

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Eighth
Legislature***

OF THE

STATE OF MAINE

1978

Second Regular Session

January 4, 1978 — April 6, 1978

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APPENDIX

HOUSE

Wednesday, February 22, 1978

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

Prayer by the Reverend Glen E. Rainsley of the South Freeport Church, U. C. C.

Reverend RAINSELEY: Let us pray. O God, we have been taught from our youth the values of hard work, reason, fairness and seriousness. These are virtues, indeed, for those who serve, but this morning we ask that you help us to recognize anew that there are other virtues to be used in service to your kingdom and to the State of Maine and that among them are relaxation, common sense, brevity and a sense of humor. Round us out, Lord, that we might serve better, that we might serve well. In the name of Jesus Christ. Amen.

The members stood at attention during the playing of the National Anthem by the Gray-New Gloucester High School Band of Gray.

The journal of the previous session was read and approved.

The SPEAKER: The Chair is pleased to recognize in the back of the hall of the House Kathleen Gilbert, who is Maine's Junior Miss. She is 18 years old and a student at the University of Maine at Farmington, living in Windsor. She was Miss Windsor Fair, Miss Apple Queen and Miss Snowfest Queen, and she is the guest of the gentlewoman from Vassalboro, Mrs. Mitchell. Her official chaperone for the day is the gentleman from Sabattus, Mr. LaPlante. The Chair would ask the Sergeant-at-Arms to escort the gentleman from Sabattus, Mr. LaPlante, and Kathleen Gilbert, Maine's Junior Miss, to the rostrum.

Miss GILBERT: Mr. Speaker and Honorable Ladies and Gentlemen of the House: I wish it were possible for each senior in high school to know of the wonderful opportunities that the Junior Miss program has to offer. It stresses each girl's individual personality for intelligence, her creative ability, her social activities and her general appearance.

For the past 18 years, I have been a citizen of Maine. My home is in Windsor. I attended St. Mary's School in Augusta and this past June, I graduated from Cony High School with a scholastic achievement award.

Probably the highlight of my whole year was my trip to Mobile, Alabama, to be in the America's Junior Miss Pageant. I am sorry to say that this coming Saturday night I am going to have to give up my title and I will be crowning the new Maine's Junior Miss, but I am sure that she will be welcomed by all of you in the State with the same warmth and support that you have given me.

I would like to thank you for asking me to come here today, and I hope I have represented Maine to the best of my ability. (Applause)

Thereupon, Miss Gilbert was escorted from the rostrum by the Sergeant-at-Arms amid prolonged applause, the members rising.

Papers from the Senate

The following Communication:

THE SENATE OF MAINE
AUGUSTA

February 17, 1978

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

The Senate today voted to Adhere to its action whereby it Indefinitely Postponed Bill, "An Act Relating to the Application of the State Valuation to State and Town Cost-Sharing Activities, including Highway, Bridges and Winter Maintenance," (S. P. 657) (L. D. 2034).

Respectfully,
MAY M. ROSS

Signed:

Secretary of the Senate

The Communication was read and ordered placed on file.

The following Joint Order, an Expression of Legislative Sentiment recognizing that:

Robert S. Pike Sr., of Cornish, is retiring at the age of seventy-five from the Cornish Board of Selectmen, after having served sixteen years as a selectman, including fifteen years as the Chairman of the Board, and after having held many other civic positions (S. P. 701)

Came from the Senate read and passed.

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

The following Joint Order: (S. P. 700)

Ordered, the House concurring, that the Joint Standing Committee on Marine-Resources shall report out a bill setting a minimum size for the taking of soft shelled clams. Came from the Senate read and passed.

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

Reports of Committees

Divided Report

Majority Report of the Committee on Education reporting "Ought Not to Pass" on Bill "An Act to Extend School Breakfast Availability to Maine School Children" (S. P. 659) (L. D. 2036)

Report was signed by the following members:

Messrs. KATZ of Kennebec
PIERCE of Kennebec
USHER of Cumerland
— of the Senate.

Messrs. FENLASON of Danforth
BAGLEY of Winthrop
FLOURDE of Fort Kent
Mrs. LEWIS of Auburn

Messrs. LYNCH of Livermore Falls
BIRT of East Millinocket
— of the House.

Minority Report of the same Committee reporting "Ought to Pass" as amended by Committee Amendment "A" (S-470)

Report was signed by the following members:

Messrs. WYMAN of Pittsfield
CONNOLLY of Portland
Mrs. MITCHELL of Vassalboro
Mrs. BEAULIEU of Portland
— of the House.

Came from the Senate with the majority "Ought Not to Pass" Report read and accepted.

In the House: Reports were read.

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

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

The SPEAKER: The gentleman from Livermore Falls, Mr. Lynch, moves that the House accept the Majority "Ought Not to Pass" Report in concurrence.

The Chair recognizes the gentleman from Portland, Mr. Connolly.

Mr. CONNOLLY: Mr. Speaker and Members of the House: I would hope that you would vote against the motion to accept the majority report and vote to keep this bill alive.

Just by way of background, the bill that was originally introduced this session would be required, with few exceptions, every school district in the state by 1980 to establish a school breakfast program. The bill had a very long and extensive hearing, there was a lot of testimony presented from a number of different people on many different aspects of the subject. The committee debated it and argues it amongst ourselves for quite a long time and it became clear that the issue wasn't one of whether school breakfasts was a good idea or not, it was the problem of mandation. The original bill would have required that every school district in the state set up a breakfast program. So realizing that with that being the issue and

with not a lot of support going to come out of the committee, let alone on the floor of the House, a compromise was sought after and was reached, one that I thought was going to be acceptable to almost everybody concerned.

What the amendment does, the amendment is now the bill, and that is what you have before you. It takes out everything that has to do with mandation, everything that has to do with requiring local schools to set up breakfast programs. What the amendment says is that the Department of Education shall determine which schools in the State of Maine have 25 percent or more of their students that would be eligible for a free or reduced price breakfast. Those schools will then be defined as especially needy schools based on federal legislation and federal guidelines. Then the bill goes on to say that those schools that have been determined to be especially needy because they have a certain percentage of their population that would be able to get free or reduced price breakfasts, those schools, their principals, superintendents and their school boards shall be told that they are an especially needy school and notified that if they set up a breakfast program, they would be entitled to additional monies, hardship money, I believe it is referred to, from the federal government to set up a breakfast program. The amendment also requires that the Department of Education inform the legislature of which schools are especially needy schools.

