. DAVIES: Mr. Speaker, Members of the House. The gentleman from Millinocket is correct. The tax would be applied to those automobiles that receive less than 16 miles per gallon. The cars, between that point and 25 miles per gallon would have no tax or no rebate. Those cars beyond that figure, on up to infinity, I guess they reach as high as 50 miles per gallon, would receive a tax rebate. So, most of the automobiles that will be purchased in this state will not be affected by the tax or the rebate. 23 percent will receive rebates, 22 percent will pay taxes, the other 55 percent will have no tax and no rebate when they are purchased.

The SPEAKER pro tem: The Chair recognizes the gentleman from Millinocket, Mr. Marshall.

Mr. MARSHALL: Mr. Speaker, I would like to pose another question to the gentleman from Orono, Mr. Davies. If in the State of Maine we sold 10,000 big cars at \$300 tax per car, it would raise \$3,000,000. If we sold 40,000 small cars with mileage of more than 16 miles per gallon, which is the intention of this legislation, to get away from big cars and to go over and switch to smaller cars, the cost of rebates to the state would be \$8 million, leaving a deficit of \$5 million. Is that a conceivable possibility?

The SPEAKER pro tem: The gentleman from Millinocket, Mr. Marshall, poses another question through the Chair to the gentleman from Orono, Mr. Davies, who may respond if he so desires.

The Chair recognizes that gentleman:

Mr. DAVIES: Mr. Speaker, Members of the House: In answer to that question, based on the information that the good gentleman from Farmington has given us about the ability or inability of this bill to affect the consumption patterns of the people of the State of Maine, it is absolutely naught.

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

Morton, that this Bill and all its accompanying papers be indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

#### ROLL CALL

YEAS — Aloupis, Ault, Austin, Bagley, Berry, Berube, Biron, Birt, Blodgett, Boudreau, A.; Boudreau, P.; Brown, K. L.; Brown, K. C.; Bunker, Burns, Bustin, Carey, Carroll, Carter, D.; Carter, F.; Chonko, Churchill, Clark, Connors, Cote, Cunningham, Curran, Devoe, Dexter, Drinkwater, Dudley, Durgin, Dutremble, Fenlason, Garsoe, Gauthier, Gill, Gould, Gray, Green, Hickey, Higgins, Hunter, Hutchings, Immonen, Jackson, Jacques, Joyce, Kany, Laffin, Lewis, Littlefield, Lizotte, Lougee, MacEachern, Mackel, Marshall, Masterman, Masterton, Maxwell, McBreairty, McHenry, McKean, McPherson, Morton, Nelson, Nelson, N.; Norris, Peakes, Perkins, Peterson, Plourde, Quinn, Raymond, Rideout, Rollins, Shute, Smith, Sprowl, Stover, Strout, Stubbs, Talbot, Tarr, Teague, Theriault, Tierney, Tozier, Truman, Whittemore.

NAYS — Bachrach, Beaulieu, Benoit, Brennerman, Connolly, Cox, Davies, Diamond, Dow, Elias, Flanagan, Fowlie, Goodwin, H.; Goodwin, K.; Greenlaw, Hall, Henderson, Hobbins, Howe, Huber, Hughes, Jensen, Kilcoyne, LaPlante, Locke, McMahon, Mitchell, Nadeau, Najarian, Nelson, M.; Pearson, Peltier, Post, Prescott, Spencer, Tarbell, Torrey, Trafton, Valentine, Wilfong, Wood, Wyman.

ABSENT — Bennett, Carrier, Gillis, Greenlaw, Jalbert, Kane, Kelleher, Kerry, LeBlanc, Lunt, Lynch, Martin, A.; Mills, Moody, Palmer, Silsby, Twitchell, Tyndale.

Yes, 89; No, 43; Absent, 18.

The SPEAKER Pro Tem: Eighty-nine having voted in the affirmative and forty-three in the negative, with eighteen being absent, the motion does prevail.

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

Mr. MORTON: Mr. Speaker, having voted on the prevailing side, I move that we reconsider and hope that you all vote against me.

The SPEAKER pro tem: The gentleman from Farmington, Mr. Morton, having voted on the prevailing side now moves that the House reconsider. Those in favor will say yes; those opposed will say no.

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

Sent up for concurrence.

At this point, Speaker Martin returned to the rostrum.

SPEAKER MARTIN: The Chair would thank the gentleman from Stonington, Mr. Greenlaw, for presiding.

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

#### Tabled and Assigned

Bill "An Act to Increase the Exemption on Estates of Veterans" (H. P. 70) (L. D. 94) (C. "A" H-648)

Was reported by the Committee on Bills in the Second Reading and read the second time. (On motion of Ms. Bachrach of Brunswick, tabled pending passage to be engrossed as amended and specially assigned for Monday, June 20.

#### Tabled and Assigned

Bill "An Act Concerning Debtor's Property Exemptions from Attachment and Bankruptcy Proceedings" (H. P. 1361) (L. D. 1677) (C. "A" H-657)

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

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

Mrs. BOUDREAU: Mr. Speaker, Men and Women of the House: I have many problems with the amendment that came out as L. D. 1677. The original bill seemed to be a pretty good bill and now it is increasing the exemption that a bankrupt person could retain. They did increase quite a few things, but one of the things they omitted, which I think is the most important thing, the homestead. I guess I would like an explanation of the bill and an explanation of why there wasn't an increase in the homestead valuation?

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

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

Mr. TARBELL: Mr. Speaker, Ladies and Gentlemen of the House: I concur with the comments made by the gentlelady from Portland. Committee Amendment "A" replaces the bill in its entirety. The bill was my bill that I submitted to the Judiciary Committee which was based on federal legislation now before Congress which would radically revise and amend our current bankruptcy laws that apply to all citizens of the United States. The bill went too far too fast and in too many directions at once. I think was the opinion of the Judiciary Committee, and rather than abandon the idea of updating our property exemptions for citizens in the State of Maine in bankruptcy and attachment proceedings, we came out with this bill as an alternative.

The bill does three things. It takes trade tools, tools of the trade, whatever your trade is, and increases the current exemption from \$500 to \$1,000. It takes your motor vehicle, whether it be a car or truck, which has a current exemption of \$600 and increases that up to \$1,000. It takes fishing boats, which provision is obsolete, and the old exemption was two ton for fishing boats, and it increases it up five ton. Those are the three principal changes and improvements and is really taking care of principal areas of inflation.

With respect to the homestead exemption, which is \$3,000 now on the statutes, we had a provision which would have increased it to \$5,000 or \$6,000, and the committee removed that from the bill. The old law used to be that you were entitled to a \$7,500 exemption, I believe, but you had to go and file your exemption in order to be entitled to it, I think in the registry of deeds. That was abolished years ago and you got an automatic \$3,000 exemption without having to do anything.

If the House were amenable to increasing the homestead exemption, I certainly wouldn't have any objection to attempting to amend it here on the floor of the House.

On motion of Mrs. Boudreau of Portland, tabled pending passage to be engrossed and specially assigned for Monday, June 20.

Bill "An Act Concerning Review of Corporate Certificates and Other Documents" (H. P. 679) (L. D. 941) (C. "A" H-625)

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

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

House Amendment "A" (H-668) was read by the Clerk.

