

# 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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**Senate Confirmation Session**

June 14, 1978

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**First Special Session**

September 6, 1978 — September 15, 1978

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December 6, 1978

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APPENDIX

## HOUSE

Friday, March 24, 1978

The House called to order by the Speaker.

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

Mr. GREENLAW: Mr. Speaker, is the House in possession of L. D. 2077?

The SPEAKER: The Chair would answer in the affirmative, being held at the request of the Speaker, Bill "An Act to Revise the Method of Computing Legislative Salaries" (H. P. 1996) (L. D. 2077)

On motion of Mr. Greenlaw of Stonington, the House reconsidered its action whereby the bill was passed to be engrossed.

On further motion of the same gentleman, the House reconsidered its action whereby House Amendment "A" was adopted.

On motion of the same gentleman, House Amendment "A" was indefinitely postponed.

On further motion of the same gentleman, the House reconsidered its action whereby Committee Amendment "A" was indefinitely postponed.

Thereupon, Committee Amendment "A" was adopted.

The House reconsidered its action whereby it voted to recede.

Thereupon, the House voted to insist.

By unanimous consent, ordered sent forthwith to the Senate.

The following paper appearing on Supplement No. 24 was taken up out of order by unanimous consent:

## Order

On Motion of Mr. Quinn of Gorham, the following Joint Order: (H. P. 2333)

ORDERED, the Senate concurring, that the Clerk of the House and Secretary of the Senate be authorized to furnish 100 13¢ postage stamps for each member of the House and Senate for the purpose of distributing various reports of the departments of state and other public documents such as they may desire to mail to the citizens of the State.

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

By unanimous consent, ordered sent forthwith to the Senate.

The following Enactor appearing on Supplement No. 26 was taken up out of order by unanimous consent:

Passed to Be Enacted  
Emergency Measure

"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 (S. P. 740) (L. D. 2195)

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. 124 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.

The following Enactor appearing on Supplement No. 27 was taken up out of order by unanimous consent:

## Passed to Be Enacted.

"An Act to Provide for Reform of the State Tax Laws, Including the State Sales Tax and the State Income Tax" (H. P. 1891) (L. D. 1948) (S. "A" S-617)

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

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

Mr. TIERNEY: Mr. Speaker, Ladies and Gentlemen of the House: I urge each and every

one of you to vote for the pending motion in order to enact this piece of legislation. The debate has been long and I feel that the difference between this bill and the bill what we vote on yesterday and the primary reason for my support and the primary reason for it passing in this House is the very significant language that states that the 5.7 million earmarked for increasing the exemption from \$1,000 to \$1,200 will not take effect, will not be implemented unless sufficient funding is available. The increase in the tax exemption from \$1,000 to \$1,200 goes into effect only if the actual revenues for the six-month period, from July 1, 1978 to December 31, 1978, equal or exceed the Governor's estimate of revenues for that six-month period. Legislative approval is given by accepting the Governor's estimates of revenues without adjustments and a legislative order can be used to change these estimates. The Governor's estimates for the fiscal year 1978 and 1979 have already been accepted by the legislature and are now not subject to change by the Governor.

Therefore, for example, if the Governor estimates that revenues will be \$200 million for that six-month period, for the exemption plan to do into effect, the actual revenues for that six-month period, determined as of December 31, 1978 in the budget estimates which will be received approximately January 20, 1979, must be \$200 million or greater. If the actual revenues are less than the \$200 million in this example, the exemption rates will not take effect.

I feel that this is a very substantial safeguard. It means that is an economic crisis hits or unemployment rises and if the revenues do not meet estimates, then the money will stay unspent. It means further that the 109th Legislature and our new Governor and our new legislature would be able, if it so wished, to re-examine this issue and, if necessary, eliminate this provision if it did not feel that it was in the best interest and needs of all of our people. It also means that if this legislature, in special session, were to come back and appropriate funds for any purpose, then at that time we also could address that single and very important question as to whether or not this money should be expended.

I think this is a very significant difference from the other bill and I think it is the primary reason for changing my vote. The question of the whole package, I would say, ladies and gentlemen, at this late hour, was actually determined not in these final days but determined on that day almost two years ago when we were all elected to this body and to the other body and when our Chief Executive was elected three and a half years ago and that matrix has worked its will and has found its way in this bill which will provide \$13 million in permanent tax relief for the people of Maine and, hopefully, if the revenues stay up, would also provide additional tax relief for the people of this state. I urge you to vote yes on the pending motion.

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

Mr. GARSOE: Mr. Speaker, Ladies and Gentlemen of the House: I would like to echo the words of the gentleman from Lisbon Falls. I am pleased that he has made this significant entry into the record. I would just like to echo that the revenue estimates and the approval by the legislature has now taken place. I mention this only because there have been some questions in the corridors as to the exact intent in changing that language and I, too, am pleased that we now see our way clear to effect this return of taxpayer money to the taxpayers of this state, I would state that I feel just as confident as I did yesterday that these revenues will, indeed, be generated, but if this safeguard ever has to be triggered, perhaps we would all be glad that it is there.

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

Mr. HOWE: Mr. Speaker, Members of the

House: I plan to vote on this package tonight because I support much of what is in this package.

I appreciated earlier the historical perspective offered in our recent party caucus by Representatives Carroll and Jalbert. They remind us of the days in which attempts by Democrats were made to enact the very sales tax exemptions provided in this bill and those attempts were rebutted soundly by the majority party of legislatures gone by. Regardless of who claims credit in this election year, the people who are most burdened by the regressive sales tax will have scored a long sought victory here tonight.

As to the corporate tax break, some here think it is great and some think it stinks, but I am just left with the feeling that it is really a little silly. The Democratic caucus supported a corporate tax plan which offered enough relief to smaller businesses as to actually be useful. This plan doesn't really help anybody. It will probably cost more to pay a corporate CPA to adjust the books for this plan than it will provide in relief, but I guess we can be grateful that we are spending relatively little to accomplish nothing.

As to the \$5.7 million personal tax exemption, the new wrinkle in this amendment eases slightly my concern about the possibility of a surplus too skimpy to handle our future obligations and the next year we may have to be back here to take back what we are giving tonight. But I must say to my constituents that you shouldn't take us too seriously on this one, we are giving you a tax break next year—maybe.

With respect to the revised personal income tax reduction, I certainly can support giving a little relief to the often ignored middle class. As one of the few legislators here who come from the grossly under-represented segment of society with young families and modest means and who do not work in one of the lucrative professions, my working wife, my two kids and I will probably be able to take advantage of the maximum reduction of \$40. We will just have to be careful not to spend it all in one place.

As to many parts of this package, the parts which really help the farmers, the loggers, the fishermen, the homeowners and the tenants, I find these portions of the package worthy and significant and responsive to much of what I a Democrat believe in.

In the final analysis, I don't want to see these things go down the tube, and it is those things for which I cast my yes vote tonight.

