

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

***One Hundred and Eighth
Legislature***

OF THE

STATE OF MAINE

1978

Second Regular Session

January 4, 1978 — April 6, 1978

INDEX

Senate Confirmation Session

June 14, 1978

INDEX

First Special Session

September 6, 1978 — September 15, 1978

INDEX

Second Special Session

October 18, 1978

INDEX

Third Special Session

December 6, 1978

INDEX

APPENDIX

HOUSE

Thursday, March 23, 1978

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

Prayer by the Reverend Howell Lind of the Winthrop Street Universalist Church, Augusta.

Reverend HOWELL: Divine spirit of life, we invoke Thy blessing upon this assemblage of men and women, these who seek to serve the people of our great state. They come together this day, not as a people at the end of their task but assembled to set forth to new duties and tasks yet to be accomplished. We ask for understanding, insight, to be able to see the meaning behind the word and commitment to the work that is set before them this session. In the spirit of service to the citizens of this great state, they have gathered, and in this spirit do we invoke Thy blessing and Thy guidance. Amen.

The journal of yesterday was read and approved.

**Papers from the Senate
Non-Concurrent Matter**

Joint Order (H. P. 2280) Relative to Study of Domestic Violence which was read and passed in the House on March 21, 1978.

Came from the Senate Indefinitely Postponed in non-concurrence.

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

Messages and Documents

The following Communication:

STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKERS OFFICE
AUGUSTA, MAINE

March 22, 1978

Members, House of Representatives

State House
Augusta, Maine 04333

Gentlemen:

I hereby name Ms. Jean Larson of Houlton as my appointment to the Commission on Governmental Ethics and Election Procedures.

Sincerely,

Signed:

JOHN L. MARTIN
Speaker of the House

The Communication was read and ordered placed on file.

The SPEAKER: Pursuant to the laws of the State of Maine, this nomination requires a two-thirds vote of the members present and voting. The Chair will order a vote. If you are in favor, you will vote yes; if you are opposed, you would be voting no.

A vote of the House was taken.

81 having voted in the affirmative and none in the negative, the nomination was confirmed.

The following Communication:

STATE OF MAINE
HOUSE OF REPRESENTATIVES
MAJORITY OFFICE
AUGUSTA, MAINE

March 22, 1978

Hon. John L. Martin, Speaker

House of Representatives

State House

Augusta, Maine

Dear John:

I hereby name Charles O'Leary of Orono as my appointment to the Commission on Governmental Ethics and Election Procedures.

Sincerely,

Signed:

JAMES E. TIERNEY
Majority Leader

The Communication was read and ordered placed on file.

The SPEAKER: Pursuant to the laws of the State of Maine, this nomination requires a two-thirds vote of the members present and voting. If you are in favor of the nomination you will vote yes; if you are opposed you will vote no.

A vote of the House was taken.
85 having voted in the affirmative and one in the negative, the nomination was confirmed.

The following Communication:

STATE OF MAINE
HOUSE OF REPRESENTATIVES
AUGUSTA, MAINE 04333

February 14, 1978

Hon. John L. Martin, Speaker

House of Representatives

State House

Augusta, Maine

Dear John:

I hereby name John R. Linnell, Esq., 80 Shepley Street, Auburn, as my appointment to the Commission on Governmental Ethics and Election Procedures.

Sincerely,

Signed:

LINWOOD E. PALMER, JR.
Minority Leader

The Communication was read and ordered placed on file.

The SPEAKER: Pursuant to the laws of Maine, this nomination requires a two-thirds vote of the members present and voting. If you are in favor of the nomination you will vote yes; if you are opposed you will vote no.

A vote of the House was taken.

88 having voted in the affirmative and 8 in the negative, the nomination was confirmed.

Orders

On motion of Mrs. Tarr of Bridgton, the following Joint Order: (H. P. 2305) (Cosponsor: Ms. Clark of Freeport)

WHEREAS, Forestry programs are offered in some of the vocational schools of this State; and

WHEREAS, because of the hazards associated with this vocation the schools are having difficulty in obtaining insurance; and

WHEREAS, training is necessary for this vocation and must be continued in order to supply the job needs of the States biggest industry; now, therefore, be it

ORDERED, the Senate concurring, that the Joint Standing Committee on Business Regulation shall study the problem of insurance in the vocational schools in order to determine a means of providing adequate insurance coverage while students are receiving necessary training in the vocational school system; and be it further

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

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

The Order was read.

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

Mrs. TARR: Mr. Speaker, in paragraph four, Ordered, the Senate concurring, that the Joint Standing Committee on Business Regulation — this is what is printed in the calendar. It should say Business Legislation Committee. To save all the mechanics, I just thought if I read it in the record that it would suffice.

The SPEAKER: The Chair would advise the gentlewoman that the order itself is in error. The Chair would suggest that somebody table this and an amendment will have to be prepared to correct it.

Whereupon, on motion of Ms. Clark of Freeport, tabled pending passage and later today assigned.

An Expression of Legislative Sentiment (H. P. 2306) recognizing that:

Linda Poirier has been recognized for her

outstanding academic record by being chosen Valedictorian of Oak Hill High School

Presented by Mr. LaPlante of Sabattus. (Cosponsors: Mr. Dow of West Gardiner, Mr. Lynch of Livermore Falls)

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

An Expression of Legislative Sentiment (H. P. 2307) recognizing that:

Kevin Slattery has been recognized for his excellent academic record by being chosen Salutatorian of Oak Hill High School

Presented by Mr. LaPlante of Sabattus. (Cosponsors: Mr. Dow of West Gardiner, Mr. Lynch of Livermore Falls)

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

An Expression of Legislative Sentiment (H. P. 2308) recognizing that:

The following members of the senior class of Oak Hill High School have compiled the ten best academic records in that senior class: Linda Poirier, Kevin Slattery, Brian Sanborn, Ann Bubier, Linda Handrich, Timothy White, Diane Lucille Fournier, David Couillard, Jean Knight and Sallie Strout

Presented by Mr. LaPlante of Sabattus (Cosponsors: Mr. Dow of West Gardiner, Mr. Lynch of Livermore Falls)

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

An Expression of Legislative Sentiment (H. P. 2309) recognizing that:

Alvin C. Richards will celebrate the 100th anniversary of his birth on March 30, 1978

Presented by Mrs. Post of Owls Head.

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

An Expression of Legislative Sentiment (H. P. 2310) recognizing that:

The City of Rockland has become the leading port in Maine in fish landings with 49 million pounds of aquatic products, involving \$4.3 million in revenue, which has been made possible by the inventive genius of small industries, fishing fleets and their brave and industrious crews servicing the area

Presented by Mr. Gray of Rockland (Cosponsors: Mr. Fowlie of Rockland)

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

An Expression of Legislative Sentiment (H. P. 2312) recognizing that:

The University of Maine at Farmington has won the Maine Women's Intercollegiate Basketball Championship for 1978

Presented by Mr. Morton of Farmington (Cosponsors: Mr. Rollins of Dixfield, Mr. Austin of Bingham)

The Order was read and passed and sent for concurrence.

An Expression of Legislative Sentiment (H. P. 2316) recognizing that:

Rudolph A. Bisson, of Sanford, has attained the high honor and distinction of Eagle Scout as a member of Troop #327

Presented by Mr. Wood of Sanford (Cosponsors: Mr. Nadeau of Sanford, Mr. Paul of Sanford)

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

An Expression of Legislative Sentiment (H. P. 2317) recognizing that:

Ryan M. Jackson, of Sanford, has achieved the high honor and distinction of Eagle Scout as a member of Troop #327

Presented by Mr. Wood of Sanford (Cosponsors: Mr. Nadeau of Sanford, Mr. Paul of Sanford)

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

An Expression of Legislative Sentiment (H. P. 2318) recognizing that:

Heidi Picher, Alan King, William MacDonald, David Parlin, Kathie Millier and Michelle Jodoin, students at Winthrop High School, will represent Eastern New England at the National Catholic Forensic League in Washington, D. C. in May

Presented by Mr. Bagley of Winthrop.

The Order was read.

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

Mr. BAGLEY: Mr. Speaker and Members of the House: I would just like to say that Kathie Millier and Michelle Jodoin are in the back of the hall. If they would just step forward far enough so people could see them. (Applause)

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

An Expression of Legislative Sentiment (H. P. 2319) recognizing that:

Heidi Picher, of Winthrop High School, will represent New England in the National Forensic League Student Congress in June at Northwestern University

Presented by Mr. Bagley of Winthrop.

The Order was read.

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

Mr. BAGLEY: Mr. Speaker, Ladies and Gentlemen of the House: I think it is something to be proud of, the fact that Winthrop High School has represented this area in the last three years at this National Student Congress, and we have had a different student each time. So somebody must be doing something right out there.

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

An Expression of Legislative Sentiment (H. P. 2320) recognizing that:

Reverend Daniel C. Tuttle is retiring from the East Winthrop Baptist Church and the Manchester Community Church after 41 years of dedicated service in the ministry

Presented by Mr. Bagley of Winthrop.