The problem that we heard in committee from the numbers of people from districts where there are no breakfast programs now in operation was that in most cases setting up a school breakfast program, even if it is necessary presents an administrative inconvenience, that superintendents and principals don't like to go through the work that is necessary to set up a program, and some of their excuses, some of their arguments, I think, were very legitimate but in other cases, they weren't.

The one thing that the committee found out was that the information about the availability of full federal funding, no state funding at all for school breakfast programs, but full federal funding was not filtering down to school boards, that school boards were not being provided in most cases with enough information upon which to make a decision, yes, we will have a breakfast program or, no, we won't have a breakfast program.

This is what the amendment does. It merely sets up a flow of information. The department identifies schools that have a number of students who would be eligible and then requires the department to tell those schools that they can get extra money from the federal government if they move to set up a program, but in no way at all does this amendment require any school district in the state to set up a breakfast program if that school does not want to do it.

I would just like to point out that this bill, even in its amended form, has the endorsement of the Maine State Teachers Association, the Maine State Employees Association and the AFL-CIO, among others.

I would really hope that you would vote against the motion for the majority report and Mr. Speaker, I would like to ask for a roll call.

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

Mrs. BEAULIEU: Mr. Speaker, Ladies and Gentlemen of the House: I have been asked off and on since we have convened how come I have been so quiet and how come I haven't made one of my infamous speeches on the floor of the House. I guess the time has come and I would like to take you to a school building today and I would like to let you allow me to be the teacher who is taking you on a tour of that school, and it specifically addresses this bill.

I would like to take you into my kindergarten class and show you that tiny, thin little girl with the great big beautiful eyes sitting in the corner and point out to you that if that little girl

had a little meat on her bones and if she wasn't suffering from malnutrition, her eyes might not be so big but at least she would be a healthy child. And the little boy over there in the corner who is smiling all the time has 15 teeth in his mouth and every one of them has a cavity because he is not being fed properly at home. And the cute little chubby girl in the other corner is suffering from obesity because most of her diet consists of macaroni and spaghetti and bread, and she will probably grow up to be an obese adult.

Now, I am going to take you out of the kindergarten class and just let you peek into the other classrooms so you can just take a look at the children we have here. I have kids in my school who have a hot lunch at noon at this school, and we are fortunate that we have a hot lunch program, but they will never see food again until the hot lunchtime the next day. I have children here who have their hot lunch with us, go home, and because the family feels they did have a proper meal at noon, they are told to fix themselves a sandwich for supper, and that will be the end of it.

We also have children in our school building who get a hot lunch and a supper, maybe, and they will get on a school bus the next morning, sit there for an hour or so riding the country roads, and if they were fortunate enough that their mothers forced them to eat breakfast because she had to be to work at seven and the father went to work at five thirty, you might want to find out that the breakfast by then is at the tip of their toes or somewhere in the back of the bus.

I have children in my school who know how to spell "asparagus" but they have never tasted it, and if we brought in the actual vegetable and showed it to them, they wouldn't know what it is, and they will never get to taste it because a family who has four children most certainly is not going to spend \$1.80, because asparagus sells for 85¢ a can, to give it with the evening meal.

We have children in this building who have never held a pear in their hands; they don't know what it is never mind tasting it, but they know what Captain Crunch is. Yet, they will argue up and down with me that toast and waffles is something you put in the toaster and it has to be warm before you can eat it.

We also have children in this school who will fight with their peers to work in the cafeteria because they know that the cook will let them eat what is left over in the pans. Naturally, they can't touch what was left over on the tables by the kids who do eat steak or go to McDonald's once in a while because, after all, that is forbidden. That is why I have a parking lot full of healthier garbage cans than I have healthy kids in my building.

My school board and my superintendent and the teachers in my school building are all scared to death of the breakfast program. They don't want to work an extra 15 minutes or do the extra homework, and they did travel to Augusta and they did tell the Education Committee they wanted no part of it. I was also told that when the Education Committee took a vote on this bill, when the jacket was passed out for the "ought not to pass," most of the members on that committee were stuffing their faces with a great big, beautiful hot biscuits that have been brought down by a Representative's wife, and after the butter was wiped off the "ought not to pass" jacket, four members of that committee who thought about kids decided to sign a different jacket. When they walked out of the room, the comments in the hallway by members of the Education Committee were, "Thank God, my school board will not have to deal with this. The people back home will be very happy that I killed this bill." Not one person talked about the kids.

I read over the weekend that a member of the other body of that same committee said

that the breakfast bill had been reduced to nothing more than a bowl of Pablum. I would like to remind you that the first teaspoonful of solid food that goes into a newborn baby's mouth is usually filled with Pablum. If I were a member of the Legislature, I would try to force feed a spoonful of Pablum to them.

What irked most of the four members who signed differently than the "ought not to pass" is that the Department of Education would not even consider allowing the bill to come out saying that we should have nutrition education in our schools, that they were doing it, although it was not working very well and it was not strong, they were doing the best they could and it would get better.

As far as I am concerned, if I were in the Legislature, I would say, "Legislators, stop waiting for the hungry children in this state to grow up to be age 18 so they can vote for you. Why don't you turn around and give them a vote today." That is exactly what I intend to do, because, in my opinion, accepting the Majority "Ought Not to Pass" Report is like standing there eating that hot biscuit in front of a hungry kid, knowing exactly what you are doing and then turning your back on him and walking away, and I think that is wrong. School is out.

The SPEAKER: The Chair recognizes the gentleman from Danforth, Mr. Fenlason.

Mr. FENLASON: Mr. Speaker, Ladies and Gentlemen of the House: I regret that I have taken exception to one statement made by the good lady from Portland, Mrs. Beaulieu, that the members of the committee who voted against this bill had no feeling for kids.