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

Mr. SPENCER: Mr. Speaker, Ladies and Gentlemen of the House: I plan to vote for this bill but I would like to have the record show that I am doing so with the understanding and the expectation that if the \$5.7 million is necessary in order to fund collective bargaining contracts with the state employees, that I consider that money to still be available for the purpose. If we have to come in here to fund those contracts, I think we should be prepared, if necessary, not to provide that \$5.7 million in tax relief if we need it to fund the contracts.

I think the people of the State should regard this \$5.7 million in tax relief as very tentative.

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

Mr. HICKEY: Mr. Speaker, Ladies and Gentlemen of the House: I, too, like Representative Spencer, would like to support this, but I would like assurance that we have adequate money to provide for the negotiations for the state employees.

Mr. Connolly of Portland requested a roll call vote.

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

Mr. PAUL: Mr. Speaker, Members of the House: It is, indeed, an honor for me to stand before you tonight as a new member of this body as we consider this major piece of tax

reform.

I am sure you can all remember the first time you were a legislator, the suffering, the pains, the frustrations but also remember the rewards, the satisfaction of passing meaningful legislation, something that helps people, something that you can be proud of. I believe this amendment is just that, a reward to the hard working men and women of this state, proof that government can give as well as take away, a package of permanent tax relief.

There is something for everyone in this bill, a \$20 permanent reduction for all wage earners in the \$6,000 to \$15,000 bracket, but there is much more — \$4 million in permanent sales tax reduction on electricity; \$2 million in permanent sales tax reduction, on farm and logging equipment, \$1 million worth of exemption on residential water, fishing equipment and residential gas. I ask you all to put your political philosophies aside as you decide this issue here tonight. This money belongs to the people, they want it back, let's honor their wishes.

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

Mr. CAREY: Mr. Speaker, Ladies and Gentlemen of the House: I have thought long and hard while the piano was playing earlier during the recess, and I have been one who has opposed the corporate income tax in any form. However, I am well aware that what we have here before us is nowhere near what the Governor has proposed, \$20.5 million of returns to the more wealthy people in the State. We have now been able to gear this package more towards the people in the \$10,000 to \$30,000 a year bracket.

We have given up on our thoughts on property tax relief. I still feel that that is extremely necessary but I am very impressed with the fact that we have been able to get some help from the Republicans in putting together a package which hits the sales tax in particular. I am one of the first ones to know that the income tax will go up again. When, we don't know, but it will take real positive action to put the tax back on those real necessities of like, water, sewer, gas and what have you. For that reason, I will support this package, but I am not happy with the amount.

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

Mr. WYMAN: Mr. Speaker, Ladies and Gentlemen of the House: I would hardly say that I could be proud of this tax package. I could say that we have given a meaningful tax break to the men and women of this state that most deserve it, those of our working folk who are hardest hit by increased taxes, in particular, increased property tax.

I do want to say that I will vote for this package with the greatest reluctance because it contains some items that I think are extremely important, and that is in the area of sales tax relief for the fishermen, the farmers, for the loggers and especially to the elderly of this state who are certainly hard pressed, and perhaps most cruelly hard pressed by increased property taxes. I cannot, Mr. Speaker and ladies and gentlemen after giving this a great deal of careful consideration and thought, vote against an opportunity to give some relief to our older citizens.

I also want to say, Mr. Speaker, that I am extremely and gravely disappointed that the 108th Legislature has failed when it had its brightest, golden opportunity to address the problem and what I would call the crisis of meaningful tax reform. I am talking not about relief, but reform, because there is nothing in this package that is permanent and there is nothing in this package that can be described in any stretch of the imagination as meaningful reform.

The people have spoken time and time again their desire to have relief in the area of property taxes. The Maine State Legislature has, once again, failed to address that problem and

failed to represent the peoples interests in this area. That is a grave disappointment to me, and I think that each of us who have campaigned this last election and I don't think that each of us who have campaigned this last election without promising to the people that we would do something about the property tax burden. The fact that we have not can only be described as breach of faith with the people of this state.

I can only hope that when we go out, those of us who will be campaigning this fall, and people tell us about the fact that their property taxes have doubled, that they are contemplating selling their homes, when we face our elderly people, many with tears in their eyes, who say that they are forced or will be forced to sell their homes and move into public housing for the elderly because they cannot afford the taxes, I hope that we will be able to explain to them our actions tonight.

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

Mr. WHITTEMORE: Mr. Speaker, Ladies and Gentlemen of the House: I, for one, am very proud of this package tonight. I know everybody has worked very hard on it and I can guarantee that I am not ashamed to stand up in front of a corporation, industry, business, working men or anyone on welfare, elderly people or what have you. I would be proud to stand up in front of them and tell them what we did and how I voted. I have no qualms. I just want this on the record that I am very proud of this package and I think that the people back home will be pleased with it.

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

Mr. LAFFIN: Mr. Speaker, Ladies and Gentlemen of the House: I can't believe what I am hearing here tonight. I can't believe that the members of this House can accept what we have before us in such a short time, and only a few days ago, this bill that we have before us was all wrong. I have been wrestling with this problem ever since I knew that tax reform was coming before this House. I didn't know how I was going to vote until a few seconds before the Speaker of this House said, "has everyone voted?" I hoped at that time that I was voting right. I believe in tax reform but I didn't believe in it in four or five hours and I didn't decide in a couple of hours.

What we have before us today is nothing more than what you had yesterday, last week, two weeks ago and even a month ago, except four lines on this yellow sheet. I still don't know whether we are right or wrong. I want to do the right thing, and I don't care if it is twenty past twelve, in the middle of the night, I want to do the right thing and I want you people to do the right thing. But, when we can put an entire bill back together the same way it is, with a few exceptions of four lines, I can't believe it.

A week ago, we were crucifying each other, personally; we were attacking each other personally. I said at that time that I believed that if the leadership were not involved, the members of this House could sit down and work out a solution. Apparently, it has been worked out through the leadership.

What was so wrong with it a few days ago? What was so wrong with it to keep us here all this time? Now all of a sudden, it is one of the greatest things that ever hit the floor of this House. I promised several members of this House, in fact, one very lovely lady in this House was almost in tears because she didn't want me to say anything about this, I know that I am not going to change anyone's vote, and I don't want to change anyone's vote, but, I have a deep concern tonight and I have a concern for the people about what we are doing and how we have gone about it. I have a concern because things can't change that quick. I have always believed, and I said so off the record tonight, that the nicest people in this state come to the legislature. I still believe that.

This is not my first day in the legislature. It could be my last but it is not my first. I am concerned about tax reform. I am concerned about tax reform regarding the fact that the working people of this state, who have been paying and never get anything in return. When I thought today that the other body had adhered, that this bill was dead, that tax reform would not come before this legislature and I really believed that it wouldn't come before the 108th at any time.