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

An Expression of Legislative Sentiment (H. P. 2321) recognizing that:

Arthur "Jack" Goodwin, a life-long resident of Shapleigh, is retiring after many years of faithful service to that community as selectman, town moderator and as a member of various boards

Presented by Mr. Wood of Sanford.

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

An Expression of Legislative Sentiment (H. P. 2322) recognizing that:

Jennie Pearse of Searsmont has been selected from over 100 Maine persons to receive a 1978 Jefferson Award for her devotion and service to her community

Presented by Mrs. Hutchings of Lincolnville.

The Order was read.

The SPEAKER: The Chair recognizes the gentlewoman from Lincolnville, Mrs. Hutchings.

Mrs. HUTCHINGS: Mr. Speaker, Ladies and Gentlemen of the House: The Jefferson Award is sponsored by the American Institute for Public Service, Washington, D. C. Formed in 1973, it annually awards worthy recipients from all over the country for the greatest public service benefitting local communities. This year, station WCSH, Portland, and WLBZ Radio and TV in Bangor sponsored the contest throughout the broadcast area of these two stations. Two Waldo County residents, Mrs. Jennie Pearse of Searsmont and Dr. Samuel Wagner of Winterport were among four persons named to receive the Jefferson Award for

public service. The four were selected from more than 100 nominations and each will compete for a national award sponsored by the American Institute for Public Service.

According to a spokesman for WLBZ, Mrs. Jennie Pearse of Searsmont was cited for overall personal and community service. She was described by others, he said, as a good neighbor, a true christian, a good samaritan, an angel on earth.

Mrs. Pearse, a housewife and mother, who was the bookkeeper in the family business, Pearse's Mill, is a 25-year Grange member, very active in her church, a member of the planning board, cemetery association and volunteer fire department auxiliary and president of the Community Betterment Association and "well known for personal services to individuals in need, sickness, trouble, need of any kind."

Mrs. Jennie Pearse is here with us today in the balcony. It is with pleasure and pride that I present this order. (Applause)

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

An Expression of Legislative Sentiment (H. P. 2323) recognizing that:

Dorothy Billings of Damariscotta has been selected from over 100 Maine persons to receive a 1978 Jefferson Award for her devotion and service to her community

Presented by Mrs. Sewall of Newcastle.

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

An Expression of Legislative Sentiment (H. P. 2324) recognizing that:

Manley O. Chase of Fairfield has been selected from over 100 Maine persons to receive a 1978 Jefferson Award for his devotion and service to his community

Presented by Mr. Teague of Fairfield.

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

On motion of Mr. Kelleher of Bangor, the following Joint Order: (H. P. 2325)

WHEREAS, the State has granted monopolies to public utilities such as electric companies, gas companies and water companies in order to ensure that utility equipment and facilities are not duplicated at an unnecessary expense; and

WHEREAS, the State grants these monopolies under the condition that the utilities are subject to state regulation; and

WHEREAS, these utilities pay property taxes to the municipalities in which their equipment and facilities are located; and

WHEREAS, under the utility law, the property taxes paid by utilities are reimbursed them by their ratepayers through utility rates; and

WHEREAS, the result of this process is that ratepayers residing in municipalities, other than the ones in which utility rates to other municipalities; and

WHEREAS, there has arisen some question as to whether or not the property taxes paid by utility ratepayers should benefit a wider number of persons, other than just the residents of municipalities in which public utility equipment and facilities are located; now, therefore, be it

ORDERED, the Senate concurring, that a Joint Select Committee on Property Taxation of Utilities be established to study the question of the benefits conferred upon municipalities and utility ratepayers by property taxes paid by utilities; and be it further

ORDERED, that this committee be comprised of 3 members of the Senate to be appointed by the President of the Senate from among the members of the Joint Standing Committee on Taxation and the Joint Standing Committee on Public Utilities and 7 members of the House of Representatives to be appoint-

ed by the Speaker of the House from among the members of the Joint Standing Committee on Taxation and the Joint Standing Committee on Public Utilities; and be it further

ORDERED, that the committee shall complete this study no later than December 1, 1978 and submit to the Legislative Council within the same time period its findings and recommendations, including copies of any recommended legislation in final draft form; and be it further

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

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

An Expression of Legislative Sentiment (H. P. 2326) recognizing that:

Delmont M. Merrill, of Brewer, has been named President of Husson College

Presented by Mr. Silsby of Ellsworth, (Cosponsors: Mr. Norris of Brewer, Miss Aloupis of Bangor)

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

An Expression of Legislative Sentiment (H. P. 2327) recognizing that:

The Selectmen of Madawaska, recognizing the rich tradition and many contributions of Maine's Acadian citizens, the first European settlers in the St. John River Valley, have designated June 28, 1978 as Acadian Day.

Presented by Mr. McHenry of Madawaska (Cosponsors: Mr. Violette of Van Buren, Mr. Martin of Eagle Lake, Senator Martin of Aroostook)

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

An Expression of Legislative Sentiment (H. P. 2328) recognizing that:

The Portland West Neighborhood Planning Council has successfully established a community-based Foster Grandparent Program serving elders and children of the city

Presented by Mr. Connolly of Portland (Cosponsor: Senator Conley of Cumberland)

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

Passed to Be Enacted Emergency Measure

"An Act to Provide Compensation and Benefits Agreed to by State and Council 74, American Federation of State, County and Municipal Employees, (AFSCME) for Employees in the Institutional Services Bargaining Unit" (H. P. 2273) (L. D. 2202)

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

Mr. Hughes of Auburn requested a roll call vote.

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

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

The SPEAKER: The pending question is on passage 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 will vote yes; those opposed will vote no.

ROLL CALL

YEA — Aloupis, Ault, Bachrach, Bagley, Beaulieu, Bennett, Benoit, Berry, Berube, Birt, Blodgett, Boudreau, A.; Brennerman, Brown, K. L.; Brown, K. C.; Bunker, Burns, Carey, Carrier, Carroll, Carter, D.; Carter, F.; Chonko, Churchill, Clark, Connors, Connolly, Cote, Cox, Cunningham, Curran, Davies, Devoe, Dexter, Diamond, Dow, Drinkwater, Dudley, Durgin, Dutremble, Elias, Fenlason,

Flanagan, Fowlie, Garsoe, Gill, Gillis, Goodwin, H.; Goodwin, K.; Gould, Gray, Green, Greenlaw, Hall, Henderson, Hickey, Higgins, Howe, Huber, Hughes, Hunter, Hutchings, Jackson, Jacques, Jalbert, Jensen, Joyce, Kane, Kany, Kelleher, Kerry, Kilcoyne, Laffin, LaPlante, Lewis, Littlefield, Lizotte, Locke, Lougee, Lynch, MacEachern, Mackel, Mahany, Marshall, Martin, A.; Masterman, Masterton, Maxwell, McBrearty, McHenry, McKean, McMahon, McPherson, Mitchell, Najarian, Nelson, M.; Nelson, N.; Norris, Palmer, Paul, Pearson, Peltier, Perkins, Peterson, Plourde, Post, Prescott, Quinn, Raymond, Rideout, Rollins, Sewall, Shute, Silsby, Smith, Sprowl, Stover, Strout, Stubbs, Talbot, Tarbell, Tarr, Teague, Tierney, Torrey, Tozier, Trafton, Truman, Twitchell, Valentine, Violette, Whitemore, Wood, Wyman, Mr. Speaker

ABSENT — Austin, Biron, Boudreau, P.; Bustin, Hobbins, Immonen, Lunt, Mills, Moody, Morton, Nadeau, Peakes, Spencer, Theriault, Tyndale, Wilfong
Yes, 135; No, 0; Absent, 16.

The SPEAKER: One hundred thirty-five having voted in the affirmative and none in the negative, with sixteen being absent, the Bill is passed to be enacted.

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

On motion of Mr. Birt of East Millinocket, the following Joint Resolution: (H. P. 2311) (Cosponsors: Mr. Hickey of Augusta, Senator Collins of Knox, Senator Katz of Kennebec) Joint Resolution Honoring Alice G. Nute Upon Her Retirement from the Maine Law and Legislative Reference Library

WHEREAS, Shakespeare, in the Tempest, has the Duke say:

"Knowing I lov'd my books, he furnish'd me From mine own library with volumes that I prize above my dukedom;" and

WHEREAS, Alice G. Nute has long furnished the several branches and levels of government and the public with volumes which they, too, have prized above their "dukedom;" and

WHEREAS, Alice G. Nute, Deputy Law and Legislative Reference Librarian, has served in the statehouse for almost 35 years, longer than anyone else now working there; and

WHEREAS, Alice G. Nute, born in Houlton, raised in the shadow of Mount Katahdin, and enjoying her prime years in Augusta, has, over the years, collected an unsurpassed knowledge of the people of Maine, of their laws, histories and traditions; and

WHEREAS, in her work in the areas of circulation, sales and distribution of law books, law library operation, and the clipping service on Maine government, politics and legal profession, she has achieved a reputation as an outstanding authority in the field of legal and reference librarianship; and

WHEREAS, Alice G. Nute has, to the sorrow and sadness of her many friends, decided to retire from service of the Legislature and this State; now, therefore, be it

RESOLVED: That we, the members of the 108th Legislature, assembled at Augusta in the Second Regular Session, do hereby express our profound gratitude and appreciation of the years of tireless, knowledgeable and dedicated service of Alice G. Nute and further express our regret at seeing her retire, and our well wishes for her undoubtedly happy future; and be it further

RESOLVED: That upon adoption of this resolve in concurrence, that a suitable copy of this resolve be presented, with appropriate ceremony and emotion in tribute to Alice G. Nute, Deputy Law and Legislative Reference Librarian of the State of Maine.