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

Mr. SPENCER: Mr. Speaker, I would like to pose an inquiry through the Chair to the sponsor of House Amendment "A" as to what the purpose of the amendment is.

The SPEAKER: The gentleman from Standish, Mr. Spencer, has posed a question through the Chair to the gentleman from Anson, Mr. Burns, who may answer if he so desires.

The Chair recognizes that gentleman.

Mr. BURNS: Mr. Speaker, the amendment is intended to correct a conflict between this bill and Public Law of 1977, Chapter 78, Section 108, which was enacted earlier by the legislature. I am informed there is no substantive change.

Thereupon, House Amendment "A" was adopted.

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

Bill "An Act Concerning Confidential Financial Records" (S. P. 324) (L. D. 1084) (S. "A" S-263 to C. "A" S-247)

Bill "An Act to Relieve the Income Tax Burden of the Elderly Retired" (S. P. 442) (L. D. 1530) (C. "A" S-257)

RESOLVE, to Evaluate Substate Districts in Maine (S. P. 148) (L. D. 390) (C. "A" S-224)

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

#### Passed to Be Enacted Emergency Measure

"An Act to Allocate Moneys for the Administrative Expenses of the State Lottery Commission for the Fiscal Years Ending June 30, 1978 and June 30, 1979" (S. P. 107) (L. D. 236) (C. "A" S-209)

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

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

Mr. HENDERSON: Mr. Speaker, when the vote is taken on this, I would like to ask for the yeas and nays, and the reason for that is, I know this will not in any way affect our ability to have a lottery, but I haven't had an opportunity to express my reservations about the principle, and this is the way to do it. I don't like the means of raising taxes from people through this method, although I understand the state has made a decision on it.

I would also like to ask a question through the Chair as to why this particular funding was not in the budget.

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

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

Ms. GOODWIN: Mr. Speaker, this is not considered General Fund revenue in the same sense as the other revenue in the budget. Since the lottery generates its own money for its own operations, it is allocated by itself, and I would suggest to the gentleman from Bangor that if he does not approve of the state lottery, the proper method of disposing of it would be to repeal the law which requires them to perform and not to vote against the money which will enable them to perform their duties with which they are charged by law.

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

Mrs. BERUBE: Mr. Speaker and Members of the House: I would like to pose a question. In the appropriation request for last year, there were 40 positions in the lottery, and according to the bill before us, there are 43 requested. I wonder if we could have an explanation of this, please?

The SPEAKER: The gentlewoman from Lewiston, Mrs. Berube, has posed a question through the Chair to anyone who may care to answer.

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

Ms. GOODWIN: Mr. Speaker, Men and Women of the House: I am not sure about the 40. There are now, at the present time, 53 lines authorized for the Lottery Commission; 42 of

those lines are filled. We have stripped from the bill 10 of those lines and reduced the request of the Lottery Commission by \$200,000.

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

#### ROLL CALL

YEA — Aloupis, Ault, Bagley, Beaulieu, Benoit, Berry, Biron, Birt, Boudreau, A.; Boudreau, P.; Brenerman, Brown, K. C.; Bunker, Burns, Bustin, Carey, Carter, D.; Chonko, Churchill, Clark, Connors, Connolly, Cote, Cunningham, Curran, Devoe, Diamond, Dow, Drinkwater, Dudley, Durgin, Elias, Fenlason, Flanagan, Garsoe, Gill, Goodwin, H.; Goodwin, K.; Gould, Gray, Greenlaw, Hall, Hickey, Higgins, Hobbins, Howe, Huber, Hutchings, Immonen, Jacques, Kany, Kerry, Kilcoyne, LaPlante, Lewis, Lizotte, Locke, Lougee, MacEachern, Marshall, Masterman, Masterton, Maxwell, McHenry, McMahon, Mitchell, Morton, Nadeau, Najarian, Nelson, M.; Nelson, N.; Peakes, Pearson, Peltier, Perkins, Peterson, Plourde, Post, Prescott, Quinn, Raymond, Rideout, Sewall, Shute, Smith, Spencer, Stover, Stubbs, Talbot, Tarbell, Tarr, Teague, Theriault, Tierney, Torrey, Tozier, Trafton, Truman, Valentine, Whittemore, The Speaker.

NAY — Austin, Bachrach, Berube, Blodgett, Brown, K. L.; Carroll, Carter, F.; Cox, Davies, Dexter, Dutremble, Fowle, Henderson, Hughes, Hunter, Jackson, Jensen, Littlefield, McPherson, Rollins, Sprowl, Strout, Wilfong, Wood, Wyuman.

ABSENT — Bennett, Carrier, Gauthier, Gillis, Green, Jalbert, Joyce, Kane, Kelleher, Laffin, LeBlanc, Lunt, Lynch, Mackel, Mahany, Martin, A.; McBreairty, McKean, Mills, Moody, Norris, Palmer, Silsby, Twitchell, Tyn-dale.

Yes, 101; No, 25; Absent, 25.

The SPEAKER: One hundred one having voted in the affirmative and twenty-five in the negative, with twenty-five being absent, the bill is passed to be enacted.

Signed by the Speaker and sent to the Senate.

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

Ms. GOODWIN: Mr. Speaker, having voted on the prevailing side, I now move we reconsider our action whereby this bill was passed to be enacted and ask that you vote against me.

The SPEAKER: The gentlewoman from Bath, Ms. Goodwin, moves that the House reconsider its action whereby the Bill was passed to be enacted. All those in favor will say yes; those opposed will say no.

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

#### Emergency Measure

"An Act to Provide Home Winterization for Low Income Elderly, Disabled and Other Low Income Families" (H. P. 1243) (L. D. 1468) (C. "B" H-558)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 112 voted in favor of same and none against and accordingly the



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

#### Emergency Measure

"An Act Repealing the York Beach Village Corporation (H. P. 1601) (L. D. 1809) (H "A" H-556 to C "A" H-522)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 113 voted in favor of same and 2 against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### Passed to Be Enacted

"An Act Exempting Blind Property Owners from Real Property Tax" (S. P. 172) (L. D. 489)

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

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

Mr. BIRON: Mr. Speaker, Ladies and Gentlemen of the House: I just received a note that I can never be accused of being a bleeding heart liberal.

The bill that you have before you is another exemption bill, an exemption for the blind property owner. The problem that I have with this legislation is that it is not based on need. A blind person could be a millionaire and get this exemption. It is similar to the legislation that was tabled earlier today which dealt with veterans. If you are a veteran, you get an exemption, no matter if you are a millionaire or not. I believe that the people who are in need should have exemptions, not necessarily because they are blind or because they are veterans, and I think that it is time that this legislative body started looking closely at these various exemptions that they grant. There is a bill before us now which says that we will check over all the exemptions. Every year we pass them and now we are going to check them. Why don't we check them before we pass them?

If I read this thing the right way, and I am not saying somebody would do this, but it is possible, if I have a blind child, I transfer my property to my blind child, I get an exemption. I would think that would work. I would urge you to indefinitely postpone this bill and to save some money, I will ask for a division.

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

A vote of the House was taken.

Whereupon, Mr. Howe of South Portland 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 South Portland, Mr. Howe.