I guess I just don't know how to accept or reject a good thing on the grounds of one day it is on a piece of white paper and the next day four lines changed on a 13 page document that says the exact same thing. I know that many times, and I said this tonight to a very good friend of mine in this House, that I would not say anything against the leadership, that I would not say anything against any member of this House and I will fulfill that. We have got to do the right thing for the majority of the people of this state. Whether we are doing it or not, I still don't know. I do know that in checking several of my researchers, as I was going through this thing, my concern was for the state employees of this state to see that there was enough money. Not having a whole lot of education, I figured out \$70 million is what the payroll would cost and 7 percent of that, there would be enough, roughly, \$4.3 million to \$4.6 million, but where I am not an expert in that field, I couldn't come up to satisfy my own self. A friend of mine said, why don't you go ask the experts? I don't know who the experts are. I don't know who is right and who is wrong. So, I had to satisfy my own mind, to be sure that there was enough for future pay raises. I voted for that.

When reconsideration came up for the members of this House, I voted against reconsideration because I was satisfied in my mind. Tonight, ladies and gentlemen, I don't know that answer. I think that basically I am more confused now than I was when I heard the debate for the first time. I have gone over this yellow sheet and I have tried to understand it and I have tried to come up with an answer that is suitable in all aspects, as one member of this House one day put it, to look at the whole picture — well, I don't know as I know what the whole picture is, but I am sure that the members of this House will make the right decision with or without my vote.

I ask you tonight, ladies and gentlemen, to give the same consideration to your vote that I am going to give to mine.

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

Mr. CARROLL: Mr. Speaker, Ladies and Gentlemen of the House: I do not call myself an old timer because I still feel young and I like to think I have the rapport of talking to the young people throughout my community. I feel at this time, opening up the wounds of battle is not in the best interest of the State of Maine. I love my state and I love all my people, no matter what party they belong to.

I sincerely believe that a few years ago when I tried to hold the line on the 4 percent sales tax and we adjourned and went home that I was doing what was right for the working people of the State of Maine. We recommend and increased the sales tax to 5 percent. I have always carried the pain in my heart that it was necessary to increase the sales tax to 5 percent.

This package has in it the relief for the working man in cutting back the sales tax on the essentials of life. I feel this package is a beginning of relief for the working people in my beloved state because I feel the sales tax is a very regressive form of taxation. I sincerely hope and believe that every man has a right to change his mind. As I said in caucus and I will repeat now before everyone, that I shall turn my head and walk away and return to fight another day, and this I shall repeat over and over.

I am a firm believer that he who turns his head and walks away does not walk away in defeat, but he walks away in honor and returns to fight another day. I feel that my Democratic party has not lost a battle. We have won many rounds in this battle, because we have relief in certain facets of the sales tax on electricity, water and certain essentials of life. I am a firm believer that we have made the right decision tonight, at the right time, and I have no regrets in any past action I have ever taken.

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

Mr. BAGLEY: Mr. Speaker, Ladies and Gentlemen of the House: Politics is the art of the possible. I think this is a good illustration of that statement. Now, there is no such thing as a perfect bill, outside of the fact that Chairman Lynch thought we had our education bills perfect, I am sure the rest of us were not satisfied with the school funding bill but it was so good that every amendment that was offered in this House was turned down. Now, not one of us on the committee who worked hours on that liked every part of it. Not one of us likes every part of this tax measure, I am sure. Every one of us can find something we disagree with, and yet, as I say, politics, being the art of the possible, I hope it is possible to get out of here before morning.

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

Mr. STUBBS: Mr. Speaker, Ladies and Gentlemen of the House: If this bill should pass this body, and I expect it will, I am not just assuming, I want it to be considered an unalterable fact that this \$5.7 million will be available to reward the state employees for any result of any collective bargaining.

This state rises and falls on the competence of our state employees. I know many, many state employees. I worked here ten years as one myself and I know, for a fact, that right now morale is at its lowest ebb and it is vital, very vital, that we have good morale.

I sincerely hope that we have some good results from some collective bargaining and that we can pay our state employees a living wage. I know that inflation is putting them in a situation whereby some of them are really truly in desperate straights. I have heard of some that have actually had to go for food stamps and this is not a situation that we want.

Therefore, I want it to be on record, clearly, that this body will take care of its state employees.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Commenting on the remarks of the last gentleman, my friend, Mr. Stubbs, I assure him of one thing that it seems my heart has always been with state employees. In 1965 to 1967, I was Chairman of the Legislative Research Committee, which launched the Cresap, McCormick and Paget Report, from it, state employees get four steps in one year. I have been working very, very closely with the head of the MSEA. I can assure him of this, that the collective bargaining is a commitment that we have made and we intend to keep. There have already been two settlements made and the remainder will be made.

Now, this package is not one that can be claimed as a victory for either party. I feel that somewhere along the line, and in answer to the good gentleman from Westbrook, who is really a dear friend of mine, that you know the mechanics of government work very, very slow at times. It is perfect knowledge, in fact, that we watch Congress work and just sit idly back, recess for days, vacations and then suddenly something very, very important moves very fast. That is the same thing that happens here, situations change. It has been my belief, and I have stated so both on the plan that was the so-called democratic plan that I voted for and lost, and the other plan, which was the friendly

opposition plan, which I voted for merely because I did not want to go home without doing some thing for the people of Maine. This money is theirs and some of it should go back to them. That is my honest and sincerest belief, not as a freshman but as a 32-year member of this body. I want to do the right thing, I am getting too old to want to do the wrong thing.

I am sure that the good gentleman is teaching his puppy the same manners. I learned from other people too. I would not do anything, would not want to, I have too much respect for this body. I regard the members as the hardest working group I have ever worked with in my life. I have said so, time and time again.

The leadership of both parties, headed by the Speaker of this House, who happens to be a member of my party but someone has to be the speaker and someone has to be a member of a party, have worked for hours on end, early in the morning and very late at night. I understand it is not too pleasant for the Speaker to get up too early because I have been shut off when I have made these early calls, which I am tempted to do oftentimes. I have been taught by other people and I would never, never stand here and speak for a measure that I did not believe in absolutely and completely. If we would go home without having done anything for the people of Maine, I think it would be, as the Governor said, not only a dark day for Maine, for the legislature but a very, very dark day for the citizens of this state, and that is why my position is as it is now.

#### (Off Record Remarks)

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

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House: We have before us tonight a tax bill. It represents, as I said last night to all of you, the combined efforts of Republicans and Democrats and of an Independent Governor. Hours and days have gone into this package, and I don't feel any shame that tonight we finally come down to this final package which addresses certain things which our economy, I think, needs addressing.

Number one, this package gives sales tax relief. It gives income tax relief and it does at least address at a minimum the corporate community in the State of Maine, nothing more than perhaps saying to the corporate communities "this is a good advertising budget for the State of Maine, because you will say to others outside of Maine, you will say to those who live within Maine, we recognize your place in our community and we want you to help us."

It also addresses the needs of the unemployed. It says, I believe, that government can become a partner with the private sector to try to take some of the 36,000 people who, over and over again, are unemployed and put them back to work in meaningful employment which will return to the state some dollars in additional taxation in future years. What more could we ask tonight that we, in the closing hours of this legislature, with approximately \$20 million, say that we are going to use this for the future growth of Maine?