The Resolution was read.

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

Mr. JALBERT: Mr. Speaker and Members of the House: It has been my privilege to have known Alice Nute since 1945 when I first landed here. I would be hard put to pick a more unassuming, dedicated young lady than Alice Nute. I don't know how many times I have gone down to the library or called her and asked her for something and she would say to me, when do you want it? Yesterday. And she got it for me yesterday. A lovely girl, would greet you at all times with a smile, a very, very dedicated employee, and I want to commend the individuals who wrote this tribute to her. It is extremely well done and it depicts Alice Nute right to a T.

The SPEAKER: The Chair would ask the gentleman from East Millinocket, Mr. Birt, to escort Alice Nute to the rostrum.

Thereupon, Alice Nute was escorted to the rostrum by Representative Birt of East Millinocket, amid the applause of the House, the members rising.

Miss NUTE: Thank you all very, very much. You are like my family.

Thereupon, the Resolution was adopted and sent up for concurrence.

By unanimous consent, ordered sent forthwith.

Thereupon, Alice Nute was escorted from the hall by Representative Birt, amid prolonged applause, the members rising.

In reference to the bill held, Bill "An Act to Provide for Reform of the State Tax Laws," House Paper 2215, (L. D. 2183), Mr. Martin of Eagle Lake and Mr. Palmer of Nobleboro withdrew their requests to withhold the bill.

By unanimous consent, sent forthwith to the Senate.

House at Ease

Called to order by the Speaker.

Mr. Jalbert of Lewiston was granted unanimous consent to address the House.

Mr. JALBERT: Mr. Speaker and Members of the House: Last night was one of my very, very infrequent stays in Augusta. I spoke to several members of the House and I suggested to them that I was going to work on an amendment, which is very simple. It would provide that as far as the \$5.7 is concerned, it should not be implemented if actual revenues for the first six months of fiscal year 1979 do not meet the estimates as revised by the Governor.

I would pray that no one would think that I am, on the last day of this session am being critical of anyone, I hope that my remarks are taken in the light that they are going to be given, based on possibly constructive criticism, if you may. I would say that the reason that this amendment was not presented by me, if I hear no objection from my very good friend in the right-hand corner that I spoke to somebody, and I am not going to mention who, but I was told that it would be useless for me to present the amendment because it would not be accepted, that it was not acceptable.

I cannot, however, fail to recall how well the entire Appropriations Committee was working, had voted on two suggestions, two motions, made by me and seconded by a member of the loyal opposition, and for the first time in all the nearly three decades that I have been on the committee, later on a break came. So when we start tossing the blame around, and I know that there is going to be plenty, the blame tossed in all directions, I would like to have you remember that the motion was made in the Appropriations Room that we would spend \$10 million and that passed unanimously. The other motion was made that we would keep \$15 million, and that passed unanimously. And the next night, a package was bombed. These motions were never remembered, they are still alive in the Appropriations Room.

I have a tremendous amount of feeling for that committee, and I have never played, or at least I have never tried to play politics with the

Appropriations Committee, and I was very chagrined when we found ourselves in the position of temporarily, at least, splitting on party lines. I voted with the majority of my party on the proposal they had. I voted with the proposal that was submitted, the so-called Palmer plan, because I did not want to go home without doing something, and obviously, through a motion that was made just now, that is what we were doing. But let's start for a moment and be fair about this thing and recognize the fact that the faith was broken when something was done without the committee knowing anything about it, and I might even include the chairman. I think at least the majority party in this House and the leadership, as far as I am concerned, did their very best to effectuate a compromise, and I am sure that I would be very remiss if I didn't say that the friendly, loyal opposition did the same. I make these comments because I know just what is coming — the Democrats fail to give relief to the people. Had the faith not been broken, we would have been home some two weeks ago.

I place these remarks on the record before this body as I want, Mr. Speaker and members of the House, it completely understood, I want to bring the facts out just as they are — facts.

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

Passed to Be Enacted Emergency Measure

"An Act to Revise the Municipal Boundary between the Town of Old Orchard Beach and the City of Saco" (H. P. 1980) (L. D. 2072) (H. "A" H-1213)

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, 110 voted in favor of same and 2 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

"An Act to Make Necessary Corrections in the Knox County and Lincoln County Budget, the Errors and Inconsistencies Act and the Administrative Procedure Act" (S. P. 760) (L. D. 2205) (S. "A" S-599)

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, 107 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.

"An Act Making Certain Substantive Revisions to the Marine Resources Statutes" (H. P. 1939) (L. D. 2019) (H. "A" H-1214)

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

The SPEAKER: Since this Bill affects changes dealing with Section VIII of the First Part of Article V of the Constitution of this State, this requires a two-thirds vote of the members present and voting. All those in favor of this Bill being passed to be enacted will vote yes; those opposed will vote no.

A vote of the House was taken.

101 having voted in the affirmative and none in the negative, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

"An Act Pertaining to Ordinary Death Benefits Under the Maine State Retirement System" (H. P. 1885) (L. D. 1939) (S. "B" S-596 to C. "A" H-984)

"An Act to Abolish the Mental Health and Mental Retardation Improvement Fund and Make Provision for Future Funding of Existing Programs from the General Fund" (H. P.

2010) (L. D. 2085) (S. "A" S-593 to C. "A" H-1147)

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.

"An Act Relating to Appropriating Funds for Certain Municipal Governments" (H. P. 2096) (L. D. 2139) (S. "B" S-595)

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

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

Mr. CARTER: Mr. Speaker, Ladies and Gentlemen of the House: I took a second look at this bill and did a little research, and it looks to me like it is a Christmas tree and the Christmas season has gone by.

This first started out with 21 communities, then they dropped 8 and added 50, so now we are up to 63. The answers that I get for this bill is that we are trying to achieve equity within the system.

As some of you probably recall when the Sinclair Act was passed in the late fifties, any community that joined in a district was awarded a 10 percent bonus. Back in those days, the communities received 66 percent of the operational costs, and when 1994 was passed, the bonus was deleted because had it not been deleted, those communities that were eligible for 100 percent would be received 110 percent. So they deleted the 10 percent bonus.

I looked in an old budget book, and just to give you an example of how much money we are talking about that these communities received in the form of bonuses, the total amount of bonus money for 1969-70 was \$2,264,000. The total for 1970-71 was \$2,400,000 and recommended for 1971-72 was \$2,800,000 and for 1972-73, \$2,900,000. Here we have four years and \$10,500,000 was paid out in bonuses to the communities belonging to SAD districts.

I didn't have the time and it would be too much trouble to try and find out just exactly how much each community listed on this Christmas tree bill received in bonus money, but I think the point is that speaking of equity — the communities that did not elect to join in SAD districts and struggled on their own, did not benefit of a 10 percent bonus, which they actually paid for, then I would move that this Bill and all its accompanying papers be indefinitely postponed and I would ask for the yeas and nays.

The SPEAKER: The gentleman from Winslow, Mr. Carter, moves that this Bill and all its accompanying papers be indefinitely postponed.

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

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

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

Mr. WOOD: Mr. Speaker, Ladies and Gentlemen of the House: I would like to take just a few minutes to explain the rationale behind this bill and why it is here. I think it is late in the session and we have talked about this on several occasions, but I think it is an important bill, probably because I am the sponsor, but other than that, I would like to go over it.

When the uniform property tax was repealed, the pay-in provision for individual towns was repealed with the uniform property tax. They pay-in provision for school administrative districts, towns within SAD's, was not repealed, and representing one of those towns that had to pay in substantially more than they needed to to educate their own children, I proposed to the Education Committee an amendment to the

school funding law to return to those 21 pay-in communities the money that they were paying in. The Education Committee, at that point, felt that the concerns expressed by the amendment were valid concerns, but they felt, and I think rightly so, that attaching that type of an amendment to the school funding law, the constitutionality of that approach was questionable, so they urged me to present a separate bill, which I did and which was sent to Appropriations. Once the bill was in Appropriations, they discovered that there were formulas in effect in the state that had not been in effect since the school funding law came about but going to be reinstated, and these formulas called for a variation in the mill rate effort by towns within school districts. So you might have a situation where one town in a school district would be raising 7 mills; another town in that same school district would be raising 12 mills.