Mr. HOWE: Mr. Speaker and Members of the House: I can be accused of being a bleeding heart liberal, but today I concur with the gentleman from Lewiston, Mr. Biron. I feel that we are not offering an exemption based on need, and I am concerned, quite frankly, about this state body passing exemptions that affect the local tax base. I do support the motion.

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

Mr. PEAKES: Mr. Speaker, I would like to pose a question to anyone on the committee. It makes reference to the blindness to be deter-

mined by the Department of Human Services. It is my opinion that in recently going over this area of just what constitutes blindness, that this may include a lot of people that we really don't intend it to.

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

Mr. GOODWIN: Mr. Speaker, Men and Women of the House: I introduced the original bill on this in the 106th, and I will try to recreate it from my memory. As I understand the way the law reads, the Division of Eye Care in the Department of Human Services has some certain standards whereby they will legally state that you are blind. There is a legal definition of blindness where a person reaches a certain ability with their eyes or lack of ability with their eyes, they can be declared legally blind.

I would just like to take issue with one point on this, and that is that this is based on need. The reason I introduced this bill back in the 106th was because there are a lot of people who are blind but own property, and they have a lot more expenses than most of us here do who own property in terms of their house. If they want to do anything, from cutting the grass to painting the shutters, anything of this nature, they have to have somebody do it. They usually have to pay somebody to do it. If you want to go downtown, they have to have a taxi, they have to do this and they have to do that. There are a lot of expenses that people incur because they are blind in maintaining their property. I think that this is one attempt to help these people who are in need to ease that burden.

I hope that you will vote against the motion to indefinitely postpone this.

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

Mr. CAREY: Mr. Speaker and Members of the House: This bill came out of our committee. There is already a \$3,000 exemption for these people. It is \$3,000 up to the value of their property at \$10,000, and then it becomes a \$2,000 exemption on their property if they own property between \$10,000 and \$20,000. The bill was written some time ago and these values are way out of line currently.

I have listened to the gentleman from Lewiston, Mr. Biron, who says we should demonstrate the need. I have listened to the gentleman from South Portland who said that there should be some need demonstrated, and the blind people do have a need. They have a need for something that both Mr. Howe and Mr. Biron have, and that is two eyes.

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

Mrs. GREEN: Mr. Speaker, I would like to pose a question to anyone on the committee. That is, do we know exactly how many blind property owners we have in the State of Maine at present?

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

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

Mr. CAREY: Mr. Speaker, we asked that very same question of the Bureau of Taxation but they were unable to answer the question. They estimated there was in the neighborhood of around 400, but that is as close as they could come.

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

#### ROLL CALL

YEA — Aloupis, Ault, Biron, Boudreau, A.; Devoe, Dexter, Gray, Henderson, Howe, Hughes, Jackson, Jensen, Lewis, Lougee.

Masterman, Morton, Peakes, Quinn, Raymond, Rollins, Stover, Theriault, Trafton, Truman, Whittemore.

NAY — Austin, Bachrach, Bagley, Beaulieu, Benoit, Berry, Berube, Birt, Blodgett, Boudreau, P.; Brenerman, Brown, K. L.; Brown, K. C.; Bunker, Burns, Bustin, Carey, Carroll, Carter, D.; Chonko, Churchill, Clark, Conners, Connolly, Cote, Cox, Curran, Davies, Diamond, Dow, Drinkwater, Durgin, Dutremble, Elias, Fenlason, Fowlie, Garsoe, Gill, Goodwin, H.; Goodwin, K.; Gould, Green, Greenlaw, Hickey, Higgins, Hobbins, Huber, Hutchings, Immonen, Jacques, Kany, Kerry, Kilcoyne, Laffin, LaPlante, Littlefield, Locke, MacEachern, Marshall, Masterton, Maxwell, McHenry, McMahon, McPherson, Mitchell, Nadeau, Najarian, Nelson, M.; Nelson, N.; Palmer, Pearson, Perkins, Plourde, Post, Prescott, Rideout, Shute, Spencer, Sprowl, Strout, Stubbs, Talbot, Tarbell, Tarr, Teague, Tierney, Torrey, Tozier, Valentine, Wilfong, Wood, Wyman, The Speaker.

ABSENT — Bennett, Carrier, Carter, P.; Cunningham, Dudley, Flanagan, Gauthier, Gillis, Hall, Hunter, Jalbert, Joyce, Kane, Kelleher, LeBlanc, Lizotte, Lunt, Lynch, Mackel, Mahany, Martin, A.; McBreairty, McKean, Mills, Moody, Norris, Peltier, Peterson, Sewall, Silsby, Smith, Twitchell, Tyndle.

Yes, 25; No, 93; Absent, 33.

The SPEAKER: Twenty-five having voted in the affirmative and ninety-three in the negative, with thirty-three being absent, the motion does not prevail.

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

By unanimous consent, ordered sent forthwith to the Senate.

#### Tabled and Assigned

"An Act to Transfer the Eminent Domain Power of the Penobscot Indian Housing Authority to the Tribal Governor and Council and to Require Referendum Approval of any action Relating to Eminent Domain (H. P. 490) (L. D. 609) (C "A" H-554)

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

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

Mr. PEARSON: Mr. Speaker, Ladies and Gentlemen of the House: This is just a simple bill. How many times have you heard that in your existence here in the legislature, and it is just a simple bill. It transfers the power of eminent domain on the Penobscot Reservation to a vote by referendum of all of the Penobscots. They asked me to put it in some time ago and I thought, well, it is a reasonable thing for them to have and I put it in and it has gone through the House it has gone through the Senate and is back for enactment today, and because of the alertness of the Majority Leader of my party, we discovered this morning that when the eminent domain proceedings were drawn up in Legislative Research, what they did was, they left off the clause that said that the Penobscots could have eminent domain power on the Reservation and it gave them eminent domain power in the entire state. There is a little bit of devilry in me that would sort of like to let it go through for the smug people from Portland who have always been saying, it doesn't matter to me because it affects you, you know. So the next time someone says this is just a small bill and it really does not amount to very much, think about it.

I would hope that some kind soul would table this for one day so that I could attach an amendment to this.

Thereupon, on motion of Mr. Tierney of Lisbon Falls, tabled pending passage to be enacted and specially assigned for Monday, June 20.

"An Act to Remove Weight Restriction on Black Bass During a Sanctioned Bass Tournament" (H. P. 624) (L. D. 765) (C "A" H-547)

"An Act Relating to an Equitable Billing Procedure for Open-end Credit under the Consumer Credit Code" (H. P. 1140) (L. D. 1375)

"An Act to Approve the Expenditures of Funds from the Mental Health and Mental Retardation Program Improvement Fund for the Fiscal Year Ending June 30, 1978" (H. P. 1142) (L. D. 1366)

"An Act Concerning Equine Infectious Anemia" (H. P. 1138) (L. D. 1380) (C "A" H-555)

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

By unanimous consent, ordered sent forthwith.

#### Tabled and Assigned

"An Act to Prohibit the Exclusion of Manufactured Homes from any Municipality" (H. P. 1151) (L. D. 1369) (C "A" H-551)

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

(On motion of Mr. Morton of Farmington, tabled pending passage to be enacted and specially assigned for Tuesday, June 21.)