It has always been my philosophy, and still is, that Maine will grow in the future as Maine grows from within. We have sought for years and years and years for a sort of "end of the rainbow" type of thing, looking for someone else always to come in and solve Maine's problems. We have looked for some giant corporations to drop a couple of plants on our state and solve our problem. We have looked to the federal government for the same thing.

The fact of the matter is that we have here in Maine the most wonderful people in all the world and we have the richest resources which any state could ever ask for.

I believe that this tax package addresses the individual problems. It also addresses the problem of individual growth and economic growth,

state growth from within. I am a great believer that Maine can do it; we have done it for years. We have always been a people who have said — we have always been able to get along with what we had. Now, this package, it seems to me, is the first one we have had for years which opens up the doors and says to the people of Maine, some relief to fishing, some relief to agriculture, we want you to grow, because we know if you do grow, we are going to grow and we know that the surplus of today of \$20 million or \$40 million or \$60 million will be bigger tomorrow if we address that community.

You know, there is nothing wrong with government reaching out hand-in-hand with the industrial and economic community and saying, let's walk around together. I think we have the package here tonight. We have gone through long hours, I compliment all parties in working on this arrangement, and I think we have here a package which we can be justly proud of and pass along, and I am sure at leaving here tonight the people of Maine will be proud of us tomorrow because we have done this for them.

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

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

The SPEAKER: The pending question is on passage to be enacted of L. D. 1948, Bill, "An Act of Provide for Reform of the State Tax Laws, including the Sales Tax Law and the State Income Tax." All those in favor of this Bill being passed to be enacted will vote yes; those opposed will vote no.

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

Mr. BIRON: Mr. Speaker, I wish to pair my vote with the gentlewoman from Lewiston, Mrs. Berube. If she were here, she would be voting yes and I am voting no.

#### ROLL CALL

YEA — Alopous, Ault, Austin, Bachrach, Bagley, Beaulieu, Benoit, Berry, Birt, Blodgett, Boudreau, A.; Boudreau, P.; Brennerman, Brown, K. L.; Brown, K. C.; Carey, Carrier, Carroll, Carter, D.; Carter, F.; Chonko, Churchill, Clark, Cote, Cox, Cunningham, Curran, Davies, Devoe, Dexter, Diamond, Drinkwater, Dudley, Durgin, Dutremble, Elias, Fenlason, Flanagan, Fowlie, Garsoe, Gill, Gillis, Goodwin, K.; Gould, Gray, Green, Greenlaw, Hall, Henderson, Hickey, Higgins, Hobbins, Howe, Huber, Hughes, Hunter, Hutchings, Immonen, Jackson, Jacques, Jalbert, Joyce, Kane, Kany, Kelleher, Kerry, Kilcoyne, Laffin, LaPlante, Lewis, Littlefield, Locke, Lougee, Lynch, MacEachern, Mackel, Mahany, Marshall, Masterman, Masterton, Maxwell, McBreairty, McKean, McMahan, McPherson, Mitchell, Moody, Morton, Nadeau, Najarian, Nelson, M.; Nelson, N.; Norris, Palmer, Paul, Pearson, Peltier, Perkins, Peterson, Plourde, Post, Prescott, Quinn, Raymond, Rideout, Rollins, Sewall, Shute, Silsby, Smith, Spencer, Sprowl, Stover, Strout, Stubbs, Talbot, Tarbell, Tarr, Teague, Tierney, Torrey, Tozier, Trafton, Truman, Twitchell, Violette, Whittemore, Wilfong, Wood, Wyman, The Speaker.

NAY — Burns, Bustin, Connolly, Goodwin, H.; Jensen, Lizotte, McHenry, Valentine.

ABSENT — Bennett, Bunker, Connors, Lunt, Martin, A.; Mills, Peakes, Theriault, Tyndale.

PAIRED — Berube, Biron.

Yes, 131; No, 9; Absent, 9; Paired, 2.

The SPEAKER: One hundred thirty-one having voted in the affirmative and nine in the negative, with nine being absent and two paired, the Bill is passed to be enacted.

Signed by the Speaker and sent to the Senate.

The SPEAKER: The Chair recognizes the

gentleman from Nobleboro, Mr. Palmer.

Mr. PALMER: Mr. Speaker, having voted on the prevailing side, I move reconsideration and hope everyone votes against me.

The SPEAKER: The gentleman from Nobleboro, Mr. Palmer, having voted on the prevailing side, now moves we reconsider our action whereby this Bill was passed to be enacted. All those in favor of reconsideration will say yes; those opposed will say no.

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

(Off Record Remarks)

The following Enactors appearing on Supplement No. 25 were taken up out of order by unanimous consent:

**Passed to Be Enacted**

"An Act to Establish Training Requirements for Corrections Officers" (H. P. 2039) (L. D. 2104) (S. "A" S-616 to C. "A" H-1057)

"An Act to Appropriate for the York County Community College" (H. P. 1978) (L. D. 2073) (S. "A" S-615)

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

The following Enactor appearing on Supplement No. 28 was taken up out of order by unanimous consent:

**Passed to Be Enacted  
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; S. "B" S-607)

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. 124 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.

The following Enactor appearing on Supplement No. 29 was taken up out of order by unanimous consent:

**Passed to Be Enacted**

"An Act to Provide for Refunding of Municipal Claims under the Maine Tree Growth Tax Law" (H. P. 1969) (L. D. 2049) (S. "A" S-602 and S. "C" S-608) to S. "A" S-601)

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.

On motion of Mr. Greenlaw of Stonington, it was

ORDERED, that the Clerk of the House be authorized to furnish 100 13¢ postage stamps for each member of the House for the purpose of distributing various reports of the departments of state and other public documents such as they may desire to mail to the citizens of the State.

The following paper appearing on Supplement No. 31 was taken up out of order by unanimous consent:

**Non-Concurrent Matter**

Joint Order (H. P. 2333) Relative to Postage Stamps which was read and passed in the House on March 23, 1978.

Came from the Senate, Indefinitely Postponed in non-concurrence.

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

The following paper from the Senate was taken up out of order by unanimous consent.

From the Senate: The following Order: (S. P. 770)

ORDERED, the House concurring, that

when the Senate and House of Representatives adjourn, they both adjourn to ten in the morning on Thursday, April 6th; at which time the Senate and House of Representatives shall meet for one legislative day for the purpose of considering possible objections of the Governor to any Bill or Resolve presented to him by the Legislature under the Constitution, Article IV, Part Third, Section 2.

Came from the Senate, read and passed.

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

The following Communication:

THE SENATE OF MAINE

AUGUSTA

March 24, 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 Revise the Method of Computing Legislators' Expenses. (H. P. 1996) (L. D. 2077)

Respectfully,

Signed:

MAY M. ROSS

Secretary of the Senate

The Communication was read and ordered placed on file.