At that point, one of the cosponsors requested an opinion from the Attorney General and the Attorney General ruled that that type of practice, the constitutionality of that, was somewhat suspect. So what we were doing was in effect, passing a school funding law which was based on formulas which could be felt unconstitutional. At this point, we decided to solve both problems. We decided that those towns that were paying substantially more than they needed to educate their own children should get some form of money back from the state. We also decided that those towns that were paying more than 10 mills should get some help from the state. So Senator Merrill drafted an amendment which would say that those towns that were raising 10 mills above what the state is saying as a subsidy index would get 60 percent above that 10 mills but were still raising more than they should to educate their own children would get back 60 percent of what they were raising above and beyond what they needed for educating their own children.

This amendment has had the support of the Maine Municipal Association, Maine School Management, the Education Committee lifted it as a priority, a low priority but still a priority. I think if we are talking about equity, then we have to resolve the conflict of those that are paying in more than they need to educate their own children and those paying in above the 10 mills which we have gone on record as saying the towns should raise.

Now, we have resolved the future problem by voting for the constitutional amendment. Once the formulas are put in place and once we validate the formulas, then I don't think these towns have much of an argument. These formulas are agreed upon and the town wants to raise 12 mills, then that is fine, but before those formulas are put in place, I think that we should offer some aid to those communities.

The cost of this approach, I think, is roughly \$1 million. The other bill was going to cost \$1 million and benefit only 21 towns. We have been able to benefit 50 or 60 towns at a cost of \$1 million.

The question of equity was brought up with those single towns that didn't join SAD's and didn't get cost benefits that are raising the 10 mills, but that is not the situation.

I represent two towns, one being Acton, which was a pay-in community under the uniform property tax. Acton, at this point, doesn't have to raise two, three, four, five, they can raise whatever they want to raise, so they benefit from the School Funding Law, but another town right next door, fairly close, is the town of Alfred, which I don't represent, but they are having to raise 12 mills because of a formula that was acted upon 10 years ago which was put in abeyance by the School Funding Law, and now we are saying go back to that formula. I would question, where is the equity in that situation when we allow some towns to raise whatever they want, but through a school formula, which the Attorney General has ruled potentially unconstitutional, we are forcing other

towns to raise over and above.

I would seriously ask you to look at this problem, it has been around, it was first brought up at the school funding hearing. I have lived with this problem, I feel as if it were my own child. I would urge you to look seriously at the problem and not vote to indefinitely postpone. I think that it is time that we put this stop-gap measure in to show these towns that we are concerned with their problems and that we are willing to help.

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

Mr. McMAHON: Mr. Speaker, Ladies and Gentlemen of the House: The previous speaker explained to you very well the reason why this bill is here. I am a cosponsor of the bill and I wish to speak very briefly and just tell you what we are doing in our district. SAD 71 is severely impacted by the combination of factors that are existing right now, which this bill attempts to address. I have met with our board, we have formed a committee to consider rewriting our local formula. Kennebunk raised approximately 11 mills; Kennebunkport raises approximately 9. There is an imbalance. We are under a Formula-B plan that causes that imbalance. So on the local level, our district, and presumably all other districts that are helped in this one-time bill, is or should be, right now, considering the rewriting of their formula so that each town raises approximately the same 10 mills.

I would repeat what I said last week on this bill. This is a one-year request, one-time request only. It does not call for monies from the Appropriations Table and if you do not pass it, you are really putting the towns in question in a real straight jacket. They cannot withdraw from a district if that district has debt. I suspect that most towns would find themselves in that position. It is really a question of equity. It is a one-time deal only, and I also join Mr. Wood in hoping that you would pass it today.

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

Mr. LYNCH: Mr. Speaker, Ladies and Gentlemen of the House: The alternate Plan B was developed prior to the time I came to the legislature and it never became a problem, because in 1971-72, we conceived going into the uniform property tax formulas; however, it became a problem when the uniform property tax was repealed. We are taking care of the problem in the future if the people accept the constitutional amendment which is proposed.

I strongly feel that you ought to make this one-term appropriation to adjust the inequities within SAD's. There are about 26 SAD's and CSD's that are involved. If the thing goes to the court before we can constitutionally address the problem I think the state will face some real serious problems. I think we ought to avoid that if possible.

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

Mr. MASTERMAN: Mr. Speaker, Men and Women of the House: I won't belabor this point because I think both Mr. Wood and Mr. McMahon presented what we need very well indeed.

I happen to have in my districts one of the SAD's that is seriously impacted and I would implore each and every one of you not to vote for indefinite postponement.

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

Mr. WILFONG: Mr. Speaker and Members of the House: I would also ask you please not to vote to indefinitely postpone this bill. It is a very important bill to a lot of communities.

If you will take the time to look at Senate Amendment "B" under the filing number of S-595, you will see all the towns that are involved in this situation. The amendment deals with appropriation from the surplus of the school funding budget that we passed a while back. If that

surplus is not there, then the money is not paid. If there is a lesser amount, it will be pro-rated on the same percentages that are involved in S-595. I think it is a matter of equity, I think it is a matter of fairness. It will be coming out of any surplus left from the school funding budget and, after all, we are not talking about the foreign countries or other states, we are talking about towns within the State of Maine that need this help.

I think that we ought to pass this thing, send it on to the Senate and let them enact it. It would be a very good move in trying to help put a bandaid on the school funding question and on the SAD question until we are able to take care of that through the constitutional amendment and further legislation in other years. With that, I would just recommend very strongly that you vote against this motion to indefinitely postpone and let's send this on its way.

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

Mr. MARSHALL: Mr. Speaker, Ladies and Gentlemen of the House: I would urge you to support the motion of indefinite postponement and, should that fail, to not vote for final enactment of this measure. We did vote on this on March 15 and I think at that time Representative Carter did speak. I think his argument is as valid now as it was then. This has a price tag of nearly \$1 million. For those of you who can't remember how you voted, and might like to be interested because I find myself in that position many times. It is House Roll call 681, it was taken on March 15. I hope that we will stand by that roll call.

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

Mr. CUNNINGHAM: Mr. Speaker, Ladies and Gentlemen of the House: Twenty years ago, when the Sinclair Act was passed, we might consider that 10 cent bonus that was given to these towns a Christmas package way back then.

Today, what could be more appropriate with a newly fallen snow than to light up our Christmas tree with red lights.

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

Mr. WILFONG: Mr. Speaker and Members of the House: Just briefly I would also like to call your attention to that roll call that Mr. Marshall talked about because it was with that roll call that we passed this to be engrossed.

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

Mr. MARSHALL: Mr. Speaker, Ladies and Gentlemen of the House: I would point out that is the case but I would point out that the vote was 77 to 57.

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

Mr. CHURCHILL: Mr. Speaker, Ladies and Gentlemen of the House: I wonder if maybe this is more of a question. I wonder if we couldn't include seven or eight towns from Hancock County that is losing money on vocational subsidy in this bill too?

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

Mr. LYNCH: Mr. Speaker, Ladies and Gentlemen of the House: I think the question has not been addressed yet but there are some bonds outstanding and if the formula for cost sharing is unconstitutional, you have got debt service that has to be addressed and that is the thing that worries me.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Brunswick, Mrs. Bachrach.

Mrs. BACHRACH: Mr. Speaker and Members of the House: If we are going to include everybody, I would like to include the towns that have been cheated out of their P. L. 874

funds.

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 Milo, Mr. Masterman.

Mr. MASTERMAN: Mr. Speaker, Ladies and Gentlemen of the House: We have been talking about the Christmas season and I would like to suggest to you that we are in the Easter season and not the Christmas season and when you vote, I hope you remember and think about the Easter season and help us with this vote.

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

ROLL CALL

YEA — Aloupis, Bachrach, Carter, D.; Connolly, Huber, Hunter, Jacques, Kilcoyne, Lizotte, Marshall, Martin, A.; Najarian, Stover, Teague, Torrey

NAY — Ault, Austin, Bagley, Beaulieu, Bennett, Benoit, Berry, Berube, Birt, Blodgett, Boudreau, A.; Boudreau, P.; Brenerman, Brown, K. L.; Brown, K. C.; Bunker, Burns, Bustin, Carey, Carrier, Carroll, Carter, F.; Chonko, Churchill, Clark, Cote, Cox, Cunningham, Curran, Davies, Dexter, Diamond, Dow, Drinkwater, Durgin, Elias, Fenlason, Flanagan, Fowlie, Garsoe, Gill, Gillis, Goodwin, H.; Goodwin, K.; Gray, Greenlaw, Henderson, Hickey, Higgins, Howe, Hughes, Hutchings, Jackson, Joyce, Kany, Kerry, Laffin, LaPlante, Lewis, Littlefield, Locke, Lougee, Lynch, MacEachern, Mackel, Mahany, Masterman, Masterton, Maxwell, McBreairey, McHenry, McKean, McMahon, McPherson, Mitchell, Nelson, M.; Nelson, N.; Palmer, Paul, Pearson, Peltier, Perkins, Peterson, Plourde, Post, Prescott, Quinn, Raymond, Rideout, Rollins, Sewall, Shute, Silsby, Smith, Spencer, Sprowl, Strout, Stubbs, Talbot, Tarr, Tierney, Tozier, Trafton, Truman, Twitchell, Valentine, Violette, Whittemore, Wilfong, Wood, Wyman

ABSENT — Biron, Connors, Devoe, Dudley, Dutremble, Gould, Green, Hall, Hobbins, Immonen, Jalbert, Jensen, Kane, Kelleher, Lunt, Mills, Moody, Morton, Nadeau, Norris, Peakes, Theriault, Tyndale

Yes, 15; No, 112; Absent, 23.
The SPEAKER pro tem: Fifteen having voted in the affirmative and one hundred and twelve in the negative, with twenty-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.