"An Act Concerning the Board of Registration in Medicine" (H. P. 1211) (L. D. 1478) (C "A" H-553)

"An Act Authorizing Municipalities to Create Development Districts" (H. P. 1216) (L. D. 1482) (Conf. C. "A" H-590)

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

By unanimous consent, ordered sent forthwith.

#### Later Today Assigned

"An Act to Amend the Maine Income Tax Law" (H. P. 1514) (L. D. 1749) (H. "B" H-527)

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

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

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House: I just wonder, before this is enacted, if the Chairman of Taxation would give us a brief synopsis of what is in that bill now with the amendment on it.

The SPEAKER: The gentleman from Nobleboro, Mr. Palmer, has posed a question through the Chair to any member of the Taxation Committee who may respond if they so desire.

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

Mr. CAREY: Mr. Speaker, if we could have this tabled until later in the session, I would certainly get the answer to him.

Thereupon, on motion of Mr. Palmer of Nobleboro, tabled pending passage to be enacted and later today assigned.

"An Act to Revise the Laws Relating to Barbers and Cosmetologists" (H. P. 1639) (L. D. 1838) (H. "B" H-526); H. "C" H-528; S. "A" S-226; S. "I" S-237)

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

Mrs. Prescott of Hampden 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: All those in favor of this bill being passed to be enacted will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Alopous, Ault, Austin, Bachrach, Bagley, Beaulieu, Benoit, Berube, Biron, Boudreau, A.; Boudreau, P.; Brenerman, Brown, K. C.; Burns, Bustin, Carey, Chonko, Churchill, Clark, Connolly, Curran, Davies, Diamond, Drinkwater, Flanagan, Fowlie, Gill, Goodwin, K.; Gould, Gray, Green, Greenlaw, Henderson, Higgins, Howe, Huber, Hughes, Hutchings, Jackson, Jensen, Joyce, Kany, Kilcoyne, Laffin, LaPlante, Lewis, Littlefield, Locke, Lougee, MacEachern, Masterton, Maxwell, McHenry, Morton, Nadeau, Najarian, Nelson, M.; Nelson, N.; Palmer, Peakes, Peltier, Post, Raymond, Rideout, Sewall, Shute, Spencer, Sprowl, Strout, Talbot, Tarr, Tierney, Tozier, Trafton, Valentine, Whittemore, Wilfong, Wood.

NAY — Berry, Birt, Blodgett, Brown, K. L.; Bunker, Carroll, Carter, D.; Connors, Cote, Cox, Devoe, Dexter, Dow, Dutremble, Fenlason, Goodwin, H.; Hall, Hickey, Hobbins, Hunter, Immonen, Jacques, Kerry, Mackel, Marshall, Masterman, McKean, McMahon, McPherson, Mitchell, Pearson, Perkins, Prescott, Quinn, Rollins, Stover, Stubbs, Tarbell, Teague, Theriault, Torrey, Truman, Wyman.

ABSENT — Bennett, Carrier, Carter, F.; Cunningham, Dudley, Durgin, Elias, Garsoe, Gauthier, Gillis, Jalbert, Kane, Kelleher, LeBlanc, Lizotte, Lunt, Lynch, Mahany, Martin, A.; McBreaarty, Mills, Moody, Norris, Peterson, Plourde, Silsby, Smith, Twitchell, Tyndale.

Yes, 78; No, 43; Absent, 29.

The SPEAKER: Seventy-eight having voted in the affirmative and forty-three in the negative, with twenty-nine being absent, the motion does prevail.

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

"An Act Pertaining to the Granting of Preference in the Letting of State Contracts to State of Maine Resident Bidders" (H. P. 1648) (L. D. 1849) (H. "A" H-592)

"An Act Concerning the Certificate of Apparent Election and the Fee for Recounts in Election Contests" (H. P. 1691) (L. D. 1871)

#### Finally Passed

RESOLVE, Authorizing John Carlo, Inc., to Bring Civil Action Against the State of Maine or to Resolve the Dispute by Arbitration (H. P. 1016) (L. D. 1231) (C. "A" H-552)

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

By unanimous consent, ordered sent forthwith.

#### Orders of the Day

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

Senate Divided Report — Majority (10) "Ought to Pass" — Minority (1) "Ought Not to Pass" — Committee on Veterans and Retirement on Bill "An Act to Revise the Judicial Retirement System" (S. P. 497) (L. D. 1776) — In Senate, Majority "Ought to Pass" Report Read and Accepted and the Bill Passed to be Engrossed.

Tabled — June 15, 1977 by Mr. Quinn of Gorham.

Pending — Motion of Mr. Theriault of Rumford to accept the Majority "Ought to Pass" Report.

On motion of Mr. Tierney of Lisbon Falls, retabled pending the motion of Mr. Theriault of Rumford to accept the Majority Report and specially assigned for Tuesday, June 21.

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

Bill, "An Act Prohibiting a Utility from Automatically Passing on Fuel Cost Increases to Customers by a Fuel Adjustment Clause" (H. P. 1090) (L. D. 1314) — In House, Minority "Ought to Pass" Report Read and Accepted and the Bill Passed to be Engrossed on June 14. — In Senate, Majority "Ought Not to Pass" Report read and accepted.

Tabled — June 16, 1977 by Mr. Quinn of Gorham.

Pending — Motion of Mr. Kelleher of Bangor to Insist and ask for a Committee of Conference.

Thereupon, the House voted to insist and ask for a Committee of Conference.

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

House Divided Report — Majority (8) "Ought to Pass" as Amended by Committee Amendment "A" (H-644) — Minority (4) "Ought to Pass" — Committee on Labor on Bill, "An Act Revising the Disqualification Periods for Persons who Voluntarily Quit Work or are Discharged for Misconduct" (H. P. 113) (L. D. 143)

Tabled — June 16, 1977 by Mr. Quinn of Gorham.

Pending — Acceptance of either Report.

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

Mr. BUSTIN: Mr. Speaker, I move that the House accept the Majority "Ought to Pass" Report of the committee.

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

Mrs. TARR: Mr. Speaker, Men and Women of the House: I rise to oppose the motion of the gentleman from Augusta, Mr. Bustin, which will come as no surprise at all. This is my bill, or it started out to be my bill, but something happened between the bill coming to the floor of the House, and that is the Committee Amendment. Now, Committee Amendment "A", which is the majority report of the committee, and I guess with a little help from Pine Tree Legal, is liberalizing the very provisions of the voluntary quit bill that I am trying to tighten up, and I would like to give you just a little background on the voluntary quit.

You know, I have been on the Labor Committee for three years and I might add I have precious little to show for that, but two years ago we had a study of some of the unemployment laws, we had hearings throughout the state, and I heard a lot of discussion about people on unemployment being able to quit their jobs and collect unemployment, so after the hearings were concluded and we got back here, this is the area that I decided I would like to try to do something, so I introduced the voluntary quit bill.

Under our statutes now, a person can quit his job without good cause attributable to that employment, can serve a disqualification period of 12 weeks and then proceed to collect unemployment and extended unemployment benefits for 52 weeks, I guess it is now. Or, they can earn eight times their weekly benefit amount to serve the disqualification.