The following paper appearing on Supplement No. 30 was taken up out of order by unanimous consent:

The following Joint Order: (S. P. 769)

ORDERED, the House concurring, that the Joint Rules be amended by adding a new Joint Rule 19-A to read as follows:

19-A. Reporting out of errors and inconsistencies' legislation. Prior to reporting out any bill entitled "An Act to Correct Errors and Inconsistencies in the Laws of Maine" or any other bill that is intended to correct technical errors or inconsistencies in prior legislation which includes corrections in 2 or more Titles in the Maine Revised Statutes, the Joint Standing Committee on Judiciary shall, after giving notice and an opportunity to be heard, hear proposed amendments and determine which amendments shall be included in the bill reported out. All floor amendments to the bill shall be submitted to the Director of Legislative Research not later than the 90th legislative day of the first regular session or not later than the 40th legislative day of the second regular session. No floor amendment shall be entertained in either House unless the amendment only deletes one or more sections of the bill, or unless the amendment has been reported in writing to the Judiciary Committee at least 2 legislative days prior to introduction, or unless the rules be suspended for each amendment. No action shall be taken on the committee report on the bill until one day's previous notice of the committee report has been given and entered on the journal.

Came from the Senate, read and passed.

In the House, the Order was read.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: Through the efforts of the President of the Senate and the Speaker of the House, we now have a new Interim Committee dealing with rules. I can understand the frustrations of the gentleman in the other body that offered this Joint Rule change because of something that happened over there the other day dealing with the errors and inconsistencies.

I would ask the House to indefinitely postpone this order and let the rules committee, for whatever it is, whomever they are, come back in December, if the voters should accept the change in the Constitution for early organization, and deal with this particular order. There

are a few problems in it that I can see personally, as a member of this body, as a single member of this body, in terms of going before the Judiciary Committee with any suggested amendment to the errors and inconsistencies.

I can understand the frustrations of the gentleman, who is a friend of mine, in the other body, but I think it would be poor judgment on behalf of this House here, at two o'clock in the morning, to accept this order. I move to indefinitely postponement of it.

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

Mr. TIERNEY: Mr. Speaker, I have had the opportunity to review this order from the beginning, and prior to this evening and the actions which have gone on in various parts of the State House, I thought it was an excellent, but having my good friend from Bangor, Mr. Kelleher, make some very excellent arguments, I am going to join him in voting to indefinitely postpone.

Thereupon, on motion of Mr. Kelleher of Bangor, the Joint Order was indefinitely postponed in non-concurrence and sent up for concurrence.

The following Enactor appearing on Supplement No. 21 was taken up out of order by unanimous consent:

"An Act to Facilitate Recruitment and Retention of Outstanding Persons for Policy-making Positions in State Service" (S. P. 672) (L. D. 2076) (Conf. Com. "A" S-605)

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

On motion of Mr. Tierney of Lisbon Falls, the Bill was indefinitely postponed in non-concurrence.

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

Mr. BOUDREAU: Mr. Speaker, I move we reconsider our action whereby this Bill was indefinitely postponed.

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

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Waterville, Mr. Boudreau, that the House reconsider its action whereby this Bill was indefinitely postponed. All those in favor will vote yes; those opposed will vote no.

**ROLL CALL**

YEA — Alopis, Ault, Austin, Bagley, Birt, Boudreau, P.; Brown, K. L.; Carter, D.; Carter, F.; Churchill, Cunningham, Devoe, Dow, Drinkwater, Durgin, Garsoe, Gill, Gillis, Gould, Gray, Higgins, Huber, Hunter, Hutchings, Jackson, Kane, Kany, Kelleher, Lewis, Littlefield, Lougee, Mackel, Marshall, Masterston, McBreairty, McPherson, Morton, Norris, Palmer, Paul, Pearson, Peltier, Perkins, Peterson, Rollins, Shute, Silsby, Smith, Sprowl, Stover, Strout, Stubbs, Tarbell, Tarr, Teague, Torrey, Whittemore.

NAY — Beaulieu, Benoit, Berry, Biron, Blodgett, Boudreau, A.; Brenerman, Brown, K. C.; Burns, Carey, Carrier, Carroll, Chonko, Clark, Connolly, Cote, Cox, Curran, Davies, Dexter, Diamond, Dudley, Dutremble, Elias, Fenlason, Flanagan, Fowlie, Goodwin, H.; Goodwin, K.; Green, Greenlaw, Hall, Henderson, Hickey, Hobbins, Howe, Hughes, Jacques, Jensen, Joyce, Kerry, Kilcoyne, Laffin, LaPlante, Lizotte, Locke, Lynch, MacEachern, Mahany, Masterman, Maxwell, McHenry, McKean, McMahon, Mitchell, Nadeau, Najarian, Nelson, M.; Nelson, N.; Plourde, Post, Prescott, Quinn, Raymond, Rideout, Sewall, Spencer,

Talbot, Tierney, Tozier, Trafton, Truman, Twitchell, Valentine, Violette, Wilfong, Wood, Wyman.

ABSENT — Bachrach, Bennett, Berube, Bunker, Bustin, Connors, Immonen, Jalbert, Lunt, Martin, A.; Mills, Moody, Peakes, Theriault, Tyndale.

Yes, 57; No, 78; Absent, 15.

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

Sent up for concurrence.

By unanimous consent, ordered sent forth with to the Senate.

#### House at Ease

Called to order by the Speaker.

The following papers appearing on Supplement No. 32 were taken up out of order by unanimous consent:

#### Leave to Withdraw

Report of the Committee on Taxation reporting "Leave to Withdraw" on Bill "An Act Exempting Electricity from Taxation under the Sales and Use Tax Law" (S. P. 635) (L. D. 1994)

Report of the Committee on Taxation reporting "Leave to Withdraw" on Bill "An Act to Establish a Retirement Income Tax Credit that is Equal to 20% of the Federal Credit" (S. P. 622) (L. D. 1910)

Came from the Senate with the Reports read and accepted.

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

The following papers appearing on Supplement No. 33 were taken up out of order by unanimous consent:

#### Non-Concurrent Matter

Bill "An Act to Expand Eligibility under the Elderly Householders Tax and Rent Refund Act" (H. P. 1927) (L. D. 1988) which was Passed to be Engrossed as Amended by Committee Amendment "A" (H-1157) in the House on March 15, 1978.

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

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

On motion of Mr. Greenlaw of Stonington, the following Order: (H. P. 2335)

ORDERED, The Senate concurring, the Bill, "An Act to Revise the Method of Computing Legislators' Expenses," House Paper 1996, Legislative Document 2077, be recalled from the legislative files to the House.

The Order was received out of order by unanimous consent and read.