Mr. McKean of Limestone was granted unanimous consent to address the House.

Mr. McKEAN: Mr. Speaker, Ladies and Gentlemen of the House: I take my job down here very, very seriously and one of the things I abhor is to have people take advantage of the statutes that we come down here and work so hard to make, especially when they take advantage of these statutes to make a profit. And so, this date, I have sent to the Secretary of State the following letter:

"Dear Mr. Secretary: I have noted with interest the practice some automobile dealers have of charging a Title and Document fee of \$15.00 for the preparation of the Certificate of Title and accompanying automobile sales paper work. I myself purchased an automobile

from an automobile dealer in Lewiston, on March 17, 78, and paid such a fee. I further understand this is common practice with many dealers."

"The actual costs for filing a Certificate of Title is \$4.00, and the actual cost of a temporary license plate is \$1.00, for a total cost to the Dealer of \$5.00. I have the distinct impression the \$10.00 figure over the actual cost of the service by the Dealer is a "rip-off" of the general public by various dealers, taking advantage of mandated administrative procedures for their own profit."

"I am certain the dealers operating expenses, including secretarial staff and/or salespersons wages or commissions are well included within the margin of profit received for each automobile transaction and the extra fee being charged for the so-called document fee is just a way to clear additional profits on each sales transaction at the expense of the consumer."

"I do not feel it is in the best interest of our consumers to have to pay \$15.00 to obtain the paperwork and a 10 day temporary license plate for his vehicle from the dealer, and, then turn right around and pay another \$15.00 to the Motor Vehicle Department for a regular license plate, and that says nothing about the Excise taxes that they paid on top of that."

"I would hope you would give this matter your immediate attention and advise me if it could be resolved with the automobile dealers through departmental regulation, or, will it take a change in the statutes which I would be more than happy to submit."

Ladies and gentlemen, I think that it behooves us to ensure that our consumers are not being played with when we make a statute that demands an administrative procedure and that it is not being used as a method of profit. That is the very reason that I am putting this on the record. I would like to see something done.

Off Record Remarks

At this point, Speaker Martin returned to the rostrum.

Speaker MARTIN: The Chair thanks the gentleman from Stonington, Mr. Greenlaw.

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

Off Record Remarks

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

The following Communication:
STATE OF MAINE
ONE HUNDRED AND EIGHTH
LEGISLATURE
COMMITTEE ON TAXATION
March 22, 1978

The Honorable John Martin
Speaker of the House
State House
Augusta, Maine
Dear Speaker Martin:

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

Total Bills Received	24
Unanimous Reports	20
Divided Reports	4
Ought to Pass	3
Ought to Pass as amended	6
Ought to Pass in New Draft	2
Leave to Withdraw	6
Ought not to pass	3
Recommittals	1

Respectfully,
Signed: RICHARD CAREY
House Chairman

The Communication was read and ordered placed on file.

An Expression of Legislative Sentiment (H. P. 2329) recognizing that:

David K. and Daniel W. Sutherland, sons of Mr. and Mrs. Lloyd Sutherland of Houlton, are members of the Houlton High School varsity debating team, which won the New England District National Forensic League Championship for 1978

Presented by Mr. Peltier of Houlton

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

An Expression of Legislative Sentiment (H. P. 2330) recognizing that:

Dr. Samuel Wagner of Winterport, whose tireless service to his community at all hours of the night and day has earned him the respect of his many Waldo County friends, has been selected from over 100 Maine persons to receive a 1978 Jefferson Award

Presented by Mr. Shute of Stockton Springs (Cosponsor: Senator Cummings of Penobscot)
The Order was read and passed and sent up for concurrence.

Passed to Be Enacted

"An Act to Establish the Health Facilities Information Disclosure Act" (S. P. 695) (L. D. 2136) (H. "G" H-1220 to C. "A" S-538)

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

The SPEAKER: The Chair recognizes the gentlewoman from Brunswick, Ms. Bachrach.

Ms. BACHRACH: Mr. Speaker, Men and Women of the House: I observed the reaction of the Speaker to my proposal to arise, and I am sorry to saddle you with this again, but I feel that we must have a roll call on enactment of this bill. After all that has happened to it, after all the disagreement in the committee, after the considerable watering down of the bill, I feel that maybe we ought to forget about it this year and try again another time. I don't believe that this is going to benefit the citizens of Maine. I feel that it is going to be a lot of money spent to little avail, and I hope you will vote no on enactment of this bill.

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

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

The SPEAKER: The pending question is on passage to be enacted. All those in favor of this Bill being passed to be enacted will vote yes; those opposed will vote no.

ROLL CALL

YEA — Aloupis, Ault, Bagley, Beaulieu, Bennett, Birt, Blodgett, Brown, K. C.; Bunker, Burns, Bustin, Carey, Carter, D.; Chonko, Churchill, Clark, Connors, Cote, Cox, Cunningham, Curran, Devoe, Dexter, Diamond, Dow, Elias, Fenlason, Fowlie, Garsoe, Gill, Gillis, Goodwin, H.; Goodwin, K.; Gould, Gray, Green, Greenlaw, Henderson, Higgins, Hobbins, Howe, Huber, Jalbert, Kane, Kany, Kilcoyne, Laffin, LaPlante, Lewis, Lizotte, Locke, Lougee, Lynch, MacEachern, Mackel, Mahany, Marshall, Masterton, Maxwell, McBreairsty, McKean, McPherson, Mitchell, Nadeau, Nelson, M.; Nelson, N.; Norris, Palmer, Paul, Pearson, Peltier, Perkins, Peterson, Plourde, Rollins, Sewall, Silsby, Stover, Stubbs, Talbot, Tarbell, Teague, Torrey, Truman, Valentine, Violette, Whittemore

NAY — Austin, Bachrach, Benoit, Berry, Berube, Biron, Boudreau, A.; Brenerman, Carrier, Carroll, Carter, F.; Connolly, Davies, Drinkwater, Durgin, Dutremble, Flanagan, Hall, Hickey, Hughes, Hunter, Hutchings, Im-

monen, Jackson, Jacques, Jensen, Joyce, Kelleher, Kerry, Littlefield, Martin, A.; Masterman, McHenry, Najarian, Peakes, Post, Prescott, Quinn, Raymond, Shute, Smith, Spencer, Sprowl, Strout, Tarr, Tierney, Trafton, Twitchell, Wood, Wyman

ABSENT — Boudreau, P.; Brown, K. L.; Dudley, Lunt, McMahon, Mills, Moody, Morton, Rideout, Theriault, Tozier, Tyndale, Wilfong

Yes, 87; No, 50; Absent, 13.

The SPEAKER: Eighty-seven having voted in the affirmative and fifty in the negative, with thirteen being absent, the Bill is passed to be enacted.

Signed by the Speaker and sent to the Senate.

By unanimous consent, ordered sent forthwith.

(Off Record Remarks)

The Chair laid before the House the following matter:

Joint Order relative to a study of the problem of insurance in the vocational schools, House Paper 2305, which was tabled earlier in the day and later today assigned pending passage.

Ms. Clark of Freeport offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-1228) was read by the Clerk and adopted.

The Order received passage as amended and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

At Ease

Called to order by the Speaker.

(Off Record Remarks)

On motion of Mr. Hickey of Augusta,
Recessed until 2:15 in the afternoon.

After Recess

The House was called to order by the Speaker.

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

The following Communication:

THE SENATE OF MAINE AUGUSTA

March 23, 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 on Bill, "An Act to Provide for Reform of the State Tax Laws," (H. P. 2215) (L. D. 2183).

Respectfully,

Signed:

MAY M. ROSS
Secretary of the Senate

The Communication was read and ordered placed on file.

Orders

An Expression of Legislative Sentiment (H. P. 2331) recognizing that:

Chief Lyman J. Kane is entering retirement after 31 years of dedicated law enforcement services to the Town of Bar Harbor

Presented by Mr. Bunker of Gouldsboro

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

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

Consent Calendar

First Day

(H. P. 2314) (L. D. 2208) Bill "An Act Authorizing the Issuance of Bonds by the Town of

Houlton to Acquire Certain Assets of Ricker College" (Emergency) — Committee on Education reporting "Ought to Pass" as amended by Committee Amendment "A" (H-1229)

No objections being noted, under suspension of the rules, the Bill was given its Consent Calendar Second Day notification, passed to be engrossed as amended and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

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

Reports of Committees

Leave to Withdraw

Mrs. Beaulieu from the Committee on Education on Bill "An Act to Authorize Bond Issue in the Amount of \$7,350,000 for the Acquisition, Construction, and Renovations of Higher Education Facilities and Equipment at the University of Maine, including the campuses at Augusta, Farmington, Fort Kent, Machias, Orono, Portland/Gorham, and Presque Isle" (H. P. 2303) (L. D. 2206) reporting "Leave to Withdraw"

Report was read.

