

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**  
**OF THE**  
***One Hundred and Ninth***  
***Legislature***

**OF THE**  
**STATE OF MAINE**

**Volume II**

**First Regular Session**

**May 7, 1979 to June 15, 1979**

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## HOUSE

Thursday, May 24, 1979

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

Prayer by the Reverend Kenneth E. MacDonald of the Lisbon Falls Baptist Church.

Rev. MacDONALD: Let us pray together. Our heavenly Father, we come into your presence this day seeking your blessing upon these Representatives of the 109th Legislature, asking, Father, as they deal in critical issues today that they may have the mind of our God, they may seek, our Father, the wisdom from on high, debating these issues not so much partisan standpoints as from that which is good for the people of our state.

We thank you, our Father, for the ladies and gentlemen gathered here to enact the orders of the day. We thank you, our Father, for those who have come as spectators and pray, Lord, that there may always be that interest in our government on the part of our citizenry.

We ask today, Lord, that we may look at these bills and look at the issues and we may see them decided, our Father, in a way that will be glorifying to thee and of peace and blessing and bring prosperity to our people and bring, our Father, the kind of situation in our social order that will exalt our state and make us stand out amongst the many of these 50 states as one who is proceeding orderly, decently and under the direction of our God.

Bless the Speaker of our House, Mr. Martin, as he gives the moderation for the meeting today, that he may be of thee, directed of thee, in keeping not only order, our Father, but in diligent procedures. We thank you in the name of Jesus for assembling us in this place and ask that you may hear us in his name. Amen.

The journal of yesterday was read and approved.

## Papers from the Senate

## Committee of Conference Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act to Eliminate the Jurisdiction of the Maine Milk Commission over 1/2 Pint Containers of Milk" (H. P. 482) (L. D. 613) ask leave to report: that they are unable to agree.

(Signed)

HICHENS of York  
EMERSON of Penobscot  
USHER of Cumberland

— of the Senate.

BRENERMAN of Portland  
STOVER of West Bath

— of the House.

Came from the Senate, with the Report read and accepted.

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

The following Communication:

THE SENATE OF MAINE  
Augusta

May 23, 1979

The Honorable Edwin H. Pert  
Clerk of the House  
109th Legislature  
Augusta, Maine 04333  
Dear Clerk Pert:

The Senate today voted to Insist and Join in a Committee of Conference on Bill, An Act Concerning Arbitration Involving Municipal Fire and Police Departments. (H. P. 1191) (L. D. 1463)

Respectfully,

S/ May M. Ross

Secretary of the Senate

The Communication was read and ordered placed on file.

The following Communication:

THE SENATE OF MAINE

Augusta

May 23, 1979

The Honorable Edwin H. Pert  
Clerk of the House  
109th Legislature  
Augusta, Maine 04333  
Dear Clerk Pert:

The Senate today voted to Adhere to its action whereby it Indefinitely Postponed the Bill, An Act to Include Teachers in the Hope Training School for Retarded Children in Mexico in the Maine State Retirement System. (H. P. 1177) (L. D. 1442)

Respectfully,

S/ May M. Ross

Secretary of the Senate

The Communication was read and ordered placed on file.

The following Communication.

THE SENATE OF MAINE  
Augusta

May 23, 1979

The Honorable Edwin H. Pert  
Clerk of the House  
109th Legislature  
Augusta, Maine 04333  
Dear Clerk Pert:

The Senate today voted to Adhere to its action whereby it Indefinitely Postponed the Bill, An Act Relating to Gifts in Contemplation of Death. (H. P. 1145) (L. D. 1407)

Respectfully,

S/ May M. Ross

Secretary of the Senate

The Communication was read and placed on file.

The following Communication:

THE SENATE OF MAINE  
Augusta

May 23, 1979

The Honorable Edwin H. Pert  
Clerk of the House  
109th Legislature  
Augusta, Maine 04333  
Dear Clerk Pert:

The Senate today voted to Adhere to its former action whereby it Failed to Enact, Bill, An Act to Allow State Championship Athletic Teams and Athletes the Right to Participate in New England Championship Events in Competition. (Emergency) (H. P. 901) (L. D. 1117)

Respectfully,

S/ May M. Ross

Secretary of the Senate

The Communication was read and ordered placed on file.

The Following Joint Order, An Expression of Legislative Sentiment recognizing that:

Bob and Dot Duffy of Blue Hill have celebrated their 50th wedding anniversary (S. P. 570)

Came from the Senate Read and Passed.

In the House, was read and passed in concurrence.

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

John P. Bibber, Town Manager of Brunswick, has been awarded the Annual Valued Member Award by the Brunswick Area Chamber of Commerce for "distinction in public affairs" (S. P. 572)

Came from the Senate Read and Passed.

In the House, was read and passed in concurrence.

The Following Joint Order, An Expression of Legislative Sentiment recognizing that:

Jerry Jory of Brunswick has been awarded the 22nd Annual Citizenship Award by the Brunswick Area Chamber of Commerce for her "Unselfish acts toward those less fortunate" (S. P. 571)

Came from the Senate Read and Passed.

In the House was read and passed in concurrence.

## Reports of Committees

## Leave to Withdraw

Report of the Committee on Education reporting "Leave to Withdraw" on Bill "An Act to Permit the Town of Canton to Withdraw from School Administrative District No. 21, and to Establish an Independent School Supervisory Unit" (Emergency) (S. P. 567) (L. D. 1630)

Report of the Committee on Business Legislation reporting "Leave to Withdraw" on Bill, "An Act to Require Conversion of Group Medical Coverage and Extension of Benefits" (S. P. 514) (L. D. 1575)

Report of the Committee on Taxation reporting "Leave to Withdraw" on Bill "An Act to Increase State Aid to Towns for Fighting Forest Fires" (S. P. 367) (L. D. 1114)

Report of the Committee on Energy and Natural Resources reporting "Leave to Withdraw" on Bill "An Act to Require an Advisory Referendum on the Dickey-Lincoln Hydroelectric Power Project" (S. P. 427) (L. D. 1296)

Came from the Senate with the Reports read and accepted.

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

## Ought to Pass with Committee Amendment Amended in Senate

Committee on Fisheries and Wildlife reporting "Ought to Pass" as amended by Committee Amendment "A" (S-215) on Bill "An Act to Regulate Commercial Whitewater Outfitters" (S. P. 348) (L. D. 1094)

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (S-215) as amended by Senate Amendments "A" (S-227) and "B" (S-229) thereto.

In the House, the Report was read.

On motion of Mr. Dow of West Gardiner, the Report was accepted in concurrence and the Bill read once.

Committee Amendment "A" (S-215) was read by the Clerk. Senate Amendment "A" (S-227) was read by the Clerk and adopted in concurrence.

Senate Amendment "B" to Committee Amendment "A" (S-229) was read by the Clerk and adopted in concurrence.

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

The Bill was assigned for second reading tomorrow.

## Divided Report

Majority Report of the Committee on Education on Bill "An Act Providing for the Career Development Needs of Maine Citizens Through the Creation of a Division of Career Education within the Department of Educational and Cultural Services" (S. P. 258) (L. D. 731) reporting "Ought to Pass" in New Draft under New Title Bill "An Act Providing for the Career Development Needs of Maine.

Citizens through the Establishment of a Career Education Consultant within the Department of Educational and Cultural Services" (S. P. 569) (L. D. 1635)

Report was signed by the following members:

Mrs. GILL of Cumberland  
Mr. TROTZKY of Penobscot

— of the Senate.

Mr. FENLASON of Danforth  
Mrs. LOCKE of Sebec  
Mrs. GOWEN of Standish  
Mrs. BEAULIEU of Portland  
Mr. ROLDE of York  
Mr. CONNOLLY of Portland

— of the House.

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

Report was signed by the following members:

Mr. MINKOWSKY of Androscoggin  
— of the Senate.  
Mrs. LEWIS of Auburn  
Messrs. DAVIS of Monmouth  
LEIGHTON of Harrison  
BIRT of East Millinocket

— of the House.

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

In the House: Reports were read.

On motion of Mr. Connolly of Portland, the Majority "Ought to Pass" Report was accepted in non-concurrence, New Draft read once, and assigned for second reading tomorrow.

#### Divided Report

Majority Report of the Committee on Labor reporting "Ought to Pass" as amended by Committee Amendment "A" (S-191) on Bill "An Act Permitting Binding Arbitration for Public Employees in Critical Public Services" (S. P. 197) (L. D. 464)

Report was signed by the following members:

Mr. PRAY of Penobscot  
— of the Senate.  
Messrs. BAKER of Portland  
McHENRY of Madawaska  
TUTTLE of Sanford  
Mrs. MARTIN of Brunswick  
Mrs. BEAULIEU of Portland  
Mr. WYMAN of Pittsfield

— of the House.

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

Report was signed by the following members:

Messrs. SUTTON of Oxford  
LOVELL of York  
— of the Senate.  
Mr. CUNNINGHAM of New Gloucester  
Mrs. LEWIS of Auburn  
Messrs. FILLMORE of Freeport  
DEXTER of Kingfield

— of the House.

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

In the House: Report was read.

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

Mr. WYMAN: Mr. Speaker, I move that the House accept the Majority "Ought to Pass" Report and would speak briefly to my motion.

The SPEAKER: The gentleman from Pittsfield, Mr. Wyman, moves that the Majority "Ought to Pass" Report be accepted in non-concurrence.

The gentleman may proceed.