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 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. All those in favor of this Joint Order receiving passage will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Beaulieu, Benoit, Berry, Biron, Birt, Blodgett, Boudreau, A.; Brennerman, Brown, K. C.; Carey, Chonko, Clark, Connolly, Cote, Cox, Curran, Davies, Dexter, Diamond, Dow, Dutremble, Elias, Fenlason, Flanagan, Fowlie, Gillis, Goodwin, H.; Goodwin, K.; Gould, Green Greenlaw, Hall, Henderson, Hobbins, Howe, Hughes, Jackson, Jacques, Jensen, Joyce, Kany, Kelleher, Kerry, Kilcoyne, LaPlante, Locke, Lynch, MacEachern, Marshall,

Masterman, Masterton, Maxwell, McHenry, McKean, Mitchell, Najarian, Nelson, M.; Nelson, N.; Norris, Palmer, Pearson, Plourde, Post, Prescott, Quinn, Rideout, Spencer, Strout, Stubbs, Talbot, Teague, Tierney, Tozier, Trafton, Twitchell, Valentine Violette, Wilfong, Wood, Wyman, The Speaker.

NAY — Alopis, Boudreau, P.; Brown, K. L.; Carrier, Carroll, Carter, D.; Carter, F.; Churchill, Cunningham, Devoe, Drinkwater, Durgin, Garsoe, Gill, Gray, Higgins, Huber, Hunter, Hutchings, Kane, Laffin, Lewis, Littlefield, Lizotte, Lougee, Mackel, Mahany, McBreairty, McPherson, Morton, Peltier, Perkins, Peterson, Raymond, Sewall, Shute, Silsby, Smith, Sprowl, Stover, Tarbell, Tarr, Torrey, Truman, Whittemore.

ABSENT — Ault, Austin, Bachrach, Bagley, Bennett, Berube, Bunker, Burns, Bustin, Connors, Dudley, Hickey, Immonen, Jalbert, Lunt, Martin, A.; McMahon, Mills, Moody, Nadeau, Paul, Peakes, Rollins, Theriault, Tyndale.

Yes, 81; No, 45; Absent, 25.

The SPEAKER: Eighty-one having voted in the affirmative and forty-five in the negative, with twenty-five being absent, and eight-one being less than two thirds of the members present and voting, the Order fails of passage.

#### (Off Record Remarks)

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

#### Non-Concurrent Matters

Joint Order (H. P. 1994) relative to Fisheries and Wildlife Committee reporting out a bill revising the statutes relating to Inland Fisheries and Wildlife which was read and passed in the House on January 16.

Came from the Senate Indefinitely Postpone in non-concurrence.

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

Joint Order (H. P. 2004) relative to State Government Committee studying the feasibility of establishing at State Department of Housing and Community Development which was read and passed in the House on January 17.

Came from the Senate Indefinitely Postpone in non-concurrence.

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

Joint Order (H. P. 2128) relative to Legal Affairs Committee studying the present law enforcement situation in Maine which was read and passed in the House on February 22.

Came from the Senate Indefinitely Postpone in non-concurrence.

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

Joint Order (H. P. 2251) relative the establishing a Joint Study Commission on Insurance Laws to study and recommend revisions of the insurance laws which was read and passed in the House on March 15.

Came from the Senate Indefinitely Postpone in non-concurrence.

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

Joint Order (H. P. 2250) relative to Health and Institutional Services Committee studying the principles of reimbursement and their provisions for rehabilitative and restorative services which was read and passed in the House on March 15.

Came from the Senate Indefinitely Postpone in non-concurrence.

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

Joint Order (H. P. 2271) relative to Taxation Committee studying the Tree Growth Tax Law which was read and passed in the House on March 17.

Came from the Senate Indefinitely Postpone in non-concurrence.

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

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

A vote of the House was taken.

69 having voted in the affirmative and 34 having voted in the negative the motion did prevail.

#### House at Ease

Called to order by the Speaker.

Joint Order (H. P. 2277) relative to a Joint Select Committee on Health reviewing the progress of local educational units in establishing comprehensive school health programs which was read and passed in the House on March 22.

Came from the Senate Indefinitely Postpone in non-concurrence.

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

Joint Order (H. P. 2168) relative to the Health and Institutional Services Committee studying the County Jail System which was read and passed in the House on March 2.

Came from the Senate Indefinitely Postpone in non-concurrence.

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

"An Act to Facilitate Recruitment and Retention of Outstanding Persons for Policy-making Positions in State Service" (S. P. 672) (L. D. 2076) which was Indefinitely Postponed in the House on March 24, 1978.

Came from the Senate, Passed to be Enacted in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from South Berwick, Mr. Goodwin. Mr. GOODWIN: Mr. Speaker, I move we adhere.

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

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

Whereupon, Mr. Goodwin of South Berwick requested a vote.

The following paper from the Senate was taken up out of order by unanimous consent:

#### Non-Concurrent Matter

"An Act to Provide for Alternative Election Procedures for School Budgets on a Local Basis" (H. P. 1909) (L. D. 1970) which was Enacted in the House on March 21, 1978. (Having previously been passed to be engrossed as amended by Conference Committee Amendment "A" S-553).

Came from the Senate Indefinitely Postponed in non-concurrence.

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

Mr. Curran of South Portland was granted unanimous consent to address the House:

Mr. CURRAN: Mr. Speaker, Ladies and Gentlemen of the House: Just a while ago, I thought I did what would be called the honorable thing in moving to recede and concur. It was a good bill. It is a good bill and I am very happy it has been enacted.

In my four years, I think perhaps today has been the darkest day. I am extremely proud of the House. I think the men and women here have shown to be honorable and concerned about the citizens of the state and good legislation. I am extremely disappointed with the actions of the other body. I wish perhaps many of them had not spent so much time at Hazel Green's, and I personally feel that a lot that has taken place here today is due to some of the members of the other body being intoxicated,

and I think the people of this state should know that. That is why I want it on the record.

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 occupied his seat on the floor of the House.

Mr. Martin of Eagle Lake was granted unanimous consent to address the House.

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I have been a member of this body and a member of this legislative process for seven legislative terms. Over the years, I have asked members of both bodies not to go into evening sessions. I have pleaded with members of both political parties to stay away from evening sessions and from all night sessions. I have pleaded, and I guess I lost tonight, and you have seen the results of what has taken place. I have never stood in this body and felt so sad to have been a member of the Maine Legislature. In seven legislative terms, I have never seen a legislative body perform in such fashion.

I have nothing but the highest respect for the gentleman from Sanford, Mr. Wood, who having seen his bill being used as a hostage moved to recede and concur. I have nothing but the highest respect for an individual who would realize that the legislative session has to come to an end, but what a way to go.

This legislature, this evening and this morning, has been kept here an additional five hours more than it needed to. Members of the other body, some of them, unfortunately, have not been doing their job.