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

Mr. DAVIES: Mr. Speaker and Members of the House: I don't intend to take any action on this today, but I did want to put some information on the record for anyone who might have a question about this.

I did attend the meeting of the Education Committee this afternoon when they considered this matter and did present some of my feelings to that committee before they took a vote on how they should handle this bill. It was my opinion that while the programs of construction, renovation and completion at the University of Maine system had merit, it would be inappropriate for the legislature, at this time, to send out an issue that would have been virtually identical with a bond issue that was turned down by a very narrow margin by the people of the State of Maine in December. While we do need this money and we do want to ultimately get it, it would be better for the University to defer on this matter right now because of public opinion and allow the matter to come before the legislature in a normal manner in the 109th session rather than have floor battles in this House and at the other end of the hallway on this matter, and if it should go out, go out with a divided opinion so that the people of Maine would feel that perhaps the legislature had ignored their opinions and their wishes of the December referendum and would, therefore, take out their wrath on the University of Maine system.

None of us who are representatives of the university communities want to see this happen. We feel very strongly that the university has been in bad shape for awhile, but we don't want to put them in a worse opinion in the eyes of the people of the State of Maine, so it was our opinion that we should defer on this matter and allow this bill to be withdrawn and we will bring it to the legislature in the 109th session.

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

By unanimous consent, ordered sent forthwith to the Senate.

Mr. Lynch from the Committee on Education on Bill "An Act to Authorize a Bond Issue in the Amount of \$500,000 for use by the Maine Maritime Academy for the Renovation of Leavitt Hall at the Academy" (H. P. 2313) (L. D. 2207) reporting "Leave to Withdraw"

Report was read and accepted and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

(Off Record Remarks)

At Ease

Called to order by the Speaker.

(Off Record Remarks)

At this point, the rules were suspended in order to conduct business after 9:00 P.M.

The following paper appearing on Supplement No. 6 was taken up out of order by unanimous consent:

Orders

On motion of Mr. Henderson of Bangor, the following Joint Resolution: (H. P. 2332) (Co-sponsors: Mr. Davies of Orono, Mr. Carey of Waterville, Senator Sewall of Penobscot) (Approved by the Legislative Council pursuant to Joint Rule 34.)

Joint Resolution memorializing the President, the Administrator of Veterans affairs for the United States, the Maine Congressional Delegation, the Governor, and the Director of The Maine Bureau of Veterans Services concerning the current hardships faced by Maine Veterans

We, your Memorialists, the Senate and House of Representatives of the State of Maine in the One Hundred and Eighth Legislative Session assembled, most respectfully present and petition the President of the United States, the Administrator of Veterans Affairs for the United States, the Maine Congressional Delegation, the Governor of the State of Maine and the Director of the Maine Bureau of Veterans Services as follows:

WHEREAS, many veterans in Maine, especially disabled Vietnam-era veterans, face continuing hardships and discrimination in employment; and

WHEREAS, many veterans attempting to attend institutions of higher education, including the University of Maine or the vocational-technical institutes, face great hardships when financial aid promised by the United States Veterans Administration is delayed for weeks; and

WHEREAS, these delays severely affect their abilities to sustain basic necessities, such as food, housing, transportation and school supplies; and

WHEREAS, continuing public attitudes about the Vietnam War and the veterans of that war often result in employment discrimination; and

WHEREAS, there is a lack of communication between many Vietnam-era veterans and the United States Veterans Administration; and

WHEREAS, the foregoing and other factors produce severe demoralization and a sense of frustration on the part of many Maine citizens who are Vietnam-era veterans; now, therefore, be it

RESOLVED: That we, your Memorialists, respectfully urge that these difficulties and hardships should not be allowed to continue; and be it further

RESOLVED: That we respectfully urge and encourage the President of the United States and the Administrator of Veterans Affairs for the United States to make additional efforts to effectively serve Maine Vietnam veterans; and be it further

RESOLVED: That we respectfully request each member of the Maine Congressional Delegation to support these federal efforts; and be it further

RESOLVED: That we encourage the Governor and the Maine Bureau of Veterans Services to make every effort to alleviate any delay in administering the benefit programs for Vietnam-era veterans; and be it further

RESOLVED: That we further encourage the Governor and the Maine Bureau of Veterans Services to provide active assistance in discouraging discrimination in employment and

educational opportunities for Vietnam-era veterans; and be it further

RESOLVED: That we recognize that there is a need for a strong advocate for individual veterans; and be it further

RESOLVED: That suitable copies of this resolution be transmitted immediately to the Honorable Jimmy Carter, President of the United States, to Max Cleland, Administrator of Veterans Affairs for the United States, to each member of the Maine Congressional Delegation, to the Honorable James B. Longley, Governor of the State of Maine and to the Honorable Robert R. Washburn, Director of the Bureau of Veterans Services.

The Order was read.

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

Mr. HENDERSON: Mr. Speaker, Ladies and Gentlemen of the House: I hope just for a moment we might be able to change the mood, and I know it is kind of tough when it is kind of late, and some of the restrictions on my own discussions in the last few days, or weeks, I should say, have been because I know there are a lot of people in this and other bodies who are running for offices and sometimes we may question why it is we take on one cause or another, but this is something that has come to my attention, especially in the last few days and not much more than 24 hours ago.

It has been brought to my attention that some citizens of the State of Maine have been seriously shortchanged by some promises that we, the people of the United States, have made to them. We made those promises under conditions of a very difficult and very unpopular conflict. I think we ought to reflect on those in some respect when we pass legislation ourselves and are, in effect, making promises to people and come to find out, sometimes those promises are not kept, partly because we have not followed up to be sure that they have taken place.

Veterans of the Vietnam War and other veterans, but especially disabled veterans of the Vietnam conflict have returned from that, and this is an old story, as I am sure you may be thinking. In fact, before I continue, I want to say that I thought this storybook was closed and I guess that is because I am naive and because I am not a veteran and don't have to face this kind of a situation.

I was shocked to find out the discrimination, the feeling from that conflict and the difficulties of attaining basic dignity are still very real and are still with us. Many of the folks involved with that conflict have attempted, after being able to adjust from that conflict, have tried to further their education and they found roadblock after roadblock place in their paths because of red tape, if you want to call it that, because of financial problems, because of medical problems, and some of those folks have been here today and many of you have talked with them. They have been waiting quite a long time. And last night in our discussions, as I am sure many of you have felt a frustration in not being able to do what you would like to do for your constituents or try to rectify some of the wrongs that you see, and those are the kind of things that I faced. But maybe in the way of adopting this resolution today, we can say not only to the responsible parties but to the people of Maine and to the veterans of Maine that we are not going to stand by and let this continue, and we must recognize that in fact day after day many veterans are not getting what they have been promised and that many of them have not even realized that or realizing it have felt so frustrated and so rebuked by the system that they haven't pursued those rights.

I hope in passing this resolution tonight, we may be able to begin a process whereby we remember those folks who have been among the objects, let's say, of that particular conflict and that we won't forget them.

The SPEAKER: The Chair recognizes the

gentleman from Orono, Mr. Davies.

Mr. DAVIES: Mr. Speaker and Members of the House: In the 1960's, in the 1970's, this country was involved in a very controversial war, a war that divided families against themselves, divided communities against themselves. Thank God that war is over and behind us but, unfortunately, some of the ramifications of the great divisions within our society that developed within that war have not been put aside. And while I was a person who was very actively involved in the anti-war movement in this state at that time, I was opposed to the war, I was not opposed to the people who out of a sense of their patriotic duty or their responsibility to their country chose either voluntarily or under the duress of the draft to enter military service and fight for their country. Those people did what they felt was right. They believed their government when they were promised certain things as a part of their responsibility in the military service. They have since left that service and attempted to reintegrate themselves within our society.

It is unfortunate, but it is true, that many of those individuals, most frequently those people who suffered wounds, suffered disability during that war, have found that their attempt to reintegrate themselves into society has been frustrated, in many cases by the very government that took them from their families and communities and sent them to war in another country.

I stand here to support this memorial to the President, to the Veterans Administration and other parties who are involved to urge them to do what is their responsibility, to do it promptly and to serve these people, men and women both, so that they can have their needs taken care of so that they can once again feel as if they are a full, participating member in our society and granted the rights and responsibilities that all of us expect as citizens of America.

I would urge you to support this resolution. Let's get some things going for our veterans, let them get what they deserve and let them get them promptly.