Mr. WYMAN: Mr. Speaker, Ladies and Gentlemen of the House: Just very briefly, I don't believe that this general issue needs further enunciation, especially from me. I think you all know how I feel about binding arbitration. We have discussed several bills previous to this.

This particular bill, just so you will be aware of the amendment, will provide binding arbitration in critical services, municipal police and fire. The amendment will require that any arbitrator selected be a Maine resident. It will require that the Maine Labor Relations Board report on the effectiveness of this binding arbitration, and it will also automatically repeal this section in four and a half years. In other words, it is a sunset provision so that we will be able to not only monitor the effect of this on binding arbitration but we will have to specifically reauthorize it in four and a half years, re-enact it.

Also, ladies and gentlemen, the amendment establishes specific and I think very strong and effective strike penalties.

I would hope that you would support the bill

as amended. It is a good bill, it is one which meets a very real need, and that is to establish a more equitable collective bargaining process, to provide that in the event the two parties are unable to reach a final settlement, that an arbitrator or a panel of arbitrators, who will be from Maine, not from out of state, will be able to come in, evaluate the situation and then make a decision which will be binding on both of the parties. I hope that you will support this bill.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mrs. Lewis.

Mrs. LEWIS: Mr. Speaker, I move that we recede and concur on this. This bill is almost identical to a bill that we had last week, I believe, which this body very decisively killed. It isn't any different, it still takes the power away from the municipal elected officials, all elected officials actually, and puts it into the hands of an arbitrator.

There is only one way for municipal taxes to go if you enact something like this, and this is up, because there is no control, your elected officials have no control whatsoever. They are given this package and they can do one of two things. They can increase taxes or they can cut personnel. So if you vote for this, I can't see how you are helping your municipality in any way. You are either cutting jobs from people in critical services, such as firearm and policemen, or you are increasing property taxes. And all we hear about is how regressive the property tax is, and that is what this bill will do, so I would urge to recede and concur.

The SPEAKER: All those in favor will vote Yes; those opposed will vote no.

A vote of the House was taken.

Whereupon, Mr. Wyman of Pittsfield 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 will vote yes; those opposed will vote no.

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

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

Mr. BAKER: Mr. Speaker, Ladies and Gentlemen of the House: I would simply like to add one little thing into the debate in counter to the good gentleman from Auburn. The good gentlelady from Auburn said that if we were to pass this bill taxes would automatically go up. That is assuming all the time that the arbitrator always rules on the side of labor, but we are forgetting a very important point, ladies and gentlemen. In arbitration cases, very often the arbitrator rules on the side of management, and that has happened many times. The union takes a big chance when it submits itself to this type of legislation. It doesn't automatically get everything it wants simply because we give it over to arbitration.

We talked somewhat of the power of elected officials. Ladies and gentlemen, elected officials are not infallible, they make mistakes. I believe this body has proven that many times.

Very often when you have a conflict between two bodies, a third party is often brought in to resolve that conflict. That is the principle behind the binding arbitration.

Public employee strikes, to many of us, are intolerable. This provides a reasonable compromise, ladies and gentlemen, a compromise. Therefore, I hope you will reconsider and vote to accept the "ought to pass" report.

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

Mr. GARSOE: Mr. Speaker, Ladies and Gentlemen of the House: I think the gentleman from Portland, Mr. Baker, failed to add very much new, and I don't see how he could. We have had this issue before us about nine times now, but he did make an allusion to elected offi-

cials making mistakes. I think he has demonstrated his point. By implication, he implies that arbitrators make no mistakes, and this is the whole crux of this matter, that the arbitrator is infallible. This is what we must not allow to happen.

The proof of the pudding, I think, is if this is such a good thing for a municipality, that the arbitrators rule in favor of municipalities so many times, where are the municipalities in here asking that we do this? Of course they are not here asking to do this. They are opposing it tooth and nail, and I hope we will once again.

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

Mr. WYMAN: Mr. Speaker, Ladies and Gentlemen of the House: I applaud the gentleman from Cumberland, Mr. Garsoe, for his wit and humor this morning. I suppose the day before an extended vacation is very appropriate, and I appreciate that.

However, I would remind you all that this issue we have before us is not going to go away. As much as Mr. Garsoe and Mr. Tarbell and some of the others would like it to go away, it is not going to go away. It is not going to disappear, it is going to be back again and again and again. It is just too bad, ladies and gentlemen, that this legislature has not mustered neither the vision nor the courage to do what must be done if we are going to have equity, if we are going to have justice and if we are going to have stability in our collective bargaining process. That is indeed unfortunate; it is indeed tragic.

I believe that the gentleman from Portland, Mr. Baker, has, notwithstanding the light-hearted reaction of the gentleman from Cumberland, pointed out to us a very good reason for supporting binding arbitration, and that is that the arbitrators do not necessarily rule in support of labor. I think that we have a misconception and I think we have been dealing with a misconception on binding arbitration from day one. The first time we had an arbitration bill in here, I think it was the presumption on the part of those who oppose binding arbitration that it was something that labor wants and it was something that would always have to be favorable to labor. That is not the case. As a matter of fact, we heard of one case in the State of Iowa where firemen were requesting a 10 per cent raise, the city had offered them a 5 per cent raise. When it went to binding arbitration, the arbitrators recommended a 2 per cent raise, which was less than what management had offered. There is no indication, there is no statistical evidence which proved beyond any reasonable doubt that the arbitrator always rules in favor of labor.

I would also say, before I am seated, that the gentleman from Cumberland, Mr. Garsoe, has consistently pointed out that municipal officials are opposed to binding arbitration. Of course they are. It is the same reason that the Governor is opposed to binding arbitration. They are in this instance management, and the whole problem and the whole reason we have binding arbitration legislation before us is that the current system, the current collective bargaining statute in the public sector is unnecessarily advantageous for management. Of course municipal officials don't want binding arbitration. There is no incentive for them to want binding arbitration since the current system favors them. They have an advantage. If they don't want to settle and they don't want to budge, they don't have to and the employees can either like it or lump it. That is the choice they have.

I would hope, ladies and gentlemen, that you would accept the Majority Report and send this bill on its way so we can rectify a situation that if we do not address, ladies and gentlemen—I want this on the record, because I think it is important—if we do not address this problem this session, we will have to address it in subsequent session and it makes no difference how

tied in you are to your viewpoint and how vitriol your reaction may be, it is going to come. Something is going to come and those who oppose binding arbitration, I wish just for once they would stand up and tell us how in the world we are going to deal with the current problem.

Everyone on management side and labor side has acknowledged we have a serious problem, people say we don't want the right to strike, we don't want binding arbitration, then I say to you and I challenge you, ladies gentlemen, those of you who are opposed to it and have voted consistently on every single bill against it, what is the solution?

Mr. Garsoe has one that apparently he is going to offer, and if it is reasonable, I will support it.

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

Mr. GARSOE: Mr. Speaker, Ladies and Gentlemen of the House: I will not unduly delay these proceedings, Mr. Speaker, I assure you, because I have just heard from the gentleman from Pittsfield that he is going to accept my resolution, and I would just point out to the members of this body that since this law, with all its imperfections, all its pimples and warts that we have heard about for six months, was written by the very people that are in here now trying to change it, maybe repeal is the answer.

The SPEAKER: A roll call has been ordered. The pending question is on the motion of the gentleman from Pittsfield, Mr. Wyman, that the House accept the Majority "Ought to Pass" Report in non-concurrence.

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

Mrs. HUBER: Mr. Speaker, I would like to pair my vote with the gentleman from South Portland, Mr. Howe. If he were here, he would be voting yes; I would be voting no.

The SPEAKER: The pending question is on the motion of the gentleman from Pittsfield, Mr. Wyman, that the House accept the Majority "Ought to Pass" Report in non-concurrence. Those in favor will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Bachrach, Baker, Barry, Beaulieu, Benoit, Blodgett, Boudreau, Brannigan, Brennerman, Brodeur, Brown, A., Brown, K. C., Call, Carroll, Chonko, Cloutier, Connolly, Cox, Davies, Diamond, Doukas, Dow, Dutremble, D., Fowlie, Gowen, Gwadosky, Hickey, Hobbins, Hughes, Jacques, E., Joyce, Kane, Kelleher, Laffin, Lizotte, Locke, MacEachern, Mahany, Marshall, Martin, A., McHenry, McSweeney, Michael, Mitchell, Nadeau, Nelson, M., Nelson, N., Paradis, Paul, Pearson, Post, Prescott, Reeves, P., Rolde, Simon, Soulas, Theriault, Tierney, Tuttle, Vincent, Violette, Vose, Wood, Wyman, The Speaker.

NAY — Aloupis, Berube, Birt, Bordeaux, Bowden, Brown, D., Brown, K. L., Bunker, Carrier, Carter, D., Carter, F., Churchill, Conary, Cunningham, Curtis, Damren, Davis, Dellert, Dexter, Drinkwater, Dudley, Dutremble, L., Fenslon, Fillmore, Garsoe, Gavett, Gillis, Gould, Gray, Hall, Hanson, Higgins, Hunter, Hutchings, Immonen, Jackson, Kany, Kiesman, Lancaster, LaPlante, Leighton, Leonard, Lewis, Lougee, Lowe, Lund, MacBride, Masterman, Masterton, Matthews, Maxwell, McKean, McPherson, Morton, Nelson, A., Payne, Peltier, Peterson, Reeves, J., Rollins, Sewall, Sherburne, Silsby, Small, Smith, Sprowl, Stetson, Stover, Strout, Studley, Tarbell, Torrey, Tozier, Twitchell, Wentworth, Whittemore.