I guess the thing that I feel the most sorry about, members of the House, and that is that members of both political parties this evening, in order to keep all of us here working, I ordered sandwiches, milk, so that we could continue our legislative business. At eleven o'clock last night, when things were about ready to wrap up on a tax package, came the rumor someone is playing games with the battered women bill. Those rumors were that a distinguished Senator from Androscoggin County was doing that. I went to her and she said, no, I am not, and I believed her because I believe her to be honorable, but then half an hour later I found out it was not her but another member of that body that was, in fact, playing games and I got upset. I was upset because legislative process had taken place, legislative leadership had met, legislative leadership had discussed, an agreement had been made that the bill would be funded but, low and behold, for the past couple hours games took place. It was followed with a Republican caucus which reversed that action of the lobbying done by this Senator, and the bill, in fact, was enacted.

There are members of this body who are very upset with me and other members of leadership with a bill on which we now have receded and concurred and enacted which would have given and will give commissioners higher salaries. It was killed in this body and it went down to the other body. Apparently without any consultation with any of us in leadership, someone assumed that we in leadership were playing games with the bill, and all of a sudden I hear that two bills have been taken off that were enacted and now are reconsidered and placed on the table and then the other body recessed, waiting for us to act, and the game goes on.

I highly commend the gentleman from Sanford, Mr. Wood, in the action that he took in having had to defeat one of his own bills, if for nothing else to save us precious time so we can adjourn this legislative body.

They have one other bill in the same posture. To the members of that body, I say if you want

to kill it, so be it. Let the people of this state see and know exactly what has happened here this morning as we are approaching sunrise. If that is the way the members of the Republican Party in that other body wish to proceed, what better way is there to demonstrate what a change in political party will do for the improvement of state government in this state.

I never intended to ever have to give a speech as I am giving now, because I never thought the day would ever come. It is a sad day for me, and I think an even sadder day in the history of this state.

Mr. Boudreau of Waterville was granted unanimous consent to address the House:

Mr. BOUDREAU: Mr. Speaker, Ladies and Gentlemen of the House: I think we have a situation here where both this body and other other body have been playing so-called political games. I am not prepared to stand up here and say it is that body's fault anymore than it is this body's. Not only today in this session, but as far as bills and holding bills for ransom and trading off bills and that type of thing, I can remember in the last session one of my bills on the unassigned table until about eleven o'clock on the day of adjournment, and the word was that if the industrial assessment bill calling for a state assessment of property over \$10 million didn't get through the Senate, that my bill was going to die. I believed that, and when that bill that night did die in the Senate, I remember the good gentleman in front of me, Mr. Hall, turning around and saying, now we are going to take care of your bill, and I knew he was telling the truth. So the games haven't begun tonight. Ever since I have been here, these so called political games, trade-offs, have been going on. I think this House played a political game when the indefinitely postponed a bill just a little while ago as a result of committee of conference which agreed unanimously to the bill.

My good friend from South Portland got up a few minutes ago and said he was really pleased that the bill was enacted, but only ten or fifteen minutes before that had voted to kill it. I would suggest that both parties, both bodies, have been playing with fire, and now I think both parties and both bodies got burned.

Mr. Wood of Springvale was granted unanimous consent to address the House.

Mr. WOOD: Mr. Speaker and Members of the House: I would like to say a few words about the bill I just killed. I think that one of the reasons that I killed it will become obvious after I explain it.

Last year, some people in a little town called Shapleigh decided that they didn't like a situation. They asked me to put a bill in. I explained the process to them, and I can remember in December driving up to the State House with the selectmen from that town and a school board member, taking them to Legislative Research and helping them help Legislative Research draft that bill. They were pleased with that part of the process, that they were included in it. Then I had them bring people up to the hearing and testify on that bill, and it was a simple little bill that I thought would return more local control, something that we thought everyone was concerned about. It didn't fare too well at the hearing but two brave soles on the committee decided to report it out and we fought it on the floor of the House and it went down to the other body. We finally has to have a Committee of Conference.

When I started I thought I never could convince Senator Katz to agree with me, I didn't have any illusions. I told the people in Shapleigh that it was going to be tough sledding, and they said, that is all right, we got our point across, we had a fair hearing and that is what government is all about. Finally, I compromised and Senator Katz compromised, and we got a bill through. I went back to my people and said this is what we decided, will you buy it?

They said they understood politics, that there was compromise in it and they thought that they could but it. I came back and I fought for that bill. There was a price tag put on it that I didn't particularly care for, but I was willing to put that price tag on it because it was important. You get to the point when you have a bill, I think it is almost like having a child, it becomes very personal and you hate to see anything happen to it. It was a Conference Committee Report. I was assured that everything was going to be all right, and I was assured today that leadership had acted favorably and I was quite excited and I couldn't wait to tell the people up in Shapleigh. In fact, I was hoping they could come up when the Governor signed it, if it got that far, because it was really an important bill to them, they believed in it and it was an important bill because of the process that they had gone through, that they had seen their government. So tonight, when I found that the bill was being held for some reason that I had very little power over, I decided that I would have a hard time going back to the people of Shapleigh and explaining that part of the process, and I didn't want any part of that part of the process.

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

Mr. QUINN: Mr. Speaker, Ladies and Gentlemen of the House: Having voted on the prevailing side, I move we reconsider our motion whereby we indefinitely postponed this bill.

The SPEAKER: pro tem: The gentleman from Gorham, Mr. Quinn, moves that we reconsider our action whereby the House receded and concurred on L. D. 1970 Bill "An Act to Provide for Alternative Election Procedures for School Budgets on a Local Basis".

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

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House: I would speak to that motion. I, certainly, as the Minority Leader of this House, would concur with the good gentleman from Gorham that we should indeed move to reconsider so we can move to recede and concur and send this bill back.

I would like to say also, however, that if I may, Mr. Speaker, just address this total problem that we have before us or should I wait until after this motion?

The SPEAKER: pro tem: The Chair would request the gentleman to wait.

Thereupon, on motion of Mr. Quinn of Gorham, the House reconsidered its action whereby it receded and concurred.

Thereupon the House voted to adhere.

By unanimous consent ordered sent forthwith to the Senate.

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

Mr. PEARSON: Mr. Speaker, Ladies and Gentlemen of the House: I have to rise because this moment will never be mine again. I do not like the inclusion or the hinted inclusion or the implied inclusion of my Senator from Penobscot in any blanket indictment of people who might have been in an intoxicated state, because I am sure that he was not.

Mr. Martin of Eagle Lake was granted unanimous consent to address the House.

Mr. MARTIN: Mr. Speaker and Members of the House: I rise at this time to follow the remarks of the gentleman from Old Town, Mr. Pearson, because I also want to echo his remarks. My best friend in the other body is the President of that body. I have always told him that as long as we have a Republican Senate, I want him to be the Republican President of that Senate, because with me and with all Democrats that I know, he has been a fair and an honorable person to deal with. My remarks were in no way nor were they intended to be aimed at that gentleman. My remarks in no



way were and are to be aimed as a blanket indictment of all the members of the other body. My remarks are in no way to be interpreted to mean that all of the things that all the other body does are wrong or that I don't agree with some of their actions.