Thereupon, the Resolution was adopted and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

The following paper appearing on Supplement No. 7 was taken up out of order by unanimous consent:

The following Communication: (S. P. 765)
STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE

Honorable Joseph Sewall
President of the Senate

and
Honorable John Martin
Speaker of the House
Dear Joe and John:

This is to officially notify you that I am hereby, withdrawing the nomination of John C. Caldwell, nominated on March 8, 1978 to serve as a member of the State Board of Education.

Due to the concern that a conflict of interest situation may arise by Mr. Caldwell's membership on the State Board, we feel it is in the best interest of the nominee at this time, to withdraw our nomination.

I respectfully request your cooperation in this regard.

Thank you.

Sincerely,

Signed:

JAMES B. LONGLEY
Governor

Came from the Senate read and placed on file.

In the House, the communication was read and ordered placed on file in concurrence.

The following papers appearing on Supple-

ment No. 8 were taken up out of order by unanimous consent:

Committee of Conference Report

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act to Facilitate Recruitment and Retention of Outstanding Persons for Policy-making Positions in State Service" (S. P. 672) (L. D. 2076) asks leave to report:

that the Senate recede from its action whereby it Passed the Bill to be Engrossed; recede from its action whereby it adopted Committee Amendment "B" (S-543) and indefinitely postpone same; read and adopt Conference Committee Amendment "A" (S-605), submitted herewith; and Pass the Bill to be Engrossed, as amended by Conference Committee Amendment "A";

that the House recede from its action whereby it Passed the Bill to be Engrossed; recede from its action whereby it adopted Committee Amendment "A" (S-542), as amended by House Amendment "A" (H-1177) thereto; recede from its action whereby it adopted House Amendment "A" to Committee Amendment "A" and indefinitely postpone same; indefinitely postpone Committee Amendment "A"; read and adopt Conference Committee Amendment "A" (S-605), submitted herewith; and Pass the Bill to be Engrossed, as amended by Conference Committee Amendment "A".

Signed:

Messrs. COLLINS of Aroostook
KATZ of Kennebec
CHAPMAN of Sagadahoc
— of the Senate.
Messrs. CURRAN of South Portland
DIAMOND of Windham
CHURCHILL of Orland
— of the House.

Came from the Senate with the Conference Committee Report read and accepted and the Bill passed to be engrossed as amended by Committee of Conference Amendment "A" (S-605)

In the House, the Report was read.

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

Mr. CURRAN: Mr. Speaker, I move we adopt the Committee of Conference Report.

The SPEAKER: The gentleman from South Portland, Mr. Curran, moves that the Conference Committee Report be accepted in concurrence.

The gentleman may proceed.

Mr. CURRAN: Mr. Speaker, Ladies and Gentlemen of the House: This Committee of Conference Report, unanimous report the six conferees, deals with salary increases for the State Auditor and the State Treasurer which, in the Conference Report, has not changed from what the House adopted several days ago.

It also deals with the pay of commissioners in the State of Maine, and the Conference Committee Report, instead of creating new ranges, as was proposed in Report B of the original report to the House, instead of creating a new Range 92 and an new Range 93, what is had done is to take the existing ranges and has added steps H and I. Presently there exists A through G. H and I have been established with 5 percent increases between those two steps, which does give a governor, indeed, more flexibility in hiring qualified individuals.

The Conference Committee Report does not have any kind of automatic increases for commissioners or others that may be involved in this bill.

It also dealt with the PUC. There was a great deal of concern as to the amount of money we were paying the Chairman of the PUC and its two members. Their salary ranges have been fixed statutorily, and in the Conference Committee Report, the Chairman of the PUC has been placed into Range 91 and the two members have been placed in Range 89 on the pay scale.

Now, there is a little more to the story than that in terms of the PUC members. There was some concern in the other body and there was concern in this body that perhaps votes could be influenced by increases or decreases in those positions, so what the committee of conference came out with is that a Governor, when appointing an individual either as a member or as chairman of the PUC, will have the flexibility of using Step A through Step I in Range 91 for the chairman and A through I in Range 89 for the two members. Once he has established what step they are going to be paid at, then the salary is solid and cannot be increased or decreased unless the governor comes back to this legislature and requests that there be an increase or a decrease. So we have taken care of that concern in terms of PUC members. They are quasi-judicial kind of commission and we felt that there shouldn't be that kind of flexibility in the pay range.

As for the present chairman and members of the PUC, we have put in a provision that the incumbents in those offices shall be placed, in terms of members, at Step B in Range 89 and Step C of Range 91 for the chairman, so that they need not wait until the end of their seven years before they can get a pay raise. This has been done so that we can retain some very highly qualified people in some very important positions.

If there are any questions, I would be more than happy to answer them. The issue of the district attorneys and an amendment attached by this House is not included in the Conference Report, and we hope that it will show up elsewhere before we leave.

Thereupon, the Committee of Conference Report was accepted.

The House receded from its action whereby the Bill was passed to be engrossed; receded from its action whereby Committee Amendment "A" as amended by House Amendment "A" thereto was adopted; receded from its action whereby House Amendment "A" to Committee Amendment "A" was adopted, and the Amendment was indefinitely postponed in concurrence. Committee Amendment "A" as amended by House Amendment "A" thereto was indefinitely postponed in concurrence.

Committee of Conference Amendment "A" (S-605) was read by the Clerk and adopted in concurrence.

The Bill was passed to be engrossed as amended by Committee of Conference Amendment "A" in concurrence.

By unanimous consent, ordered sent forthwith to Engrossing.

Bill "An Act to Make Necessary Corrections in the Knox County and Lincoln County Budget, the Errors and Inconsistencies Act and the Administrative Procedure Act" (Emergency) (S. P. 760) (L. D. 2205) which was Enacted in the House on March 23. (Having previously been Passed to be Engrossed as amended by Senate Amendment "A" (S-599)

Came from the Senate Passed to be Engrossed as amended by Senate Amendments "A" (S-599) and "B" (S-607) in non-concurrence.

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

By unanimous consent, ordered sent forthwith to Engrossing.

The following Enactor appearing on Supplement No. 9 was taken up out of order by unanimous consent:

Emergency Measure

"An Act Authorizing the Issuance of Bonds by the Town of Houlton to Acquire Certain Assets of Ricker College" (H. P. 2314) (L. D. 2208) (C. "A" H-1229)

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 members elected to the House

being necessary, a total was taken.

Whereupon, Mr. Higgins of Scarborough 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 in favor of 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 will vote yes; those opposed will vote no.

ROLL CALL

YEA — Alopis, Ault, Austin, Bachrach, Bagley, Beaulieu, Bennett, Benoit, Berry, Berube, Birt, Blodgett, Boudreau, A.; Boudreau, P.; Brenerman, Brown, K. L.; Brown, K. C.; Burns, Carey, Carrier, Carter, F.; Chonko, Churchill, Clark, Connolly, Cote, Cox, Cunningham, Curran, Davies, Devoe, Diamond, Drinkwater, Durgin, Fenlason, Flanagan, Fowlie, Garsoe, Gill, Gillis, Goodwin, H.; Gould, Gray, Green, Greenlaw, Hall, Henderson, Hickey, Higgins, Hobbins, Howe, Huber, Hughes, Hunter, Hutchings, Immonen, Jackson, Jalbert, Jensen, Joyce, Kane, Kerry, Kilcoyne, Laffin, LaPlante, Littlefield, Lizotte, Locke, Lougee, Lynch, MacEachern, Mackel, Marshall, Masterman, Masterton, Maxwell, McBreairty, McHenry, McKean, McMahon, McPherson, Mitchell, Nadeau, Najarian, Nelson, N.; Norris, Palmer, Paul, Pearson, Peltier, Perkins, Peterson, Plourde, Quinn, Raymond, Rideout, Sewall, Silsby, Spencer, Sprowl, Stover, Strout, Stubbs, Talbot, Tarbell, Tarr, Teague, Torrey, Trafton, Twitchell, Valentine, Violette, Whittemore, Wilfong, Wood, Wyman, The Speaker.

NAY — Biron, Kany, Moody, Tierney.

ABSENT: Bunker, Bustin, Carroll, Carter, D.; Conners, Dexter, Dow, Dudley, Dutremble, Elias, Goodwin, K.; Jacques, Kelleher, Lewis, Lunt, Mahany, Martin, A.; Mills, Morton, Nelson, M.; Peakes, Post, Prescott, Rollins, Shute, Smith, Theriault, Tozier, Truman, Tyn-dale.

Yes, 117; No, 4; Absent, 30.

The SPEAKER: One hundred seventeen having voted in the affirmative and four in the negative, with thirty being absent, the Bill is passed to be enacted.

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

(Off Record Remarks)

House at Ease

Called to order by the Speaker.

The following paper appearing on Supplement No. 16 was taken up out of order by unanimous consent:

Non-Concurrent Matter

Bill "An Act to Provide for a 2% Income Tax Credit for Taxable Years Ending in 1978" (H. P. 1891) (L. D. 1948) on which the "Leave to Withdraw" Report of the Committee on taxation was read and accepted in the House on March 7.

Came from the Senate with the Bill substituted for the Report and passed to be engrossed as amended by Senate Amendment "A" (S-617) in non-concurrence.