The Minority Report of the Committee on Labor, which is my bill, the original L. D. 143, does away with the 12-week waiting period. It simply says that a person who has quit his job or is discharged for misconduct, must attach himself to the work force and earn eight times his weekly benefit amount. Also in the original bill, 143, there is a provision that if you quit your job to take another job and something hap-

pens to that second job before you have earned eight times that weekly benefit amount, then the voluntary quit provision does not come into effect.

Now, I have worked a long time on this bill. I would like to see the House help me tighten up the voluntary quit provisions and my bill, the Minority Report, will save \$2.9 million. The Committee Amendment will cost the fund an additional \$1 million. I urge you to vote against Mr. Bustin's motion and accept the Minority Report.

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

Mr. BUSTIN: Mr. Speaker, Ladies and Gentlemen of the House: One of the strange things about being in the Maine Legislature is how one can go from a hero to a goat in the short space of two hours, because I was receiving great acclaim from the minority party in here back along on an unemployment bill for fishermen, and I think Mrs. Tarr probably had a different opinion a few hours later.

The majority of the committee was sensitive to the issue of voluntary quit, that aspect in which an employee could quit the job without good cause for unemployment and be able to sit out what amounts to a 13-week working period and then be able to collect unemployment compensation. So, we sought a number of different compromises in order to solve that problem, and the major issue in this particular bill in that waiting period.

The majority of the committee has elected, rather than try to push for an "Ought Not to Pass" on Mrs. Tarr's bill, has instead tried to reach a middle ground, and that middle ground says that unlike the present law, a person in this category must immediately register with the Unemployment Compensation Division and then must, each and every week, report to the unemployment office actively seeking work, be able and willing to take a job, and that is different, that in L. D. 143 with Committee Amendment "A" is included in the bill. Now, that has got to reduce the number of voluntary quit claims under the jurisdiction of the Employment Security Commission.

There is one basic misunderstanding that needs to be cleared up, and that is, a lot of people think that anyone who quits his job can be eligible for unemployment compensation; that is not true. Last year, there were 20,852 people who fell into this category, but only 6,000 of them were allowed by the Employment Security Commission to draw benefits, which means that 14,000 were disqualified, almost 15,000 were disqualified. People, in discussing this issue, often forget that the Employment Security Commission must make a ruling on each and every one of these cases. So I would hope that the House would go along today with 143 as amended, the Majority Report, and send this bill down to the other end.

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

Mr. BOUDREAU: Mr. Speaker and Members of the House: Here we go again. This amendment is a bad, bad amendment. If you look at your calendar of yesterday, on the first page there was a bill there, L. D. 828, which is Leave to Withdraw, a bill essentially designed to liberalize the requirements for disqualification, etc. Lo and behold, when you take the amendment and the bill and you put them together, they read the exact same way. All of the four things in this bill I have circled now appear in the committee amendment, the exact same wording, exact same thing, L. D. 828 and this amendment.

What we are doing with this amendment, if we put this amendment into law, pass this bill, we really are changing the suitability requirements, and we had a little argument about suitability a few weeks ago here. This amendment says that a job will not be suitable if a

person does not have transportation to the job. That is what we are saying with this amendment. If you offer someone a job, they don't have transportation to get there, then the job is not suitable. Provision number one of the amendment — a person will not be disqualified if he leaves regular employment due to a personal emergency of such a compelling nature that it would be contrary to good conscience to impose a disqualification — that is unbelievable!

This is a bad amendment. It is simply taking the provisions of 828, putting them into the amendment. I think it is watering down the voluntary quit provisions. I hope you will vote against the majority report and accept the minority report, which essentially will do a little bit of tightening up. As a matter of fact, when I talked to Emilien Levesque this morning, he told me the amendment is going to cost about a million dollars, and we may as well kill the whole bill if we are going to pass an amendment that is going to cost more money.

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

Mr. LAFFIN: Mr. Speaker, Ladies and Gentlemen of the House: This kind of a bill that we have before us today from the Labor Committee is the type of bill that probably happens in many of your other committees; it is known as a compromise, and it is a mighty poor compromise. L. D. 143 is a terrible bill and should have been killed in committee, but the committee felt that my bill and Senator Pray's bill should be withdrawn and then we support the Committee Amendment on L. D. 143. I never liked doing things like that because I feel that each bill should rise and fall on its own merit, and I can assure you that if 143 got out on the floor of this House all alone, the members of this House are certainly intelligent enough that it would never have gone any further. However, we did compromise, and I wish today that I had not. Sometimes I can be talked into things, and I was talked into withdrawing my bill, which is a good labor bill, and parts of it were put into the amendment that is before us today.

I think that if a person cannot get to work because of bus problems or because of car problems, I believe that is a good reason that that person can't get to work, and if they can't get to work, get to their jobs, the majority of the time, these employers who think up excuses in the night, who think of ideas how to fire people that they don't want on their payroll, this is one of them. They undoubtedly come up with these ideas that if they don't like an employer, that the members of this House are going to come up and support the employees, and that is not true. I think we try to make fair legislation, I think we try to be fair to all, but the employers of this state are taking advantage of the employees, just as they always have been doing, that is why 143 was put in in the first place. There would never have been any need to have 143 put before this legislature if the employers of this state did not want it. And I am not so sure, after serving on the Labor Committee, that a lot of these bills are coming from the second floor, and that disturbs me.

The bill that we are concerned with this morning, especially the amendment part of the bill, is a part that will help the working people. The first part of the bill is detrimental. And every time we in the Labor Committee start talking about cost, it comes right back to the floor of this House. They always bring up how much a bill is going to cost, for the simple reason that they like to go into the million dollar figures. How many times have we debated bills here that cost plenty of money, and the price tag was never put on it?

The unemployment compensation fund that we have in this state is for people where in most cases the employer put them out of work to begin with, pulling all the dirty tricks that they know how to get them fired, that is what this

bill is, and the committee is trying to be fair, trying to see that they have a chance to draw unemployment while they are looking for work. Remember the bill always says, all labor bills, "is available and able for work." Many times we try to turn that around and that is never brought onto the floor for the simple reason that if a person is unable to work he cannot draw unemployment compensation.

They talk about that it is going to cost the fund \$2.3 million, and I have heard many horror stories that they tell like the ones told about the decompression chamber, nothing more than stories that have no actual facts to the bill.

To be sure, we are in debt to the federal government, but we have now devised in the Labor Committee a situation where it is going to start coming downward, more people are working. They never told you that while the fund was in such a terrible state, it was because we had over 43,000 people in this state unemployed. Well, naturally you are going to have a lot of money from the fund when we have so many people unemployed. That has nothing whatsoever to do with this part of the bill that we are talking about.

The part that we are supporting this morning, the majority on the Labor Committee, is a compromise bill between Senator Pray's bill and my bill. It is a good compromise as far as trying to get something passed. It is not a good compromise in my own mind that we did the right thing, because my bill would give the working people the protection all the way. This way, we have given in a little to the good lady from Bridgton, Mrs. Tarr, who we all have the greatest respect for on the Labor Committee. Nevertheless, 143 is a very bad bill, and I urge the members of the House to support the motion of Mr. Bustin.

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

Mr. DEXTER: Mr. Speaker, Men and Women of the House: This hero worshipper rises to support the gentlelady from Bridgton, Mrs. Tarr. You will have to forgive me, I have had an "Augusta" virus for about a week, and I am a little shaky. I know it must be from Augusta because it is so stubborn.