My remarks, however, are best aimed at those who did abuse that power vested in them as members of that legislative body. I think it is crucial; I think it is important, and I think it ought to be known that problems existed last night and today and that if nothing else, those who know, those who may have had the problem will not do so again. I think it is too bad that it has all come to this.

In the seven sessions that I have been here, we have not had many night sessions because I was one of those who objected so strongly to them. I objected because of the possibility of things getting out of hand, and that happened at least on one occasion proper to this session. I kept telling people, if you have never been through a night session, I can assure you, you don't want to go through one. Unfortunately, I feel sorry for all of you, with me, who had to go through this. If nothing else, perhaps it has brought us to the realization that finally, maybe, night sessions will become a thing of the past, that legislative business should be conducted during business hours so that things will progress in a normal fashion.

This, to me, is not a happy moment. I didn't like to do what I did, but I felt in conscience I had to. It happened once before during the end of the last session, during the regular session. You may well remember what that bill was. I am sure that the gentleman from Portland, Mr. Connolly, has never forgotten it. We all left that evening thinking the bill was to be enacted, and then the same Senator made the same commitment. We came back after the break that night at ten or eleven o'clock to see the bill go down to unbelievable defeat.

I think that for all of you who are coming back, I would simply ask of you to keep these things in mind. It is not, however, to say that because one incident has occurred that all the things that we do here are bad; that is not what I am implying nor am I saying, because that is not the case. What has transpired does provide a blemish upon the legislature of this state, and that is what bothers me most of all.

We don't have anymore business left to enact this morning, are merely awaiting word that the other body has finished so we can leave. And finally, I want to reemphasize the point again, that this is not aimed at any one specific person but perhaps aimed by the fact that we ended up in a night session and a morning session as well.

Mr. Carey of Waterville was granted unanimous consent to address the House.

Mr. CAREY: Mr. Speaker and Members of the House: I am not going to stand here and have a blanket condemnation of that Senate, and I am not going to be like the gentleman from Waterville, Mr. Boudreau, and skip the issue of drunkenness altogether. I have spent some time in the Senate this evening, and I don't know if Mr. Pearson from Old Town has been in the Senate or if the Speaker of the House, Mr. Martin from Eagle Lake has been in the Senate, but I am one who has been in the Senate, and I would point out that my very good friend, a fellow that I worked for for five years, I saw him sought of teetering at the rostrum. The President of the Senate has had a few this evening.

The SPEAKER pro tem: The Chair recognizes the gentleman from Old Town, Mr. Pearson, who may state his point of order.

Mr. PEARSON: Mr. Speaker, the gentleman from Waterville is making a personal attack and I resent it, and I don't think it is accurate.

The SPEAKER pro tem: The Gentleman from Waterville, Mr. Carey, may proceed.

Mr. CAREY: Mr. Speaker, a little earlier

this evening, the gentlewoman from Androscoggin, Mrs. Snowe's name was brought up. I don't believe that if she was cleared that you should leave the other 32 people hanging fire, and if the record is going to indicate anybody, it ought to indicate those people who had been drinking. Certainly those of us in the House here have not been drinking. We have been attending to our duties, and if in fact the majority party in the Senate can't seem to handle their duties one way or another, then it should be made clear that the Democrats in that Senate are not to be condemned.

It would appear that after six hours of celebration, after having passed a budget that none of us wanted, there has been a little too much celebration, and it may have been because they really believed that they had, in fact, received the best wishes of the Governor. In fact, the Senate is literally drunk with power, and it is interesting to note that we have the typical Republican swap—two of our bills for one of theirs, and they preach fiscal conservatism when they want to give for their particular bill salary increases to the commissioner while they write off the rights of people to vote on school spending or, even more importantly, the rights of battered women to have some safety.

The other gentleman that I would like to name is the Senator from Caribou, but I will refrain from using his name. He is the gentleman who has tackled the battered woman's bill so that he can give some friend of his, who may be a commissioner, a raise, and I am not too crazy about that.

At this point, Speaker Martin returned to the rostrum, and Mr. Greenlaw of Stonington returned to his seat on the floor of the House.

On motion of Mr. Garsoe of Cumberland, Recessed until the sound of the gong.

#### After Recess 5:00 A.M.

The House was called to order by the Speaker.

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

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House: I truly don't know how to begin to express my feelings about what has gone on in this House in the last few minutes. I, too, have been a member of the legislature for six terms. I have served in both bodies. I have gone through the night more than once. I have seen nights much, much worse than this one. I have seen members in both branches dancing and playing in the hallway earlier this evening, and the press can show pictures of them tomorrow morning. I think it is a very serious thing to stand on the floor of this House and indict someone as being intoxicated.

I have been working this evening, as have others, travelling between these branches, and I don't know who is intoxicated, and I just think we are making a mountain out of a molehill. Quite frankly, I am disturbed that someone could stand before this House and say the things they have said tonight.

There are two things involved—one is the personal behavior of an individual or individuals, and I would guarantee that we would all have to take blood tests tonight to find out who had more drinks than somebody else did, whether it be this body or the other body. You have overdramatized a situation as it concerns so-called "playing games." I have been in politics a long time. I always learned, as Harry Truman once said, "If you can't stand the heat, you shouldn't be in the kitchen."

Now, there is nothing that has happened here tonight that hasn't happened thousands of times in the past in this body and in the other body. As a matter of fact, I, to this day, don't

even know what happened to L. D. 2076, which this House supposedly took care of awhile ago. It has never arrived back in the Senate. I call that gamesmanship. I see nothing wrong, either, when you are dealing with legislation of pitting one against another as to how you handle yourself; it is done every day. This is no different from any other night, no different from any other day.

We have impugned the integrity of a very dear friend of mine, and I have been with him just now and I can tell you, he never teetered on the platform of the Senate. He might move back and forth once in a while out of boredom, which anybody else would be bored with if they had to stand there for hours and hours and listen to debate, but I resent it and I resent it very highly that someone has taken his name the way they have, particularly someone who is as good a friend of his, as he should be, and is, and who has been a good friend of his and done many things for him for years and years. I am sick at heart that we dramatize a situation like this in the early hours of this morning and take people's names and drag them all over the House and Senate and the corridors in between. I just can't possibly reach in the depths of my heart and express the disgust I have that something like this should be allowed to happen. I think that when the first statement was made in indicting someone of intoxication, it should have been stopped, and it wasn't. It kept going, and I think we in this House are as guilty, if not guiltier, than anybody else of creating something which is a monster, it is stupid and unnecessary.

(Off Record Remarks)

House at Ease  
Called to order by the Speaker.

Mr. Carroll of Limerick was granted unanimous consent to address the House.

Mr. CARROLL: Mr. Speaker, Ladies and Gentlemen of the House: I am not a young man, I am 59 years old and just because I was dancing with a young lady does not mean that I was drinking. Dancing is an excellent form of recreation. If anyone is inferring that George Carroll has been drinking, I resent it and if there are apologies, I want one right now.

On motion of Mr. Quinn of Gorham, Adjourned until Thursday, April 6 at ten o'clock in the morning.