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

By unanimous consent, ordered sent forthwith to Engrossing.

The following paper appearing on Supplement No. 10 was taken up out of order by unanimous consent:

Non-Concurrent Matter

"An Act to Expand the Elderly Low Cost Drug Program" (H. P. 1912) (L. D. 1973) which was Enacted in the House on March 6. (Having previously been Passed to be Engrossed as amended by Committee Amendment "A" (H-1028) as amended by Senate Amendment "B" (S-501) thereto)

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" (H-1028) as amended by Senate Amendment "C" (S-614) thereto in non-concurrence.

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

By unanimous consent, ordered sent forthwith to Engrossing.

The following paper appearing on Supplement No. 11 was taken up out of order by unanimous consent:

Non-Concurrent Matter

Bill "An Act to Allow Intermediate Care Facilities to be Reimbursed under the Medically Needy Program" (H. P. 1915) (L. D. 1976) which was Enacted in the House on March 2. (Having previously been passed to be engrossed as amended by Committee Amendment "A" (H-1068)

Came from the Senate Passed to be Engrossed as amended by Committee Amendment "A" (H-1068) as amended by Senate Amendment "A" (S-609) thereto in non-concurrence.

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

By unanimous consent, ordered sent forthwith, to Engrossing.

The following paper appearing on Supplement No. 12 was taken up out or order by unanimous consent:

Non-Concurrent Matter

"An Act to Appropriate Funds for the York County Community College" (H. P. 1978) (L. D. 2073) which was Enacted in the House on February 22. (Having previously been Passed to be Engrossed as amended by House Amendment "A" (H-1030)

Came from the Senate passed to be Engrossed as amended by Senate Amendment "A" (S-615) in non-concurrence.

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

By unanimous consent, ordered sent forthwith to Engrossing.

The following paper appearing on Supplement No. 13 was taken up out of order by unanimous consent:

Non-Concurrent Matter

Bill "An Act Appropriating Funds to Establish Emergency Shelters for Family Members who are Victims of Family Violence" (H. P. 1979) (L. D. 2074) which was Enacted in the House on March 21 (Having previously been passed to be engrossed as amended by Committee Amendment "A" (H-1152)

Came from the Senate passed to be Engrossed as amended by Committee Amendment "A" (H-1152) as amended by Senate Amendment "A" (S-610) thereto in non-concurrence.

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

By unanimous consent, ordered sent forthwith to Engrossing.

The following paper appearing on Supplement No. 14 was taken up out of order by unanimous consent:

Non-Concurrent Matter

"An Act Relating to the Inspection of Dams (H. P. 2007) (L. D. 2084) which was Enacted in the House on February 16. (Having previously been Passed to be Engrossed as amended by Committee Amendment "A" (H-1015) and Senate Amendment "A" (S-463) thereto)

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" (H-1015) as amended by Senate Amendment "B" (S-613) thereto in non-concurrence.

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

By unanimous consent, ordered sent forthwith to Engrossing.

The following paper appearing on Supplement No. 15 was taken up out of order by unanimous consent:

Non-Concurrent Matter

"An Act to Establish a Solar Water Heater Demonstration Program for Maine" (H. P. 2038) (L. D. 2102) which was Enacted in the House on February 24. (Having previously been Passed to be Engrossed as amended by Committee Amendment "A" (H-1038)

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" (H-1038) and Senate Amendment "A" (S-611) in non-concurrence.

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

By unanimous consent, ordered sent forthwith to Engrossing.

The following paper appearing on Supplement No. 17 was taken up out of order by unanimous consent:

Non-Concurrent Matter

Bill "An Act to Provide for Refunding of Municipal Claims under the Maine Tree Growth Tax Law" (H. P. 1969) (L. D. 2049) which was Enacted in the House on March 21 (Having previously been passed to be engrossed as amended by Committee Amendment "A" (H-1161) as amended by House Amendment "A" (H-1168) and House Amendment "B" (H-1147) thereto)

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" (S-601) as amended by Senate Amendments "A" (S-602) and "C" (S-608) thereto in non-concurrence.

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

By unanimous consent, ordered sent forthwith to Engrossing.

The following paper appearing on Supplement No. 18 was taken up out of order by unanimous consent:

Non-Concurrent Matter

"An Act Concerning the Catastrophic Illness and Medically Needy Programs" (H. P. 1911) (L. D. 1972) which was Enacted in the House on March 2. (Having previously been Passed to be Engrossed as amended by Committee Amendment "A" (H-1046) as amended by House Amendment "A" (H-1063) thereto)

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" (H-1046) as amended by Senate Amendment "A" (S-612) and House Amendment "A" (H-1063) thereto in non-concurrence.

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

By unanimous consent, ordered sent forthwith to Engrossing.

The following paper appearing on Supplement No. 19 was taken up out of order by unanimous consent:

Non-Concurrent Matter

"An Act to Establish Training Requirements for Corrections Officers" (H. P. 2039) (L. D. 2104) which was Enacted in the House on March 2. (Having previously been Passed to be Engrossed as amended by Committee Amendment "A" (H-1057)

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" (H-1057) as amended by Senate Amendment "A" (S-616) thereto in non-concurrence.

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

By unanimous consent, ordered sent forthwith to Engrossing.

The following paper appearing on supplement No. 20 was taken up out of order by unanimous consent:

Non-Concurrent Matter

Joint Order (H. P. 2252) amending Joint Rule 39 which was read and passed in the House on March 15.

Came from the Senate Indefinitely Postponed in non-concurrence.

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

The following Enactors appearing on Supplement No. 22 were taken up out of order by unanimous consent:

**Passed to Be Enacted
Emergency Measure**

"An Act to Allow Intermediate Care Facilities to be Reimbursed under the Medically Needy Program" (H. P. 1915) (L. D. 1976) (S. "A" S-609 to C. "A" H-1068)

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 necessary, a total was taken. 122 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 Concerning the Catastrophic Illness and Medically Needy Programs" (H. P. 1911) (L. D. 1972) (C. "A" H-1046 as amended by S. "A" S-612 and H. "A" H-1063)

"An Act Appropriating Funds to Establish Emergency Shelters for Family Members who are Victims of Family Violence" (H. P. 1979) (L. D. 2074) (S. "A" S-610 to C. "A" H-1152)

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.

The following Enactors appearing on Supplement No. 23 were taken up out of order by unanimous consent:

Passed to Be Enacted

"An Act to Establish a Solar Water Heater Demonstration Program for Maine" (H. P. 2038) (L. D. 2102) (S. "A" S-611; C. "A" H-1038)

"An Act to Expand the Elderly Low Cost Drug Program" (H. P. 1912) (L. D. 1973) (S. "C" S-614 to C. "A" H-1028)

"An Act Relating to the Inspection of Dams" (H. P. 2007) (L. D. 2084) (S. "B" S-613 to C. "A" H-1015)

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.

In reference to Bill "An Act Adjusting Appropriations and Allocations for the Expenditures of State Government and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1978 and June 30, 1979" (Emergency) (S. P. 740) (L. D. 2195) which was held at the request of Mr. Martin of Eagle Lake, the same gentleman withdrew his request to hold the Bill.

By unanimous consent, ordered sent forthwith to Engrossing.

Orders of the Day

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

Bill, "An Act to Revise the Method of Computing Legislators' Expenses" (H. P. 1996) (L. D. 2077) — In House, Passed to be Engrossed as amended by Committee Amendment "A" (H-1166) on March 16. — In Senate, Failed of Passage to be Engrossed as amended by Committee Amendment "A" (H-1166) in non-concurrence.

Tabled — March 22 (Till Later Today) by Mr. Tierney of Lisbon Falls.

Pending — Further Consideration.

On motion of Mr. Greenlaw of Stonington, the House voted to recede from its action whereby the Bill was passed to be engrossed.

On further motion of the same gentleman, the House voted to recede from its action whereby Committee Amendment "A" was adopted and on motion of the same gentleman, the Amendment was indefinitely postponed.

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

House Amendment "A" (H-1223) was read by the Clerk and adopted.

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

On motion of Mr. Tierney of Lisbon Falls, the House voted to take from the table the first tabled and unassigned matter:

House Report — "Leave to Withdraw" — Committee on Taxation on Bill, "An Act Increasing Benefits for Certain Claimants under the Elderly Householders Tax and Rent Refund Act" (Emergency) (H. P. 1983) (L. D. 2070)

Tabled — March 8, 1978 by Mr. Tierney of Lisbon Falls.

Pending — Acceptance of the "Leave to Withdraw" Report. Thereupon, the Report was accepted and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

House at Ease

Called to order by the Speaker.
(Off Record Remarks)

Order Out of Order

Mr. Tierney of Lisbon Falls presented the following Joint Order and moved its passage: (H. P. 2334)

ORDERED, the Senate concurring, that in accordance with emergency authority granted under Title 3, section 2 of the Maine Revised Statutes, the Second Regular Session of the 108th Legislature shall be extended by one additional legislative day.

The Order was received out of order by unanimous consent, read and passed and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.