ABSENT — Austin, Berry, Elias, Jacques, P., Jalbert, McMahon, Norris, Roope.

PAIRED — Howe-Huber.

Yes, 65; No, 76; Absent, 8; Paired 2.

The SPEAKER: Sixty-five having voted in the affirmative and seventy-six in the negative, with eight being absent and two paired, the motion does not prevail.

Thereupon, the Minority "Ought Not to Pass" Report was accepted in concurrence.

#### Non-Concurrent Matter

Bill "An Act Preventing the Release of Names of Victims of Crimes" (H. P. 1293) (L. D. 1553) on which the Minority "Ought to Pass" as amended by Committee Amendment "A" (H-462) Report of the Committee on Judiciary was read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (H-462) in the House on May 22, 1979.

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

In the House:

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

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

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

Mrs. NELSON: Mr. Speaker, I would request a Division.

I have no illusions as to what is going to happen to this bill, but I feel that since the victims don't have a lobby and they don't have an organization, that somebody here ought to speak on their behalf.

I would like to address the amendment, which is the bill. I would like to tell you what it does. It is very simple. It does three things. First, it says a request for confidentiality, that a victim of a crime may request that his name be not in the newspaper and that an arresting officer, whether it be a sheriff or a policeman, have the right to say to the person, once they have notified them of the crime, that they have a right to have their name in the paper or not. If it doesn't matter to them, then it goes in.

Then it lists the exceptions. Anything is open to scrutiny the accused, the lawyers, anybody can see that file. It just says that the victim should be asked before the victim's name is put in the newspaper.

I feel that this is a double invasion of privacy. First of all, the act itself, robbery or assault, and then the disclosure. There is an increased likelihood of retaliation and the possibility of secondary attack by others. This has happened. I know of three specific cases where this indeed did happen and perhaps you know of some yourself. The feeling is, oh, that's right - "Old Mrs. Jones is helpless isn't she, and she gets her social security on the first Monday of the month." It is optional, the victim decides, the victim can request privacy, it is not automatic.

California already has a similar statute. In fact, a low percentage of arrest in these crimes so that no one else's right is injured at the time the report is filed, if, however, the arrests is made, it is clear that disclosure must be made.

Let me quote a document from the former Attorney General and now Governor of the state: "The State Legislature has articulated the policy that the person's right of privacy dictates that stringent limitations be placed upon governmental disclosure."

It is very interesting that yesterday in the Bangor paper there was an article talking about this bill and this was on Page 17, and from that article I might quote, it says, from a gentleman who was lobbying against this bill, "I am worried that the bill looks toward creating a faceless, anonymous society where no one knows what is going on in anyone else's lives." Should people know what goes on in your lives?

This amendment doesn't say that you are not supposed to report the crime or what was stolen; it just says that your name is not to be put in the paper. That was on Page 17. On Page 8 of the very same paper, the very same day, an article, and I quote, headlines: "Two Youths With Knife Rob Woman in Her Bangor

Home. Two youths robbed a 65 year old woman at knife point Tuesday night at her residence on Allen Court and fled on foot toward Harlow Street.

"Virginia Brooks was robbed of an undetermined but substantial amount of cash contained in a large purse at about 9:35 p.m."

"The robbers wore stockings over their faces" etc. Yes, the robbers name were not mentioned; they had disclosure but they didn't have to have their names in the paper, but elderly Virginia Brooks does and her neighbors know.

The fact that a crime is reported, this bill does not address that. This bill does not say that the lawyers can't and the accused can't get the files; this bill only says at the time you report the crime, you should be notified that you can have your name in the paper or not. It doesn't say anything else but that. Juveniles don't have their names in the newspapers, but why the victims?

Another editorial, it is very interesting—I have been here for three years now and I suddenly have two editorials addressed to a tiny little bill that I put in, a bill that was addressed at the hearing as the worst bill of the 109th. I don't know if it rises to that, but I don't think it is quite the worst. "Mrs. Nelson presumes, apparently, that the media always publicizes all names of all crime victims. That is not the case. In the case of rape, for example, many newspapers, including this one, adhere to a policy of not publicizing victims' names unless there are exceptional circumstances." The reason that they don't, as I understand it, is the Board of Directors of the Rape Crisis Center in Portland came and pleaded for the paper not to do it. The victims don't have a group of people to speak on their behalf. They don't have a newspaper to deal with, or a lobbyist, we are the only ones, at this point, that can deal with the problem.

I know what is going to happen to this bill, as I said before. I don't have any illusions, but I am a fighter, you have to come up to bat, win or lose.

There was another editorial in a newspaper in Maine and I want to read the closing remarks of that. This is an editorial; the newspaper says: "We have said before in an editorial, and we repeat now, that reporters have waived the first amendment flag if holding its staff put them on inviolate ground. It is high time that this self-righteousness of ours," meaning the newspapers, "be re-examined."

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

Mr. HOBBS: Mr. Speaker, Men and Women of the House: I have a lot of respect for the gentlewoman from Portland, Mrs. Nelson. She is very sincere in this particular issue but I think she is wrong.

I think this bill, although it addresses a very touchy situation, goes right to the cornerstone of what has made our democratic system what it is today and what the openness in government has done to counteract any type of authoritarian rule.

This bill would make it impossible for the public to receive meaningful information about crime in our communities. People have little interest in reading accounts about Mr. X who was robbed on Main Street. They become interested and concerned, though, when they can identify the victim and feel some personal sympathy. That concern and sympathy ought to be encouraged, not discouraged by placing roadblocks in the way of getting meaningful information to the public. People should be concerned about crime in their communities and they should have the information they need to give substance to their concern.

I concur with the statements that were read by Mrs. Nelson that this bill takes us one step further toward becoming a faceless, anonymous society where people are so worried about privacy that they cease to care what hap-

pens to their fellow citizens.

This bill, I think, if enacted, would also create a practical problem for the police in handling their records. Arrest records are public unless the juveniles are involved. The police blotter is also a public record. If this bill were enacted into law, the police would have to keep one set of arrest records for cases in which the victim asked for confidential treatment and another set for cases in which the victim makes no such request. Under this law, two blotters would be required. The police would have to memorize another warning to give to each victim in that particular circumstance, if it did arise. The warning would most likely frighten more people than it would assure them.

I think this morning we should recede and concur, because I feel this bill, although it comes from a sincere source, is an unnecessary piece of legislation. Most people do not seriously object to a newspaper account of a crime that injures them, it is my personal opinion.

As I mentioned earlier, this bill, I think, goes to the basic cornerstone and I think disrupts that cornerstone of openness in our free society which has caused us to be a great nation.

The Judiciary Committee addressed many instances in our committee with different bills regarding the right to know and regarding criminal history record information, and we have come across with a compromise which has been accepted by all of the different parties involved, such as the press, the Attorney General, the police departments of our state. It is my feeling that this particular piece of legislation would put a monkey wrench in the middle of a very intricate compromise which our committee has come out with.

I urge you today to recede and concur, although I do sympathize with the sentiments raised by the good gentleman.

**THE SPEAKER:** The Chair recognizes the gentleman from Harrison, Mr. Leighton.

**MR. LEIGHTON:** Mr. Speaker, Ladies and Gentlemen of the House: I concur with the remarks of the gentleman from Saco. I do hope Representative Nelson is correct in her assessment of where the bill is going. However, since the first time we saw this, she was able to turn around through her eloquence a 10 to 1 "Ought Not to Pass" Report. I think I had better stand to be counted.

I think it behooves us in our free society to move very carefully in areas that would restrict the state and subvert the public's right to know. When we know that a purse was snatched on Smith Street from a person we know, the impression and our citizen responsibility is much more vivid than if an anonymous Mrs. X had her purse snatched somewhere.

Many of us don't like the glare of public scrutiny. Imagine how I felt when Representative Brown laid bare my eating habits. But in a free republic, I think democracy is best served when the light of press inquiry is as unrestricted as possible.

**THE SPEAKER:** The Chair recognizes the gentleman from Rumford, Mr. Theriault.

**MR. THERIAULT:** Mr. Speaker and Members of the House: I have listened to the last two speakers and I have to get up and say a few things. You call this a free society when everybody that goes out on the street has to have a companion nowadays in the city? They can't go out alone without fear of being attacked! Why is it they are afraid of being attacked? I ask you, if you can do anything to protect the victim, and I believe keeping their names secret is one way to protect them, I hope you see your way to do it.

I don't believe in not having freedom of the press, I don't believe in keeping information from people, I believe in the right-to-know law, but when it comes to protecting the elderly, the old people and the crippled and everyone else, by golly, I am for keeping their names a secret.

**THE SPEAKER:** The Chair recognizes the gentleman from Portland, Mr. Joyce.

**MR. JOYCE:** Mr. Speaker, Ladies and Gentlemen of the House: I rise because of my 27 years in law enforcement, and I thought this was a good bill at one time, but when you look and have to tell it how it is, it is really the impossible dream. Yes, the good reporter, if he doesn't get the name from the police, he will get it from the hospital records, he will get it from the ambulance records. Yes, Car 54, where are you? Everybody wants to know.

So many families now listen in on those police calls. We can't shut this out. Police departments have an obligation also. Our department, many of the departments throughout the state, would use in difficult cases such as people who didn't want their names used because they feared additional appraisals, all they would do is ask the police to mark this a silent case.