I voted against the bill and I have worked in education for many, many years. I have helped many children. I have fed many children and I have set up a breakfast program where it was needed, and I still voted against this bill. Let me tell you a few reasons why. We are constantly being bombarded with the statement, let us have local control, and this is one more wedge to take away local control.

I really cannot understand why this bill is needed. The cities, where the breakfast program is needed most, seems to be working very well. I had several letters from agencies in the City of Portland saying that their breakfast program was off to a flying start and doing well. I congratulate them. I think that that is fine, but what works in a large city, any large city, will not necessarily work in the small towns in northern Maine. There is great difference.

At the present time, if any school system feels that it has need for a breakfast program, there is no reason on earth why it cannot set it up. I think it should be the decision of that particular locality. In the small towns, we know our students, we know our families and we know them well and if there is a deficiency there, I think we are well qualified to take care of it without mandating a breakfast program. I know someone will say this is not mandated but if you read it carefully, there is still a lot of mandation left in this bill.

Another thing I would like to point out is that some people seem to think that because there are federal dollars kicking around that you can put into a breakfast program, we should reach out with our grubby little hands and grab for those federal dollars. I think that that is an awful reason for starting a program state-wide which is not needed.

The basic purpose, as I understand it, for schools is to provide education for our children, not a welfare program and not to take the place of parents who, through neglect or lack of responsibility, just do not feed their children. It seems to me that the families should have some responsibility and that this is just another program which would be hung on the school systems with a lot of paperwork and it is not necessary. We can have breakfast programs right now if we want them. We have the State

Department of Education with a hot lunch program that is set up to give information. We have the superintendents of schools, and I cannot understand this comment that school boards are not informed. I am sure they are informed, because through all these agencies, there is plenty of opportunity and plenty of flow of communication. I think it is ridiculous to say that the towns and the school boards are not informed that they can have breakfast programs if they want it.

I sincerely hope that you will vote "ought not to pass" on this piece of legislation.

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

Mr. WYMAN: Mr. Speaker, Ladies and Gentlemen of the House: I certainly appreciate Representative Beaulieu's sincerity and her concern in this matter. I agree with her, but I have to take exception to one remark that she made and that was concerning the biscuits. I did not have any of Mrs. Birt's biscuits but I did have her cheesecake and it was delicious, and I think probably all the members of the committee enjoyed that little treat. I hope that we will be able to make her a permanent member of our committee if she continues to supply us with such food.

I would not, in supporting this bill and opposing the "ought to pass" Report want to impugn the integrity or the motives of any members of the Education Committee. I certainly respect those members of the committee that signed this report "ought not to pass" I respect Representative Fenlason's reasons for opposing this. I think what you should consider is the bill in its amended form and I would like to cite to you the amendment which was ultimately adopted in the bill after many changes.

The amendment does not call for any mandated program at all. I can assure each member of the House that the people that I represent are very concerned about mandated programs, and so am I. There was no question that a mandated breakfast bill was going to get nowhere with the Education Committee. We sent that bill back for a redraft and amendment at least three or four different times. Each time, members of the Education Committee said, "Well, if you could just make a few more changes, we might be able to accept it." There were no commitments, so I appreciate their ultimate vote against the bill, but there was a sincere effort to put this bill in as an acceptable form as was possible and still have the bill accomplish something.

I suspect that there are going to be members, some of you, who will vote against the bill and vote for the "ought not to pass" report because you feel that the bill is not strong enough. I don't think, particularly, that it is strong enough, I would have accepted any of the other amendments, but the important thing is, we did remove the mandated aspect of this bill and I want you all to know that and I want to emphasize it, because I think that is the real crux of the matter today, whether we are going to mandate a program or whether we are going to allow local school districts to decide for themselves whether or not they want a breakfast program.

I understand Representative Fenlason's reservations and I respect those; I sincerely do. I think probably we are mandating one thing and that is, we are mandating that the department inform school districts if they do meet the especially needed designation, and that is if 25 percent of their students are eligible for free or reduced price meals, so we are requiring the commissioner to do that.

We heard extensive testimony before our committee that there seemed to me ample proof that the department was not informing school districts of the federal funds that are available under a breakfast program. This is not being done. Perhaps there is not enough staff; I don't know what the reasons are. I think it ought to be done and our school dis-

tricts ought to know, especially those school districts that are interested in having a breakfast program, whether or not they are entitled to it. That is all this bill does.

It simply lets them be aware of the opportunities that are available to them. They don't have to take them.

I would like to beg your indulgence for just a moment and cite to you some interesting statistics from a report that was handed out to us from a proponent of the school breakfast program. I think that these are interesting, and I would appreciate it if you would listen to them very carefully. I think they illuminate very clearly the reason why we should vote against the "ought not to pass" report.

In 1967, a pilot breakfast program in a Connecticut school produced the following findings. Among students participating in the breakfast program, 37 percent improved in health as indicated by fewer complaints of headaches and not feeling well. 52 percent showed improvements in behavior by being less restless, less irritable and creating fewer disciplinary problems. I think you all know the disciplinary problems that we are facing in our schools. In this Connecticut school, the breakfast program reduced incidence of restlessness; 54 percent were more active in games and activities during recess; 55 percent attended classes more regularly; 56 percent improved in attitude by being cheerful and helpful; 60 percent socialized at breakfast and then settled down to work and were more attentive; 66 percent showed an increase in attention span during the morning hours; 70 percent discontinued eating empty snacks such as chips, candy and so forth.

I certainly appreciate your reservations about mandating a breakfast program. I am not sure that I could support a mandate program myself, but the way this bill is written now with the amendment, but it is a harmless piece of legislation. It is necessary, but it is certainly innocuous from the point of harassing school districts or doing anything to them or forcing them to do anything that they do not want to do. This is simply saying, and I want to state it one more time so we all clearly understand it, if a school district is interested in having a school breakfast program, then the Commissioner of Education shall inform them, should send them the appropriate information informing them of what money is available at the federal level to help them fund their breakfast program. That is all this does.