When I was elected to this prestigious body, they came to me and said, Boy, (of course that made me feel good at my age), you are going to learn a lot. Well, I have learned that all of my life I have been working at degrading jobs. Where, oh where were you people all those years, why didn't someone tell me?

Now, if you wish to support Freddie the Freeloader, vote against the gentlelady. On TV, he is hilarious, but in real life is he? Think about it. I just made a few notes here. During the great Depression, I am old enough so I worked during the great Depression. We had some bums back in those days. They had long hair and scraggly whiskers, just like today. They refused to work. We only had one or two in each town. I made a little survey in my little town of Kingfield last week, and I counted 101 of these people who don't like to work. The only difference between the 30's and today is that these gentlemen today, for the most part, have college educations. I don't know how I am going to word this — yes, I do know how I am going to word this — a bum is a bum, and I urge you to support the gentlelady from Bridgton.

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

Mr. DEVOE: Mr. Speaker, a point of parliamentary inquiry. Does this proposed amendment need a fiscal note?

The SPEAKER: The Chair would make the following observation at this time without making a ruling on fiscal note. The Chair is unclear at this point because he simply has not had an opportunity to review the document. However, the Chair would suggest that if the majority report is accepted and if a fiscal note has to be added, it may be added at second reading. At

this time, the Chair would advise the gentleman that there is no need for the Chair to rule on the question of fiscal note; but the question, of course, could be posed again.

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

Mrs. TARR: I would request a roll call, Mr. Speaker.

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 Augusta, Mr. Bustin, that the Majority "Ought to Pass" Report be accepted. Those in favor will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Bachrach, Beaulieu, Bennett, Benoit, Berry, Birt, Blodgett, Brenerman, Brown, K. C.; Burns, Bustin, Carroll, Chonko, Churchill, Clark, Connolly, Cote, Cox, Curran, Davies, Diamond, Dow, Dutremble, Elias, Flanagan, Goodwin, H.; Goodwin, K.; Hall, Hickey, Hobbins, Howe, Hughes, Jacques, Jensen, Joyce, Kany, Kerry, Kilcoyne, Laffin, Locke, MacEachern, McHenry, McMahon, Mitchell, Moody, Nadeau, Najarian, Pearson, Quinn, Shute, Spencer, Stubbs, Talbot, Tierney, Truman, Valentine, Wilfong, Wood, Wyman, The Speaker.

NAY — Aloupis, Ault, Austin, Bagley, Berube, Biron, Boudreau, P.; Brown, K. L.; Bunker, Carey, Carter, D.; Carter, F.; Conners, Cunningham, Devoe, Dexter, Drinkwater, Durgin, Fenlason, Fowlie, Garsoe, Gill, Gould, Gray, Green, Higgins, Huber, Hunter, Hutchings, Jackson, LaPlante, Lewis, Littlefield, Mackel, Marshall, Masterman, Masterton, Maxwell, McBreairty, McKean, McMahon, McPherson, Moody, Morton, Norris, Palmer, Pearson, Peltier, Perkins, Peterson, Raymond, Rideout, Rollins, Sewall, Smith, Sprowl, Stover, Strout, Tarbell, Tarr, Teague, Theriault, Torrey, Tozier, Trafton, Whittemore.

ABSENT — Boudreau, A.; Carrier, Dudley, Gauthier, Gillis, Immonen, Jalbert, Kane, Kelleher, LeBlanc, Lizotte, Lougee, Lunt, Lynch, Mahany, Martin, A.; Mills, Peakes, Plourde, Post, Prescott, Silsby, Twitchell, Tyndale.

Yes, 60; No, 67; Absent, 24.

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

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

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

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

Mr. BUSTIN: Mr. Speaker, I move that this bill be tabled for one legislative day pending the motion to indefinitely postpone.

Whereupon, Mr. Palmer of Nobleboro requested a roll call vote.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Augusta, Mr. Bustin, that this matter be tabled pending the

motion of Mr. Laffin of Westbrook to indefinitely postpone and specially assigned for Monday, June 20. All those in favor will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Bachrach, Beaulieu, Bennett, Benoit, Berry, Blodgett, Brenerman, Brown, K. C.; Burns, Bustin, Carroll, Chonko, Clark, Connolly, Cote, Cox, Curran, Davies, Diamond, Dow, Dutremble, Elias, Flanagan, Fowlie, Goodwin, H.; Goodwin, K.; Greenlaw, Hall, Henderson, Hickey, Hobbins, Howe, Hughes, Jacques, Jensen, Joyce, Kany, Kerry, Kilcoyne, Laffin, Locke, MacEachern, McHenry, Mitchell, Nadeau, Najarian, Nelson, M.; Nelson, N.; Post, Quinn, Spencer, Talbot, Tierney, Truman, Valentine, Wilfong, Wood, Wyman, The Speaker.

NAY — Aloupis, Ault, Austin, Bagley, Berube, Biron, Birt, Boudreau, P.; Brown, K. L.; Bunker, Carey, Carter, D.; Carter, F.; Churchill, Conners, Cunningham, Devoe, Dexter, Drinkwater, Durgin, Fenlason, Garsoe, Gill, Gould, Gray, Green, Higgins, Huber, Hunter, Hutchings, Jackson, LaPlante, Lewis, Littlefield, Mackel, Marshall, Masterman, Masterton, Maxwell, McBreairty, McKean, McMahon, McPherson, Moody, Morton, Norris, Palmer, Pearson, Peltier, Perkins, Peterson, Raymond, Rideout, Rollins, Sewall, Shute, Smith, Sprowl, Stover, Stubbs, Tarbell, Tarr, Teague, Theriault, Torrey, Tozier, Trafton, Whittemore.

ABSENT — Boudreau, A.; Carrier, Dudley, Gauthier, Gillis, Immonen, Jalbert, Kane, Kelleher, LeBlanc, Lizotte, Lougee, Lunt, Lynch, Mahany, Martin, A.; Mills, Peakes, Plourde, Prescott, Silsby, Strout, Twitchell, Tyndale.

Yes, 59; No, 68; Absent, 24.

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

Mrs. Tarr of Bridgton requested a vote on the motion to indefinitely postpone.

Whereupon, Mr. Palmer of Nobleboro 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 gentlewoman from Vassalboro, Mrs. Mitchell.

Mrs. MITCHELL: Mr. Speaker, I would like to pose a question through the Chair to the gentlewoman from Bridgton, Mrs. Tarr. As I was reading this bill, I came upon a hypothetical situation which concerned me very much. I have read the part which says "if you quit without good cause attributable to such employment." I thought of a situation where a husband and wife both worked to make ends meet. That couple could also have a child, the child could become sick, and the wife would have to stay at home to take care of the child. Their bills would not become less, I would think they would increase because of medical bills, but the wife did not quit because of the employment, she quit for personal reasons. Would she be ineligible under your bill for unemployment?

The SPEAKER: The gentlewoman from Vassalboro, Mrs. Mitchell, posed a question through the Chair to the gentlewoman from Bridgton, Mrs. Tarr, who may respond if she so desires.