Yes, I haven't, in my career, found any problems of the person being assaulted and robbed and then additional assault and robbery there because of the report of the crime. But I will have to admit that persons in my community and other communities that I know of would read the society news to see when weddings were scheduled and then go to the house of the bride and collect all those new shiny gifts.

Take a look at this one, the one that should be fresh in your minds, about one week ago in the State of New Hampshire, a young man and woman walked up to the rectory and quite blank shot that priest. His parents were from Massachusetts and a few days later, while they were at the funeral mass and at the cemetery, their home was broken into. No question it was because their son's name was in the obituary column. I would hate to pick up the paper and read that Mr. X died and not know who he was.

**THE SPEAKER:** The pending question is on the motion of the gentleman from Saco, Mr. Hobbins, 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, 64 having voted in the affirmative and 30 having voted in the negative, the motion did prevail.

#### Non-Concurrent Matter

Bill, "An Act to Establish Strike Penalties" (H. P. 313) (L. D. 381) on which the Majority "Ought Not to Pass" Report of the Committee on Labor was read and accepted in the House on May 22, 1979.

Came from the Senate with the Minority "Ought to Pass" as amended by Committee Amendment "A" (H-467) Report of the Committee on Labor read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (H-467) in non-concurrence.

In the House:

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

**MR. CUNNINGHAM:** Mr. Speaker, Ladies and Gentlemen of the House: I move that we recede and concur.

I made this motion for a couple of reasons. First of all, the Chairman of the Labor Committee has already indicated to you in his debate today that he is really not opposed to strike penalties as long as they are meaningful strike penalties.

I also made this motion in the hope that we would not be guilty of making a mistake as a legislative body and that perhaps in the interest of equity and justice, you would have the vision and courage to vote green on the pending motion.

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

**MR. WYMAN:** Mr. Speaker, Ladies and Gentlemen of the House: I would hope that you would oppose the motion to recede and concur

so that we might adhere. I ask that when the vote is taken, it be taken by the yeas and nays, and I would also like to share with you my feelings and my opposition to this particular bill and the reasons for it.

Yes, it is true, as Mr. Cunningham has pointed out, that I support strike penalties, and I have supported them consistently in four different pieces of legislation on the record. But, ladies and gentlemen, each time that I have voted for strike penalties, they have been contained within a bill which provides for binding arbitration. My feeling is this, and I will state it as briefly and succinctly and as clearly as I can when we as a legislature have decided to correct the problems in the collective bargaining law, then there should be no excuse for anyone to engage in any sort of illegal work action, strike or job action. Until the time, however, that we have decided to correct the problems in the law, I do not believe, and I feel very, very strongly on this as a matter of deep, personal conviction, that we ought to be kicking our state employees, our public employees, because out of a sense of frustration and out of a sense of feeling that the law is unjust they do something that none of us can condone and none of us want to see them do.

I would also remind you that we had an example of this just a few weeks ago when the state employees, some of them, did stay out of work for one day. There was an immediate court injunction; they were ordered back to work, they did go back to work and at the present time that case is tied up in court as to whether or not they are going to lose a day's pay.

I say that this particular bill is totally unnecessary, I say that it is totally inappropriate unless we are prepared to deal with the problems in the law.

**MR. SPEAKER:** I request a roll call vote.

**THE SPEAKER:** 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 New Gloucester, Mr. Cunningham, that the House recede and concur. All those in favor will vote yes; those opposed will vote no.

#### ROLL CALL

**YEA** — Aloupis, Austin, Berube, Bordeaux, Bowden, Brown, K. L.; Bunker, Carter, F.; Conary, Cunningham, Curtis, Damren, Davis, Dellert, Dexter, Diamond, Drinkwater, Dudley, Fenlason, Fillmore, Garsoe, Gavett, Gillis, Gould, Hanson, Higgins, Huber, Hunter, Hutchings, Immonen, Jackson, Kiesman, Lancaster, Leighton, Leonard, Lougee, Lowe, MacBride, Masterman, Masterton, Matthews, McPherson, Morton, Nelson, A.; Payne, Peltier, Peterson, Reeves, J.; Rollins, Sherburne, Silsby, Small, Smith, Sprowl, Stetson, Stover, Strout, Studley, Torrey, Tozier, Twitchell, Wentworth, Whittemore.

**NAY** — Bachrach, Baker, Barry, Beaulieu, Benoit, Birt, Blodgett, Boudreau, Brannigan, Brennerman, Brodeur, Brown, K. C.; Call, Carrier, Carroll, Chonko, Churchill, Cloutier, Connolly, Cox, Davies, Doukas, Dow, Dutremble, D.; Dutremble, L.; Fowlie, Gowen, Gray, Gwadosky, Hall, Hickey, Hobbins, Hughes, Jacques, E.; Jacques, P.; Jalbert, Joyce, Kane, Kany, Laffin, LaPlante, Lewis, Lizotte, Locke, Lund, MacEachern, Mahany, Marshall, Martin, A.; Maxwell, McHenry, McKean, McSweeney, Mitchell, Nadeau, Nelson, M.; Nelson, N.; Norris, Paradis, Paul, Pearson, Prescott, Reeves, P.; Rolde, Sewall, Simon, Soulas, Theriault, Tierney, Tuttle, Vincent, Violette, Vose, Wood, Wyman, The Speaker.

**ABSENT** — Berry, Brown, A.; Brown, D.;



Carter, D.; Elias, Howe, Kelleher, McMahon, Michael, Post, Roope, Tarbell.  
Yes, 63; No, 76; Absent, 12.

The SPEAKER: Sixty-three having voted in the affirmative and seventy-six in the negative, with twelve being absent, the motion does not prevail.

Thereupon, the House voted to adhere.

By unanimous consent, ordered sent forthwith to the Senate.

#### Non-Concurrent Matter Tabled and Assigned

Bill "An Act Concerning Licenses Issued by the Department of Inland Fisheries and Wildlife" (H. P. 270) (L. D. 344) which was passed to be engrossed as amended by Committee Amendment "A" (H-438) in the House on May 17, 1979.

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" (H-438) and Senate Amendment "A" (S-216) in non-concurrence.

In the House: On motion of Mr. Paul of Sanford, tabled pending further consideration and assigned for Tuesday, May 29.

#### Non-Concurrent Matter

Bill "An Act to Provide Special Free License Plates for the 100% Disabled Veteran" (H. P. 1174) (L. D. 1436) which was Passed to be Enacted in the House on May 22, 1979.

Came from the Senate, Passed to be Engrossed as Amended by Committee Amendment "A" (H-402) as Amended by Senate Amendment "A" (S-218) thereto in non-concurrence.

In the House:

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

Mr. McKEAN: Mr. Speaker, I move that the House adhere.

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

Mr. VINCENT: Mr. Speaker, I wish to inquire if a fiscal note would be required on this bill. One doesn't appear and it looks to me like there should be one attached to it.

The SPEAKER: The Chair would advise the gentleman from Portland, Mr. Vincent, that a fiscal note has been included on the bill.

Thereupon, on motion of Mr. McKean of Limestone, the House voted to adhere. (Later Reconsidered)

#### Non-Concurrent Matter Tabled and Assigned

Bill "An Act to Permit Performing Arts Centers to Serve Alcoholic Beverages" (H. P. 252) (L. D. 297) which was Passed to be Engrossed as Amended by Committee Amendment "A" (H-60) and House Amendment "A" (H-69) in the House on March 8, 1979.

Came from the Senate, Passed to be Engrossed as Amended by Senate Amendment "A" (S-129) in non-concurrence.

In the House: On motion of Mr. Violette of Van Buren, tabled pending further consideration and assigned for Tuesday, May 29.

#### Non-Concurrent Matter

Bill "An Act to Require County Charters and to Transfer Approval for County Budgets from the Legislature to the Counties" (H. P. 1412) (L. D. 1618) which was Referred to the Committee on Local and County Government in the House on May 16, 1979.

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

In the House: On motion of Mr. Michael of Auburn, the House voted to insist.

#### Non-Concurrent Matter

Bill "An Act to Require the Reporting of Petroleum Inventories and Deliveries to the Office of Energy Resources" (EMERGENCY) (H. P. 1355) (L. D. 1591) which was Passed to be Engrossed in the House on May 18, 1979.

Came from the Senate, Passed to be En-

grossed as Amended by Senate Amendment "A" (S-221) in non-concurrence.

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

#### Non-Concurrent Matter

Bill "An Act to Reduce the Minimum Public Utility Monthly Electrical Charge to \$2 and to Prohibit the use by Electrical Utilities of an Estimated Meter Reading as a Basis for a Customer Bill" (H. P. 1192) (L. D. 1444) on which the House Insisted on its former action whereby Report "A" "Ought to Pass" as amended by Committee Amendment "A" (H-383) of the Committee on Public Utilities was read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (H-383) in the House on May 21, 1979.

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

In the House: On motion of Mr. Davis of Orono, the House voted to further insist and join in a Committee of Conference.

#### Non-Concurrent Matter

Joint Resolution Urging the State Principal's Association to Allow Participation in the New England Championship Games (H. P. 1280) which was Read and Adopted in the House on April 2, 1979.

Came from the Senate Indefinitely Postponed in non-concurrence.

In the House: On motion of Mr. Connolly of Portland, the House voted to insist.

#### Non-Concurrent Matter

Bill "An Act to Increase the Membership of the Gardiner Water District to Six" (H. P. 284) (L. D. 362) which was passed to be enacted in the House on May 22, 1979.