I happen to believe that it is important for children to have a proper breakfast. You can argue that it ought to be done in the homes and I certainly think you have a point there but it is not being done in the homes. We cannot mandate it or insist or pass legislation that parents feed their children, but there is one thing we can do and that is to encourage school districts to have a breakfast program if they want one.

I hope that you will reject the "ought not to pass" report, vote no so we can accept the "ought to pass" report.

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

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

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

Mr. QUINN: Mr. Speaker, I wish to pair my vote with the gentleman from Stowe, Mr. Wilfong. If he were here, he would be voting yes; and I would be voting no.

The SPEAKER: The pending question before the house is the motion of the gentleman from Livermore Falls, Mr. Lynch, that the House accept the Majority "Ought Not to Pass" Report in concurrence. Those in favor will vote

yes; those opposed will vote no.

ROLL CALL

YEA — Aloupis, Ault, Austin, Bagley, Berry, Berube, Biron, Birt, Blodgett, Boudreau, P.; Brown, K. C.; Bunker, Burns, Carey, Carter, D.; Carter, F.; Churchill, Connors, Cote, Cunningham, Dexter, Drinkwater, Dudley, Durgin, Dutremble, Fenlason, Garsoe, Gill, Gillis, Goodwin, H.; Gould, Gray, Hall, Higgins, Huber, Hunter, Hutchings, Immonen, Jackson, Jacques, Jalbert, Jensen, Joyce, Kane, Kilcoyne, LaPlante, Lewis, Littlefield, Lizotte, Lougee, Lunt, Lynch, MacEachern, Mackel, Marshall, Masterman, Masterton, Maxwell, McBrearty, McPherson, Morton, Nelson, M.; Nelson, N.; Palmer, Peltier, Perkins, Peterson, Plourde, Rollins, Sewall, Shute, Silsby, Smith, Sprowl, Stover, Strout, Stubbs, Tarr, Teague, Theriault, Torrey, Tozier, Trafton, Truman, Twitchell, Valentine, Whittemore

NAY — Bachrach, Beaulieu, Bennett, Benoit, Brennerman, Brown, K. L.; Bustin, Carrier, Carroll, Chonko, Clark, Connolly, Cox, Curran, Davies, Diamond, Dow, Elias, Flanagan, Fowlie, Goodwin, K.; Green, Greenlaw, Henderson, Hickey, Howe, Hughes, Kany, Kelleher, Kerry, Laffin, Locke, Mahany, Martin, A.; McHenry, McMahon, Mitchell, Nadeau, Najarian, Norris, Paul, Pearson, Post, Prescott, Quinn, Rideout, Spencer, Talbot, Tarbell, Tierney, Violette, Wood, Wyman, The Speaker

ABSENT — Boudreau, A.; Devoe, Hobbins, McKean, Mills, Moody, Peakes, Tyndale

PAIRED — Raymond, Wilfong

Yes, 88; No, 53; Absent, 8; Paired, 2.

The SPEAKER: Eighty-eight having voted in the affirmative and fifty-three in the negative, with eight being absent and two paired, the motion does prevail.

Non-Concurrent Matter

Bill "An Act to Revise the Statute on Operating a Motor Vehicle While under the Influence of Intoxicating Liquor or Drugs" (S. P. 696) (L. D. 2138) which was passed to be engrossed as amended by House Amendment "A" (H-1039) in the House on February 15.

Came from the Senate passed to be engrossed as amended by House Amendment "A" (H-1039) as amended by Senate Amendment "A" (S-471) thereto in non-concurrence.

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

Non-Concurrent Matter

Bill "An Act to Permit Persons Other Than Arborists to Take Down Trees by Topping or Sections" (Emergency) (H. P. 1858) (L. D. 1925) which was passed to be engrossed as amended by Committee Amendment "A" (H-981) as amended by House Amendment "B" (H-1020) thereto in the House on February 9.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" (S-460) in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Unity, Mr. Tozier.

Mr. TOZIER: Mr. Speaker, I move that we recede and concur.

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

Mr. GREENLAW: Mr. Speaker, I would like to pose a question to the gentleman from Unity, Mr. Tozier. I don't have a copy of the amendment that the other body attached to it, and I wonder if he might be kind enough to explain what the other body has done?

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

The Chair recognizes that gentleman.

Mr. TOZIER: Mr. Speaker, Ladies and Gentlemen of the House: All this amendment will do is allow the town officers to give a permit to

anyone who wants to cut a tree down for anybody else on their property.

Thereupon, the House voted to recede and concur.

Non-Concurrent Matter

Joint Resolution to Declare May 3, 1978, as "Sun Day" (H. P. 2116) which was read and adopted in the House on February 16.

Came from the Senate Read and Failing of Adoption in non-concurrence.

In the House:

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

Mrs. HUBER: Mr. Speaker and Members of the House: Before I make the motion to recede and concur, I would like to make two brief comments. First of all, I am quite sure we will have a "sun day" on May 3, which is a Wednesday, with or without the encouragement or the endorsement of the Maine Legislature.

For those of you who were against this endorsement, those in the House and at the other end of the hall, I sorely tempted, so I guess I might as well quote a familiar bumper sticker that I am sure many of you saw three or four years ago. It went something like this: Let the expletive deleted freeze to death in the dark. And if the Representative from Westbrook Doesn't know what expletive deleted means, I would be happy to meet him in the back of the House and explain.

Thereupon, on motion of Mrs. Huber of Falmouth, the House voted to recede and concur.

Non-Concurrent Matter

Tabled and Assigned

"An Act to Amend the Crime of Assault on a Law Enforcement Officer" (S. P. 661) (L. D. 2032) which was passed to be Enacted in the House on February 16. (Having been Passed to be Engrossed as amended by Committee Amendment "A" (S-444).

Came from the Senate committed to the Committee on Judiciary in non-concurrence.

In the House: On motion of Mr. Tierney of Lisbon Falls, tabled pending further consideration and tomorrow assigned.