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

Mrs. TARR: Mr. Speaker, she would be ineligible if it was not attributed to her employment. I am sure that she might be able to get

homemaker services or somebody to come in to help her. She could make arrangements with her employer to be out a couple of weeks for good reason, and he would take her back when her child was well and she did not have to stay home.

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

Mr. BOUDREAU: Mr. Speaker, I think hypothetically, the roof could start leaking any moment and we might have to go home and call the session next January.

The SPEAKER: The pending question is on the motion of the gentleman from Westbrook, Mr. Laffin, 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, Benoit, Brenerman, Brown, K. C.; Burns, Bustin, Chonko, Connolly, Cox, Davies, Dutremble, Elias, Goodwin, H.; Goodwin, K.; Hall, Henderson, Hickey, Hobbins, Kerry, Kilcoyne, Laffin, McHenry, Mitchell, Nadeau, Najarian, Pearson, Prescott, Talbot, Truman, Valentine.

NAY — Aloupis, Ault, Austin, Bagley, Bennett, Berry, Berube, Birt, Blodgett, Boudreau, P.; Brown, K. L.; Bunker, Carey, Carroll, Carter, D.; Carter, F.; Churchill, Clark, Conners, Cote, Cunningham, Curran, Devoe, Dexter, Diamond, Dow, Drinkwater, Durgin, Fenlason, Flanagan, Fowlie, Garsoe, Gill, Gould, Gray, Green, Greenlaw, Higgins, Howe, Huber, Hughes, Hunter, Hutchings, Immonen, Jackson, Jacques, Jensen, Joyce, Kany, LaPlante, Lewis, Littlefield, Locke, MacEachern, Mackel, Marshall, Masterman, Masterton, Maxwell, McBreairty, McKean, McMahon, McPherson, Moody, Morton, Nelson, M.; Nelson, N.; Norris, Palmer, Peltier, Perkins, Peterson, Post, Quinn, Raymond, Rideout, Rollins, Sewall, Shute, Smith, Spencer, Sprowl, Stover, Strout, Stubbs, Tarbell, Tarr, Teague, Theriault, Tierney, Torrey, Tozier, Trafton, Whittemore, Wilfong, Wood, Wyman, The Speaker.

ABSENT — Boudreau, A.; Carrier, Dudley, Gauthier, Gillis, Jalbert, Kane, Kelleher, LeBlanc, Lizotte, Lougee, Lunt, Lynch, Mahany, Martin, A.; Mills, Peakes, Plourde, Silsby, Twitchell, Tyndale.

Yes, 31; No, 59; Absent, 21.

The SPEAKER: Thirty-one having voted in the affirmative and fifty-nine in the negative, with twenty-one being absent, the motion does not prevail.

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

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

Senate Report — "Ought to Pass" — Committee on Transportation on Bill, "An Act Appropriating Funds from the General Fund for the Purpose of Developing a Parking Lot in Lincolnville" (Emergency) (S. P. 410) (L. D. 1418)

Tabled — June 16, 1977 by Mr. Garsoe of Cumberland.

Pending — Motion of Mr. Biron of Lewiston to Indefinitely Postpone Bill and All Accompanying Papers.

On motion of Mr. Tierney of Lisbon Falls, retabled pending the motion of Mr. Biron of Lewiston to indefinitely postpone and specially assigned for Tuesday, June 21.

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

"An Act to Authorize Bond Issue in the Amount of \$3,748,000 for Construction of an Educational Wing at Central Maine Vocational-Technical Institute, a Mechanicals Building at Eastern Maine Vocational-Technical Institute,

a Multipurpose Instructional Building at Northern Maine Vocational-Technical Institute and a Building Construction Facility at Southern Maine Vocational-Technical Institute" (H. P. 1618) (L. D. 1819) (S. "A" S-218 to H. "A" H-487)

Tabled — June 16, 1977 by Mr. Quinn of Gorham.

Pending — Passage to be Enacted.

On motion of Mr. Tierney of Lisbon Falls, retabled pending passage to be enacted and specially assigned for Tuesday, June 21.

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

House Report — "Leave to Withdraw" — Committee on Public Utilities on Bill, "An Act Relating to Electric Companies' Fuel Charges" (H. P. 1179) (L. D. 1407)

Tabled — June 16, 1977 by Mrs. Kany of Waterville.

Pending — Motion of Ms. Clark of Freeport to Accept the Leave to Withdraw Report.

On motion of Mr. Tierney of Lisbon Falls, retabled pending acceptance of the Committee Report and specially assigned for Monday, June 20.

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

Bill, "An Act to Appropriate Money for Improvements to Airports and to Authorize General Fund Bond Issues in the Amount of \$1,200,000" (H. P. 1409) (L. D. 1684)

Tabled — June 16, 1977 by Mr. Palmer of Nobleboro.

Pending — Adoption of Committee Amendment "A" (H-591)

On motion of Mr. Strout of Corinth, retabled pending adoption of Committee Amendment "A" and specially assigned for Tuesday, June 21.

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

Bill, "An Act Relating to the Powers of Plantations and their Organization" (H. P. 1396) (L. D. 1635)

Tabled — June 16, 1977 by Mrs. Post of Owls Head.

Pending — Passage to be Engrossed.

On motion of Mr. Greenlaw of Stonington, retabled pending passage to be engrossed and specially assigned for Monday, June 20.

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

RESOLUTION, Proposing an Amendment to the Constitution to Permit the Governor to Veto Items Contained in Bills Appropriating Money and Retaining the Power Within the Legislature to Override such Item Vetoes (H. P. 1287) (L. D. 1520) — In House, Majority "Ought Not to Pass" Report Read and Accepted on June 13. — In Senate, Minority "Ought to Pass" Report Read and Accepted and Resolution Passed to be engrossed as Amended by Senate Amendment "A" (S-264). (House Receded and Concurred on June 16)

Tabled — June 16, 1977 by Mr. Bustin of Augusta.

Pending — Motion of the same gentleman to Reconsider Receding and Concurring.

On motion of Mr. Tierney of Lisbon Falls, retabled pending the motion of Mr. Bustin of Augusta to reconsider receding and concurring and specially assigned for Tuesday, June 21.

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

Bill "An Act to Revise Certain Motor Vehicle Related Laws" (H. P. 246) (L. D. 336)

Tabled — June 16, 1977 by Mr. Jensen of Portland.

Pending — Adoption of House Amendment "A" (H-683) to Committee Amendment "A" (H-597)

On motion of Mr. Carroll of Limerick, House Amendment "A" to Committee Amendment "A" was indefinitely postponed.

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

House Amendment "B" to Committee Amendment "A" (H-705) was read by the Clerk.

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

Mr. GOODWIN: Mr. Speaker, Men and Women of the House: I have a real problem with this amendment and I would like to debate it for a short period of time. I will just point out the problem, and if my majority leader wants to shake his head "yes," he could table it, or if not, I will move to indefinitely postpone it, one or the other.

On this amendment, House Amendment "B", on the second page, Section 16A, there is a little section in there that puts off for one more year motorcycle drivers' education training. Now, for those of you who have been around for awhile, let me give you a quick history of this. In the 106th, I introduced a bill to establish — I think I will sit down and see if my majority leader would like to table this.

Thereupon, on motion of Mr. Tierney of Lisbon Falls, tabled pending adoption of House Amendment "B" to Committee Amendment "A" and specially assigned for Monday, June 20.