Came from the Senate recommitted to the Committee on Public Utilities in non-concurrence.

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

#### Non-Concurrent Matter

Bill "An Act Relating to Arbitration under the State Employee Labor Relations Act" (H. P. 142) (L. D. 162) which was passed to be Enacted in the House on May 18, 1979.

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

In the House:

The SPEAKER: The Chair recognizes the gentlewoman from Vassalboro, Mrs. Mitchell.

Mrs. MITCHELL: Mr. Speaker, I move that we adhere.

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

Mr. GARSOE: Mr. Speaker, having been debated in caucus twice and on the floor of this House three times, I move we recede and concur.

The SPEAKER: The gentleman from Cumberland, Mr. Garsoe, moves that the House recede and concur.

Whereupon, Mr. Wyman of Pittsfield 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 Cumberland, Mr. Garsoe, that the House recede and concur. All those in favor will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Aloupis, Austin, Bordeaux, Boudreau, Bowden, Brown, K. L.; Bunker, Carrier, Carter, F.; Conary, Cunningham, Damren, Davis, Dellert, Dexter, Drinkwater, Dudley, Dutremble, L.; Fenlason, Fillmore, Garsoe, Gavett, Gillis, Gould, Hanson, Hickey, Higgins, Huber, Hunter, Hutchings, Immonen, Jackson, Kany, Kiesman, Lancaster, Leighton, Leonard, Lewis, Lougee, Lowe, Lund, MacBride, Marshall, Masterman, Masterton, Matthews, McPherson, Morton, Nelson, A.; Paul, Payne, Peltier, Peterson, Reeves, J.; Rollins, Sewall, Sherburne, Silsby, Small, Smith, Sprowl, Stetson, Stover, Studley, Tarbell, Torrey, Tozier, Twitchell, Wentworth, Whittemore.

NAY — Bachrach, Baker, Barry, Beaulieu, Benoit, Berube, Birt, Blodgett, Brannigan, Brennerman, Brodeur, Brown, D.; Brown, K. C., Call, Carroll, Carter, D.; Chonko, Churchill, Cloutier, Connolly, Cox, Curtis, Davies, Diamond, Doukas, Dow, Dutremble, D.; Fowlie, Gowen, Gwadosky, Hall, Hobbins, Hughes, Jacques, E.; Jacques, P.; Jalbert, Joyce, Kane, Kelleher, Laffin, LaPlante, Lizotte, Locke, MacEachern, Mahany, Martin, A.; Maxwell, McHenry, McKean, McSweeney, Michael, Mitchell, Nadeau, Nelson, M.; Nelson, N.; Norris, Paradis, Pearson, Post, Prescott, Reeves, P.; Rolde, Simon, Soulas, Strout, Theriault, Tierney, Tuttle, Vincent, Violette, Vose, Wood, Wyman, The Speaker.

ABSENT — Berry, Brown, A.; Elias, Gray, Howe, McMahon, Roope.

Yes, 70; No, 74; Absent, 7.

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

Thereupon, on motion of Mrs. Mitchell of Vassalboro, the House voted to adhere.

By unanimous consent, ordered sent forthwith to the Senate.

#### Returned Paper

Bill "An Act to Establish Assessments Upon Certain Public Utilities and to Authorize Use of the Funds Generated by Those Assessments to Pay Certain Expenses of the Public Utilities Commission" (H. P. 380) (L. D. 487) which was passed to be engrossed as amended by Committee Amendment "A" (H-321) as amended by House Amendment "A" (H-480) thereto in the House on May 21, 1979.

Came from the Senate ruled not properly before that Body.

In the House: The House voted to recede.

House Amendment "A" to Committee Amendment "A" was indefinitely postponed.

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

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

#### Messages and Documents

The following Communication: (S. P. 568)

State of Maine  
SENATE CHAMBER  
President's Office  
Augusta, Maine 04333

May 21, 1979

Honorable Barbara Gill  
Honorable Sandra Prescott  
Chairmen, Health & Institutional Services  
Committee  
State House  
Augusta, Maine 04333

Please be advised that Governor Joseph E. Brennan is nominating Mary C. Golden of Bangor as a consumer member of the Health Facilities Cost Review Board.

Pursuant to Title 22, MRSA, Section 353, this nomination will require review by the Joint Standing Committee on Health and Institutional Services and confirmation by the Senate.

Sincerely,

S/JOSEPH SEWALL

President of the Senate  
S/JOHN MARTIN  
Speaker of the House

Came from the Senate Read and Referred to the Committee on Health and Institutional Services.

In the House, was read and referred to the Committee on Health and Institutional Services in concurrence.

#### Orders

An Expression of Legislative Sentiment (H. P. 1429) recognizing that: Robert Greenlaw, son of Ruth Greenlaw of Fairfield and Robert Greenlaw of Waterville, has been selected Valedictorian for the 1979 graduating class of Lawrence High School

Presented by Mr. Gwadosky of Fairfield (Cospensor: Senator Teague of Somerset)

Was Read and Passed and sent up for concurrence.

An Expression of Legislative Sentiment (H. P. 1430) recognizing that: Jacquelynne Rush, the daughter of Mr. and Mrs. Jack Rush, Sr. of Clinton, has been selected Salutatorian of the 1979 graduating class of Lawrence High School

Presented by Mr. Gwadosky of Fairfield (Cospensor: Mr. Hunter of Benton)

Was Read and Passed and sent up for concurrence.

An Expression of Legislative Sentiment (H. P. 1431) recognizing that: Stephen M. Selleck and Alan H. Briggs of Yarmouth will be awarded the rank of Eagle Scout on June 11, 1979

Presented by Mr. Jackson of Yarmouth (Cospensor: Senator Clark of Cumberland)

Was Read and Passed and sent up for concurrence.

An Expression of Legislative Sentiment (H. P. 1434) recognizing that: Michele Tatusko of Waterboro was runner-up in Operation Driver Excellence in the AMVETS national safe driver competition

Presented by Mr. Hanson of Kennebunkport (Cospensor: Mr. Lovell of York)

Was Read and Passed and sent up for concurrence.

A Joint Resolution (H. P. 1432) in memory of A. Philip Randolph, Grand Old Man of the Civil Rights Movement and labor organizer is presented by Mr. Baker of Portland (Cospensors: Mr. Connolly of Portland, Mr. Davies of Orono and Senator Najarian of Cumberland)

The Resolution was read.

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

Mr. BAKER: Mr. Speaker, Ladies and Gentlemen of the House: On Wednesday, May 16, A. Philip Randolph died quietly in his New York apartment. He was 90 years old. His death occurred on the eve of the 25th anniversary of the Supreme Court's desegregation decision.

Phil Randolph, as he has been affectionately called in the labor movement, his career spanned the entire century and was an integral part of the building of the American trade union movement.

He organized the brotherhood of Railway Car Porters, which was the first black union to negotiate with a white employer.

During World War II, he fought vigorously for desegregation within our Armed Forces. That order was granted by Harry Truman.

He was instrumental in the organization of the 1963 march on Washington for civil rights, organized with the late Martin Luther King and Baird Rushton.

When the history of the American labor movement is written for our children, A. Philip Randolph's name will be there beside the other greats in the labor movement, John L. Lewis and Walter Reuther. His vision of a just society

and his dedication to achieving it will serve as an inspiration to many of our young people.

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

#### House Reports of Committees

##### Ought Not to Pass

Mr. Brennerman from the Committee on Taxation on Bill "An Act to Remove the Sales Tax from Residential Electricity" (H. P. 226) (L. D. 274) reporting "Ought Not to Pass"

Mr. Marshall from the Committee on Taxation on Bill "An Act to Exempt the Sale of Certain School Buses from the Sales Tax" (H. P. 1196) (L. D. 1462) reporting "Ought Not to Pass"

Mr. Immonen from the Committee on Taxation on Bill "An Act to Provide a Trade-in Credit for the Sales Tax on Campers" (H. P. 40) (L. D. 51) reporting "Ought Not to Pass"

Mrs. Lewis from the Committee on Education on Bill "An Act Relating to Impact Aid Funds Received under United States Public Law 81-874" (H. P. 997) (L. D. 1246) reporting "Ought Not to Pass"

Ms. Benoit from the Committee on Election Laws on Bill "An Act to Reimburse Municipalities for the Cost of Conducting State Elections" (H. P. 184) (L. D. 236) reporting "Ought Not to Pass"

Were placed in the Legislative Files without further action pursuant to Joint Rule 22, and sent up for concurrence.