Petitions, Bills and Resolves

Requiring Reference

The following Bill was received and, upon recommendation of the Committee on Reference of Bills, was referred to the following Committee:

Education

Bill "An Act to Extend the School Budget Adoption Date" (Emergency) (H. P. 2125) (L. D. 2151) (Presented by Mr. Strout of Corinth) (Approved for introduction by a Majority of the Legislative Council pursuant to Joint Rule 25)

Committee on Reference of Bills suggested the Committee on Education.

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

Mr. LYNCH: Mr. Speaker, I believe the Education Committee should be entitled to act on this without a hearing.

Thereupon, the Bill was referred to the Committee on Education, ordered printed and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

House Reports of Committees

Ought Not to Pass

Mrs. Post from the Committee on Taxation on Bill "An Act to Assist Localities in Improving the Accuracy of Local Property Tax Valuations" (H. P. 1982) (L. D. 2069) reporting "Ought Not to Pass"

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

Leave to Withdraw

Mrs. Beaulieu from the Committee on Labor on Bill "An Act to Establish Rates of Contribu-

tion in Proportion to Use Under the Unemployment Compensation Laws" (H. P. 1957) (L. D. 2039) reporting "Leave to Withdraw"

Mr. Spencer from the Committee on Judiciary on Bill "An Act to Revise the Maine Juvenile Code and Related Statutes" (Emergency) (H. P. 1974) (L. D. 2060) reporting "Leave to Withdraw"

Reports were read and accepted and sent up for concurrence.

Ought to Pass

Pursuant to Joint Order H. P. 1986

Mr. Henderson from the Committee on Local and County Government on RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Somerset County for the year 1978 (Emergency) (H. P. 2122) (L. D. 2152) reporting "Ought to Pass" - pursuant to Joint Order H. P. 1986)

Report was read and accepted, the Resolve read once and assigned for second reading, tomorrow.

Divided Report Tabled and Assigned

Majority Report of the Committee on Health and Institutional Services reporting "Ought to Pass" as amended by Committee Amendment "A" (H-1054) on Bill, "An Act to Clarify Procedures for Emergency Admission to Hospitals for Mentally Ill" (H. P. 1997) (L. D. 2078)

Report was signed by the following members:

Mr. GREELEY of Waldo
Mrs. SNOWE of Androscoggin
— of the Senate.

Mrs. PRESCOTT of Hampden
KANE of Augusta

Messrs. BRENERMAN of Portland
KERRY of Old Orchard Beach

Mrs. NELSON of Portland
TRAFTON of Auburn

Messrs. GOODWIN of South Berwick
FOWLIE of Rockland
— of the House.

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

Report was signed by the following member:
Mr. PRAY of Penobscot
— of the Senate.

Reports were read.

On motion of Mr. Goodwin of South Berwick, the Majority "Ought to Pass" Report was accepted and the Bill read once.

Committee Amendment "A" (H-1054) was read by the Clerk.

On motion of Mr. Goodwin of South Berwick, tabled pending adoption of Committee Amendment "A" and tomorrow assigned.

(Off Record Remarks)

By unanimous consent, unless previous notice was given to the Clerk of the House by some member of his or her intention to move reconsideration, the Clerk was authorized today to send to the Senate, thirty minutes in concurrence and all matters that required Senate concurrence; and that after such matters had been so sent to the Senate by the Clerk, no motion to reconsider would be allowed.

On motion of Mr. Tierney of Lisbon Falls, Recessed until the sound of the gong.

After Recess

12:10 P.M.

The House was called to order by the Speaker.

Divided Report Tabled and Assigned

Majority Report of the Committee on Education reporting "Ought to Pass" as amended by Committee Amendment "A" (H-1055) on Bill, "An Act Relating to the Funding of Education" (Emergency) (H. P. 1943) (L. D. 2022)

Report was signed by the following members:

Messrs. PIERCE of Kennebec
KATZ of Kennebec
USHER of Cumberland
— of the Senate.

Messrs. CONNOLLY of Portland
WYMAN of Pittsfield

Mrs. BEAULIEU of Portland
LEWIS of Auburn

Messrs. FENLASON of Danforth
BAGLEY of Winthrop

BIRT of East Millinocket
Mrs. MITCHELL of Vassalboro

Messrs. PLOURDE of Fort Kent
— of the House.

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

Report was signed by the following member:
Mr. LYNCH of Livermore Falls
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Livermore Falls, Mr. Lynch. Mr. LYNCH: Mr. Speaker, I move we accept the Minority Report of the committee and ask for a roll call and would speak to my motion.

The SPEAKER: The gentleman from Livermore Falls, Mr. Lynch, moves that the House accept the Minority "Ought to pass" Report.

The gentleman may proceed.

Mr. LYNCH: Mr. Speaker, Ladies and Gentlemen of the House: Friday, you were given two fact sheets. You were given the majority report in detail so that you could see what was taken out of the law and what was being put in under the majority report. You have on your desks today a printout that applies to the majority report, L.D. 2022 as amended. You also have a paper that the Governor has put on your desks today. I think we have had a long four days and if you are not prepared to vote today, I don't think you have done your homework.

The SPEAKER: The Chair recognizes the gentleman from Wells, Mr. Mackel.

Mr. MACKEL: Mr. Speaker, Ladies and Gentlemen of the House: I feel that I should speak on this bill and speak in favor of it. I believe that L.D. 2022 is not a perfect bill by any means, but I do think that it represents a major step towards responding to the results of the repeal referendum. This bill, I believe represents the beginning of a trend toward returning control of education to the local committees, but I don't see it as the final objective. I think we have much to do in the years ahead.

Each of us can read into the results of the repeal referendum whatever we wish, but I believe it is valid to say that the people, that is the public, have indicated dissatisfaction with what we have been spending on education.

Enrollments — I would like to cite just a few statistics — have been going down since 1972, when it peaked at over 247,000, and they have gone down to 243,451 in 1977. Birth rates have been going down from 23,553 in 1961 to 15,046 in 1977. Our school expenditures, on the other hand, have been going up continually. Back as far as the 1957, 1958 school year, \$45 million total was spent on education. Fourteen years later, in 1972, we spent \$192 million. That is an increase of \$147 million. 1972 was, as I have indicated, the peak year of our enrollment. From 1972 up to 1977, we went up to \$295 million, an increase of \$113 million over the 1972 figure. These are statistics that obtained from the Department of Education and I believe are quite accurate.