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

Bill, "An Act to Clarify and Modify Causes for a 7-Day Notice of Termination of Tenancy at Will" (H. P. 988) (L. D. 1199) (C. "A" H-536)

Tabled — June 16, 1977 by Mr. Palmer of Nobleboro.

Pending — Passage to be Engrossed.

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

House Amendment "A" to Committee Amendment "A" (H-684) was read by the Clerk.

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

Mr. GREEN: Mr. Speaker, I would just like to ask a question through the Chair to the good sponsor of this, if he could please just very briefly explain it.

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

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

Mr. TARBELL: Mr. Speaker, the amendment will simply say that in the event that a tenant is 14 days in arrears on rent, what triggers 7-day notice to evict by a landlord, if within that 7-day period of time the tenant pays his rent, the 7-day notice of eviction to kick the tenant out is void. In other words, my amendment would give a tenant, within that 7-day notice period, time to cure by paying his rent and then everybody goes home.

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 Amend the Powers and Duties of the Maine Committee on Aging" (H. P. 229) (L. D. 292) which was tabled earlier in the day and later today assigned pending passage to be engrossed.

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

House Amendment "A" (H-701) 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.

The Chair laid before the House the following matter:

"An Act to Amend the Maine Income Tax Law" (H. P. 1514) (L. D. 1749) (H. "B" H-527) which was tabled earlier in the day and later today assigned pending passage to be enacted.

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

Mr. PALMER: Mr. Speaker, I do not want to overburden the Chairman of the Taxation Committee with an explanation. I have had my questions answered and I am perfectly satisfied to have the bill be enacted; however, if he wants to make a brief explanation, it is fine with me.

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

#### (Off Record Remarks)

The following papers from the Seante were taken up out of order by unanimous consent:

The following Joint Order: (S. P. 559)

ORDERED, the House concurring, that notwithstanding Joint Rule 19, the following bills may be retained by the committee to which they have been referred during the course of the interim between the first and second regular session of this Legislature and may be considered by the respective committees during that time under the supervision of the Legislative Council and shall be reported to the appropriate House on the first day of the second regular session:

State Government (H. P. 671, L. D. 729)

"An Act to Establish and Apply a Policy on the Classification of Major Policy-influencing Positions Below the Head of State Departments and Agencies;

Marine Resources (H. P. 1321, L. D. 1640)

"An Act to Revise the Laws Concerning Marine Resources;

Health and Institutional Services (H. P. 724, L. D. 1202)

"An Act Establishing a Maine Certificate of Need Program;

(S. P. 384, L. D. 1358) "An Act Relating to Certificate of Need;

(H. P. 1471, L. D. 1721) "An Act to Require the Department of Human Services to License and Make Direct Reimbursements to Free-standing Health Clinics."

Came from the Senate read and passed.

In the House, the Order was read.

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

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: I made a few comments on this prior to recessing relative to some thoughts I have on this. I think we are embarking, to me personally, on probably what is an improper direction to go at the present time without having made a real study of how we are going to handle bills that are referred from the first session to the second session. I personally have always disagreed with short-term solutions to long-range problems.

I think we could do several things this afternoon, and I realize probably the problems that are involved in any action. We could table this order until the first of the week. I realize that what the problems might be with this. I still believe that the solution to this is that these bills probably should be withdrawn and new bills introduced at the first of the session. These bills could be brought in at the start of the session. They don't necessarily have to go to public hearing; it is felt that the public hearing effort had been made before.

I am sure that probably every one of these bills will come in in a new draft. When we come

in here, are we going to have copies of the bills available? This is also a question, and there are several questions in my mind, but the major point is that when a body adjourns sine die, that the legislation that is presently before them is automatically dead. I don't think the Constitutional Amendment setting up the second annual session, possibly it didn't address this, I think it was the feeling, at least my own when they did pass it, that they allowed four provisions for bills to be brought into the second session, and I don't feel that this process falls without the scope of any of them.

I would prefer that this either be tabled until Monday and a more thorough look could be accomplished on this and some direction developed, maybe by the Legislative Council, as to a proper procedure for referring bills from one session to the next, if this is going to be the procedure that is done, or the other action is that I will vote against the order.

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

Mr. GREENLAW: Mr. Speaker, Men and Women of the House: I certainly have not served in this legislative body as long as the good gentleman from East Millinocket, Mr. Birt, but if memory serves me correctly, I think that the 106th Legislature used a very similar procedure where bills came out of committee during the regular session and were recommended that they be referred to the first special session or any special session of the legislature. Of course, at that time, we were not in annual sessions and the session that took place in the second year of the biennium was, in fact, a special session. The reason I stand to make that point is that it does not seem to me that there is a drastic change from procedures that have taken place in the past, with the exception that these bills that are being referred to the second regular session of this legislature are coming through in a joint order as opposed to having a specific recommendation by the committee.

With reference to one bill on here that deals with the Committee on Marine Resources, it seems to me as an illustration why I think this is a good procedure. The bill, as the gentlewoman from Owls Head, Mrs. Post, indicated, was not completed, and I think it will give the committee time to consider a complete change to the Marine Resources statute, which I think we all would agree is very important.

I think this is a good procedure, and I would very much encourage you to vote for the order.

The SPEAKER: The Chair will order a vote. All those in favor of this Order receiving passage in concurrence will vote yes; those opposed will vote no.

A vote of the House was taken.

71 having voted in the affirmative and 8 having voted in the negative, the motion did prevail.

The following Joint Order: (S. P. 558)

ORDERED, the House concurring, that the following be recalled from the Governor's Office to the Senate: Bill, "An Act to Repeal Certain Laws Relating to Domestic Relations." (H. P. 1627, L. D. 1830)

Came from the Senate read and passed.

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

Reference was made to (H. P. 723) (L. D. 856) Bill "An Act to Provide for Legislative Confirmation of Gubernatorial Nominations for Chairmen of the Maine Human Services Council and the Maine Committee on Aging"

In reference to the action of the House on Thursday, June 16, whereby it Insisted and Joined in a Committee of Conference, the Chair appointed the following Conferees on the part of the House:

Messrs. CURRAN of South Portland  
GOODWIN of South Berwick  
SILSBY of Ellsworth

Reference was made to (S. P. 464) (L. D. 1607) Bill "An Act to Make Possible Property Tax Valuation Assistance to Local Officials"

In reference to the action of the House on Friday, June 17, whereby it Insisted and Joined in a Committee of Conference, the Chair appointed the following Conferees on the part of the House:

Mr. CAREY of Waterville  
Mrs. POST of Owls Head  
Mr. TEAGUE of Fairfield

Reference was made to (H. P. 1128) (L. D. 1345) Bill "An Act to Amend the Membership and the Legislative Mandate of the Capitol Planning Commission"

In reference to the action of the House on Thursday, June 16, whereby it Insisted and asked for a Committee of Conference, the Chair appointed the following Conferees on the part of the House:

Messrs. CURRAN of South Portland  
DIAMOND of Windham  
Mrs. MASTERTON of Cape Elizabeth

(Off Record Remarks)

On motion of Mr. Fenlason of Danforth,  
Adjourned until Monday, June 20, at nine-thirty in the morning.