##### Leave to Withdraw

Mr. Michael from the Committee on Energy and Natural Resources on Bill "An Act to Allow for Private Voluntary Creation and Conveyance of Solar Easements" (H. P. 801) (L. D. 997) reporting "Leave to Withdraw"

Mr. Marshall from the Committee on Taxation on Bill "An Act to Exempt Sales of Fuel Sold to Railroads from the Sales Tax" (H. P. 385) (L. D. 492) reporting "Leave to Withdraw"

Mr. Marshall from the Committee on Taxation on Bill "An Act to Exempt Post-secondary School Books from Sales Taxation" (H. P. 477) (L. D. 595) reporting "Leave to Withdraw"

Mr. Marshall from the Committee on Taxation on Bill "An Act to Provide an Income Tax Credit for Installation of Insulation in Residences" (H. P. 852) (L. D. 1052) reporting "Leave to Withdraw"

Mr. Cox from the Committee on Taxation on Bill "An Act to Provide for Trade-in Allowance under the Tax Statutes on Self-contained Well Drilling Machines" (H. P. 227) (L. D. 275) reporting "Leave to Withdraw"

Mr. Kane from the Committee on Taxation on Bill "An Act to Permit a Trade-in Credit Under the Sales Tax Statutes for Utility Tractors" (H. P. 60) (L. D. 68)

Mr. Leonard from the Committee on Taxation on Bill "An Act to Establish an Excise Tax on Timber Harvest" (H. P. 1101) (L. D. 1453) reporting "Leave to Withdraw"

Mr. Brennerman from the Committee on Taxation on Bill "An Act to Provide for a Refund of the Sales Tax on Logging Equipment" (H. P. 23) (L. D. 40) reporting "Leave to Withdraw"

Mrs. Locke from the Committee on Education on Bill "An Act Concerning School Construction Projects" (H. P. 998) (L. D. 1233) reporting "Leave to Withdraw"

Mr. Sprowl from the Committee on Business Legislation on Bill "An Act to Prohibit Interlocks of Corporate Banking Positions by Professional Firms" (H. P. 1049) (L. D. 1285) reporting "Leave to Withdraw"

Mr. Sprowl from the Committee on Business Legislation on Bill "An Act Concerning Mergers of Banks Previously Held by Financial Institution Holding Companies" (H. P. 970) (L. D. 1190) reporting "Leave to Withdraw"

Mr. Sprowl from the Committee on Business Legislation on Bill "An Act to Enact a Model Group Health Insurance Continuation and Con-

version Law" (H. P. 539) (L. D. 670) reporting "Leave to Withdraw"

Mr. Carroll from the Committee on Transportation on Bill "An Act to Require an Annual Motor Vehicle Inspection to Coincide with Vehicular Registration" (H. P. 113) (L. D. 121) reporting "Leave to Withdraw"

Mr. McKean from the Committee on Transportation on Bill "An Act to Provide Statutory Standards for Motor Vehicle Inspection" (H. P. 650) (L. D. 803) reporting "Leave to Withdraw"

Mr. McPherson from the Committee on Transportation on Bill "An Act Concerning Illumination of Railroad Switching Leads" (H. P. 855) (L. D. 1055) reporting "Leave to Withdraw"

Reports were read and accepted and sent up for concurrence.

##### Ought to Pass in New Draft

Mr. Connolly from the Committee on Education on Bill "An Act to Amend the School Finance Law" (Emergency) (H. P. 1156) (L. D. 1323) reporting "Ought to Pass" in New Draft (H. P. 1433) (L. D. 1636)

The Report was read.

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

Mr. CONNOLLY: Mr. Speaker and Members of the House: I would like to call this piece of legislation to your attention. This is the major education finance legislation to come before this session of the legislature. The bill represents the position of the majority, the unanimous position, in fact, of the Interim Finance Commission that studied the new finance law in the interim between the last legislature and this convening of the legislature.

In the bill, there are two finance issues that are addressed. The bill would raise the state's exposure under leeway from the present \$125 per pupil to \$135 per pupil, and the bill also provides funding to take care of the so-called pay-ins within SAD's. There are other issues that are not concerned with appropriations that are addressed in this bill. It is the feeling of the committee that the issues in the legislation are not controversial, that this bill will probably proceed along its way, end up on the Appropriation Table and then the matters that have to do with appropriations will be decided at the end of the session. But the committee did want to call this legislation to your attention and would ask you, if you have any questions, address those to members of the committee or discuss them with your local school officials over the weekend, and if you do have problems with the legislation, I doubt if you will, but if in fact you don't, then we can discuss those issues Tuesday.

Thereupon, the Report was accepted, the New Draft read once and assigned for second reading the next legislative day.

#### Consent Calendar

##### First Day

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

(H. P. 797) (L. D. 967) Bill "An Act Concerning the Saco River Corridor Commission" Committee on Energy and Natural Resources reporting "Ought to Pass"

(H. P. 864) (L. D. 1071) Bill "An Act to Enable Consolidation of the State Water Discharge Licensing Program and the Federal National Pollutant Discharge Elimination System Permit Program" Committee on Energy and Natural Resources reporting "Ought to Pass"

(H. P. 1317) (L. D. 1571) Bill "An Act to Strengthen the State's Capability to Assess Maine's Forest Resources" Committee on Energy and Natural Resources reporting "Ought to Pass"

(H. P. 800) (L. D. 996) Bill "An Act Providing for the Consideration of Solar Energy Requirements in Comprehensive Plans" Committee on



Energy and Natural Resources reporting "Ought to Pass"

(H. P. 1238) (L. D. 1491) Bill "An Act to Permit the Consideration of Solar Access Issues when Approving any Subdivision" Committee on Energy and Natural Resources reporting "Ought to Pass"

(H. P. 974) (L. D. 1242) Bill "An Act to Provide Personal Care Assistance Services to Enable Persons with a Severe Physical Disability to Work" Committee on Health and Institutional Services reporting "Ought to Pass" as amended by Committee Amendment "A" (H-508)

No objections being noted, the above items were ordered to appear on the Consent Calendar of May 29, under listing of Second Day.

(H. P. 1404) (L. D. 1617) Bill "An Act Creating a State of Maine Trustees Advisory Board" Committee on Agriculture reporting "Ought to Pass"

On the objection of Mr. Wood of Sanford, was removed from the Consent Calendar.

Thereupon, the Report was accepted, the Bill read once and assigned for second reading the next legislative day.

(H. P. 1019) (L. D. 1252) Bill "An Act to Establish at \$75,000 per Qualified Applicant, the Maximum Limit of Liability which an Insurer Must Assume under the Assigned Risk Motor Vehicle Insurance Statutes" Committee on Business Legislation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-510)

(H. P. 690) (L. D. 862) Bill "An Act Concerning the Maine Property Insurance Cancellation Control Act" Committee on Business Legislation reporting "Ought to Pass" as amended by Committee Amendment "A"

(H. P. 843) (L. D. 1045) Bill "An Act to Provide Fiscal Impact Statements" Committee on State Government reporting "Ought to Pass" as amended by Committee Amendment "A" (H-511)

(H. P. 857) (L. D. 1057) Bill "An Act to Provide Local Control of Winter Closing of Town Ways" Committee on Transportation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-512)

(S. P. 374) (L. D. 1154) Bill "An Act to Clarify the Statutory Requirements for Issuance of Maine Guides Licenses" Committee on Fisheries and Wildlife reporting "Ought to Pass" as amended by Committee Amendment "A" (S-214)

No objections being noted, the above items were ordered to appear on the Consent Calendar of May 29, under listing of Second Day.

#### Consent Calendar Second Day

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

(H. P. 1121) (L. D. 1390) Bill "An Act to Require that Insurance Coverage for Outpatient Community Mental Health Services be Provided in Group Health Care Policies and Contracts" (C. "A" H-496)

(H. P. 234) (L. D. 280) Bill "An Act Concerning the Profession of Public Accountancy" (C. "A" H-497)

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

(H. P. 1147) (L. D. 1409) Bill "An Act Pertaining to Solicitation by Law Enforcement Officers" (C. "A" H-495)

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

Thereupon, the Report was accepted and the Bill read once. Committee Amendment "A" (H-495) was read by the Clerk and adopted and

the Bill assigned for second reading the next legislative day.

(H. P. 1214) (L. D. 1520) Bill "An Act Relating to the Employment of Minors and Overtime Pay" (C. "A" H-494)

No objections having been noted at the end of the Second Legislative Day, the House Paper was passed to be engrossed as amended and sent up for concurrence.

(H. P. 1380) (L. D. 1605) Bill "An Act to Ensure the Prompt Decision of Cases Before the Workers' Compensation Commission" (C. "A" H-492)

On the objection of Mr. Bowden of Brooklin, was removed from the Consent Calendar.

Thereupon, the Report was accepted and the Bill read once. Committee Amendment "A" (H-492) was read by the Clerk and adopted and the Bill assigned for second reading the next legislative day.

(S. P. 169) (L. D. 370) Bill "An Act to Increase the Term of Special Licenses under the Marine Resources Law" (C. "A" S-210)

On the objection of Mrs. Beaulieu of Portland, was removed from the Consent Calendar.

Thereupon, the Report was accepted in concurrence and the Bill read once. Committee Amendment "A" (S-210) was read by the Clerk and adopted in concurrence and the Bill assigned for second reading the next legislative day.

(S. P. 378) (L. D. 1158) Bill "An Act Relating to Appointment of Local Plumbing Inspectors in the Unorganized Townships" (C. "A" S-206)

(S. P. 455) (L. D. 1385) Bill "An Act to Clarify the Consent Requirements for Adoptions" (C. "A" S-207)

(S. P. 492) (L. D. 1532) Bill "An Act to Allocate Moneys for the Administrative Expenses of the State Lottery Commission for the Fiscal Years Ending June 30, 1980 and June 30, 1981" (Emergency)

(H. P. 1081) (L. D. 1517) Bill "An Act Altering the Organization and Governance of Community School Districts" (C. "A" H-498)

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

#### Second Reader

##### Tabled and Assigned

Bill "An Act Requiring Certain Consumer Agreements to be Written so that they are Readable and Understandable" (H. P. 1427) (L. D. 1634)

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

On motion of Mr. Jackson of Yarmouth, tabled pending passage to be engrossed and specially assigned for Wednesday, May 30.