I would remind you and remind myself, for that matter, that the Commissioner of Education has certified that the \$169 million is adequate. These both represent a very substantial increase over the amount of money that is being spent this year. This year, we are spending from state funds \$161 million, which represents an increase of \$7 million to \$8 million, depending on whose certified figures you would

accept — the Governor's at \$168 million or the Commissioner's at \$169 million.

I personally don't see any reason for going beyond this increase. I think it is a very substantial increase and I believe that we would be funding education very, very adequately if we accepted L.D. 2022 without any amendment.

Even the figures that were presented by the commissioner for the last year, I would point out that we had a surplus of about \$3.5 million, which indicates that we are doing pretty well as far as education is concerned.

Any increase in school funding will result in the reduction of funds available for any tax rebate or a refund. I think this is something we should bear in mind. I would prefer providing \$5 million to the taxpayer in the form of a rebate, tax rebate or a refund, and let them spend it on education if they wish or let them spend it any way that they wish.

Ladies and gentlemen, I am supporting L.D. 2022.

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 Livermore Falls, Mr. Lynch, that the Minority "Ought to Pass" Report be accepted. All those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Aloupis, Austin, Berry, Burns, Carter, D.; Carter, F.; Churchill, Connors, Cunningham, Devoe, Dexter, Durgin, Goodwin, K.; Gould, Higgins, Huber, Hunter, Hutchings, Jackson, Kany, Littlefield, Lynch, Mackel, Masterman, Masterton, Maxwell, McMahon, McPherson, Morton, Najarian, Norris, Palmer, Perkins, Post, Sewall, Silsby, Smith, Sprowl, Stover, Tarbell, Tarr, Valentine, Whittemore

NAY — Bachrach, Bagley, Beaulieu, Bennett, Benoit, Berube, Biron, Birt, Blodgett, Boudreau, P.; Brenerman, Brown, K. C.; Bustin, Carey, Carroll, Chonko, Clark, Connolly, Cox, Curran, Davies, Diamond, Dow, Drinkwater, Fenlason, Flanagan, Fowlie, Garsoe, Gill Gillis, Goodwin, H.; Green, Greenlaw, Hall, Henderson, Hickey, Howe, Hughes, Immonen, Joyce, Kane, Kelleher, Kerry, Kilcoyne, Laffin, Lewis, Lizotte, Locke, Lougee, Lunt, MacEachern, Mahany, Martin, A.; McHenry, Mitchell, Moody, Nadeau, Paul, Pearson, Peltier, Peterson, Plourde, Prescott, Quinn, Raymond, Shute, Spencer, Strout, Talbot, Teague, Theriault, Tierney, Torrey, Tozier, Trafton, Truman, Twitchell, Violette, Wood, Wyman, The Speaker

ABSENT — Ault, Boudreau, A.; Brown, K. L.; Bunker, Carrier, Cote, Dudley, Dutremble, Elias, Gray, Hobbins, Jacques, Jalbert, Jensen, LaPlante, Marshall, McBreairey, McKean, Mills, Nelson, M.; Nelson, N.; Peakes, Rideout, Rollins, Stubbs, Tyndale, Wilfong

Yes, 43; No, 81; Absent, 27.

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

Thereupon, the Majority "Ought to Pass" Report was accepted and the Bill read once. Committee Amendment "A" (H-1055) was read by the Clerk.

On motion of Mr. Tierney of Lisbon Falls, Tabled pending adoption of Committee Amendment "A" and tomorrow assigned.

Consent Calendar

First Day

In accordance with House Rule 49, the fol-

following items appeared on the Consent Calendar for the First Day:

(H. P. 2039) (L. D. 2104) Bill "An Act to Establish Training Requirements for Corrections Officers" — Committee on State Government reporting "Ought to Pass" as amended by Committee Amendment "A" (H-1057)

No objections being noted, the above item was ordered to appear on the Consent Calendar of February 23, under listing of the Second Day.

Consent Calendar Second Day

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

(S. P. 684) (L. D. 2106) Bill "An Act Concerning Pilot Projects for More Effective and Efficient Delivery of Services to Pre-school Handicapped Children" (Emergency) (C. "A" S-465)

No objections having been noted at the end of the Second Legislative Day, the Senate paper was passed to be engrossed in concurrence.

Passed to Be Engrossed

RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Waldo County for the Year 1978 (Emergency) (H. P. 2120) (L. D. 2148)

RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Knox County for the Year 1978 (Emergency) (H. P. 2121) (L. D. 2149)

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

Second Reader Tabled and Assigned

RESOLVE, Authorizing Certain Employees of the State of Maine to Request an Extension of Employment After Their Mandatory Retirement Age, Years of Service Requirement or Age and Years of Service Requirement (Emergency) (H. P. 2101) (L. D. 2140)

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

Mr. DAVIES of Orono offered House Amendment "B" and moved its adoption.

House Amendment "B" (H-1067) was read by the Clerk.

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

Mr. MacEACHERN: Mr. Speaker, I would like an explanation of what this amendment does.

The SPEAKER: The gentleman from Lincoln, Mr. MacEachern, has posed a question through the Chair to the sponsor of the amendment.

The Chair recognizes the gentleman from Orono, Mr. DAVIES.

Mr. DAVIES: Mr. Speaker and Members of the House: In response to my friend from Lincoln, Mr. MacEachern, the amendment that was going to be offered by Mr. Sprowl had a few technical flaws in it, so the amendment I am offering redoes that and it inserts the wording in the first resolve, the request that would be allowed under this bill would not be denied arbitrarily on the basis of age, length of service, or age and length of service combined. It also says that if any retirements have been received during the period that the person has been temporarily retired, that the Maine State Retirement System will simply recompute the retirement benefits for that individual rather than forcing them to pay back the money that they have already received and end up being without any funds at all for a period of time.