##### Passed to be Engrossed

Bill "An Act to Amend the Laws Relating to Criminal History Record Information" (H. P. 1425) (L. D. 1632)

Bill "An Act to Require Financial Institutions Either to Pay Taxes from Mortgage Escrow Accounts or to Pay Interest on Escrowed Sums" (H. P. 1426) (L. D. 1633)

RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Franklin County for the Year 1979 (Emergency) (H. P. 1424) (L. D. 1631)

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

By unanimous consent, ordered sent forthwith to the Senate.

##### Amended Bills

Bill "An Act to Exempt Certain Transportation Statutes from the Administrative Proce-

dures Act" (Emergency) (S. P. 445) (L. D. 1365) (S. "A" S-217)

Bill "An Act to Strengthen the Penalties for Operating Under the Influence" (H. P. 934) (L. D. 1166) (C. "A" H-484)

Bill "An Act to Continue Medical Benefits to Employees During Collective Bargaining Negotiations, Lockouts, Strikes and Other Job Actions" (S. P. 317) (L. D. 947) (C. "A" S-196)

Bill "An Act to Clarify the Form of the Local Consent Resolution Regarding State Housing Authority Housing Assistance Allocation" (H. P. 402) (L. D. 508) (C. "A" H-503)

Bill "An Act Concerning Limited Decrees for Alimony" (H. P. 1168) (L. D. 1443) (C. "A" H-490)

Bill "An Act to Require Premium Impact Statements for Certain Workers' Compensation Legislation" (H. P. 956) (L. D. 1222) (C. "A" H-501)

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

By unanimous consent, ordered sent forthwith to the Senate.

##### Passed to be Enacted

An Act to Amend the Maine Certificate of Need Act of 1978 (S. P. 283) (L. D. 857) (C. "A" S-187)

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.

##### Tabled Unassigned

An Act Concerning Health Services in Rural and Underserved Areas (S. P. 473) (L. D. 1414) (C. "A" S-186)

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

On motion of Mr. Tierney of Lisbon Falls, tabled unassigned pending passage to be enacted.

An Act to Create the Division of Small Business Assistance (H. P. 263) (L. D. 339) (H. "A" H-422)

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

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I move that this be indefinitely postponed.

I have been around here awhile talking with members of the Appropriations Committee, and I find the dollars and cents in that committee are rather scarce, and seeing the human needs of people in this state in many areas and we are not going to be able to do for them, and having been a small business man all my life and talked with many others, we feel that the need is much greater in other areas to spend money and put people on the payroll if we have to than in this area.

This wouldn't help small business that much. If you want to do something to help small business, help us select a lobby so we can be saved from taxation for more people on the payroll. The very thing that small business doesn't want to do this bill does. All the small businessmen I have talked to in the House and outside of this House want less people on the state payroll, and this admittedly puts two on to open the door, to get a foot in the door. They just distributed a piece of paper a minute ago admitting two, but that is to get their foot in the door.

As I stand here, as I have on many occasions in years gone by, and I was here before this monstrosity was built next door, and when we built it, we had no use for the seventh floor, then we finally did and finally we built another building across the street and we have rented

buildings all over town, and that is because we pass these little, insignificant pieces of legislation like this that hire two people on a pilot program. I can show you some now that have seven and eight hundred people, and originally it was a pilot program.

Now the seventh floor is overloaded and we have had to buy several other buildings. This is where it starts. Believe me, it starts with a crack in the door and then it goes on from there.

I think we have got many more important needs for the taxpayers' money than this particular bill, so I hope you will vote to indefinitely postpone it.

The SPEAKER: The Chair recognizes the gentleman from Fairfield, Mr. Gwadodsky.

Mr. GWADOSKY: Mr. Speaker, Ladies and Gentlemen of the House: Anticipating that this bill might be debated when it reached enactors, I took the opportunity to once again visit the Department of Business Regulation to review in my mind exactly how this division for small business would be implemented within the department.

I had a very interesting conversation with Mary Ellen Peaslee, who, I am sure many of you know, is our Director of Central Licensing, and for those of you who may be unfamiliar with the director, Mary Ellen has been charged with the duties of developing and maintaining our very unique and successful computerized central licensing division. All of our occupational groups which are registered or licensed by the State of Maine are listed in that bureau.

In the course of a week, she spends a great deal of time at public hearings. She is also very much involved with proposed legislation. And more often than not, when a new group comes before our committee to be licensed, the finer drafting work of their bill has been done, indeed, by Mary Ellen.

One area of concern in jobs that she had handled for the past year and a half is an area that I had planned to mention during our last debate on this bill but neglected to do so. That is, for the last year and a half, she has received an average of at least five phone calls a day and has a stack of letters on her desk over there as high as you can reach, as wide as you can reach, and these are letters from small businessmen, large businessmen, and they are simply asking the questions, how do we do this, how do we do that, what forms do we need for this, how do we expand, are we in a different tax bracket. I think the demand for centralized location where this information can be easily disbursed upon request is quite evident. This is not a duplication of services, because we don't have any existing services for small businesses at this time.

This bill creates the Division of Small Business Assistance within the department, consisting of two employees whose functions will be to advise small businesses of all applicable state statutes, law, rules and regulations and advise all these small businesses how to comply with these.

Upon the effective date of this bill, these employees will contact every state agency which administers any statutes, rules or regulations which may affect small businesses and request them to deliver to this bureau a list with this information so they will more easily be able to disburse it upon request.

Once again, at our public hearing, our Commissioner Gordon Weil was there to testify to offer his endorsement of the bill. He also offered and gave the endorsement of the Governor for this bill. Commissioner Weil felt that he could implement this bill very smoothly with the plans that he already had for the bureau and that would be complemented by a toll free wats line number for in-calls so this may be better able to serve as a referral system to different agencies. I think now, rather to go all over again the comparisons of the millions of dollars that we spend on agriculture and

marine resources for our economic development and that we don't spend zero dollars for business assistance, I would just like to leave with you a paragraph and a half of a letter I received from the Commissioner and tried to distribute to as many people as possible.

I apologize for standing up and reading to you today but I would like to be into the record. I think it is very important to the bill and I thank you for your indulgence.

"Although the proposal is quite modest, involving the addition of only two people, some concern has been expressed that it would eventually develop into a larger bureaucratic unit. Commissioner Weil has stated, however, that he would not support an expansion of personnel but would instead integrate the services of this new office with his own planned expansion of consumer information services within the department. The expansion would take place out of existing revenues. In addition, he regards the establishment of this new office as an experiment which should be valued in light of demands and effectiveness. He has promised to monitor the operation in that light and, appropriate, recommend termination of the agency even before the sunset review.

"With these considerations in mind, I believe the proposal is worthy of your support and would appreciate your voting in favor of L. D. 339 so that we may attempt to provide, on an experimental basis, a service specifically designed for the small businesses of the State of Maine."

I would urge you to oppose the motion for indefinite postponement and when the vote is taken, I ask for the yeas and nays.

The SPEAKER: The Chair recognizes the gentleman from Wiscasset, Mr. Stetson.

Mr. STETSON: Mr. Speaker, Ladies and Gentlemen of the House: This letter from the Commissioner that the good gentleman just quoted from shows the utter needlessness of this legislation. In other words, Commissioner Weil says he has already planned to create such a service and he could integrate this plan into this new office. I don't think we need the new office; let the Commissioner proceed with his plans the way he was going to do it. I don't think we need this bill, let's kill it.

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

Mr. FENLASON: Mr. Speaker, Ladies and Gentlemen of the House: I rise to support the good gentleman from Enfield, Mr. Dudley. I am sure that the last thing small business needs now is another office, more bureaucracy. I think the thing they need most is to be let alone. I am sure that present sources can provide any necessary information that a man in small business wants.

I urge that you support the indefinite postponement of this bill.

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

Mr. DEXTER: Mr. Speaker, Men and Women of the House: The opponents of this bill remind me of a poor mailman who had been going around on his route and got bitten three times and maybe four times by vicious dogs. Well, this particular day, he is making his rounds and here comes this nice, friendly, little dog wagging his tail, so he hauls off his number 12 boot and kicks the poor dog right in the chops. Fifteen hundred and sixty-two pages of new regulations are printed everyday in this country. How do you expect the average small businessman to cope? Some of you people here who run small businesses have a nice looking secretary, maybe three or four. Without them you would fall flat on your face, let's face it. But, you know, everyone can't afford to hire those secretaries.

Some fear here about creating a hydra monster—remember the monster in Greek mythology, you cut off one head and two appear. Well, finally they killed it by fire. You can do the same thing here. There was a mention

made about a monstrosity here, the 7th floor or whatever, why didn't you use fire? Why didn't you do that?

It is about time someone helped the small businessman around here. You help labor, you help big business. Here is one little small thing that will probably die on the Appropriation Table anyway, but at least we have made an effort. I represent a lot of small businessmen. In fact, I am one. I haven't, so far, had to have someone interpret all these forms, I just file them in a little round basket but, nevertheless, it is about time we had some help. I have voted to help the farmers, I have voted to help the fishermen, now let's help the small businessmen.

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

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

The SPEAKER: The Chair recognizes the gentleman from Woolwich, Mr. Leonard.

Mr. LEONARD: Mr. Speaker, Ladies and Gentlemen of the House: I am a small businessman too, and while I really don't disagree with the intent of the gentleman from Kingfield, Mr. Dexter, I must speak in opposition to the bill.