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

Mr. GARSOE: Mr. Speaker and Members of the House: This does somewhat more, in my opinion, than correct a technical error, at least

as I read it. It had been worked out with the sponsor of this resolve that the language as proposed in the original resolve was to be sharply curtailed in order not to interfere with retirements in other than state service that have been going on since the first of the year and before. I see here in this corrected copy the language that the request shall not be denied arbitrarily on the basis of age, length of service, or age and length of service, and this would have or could have a substantial impact on primarily school systems that have been acting in good faith and in line with past practices, and in order to perhaps improve my understanding of the fact that this may, indeed, only be a technical adjustment, I would appreciate it if somebody might table this for another day.

Thereupon, on motion of Mr. Morton of Farmington, tabled pending adoption of House Amendment "B" and tomorrow assigned.

Amended Bill

Bill "An Act to Provide Funding for Programs to Aid School Administrative Units to Identify and Provide Special Educational Programs for Gifted and Talented Children" (H. P. 1934) (L. D. 2005) (C. "A" H-1050)

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.

Passed to Be Enacted

"An Act to Appropriate Funds for the York County Community College" (H. P. 1978) (L. D. 2073) (H. "A" H-1031)

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

Orders of the Day

The Chair laid before the House the first item of Unfinished Business:

Bill, "An Act to Prohibit Child Pornography" (H. P. 2106) (L. D. 2141)

Tabled — February 17 (Till Later Today) by Mr. Tierney of Lisbon Falls.

Pending — Adoption of House Amendment "A" (H-1043)

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

Mr. WYMAN: Mr. Speaker, I would move indefinite postponement of House Amendment "A" and would speak very briefly to my motion.

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

The gentleman may proceed.

Mr. WYMAN: Mr. Speaker, Ladies and Gentlemen of the House: I hope that you will vote to indefinitely postpone House Amendment "A", as I had prepared another amendment which I think will more effectively address my own reservations concerning this bill. If you do vote to indefinitely postpone the amendment, I will have the opportunity to present it at that time.

Thereupon, House Amendment "A" was indefinitely postponed.

Mr. Wyman of Pittsfield offered House Amendment "D" and moved its adoption.

House Amendment "D" (H-1064) was read by the Clerk.

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

Mr. WYMAN: Mr. Speaker, Ladies and Gentlemen of the House: Just to very briefly explain this particular amendment. What it does is, it takes out much of what was in the other amendment that I introduced. It keeps the first penalty offenses intact as the Committee on Juiciary has recommended, adds two second offense penalties. For the second conviction for anyone who was convicted of producing child pornography or using children in the produc-

tion of child pornography it would be a Class A crime with a minimum mandatory sentence of 10 years in prison. For a second offense of disseminating child pornography, it would be a Class B crime with a minimum of 5 years in prison. It also changes the wording from sexually exploitive materials to sexually explicit materials.

I hope that you can support it. If you do support it, I personally believe that we will have one of the strongest pieces of legislation in this area in the country. It will be strong from two important perspectives. First of all, it will be strong in a legal sense from the standpoint of it being able to pass constitutional tests, and right now we are functioning more or less in a judicial vacuum because the courts have not made any substantial rulings to give us any guidance in the area of child pornography, whether they are going to treat it as adult pornography, whether it will have to meet such constitutional tests as the Miller test, we do not know. But the legislation as it has been re-drafted by the Committee on Judiciary has been redesigned to cover all of these contingencies, so it is strong from that point of view. It is also strong, if you adopt the amendment that I have submitted to you today from the standpoint of being an effective deterrent. We do not now have in this state, I believe, and I am pleased that we do not have a real serious problem with this dreadful crime and this dreadful form of abuse of children.

We need a strong law to be an effective deterrent to prevent Maine from having to deal with the serious and extensive problems that other states have had to deal with, primarily states such as California and New York, more populous states. So if we adopt the amendment, then I think we will have a very strong law from the standpoint of being a deterrent, which is the primary objective of this legislation at this particular time.

I hope that you will adopt the amendment.

Thereupon, House Amendment "B" was adopted.

The SPEAKER: The Chair recognizes the gentlewoman from Auburn, Mrs. Trafton.

Mrs. TRAFTON: Mr. Speaker, Ladies and Gentlemen of the House: I too, have an amendment that I would like to add to this bill and would request that someone table it for one day.

Thereupon, on motion of Mr. Tierney of Lisbon Falls, tabled pending passage to be engrossed as amended and tomorrow assigned.

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

Bill, "An Act to Authorize the Supreme Judicial Court to Establish by Rule a Committee on Judicial Responsibility and Disability" (H. P. 1900) (L. D. 1957)

Tabled — February 17, 1978 by Ms. Clark of Freeport.

Pending — Passage to be Engrossed.

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

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

House Report — Ought to Pass" as Amended by Committee Amendment "A" (H-1048) — Committee on Judiciary on Bill, "An Act to Make Trafficking in Five Pounds or More of Marijuana a Class C Crime under the Maine Criminal Code" (H. P. 1999) (L. D. 2080)

Tabled — February 17, 1978 by Mrs. Najarian of Portland.

Pending — Acceptance of the Committee Report.

On motion of Mr. Tierney of Lisbon Falls, tabled pending acceptance of the Committee Report and tomorrow assigned.

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

Bill, "An Act Concerning the Catastrophic

Illness and Medically Needy Programs" (H. P. 1911) (L. D. 1972)

Tabled — February 17, 1978 by Mr. Goodwin of South Berwick.

Pending — Adoption of Committee Amendment "A" (H-1046)

Mr. Goodwin of South Berwick offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

House Amendment "A" to Committee Amendment "A" (H-1063) was read by the Clerk.

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

Mr. GOODWIN: Mr. Speaker and Members of the House: This amendment merely clarifies a couple of points in the drafting that came out wrong, reference to the wrong sections, a couple of words that were left out. It doesn't change anything substantial. It also includes a section relating to Christian Scientist sanitariums, which are also recognized under Medicaid and Medicare, something that we had talked about briefly in the committee and we just left out in the committee amendment.

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 assigned for second reading tomorrow.

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

The following Communication:

STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE

February 21, 1978

The Honorable Members of the 108th Maine Legislature:

I am returning without my signature and approval (H. P. 1896), (L. D. 1953), "An Act to Amend the Maine Potato Branding Law. The original (L. D. 1953) which was included in my program at the request of the Department of Agriculture would have stiffened the penalty for mislabeling potatoes. However, the original bill has been gutted, and the present (L. D. 1953) is absolutely contrary to the original intent which was to improve the quality of labeling by establishing the strongest possible deterrence for those who break the law and jeopardize the reputation of the entire potato industry.

Current law provides for a fine of up to \$1,000 for the third offense for misbranding potatoes. This bill would cut that maximum fine in half, to \$500. I am told that the argument for making this change is that the maximum \$1,000 fine has only been levied in two or three instances. This is not an argument for repeal. It is an argument for maintaining current law. It just may be that now individuals are hesitant to break the law for a third time because they face a substantial fine if they do. It seems to me that a judge currently has sufficient discretion to levy a fine less than \$1,000, but he also has the ability to levy the maximum fine in the event that one or more individuals are intent on breaking the law to the detriment of the rest of the industry and its future.

As most of you know, I recently agreed to volunteer my time in order to promote Maine potatoes out of state. I was more than happy to help the potato industry in any way that I could, but I also have been acutely aware of the quality control problem that has plagued the industry recently. I am advised that many east coast metropolitan buyers are willing to pay more for potatoes from other states because of the better quality and quality control and that the long-standing excellent reputation of the Maine potato is diminishing. When I agreed to donate my time to promote Maine potatoes, I also asked for and expected industry support to stiffen the penalty for misbranding potatoes

and to tighten up the laws in any way that we could to discourage those who suffer from myopic vision to the extent that they are unwilling to recognize the disastrous consequences of not taking immediate steps to protect the quality of the product.

Any deterrent whatsoever to misbranding and mislabeling of potatoes would be welcome. Unfortunately, this bill does just the opposite, and I could not allow it to become law even if the proposed change made potential abuse only slightly more attractive or possible. I personally believe that any change whatsoever that would make the law more lenient is unwise and certainly not in the best interest of today's and tomorrow's Maine Potato Industry. Unfortunately, the mail which I have been receiving regarding my appearance on television promoting Maine potatoes has been surprisingly and predominantly negative. Many people who have written claim that they have purchased Maine potatoes at my suggestion, and they are very disappointed with the product. In fact, because of the surprising amount of criticism, I have debated about cancelling my appearance on television. My personal hope was that we could take some positive steps this session to show those who do purchase Maine potatoes that we are concerned with quality and that we are proud of what we produce. I was also hopeful that the industry would back some meaningful legislation to establish effective deterrents against those who are willing to exploit the law and foist a mislabeled or poor-quality product upon the public.

I do not enjoy having to state these views publicly, especially since there are many responsible farmers and processors who continue to be conscientious and dedicated to marketing an excellent quality product. While those people are successful and trusted because of their individual reputations, in the long run their names and their futures are also being threatened by the mislabeling and quality problems.

I am not locked in to any specific approach to establishing effective deterrents, but I was hopeful that legislation would be passed to strengthen our current laws, not weaken them as this bill would do.

For these reasons, I respectfully request that you sustain my veto of this measure.

Very truly yours,

Signed: JAMES B. LONGLEY
Governor

The Communication was read and ordered placed on file.

On motion of Mr. Mahany of Easton, tabled pending further consideration and tomorrow assigned.

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

Passed to Be Enacted
Emergency Measure

RESOLVE, Authorizing Cumberland County to Pay Deficits from Unappropriated Surplus (H. P. 1947) (L. D. 2026) (C. "A" H-1029)

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. 120 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.

Passed to Be Enacted

"An Act to Clarify the Law Concerning the Posting of Bonds by Electric Companies with the Department of Environmental Protection for Certain Licenses or Permits" (H. P. 1925) (L. D. 1986) (S. "B" S-466 to C. "A" H-986)

"An Act to Simplify the Procedure for Submission of Certain Small Claims Against the State" (H. P. 1931) (L. D. 2002) (C. "A" H-1033)

"An Act to Regulate Hazardous Materials and to Provide for a Reporting System to Hazardous Materials Emergencies" (H. P. 1958) (L. D. 2040) (C. "A" H-1025)

Finally Passed

RESOLVE, Authorizing the Commissioner of Educational and Cultural Services to Exchange Certain Lands at Southern Maine Vocational-Technical Institute (S. P. 660) (L. D. 2037) (C. "A" S-462)

Was 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.

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

Ought to Pass

Pursuant to Joint Order H.P. 1986

Mr. Stover from the Committee on Local and County Government on RESOLVE, for Laying of County Taxes and Authorizing Expenditures of Sagadahoc County for the Year 1978 (Emergency) (H. P. 2127) (L. D. 2154) reporting "Ought to Pass" — pursuant to Joint Order H. P. 1986.

Report was read and accepted, the Resolve read once and assigned for second reading tomorrow.

(Off Record Remarks)

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

Mr. LAFFIN: Mr. Speaker, Ladies and Gentlemen of the House: It is nice that we have nice little things to say. I enjoyed that story that was just told about Representative Brennerman, but you know, I think we have a serious problem. I have stood here and I have spoken and spoken and no one seems to want to listen. Over the weekend, we had two murders in this state. I am going to bring one to your attention. A 90 year old woman was viciously murdered in this state, and I don't think that is a laughing matter. I think that somewhere along the line we have got to come to our senses and put a stop to this — a 90 year old woman. I call that very serious business.

(Off Record Remarks)

Miss Brown of Bethel was granted unanimous consent to address the House.

Miss BROWN: Mr. Speaker. I was tied up with a constituent problem with CMP earlier, and I would like to go on the record as supporting the Committee Amendment "A" on L.D. 2022 for school funding, and I will be here later this week to vote on it.

On motion of Mrs. Locke of Sebec, Adjourned until nine-thirty tomorrow morning.