I honestly think that the mood of the business community in the State of Maine is for less government, and with less government eliminating the costs of government that is oppressing the growth of business in this state. There are a lot of rules and regulations and various things that a businessman must comply with. However, I think the cry of the businessman in this state is for the state to rid itself of those rules, regulations and other forms of paper harassment that the state is burdening them with unnecessarily. That is the cry. It is not the cry of business that I hear of having the state come in and tell business or aid business in trying to comply with all the rules and regulations.

There are rules and regulations needed in this state, obviously and I don't stand here today and suggest that we repeal all of those rules and regulations we have on business. However, I think that is the cry, to rid ourselves of those needless rules and regulations and thereby reduce the size of government, reduce the size of the debt or the amount of taxes we must pay, and that will bring benefit to all of us and make the small businessmen prosper.

I don't have a secretary and I probably don't understand all the rules and regulations that govern my particular business, and I suggest probably that is one of the things that lets me sleep nights. You might say ignorance is bliss, and probably in this case it is, because I certainly wouldn't want all of the businessmen in this state to know what we are doing to them in Augusta. I think maybe if you want to keep your jobs, don't tell them what you are doing.

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

Mr. GARSOE: Mr. Speaker, Ladies and Gentlemen of the House: I rise just to point out to the gentleman from Kingfield, Mr. Dexter, that the snarling brute that bit the mailman started out as a cute little puppy. Let's give a good kick in the head to prevent it growing up.

The SPEAKER: The Chair recognizes the gentleman from Harrison, Mr. Leighton.

Mr. LEIGHTON: Mr. Speaker, Ladies and Gentlemen of the House: I think what Representative Dexter is trying to tell us is that things are going to the dogs.

I agree with his laudable motives. However, I am in opposition to the bill and support indefinite postponement.

This bill, as I understand it, would give us a Clerk Stenographer II and a Director. They

would really have to have God-like characteristics to be able to solve the problems of the small businessman. It seems to me that all they could do is be a traffic cop, like the directional signs on the first floor of the State Office Building, because any problem that a businessman is apt to come to is going to be rather complex, and it seems to me that all they could do, those two people, would be to say that the Internal Revenue Service is over there, the State Tax Office is over there, the DEP is over there. I don't see how they could begin to solve the problem.

In one of the paragraphs of the amendment, it talks about within 60 days of the effective date of the bill, all of these agencies of state government that are involved in any way with the small businessman would have to send them all their statutes and regulations. You almost picture a cartoon-like situation of this poor secretary and this poor director. A director suddenly deluged with thousands and thousands of complex regulations.

It is a little amusing that we are trying to solve the problem of big government encroaching on small business by making government bigger, by creating a new division and two new positions to start with, and I emphasize "to start with." In other words, after we make it complicated enough for business to exist, then we create another organization that is going to un-complicate it, and I assume in a couple of years, if I am here, we will have to have still another to come back and figure out what they are doing.

I urge support for the motion of indefinite postponement.

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

Mr. LIZOTTE: Mr. Speaker, Ladies and Gentlemen of the House: I think the gentleman from Harrison is barking up the wrong tree. If you combine all the small businesses in this state, you would find that they make up the largest employer of this state. They are also the largest employer with the least amount of aid. This bill would help the small businessmen in unraveling the bureaucratic red tape that it is sometimes entangled in. I assure you that this is a step in the right direction.

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

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: We have been told a number of times during this debate what the small businessmen of the state want. I have had a number of informal meetings with a group called SBANE, the Small Businessmen's Association of New England, a number of us legislators have met with them informally. The impression that I had from those meetings was, what this particular business organization wanted was a sense of recognition, that there would be a place in state government where the needs of small businesses would be addressed. They felt that this has been a very definite lack over the years.

I have a telegram that was sent to one of my neighbors here and it says, "Maine's 5,000 NFIB members urge your support of L. D. 339, Division of Small Business Assistance" and is signed by T. Daniel Tourneau, National Federation of Independent Business of Maine Governmental Affairs Representative.

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

Mr. NADEAU: Mr. Speaker, Members of the House: This has been debated long enough. Just a couple of brief comments. I think you have heard enough to prove to you all that this bill is worthy of your support, but to indefinitely postpone this bill, I feel, would be a slap in the face to the small business community of Maine.

There is an estimated amount of approximately 15,000 small businesses in the State of Maine. They probably make up our largest tax base. They are the people that we go to session

after session asking for more help and more help, but when do we turn around and offer them some assistance? This is a service which we can provide for them with very little effort. This is something that we can do for them to pay them back for all they have done for us and the rest of the state.

I urge you, please, to vote against the indefinite postponement motion.

The SPEAKER: The Chair recognizes the gentleman from Yarmouth, Mr. Jackson.

Mr. JACKSON: Mr. Speaker, Ladies and Gentlemen of the House: My friend Mr. Leighton, he suffers from the MacDonald potato syndrome, where you eat one and you have to eat another and another, so he tends to be judging everything by that. I hope we can take him out to somewhere else for lunch so maybe his horizons will broaden.

This is a good bill. This is a good Republican bill and we should all support it. We are not going to do anything to make the burden of the small businessman less and this doesn't address that, but it does mean that he can get the information that he needs. He doesn't have to go making dozens of phone calls to dozens of bureaucracies to try to pull the information together, it will be there. It doesn't cost much. Let's put it on the Appropriations Table and try to fly it.

I hope you will support this excellent Republican bill.

The SPEAKER: The Chair recognizes the gentleman from Wiscasset, Mr. Stetson.

Mr. STETSON: Mr. Speaker, Ladies and Gentlemen of the House: I heard the gentleman from Yarmouth characterize this as a good Republican bill I thought he was out to lunch.

I would also like to give the gentleman from Kingfield a few pointers, if you will pardon the pun. There is a taxpayer information service maintained by the Internal Revenue Service, and if you have some tax problems, why don't you go to them and get them to solve them for you? If you have any other problems, they would probably help you solve them too. How many of you here go to the taxpayer information service when you have a tax problem? You have a business problem, I wonder if you would really turn to this bureaucratic organization or would you look to somebody who really knows the answer?

I suggest we kill this bill.

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

Mr. SIMON: Mr. Speaker, Members of the House: I don't mean to be catty, but I have seen this problem from both sides, working in my father's small business and working in the licensing agency of the government of another state. I think this is a good bill.

The gentleman from Woolwich, Mr. Leonard, has pointed out that if we really want to help the small businessmen of the state, we pass fewer regulations. Well, in general, I agree with that, we all agree with that, but when it comes to this particular regulation, that gentleman may think it is a bad regulation, I may think it is a good one. All we are saying in this bill is, give the small businessmen a break. Give him or her some help with respect to dealing with these various regulations, and I urge you all to support this bill, because I think the members of both parties can be proud to do so.

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

Mr. BOUDREAU: Mr. Speaker, Ladies and Gentlemen of the House: I don't know if this is a Republican bill or a Democratic bill but I am going to vote against it. I suggest that anybody in here who wants to vote for the small businessman, we can take out a few of these unemployment comp bills and workmen comp bills that we have been voting on for the past couple of months and pass a few of those. I get a big kick of these people who get up and say, we have got to help the small businessman, it is a

great opportunity to help the small businessman. Those are the same people who have been voting to liberalize unemployment comp to make workmen's comp more liberal and it just really amazes me.

The SPEAKER: The Chair recognizes the gentleman from Woolwich, Mr. Leonard.

Mr. LEONARD: Mr. Speaker, Ladies and Gentlemen of the House: I am sorry to trouble you people, but I think we have just created a third party. Maybe we will call it the party of the small businessmen, because if you notice the debate today, you will notice that most of the people debating for indefinite postponement of this bill have been small businessmen. Those who are debating on the other side are, in fact, people who claim they are representing small business third hand. The small businessman simply doesn't need this. He doesn't need it at all. He needs less government, I say that again, and certainly any small businessman who knows where it is at, knows that less government is going to be ultimately the answer to him.

I hope that you will indefinitely postpone the bill.

The SPEAKER: The Chair recognizes the gentleman from Owl's Head, Mrs. Post.

Mrs. POST: Mr. Speaker, Members of the House: I am a small businesswoman and I support this bill.

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

Mr. DUDLEY: Mr. Speaker, Members of the House: Very briefly, I have been around here a long while and I find there are a lot of places to get information and we, as you all know, now have a very eloquent Governor that went out amongst the people and found out what their needs were and he has had a method to correct most all of the problems of the different people he has talked to and to do that, he has put a lot of girls on the staff down there and they are answering the telephone continuously. Most people where I come from, they don't want to go to some business administration of the Fish and Game or whatever, they want to go and they want to talk to the horse's mouth. So, they call the Governor's Office and right away there are very gracious people there connecting them with the people they need to contact. That seems to be working, because he has made a lot of commitments out in the country where I come from and now he is doing quite a job on them by having this staff answer the telephone and trying to refer all of these things. I think they are doing a commendable job without any personnel some other place working in the same area.

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

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

Mr. HALL: Mr. Speaker, I would like to pair my vote with the gentleman from Calais, Mr. Gillis, if he were here, he would be voting yea; if I were voting, I would be voting nay.

#### ROLL CALL

YEA — Alopis, Benoit, Birt, Bordeaux, Boudreau, Brown, D., Brown, K. L., Brown, K. C., Bunker, Call, Carrier, Carter, F., Cunningham, Damren, Davis, Dellert, Dudley, Fenlason, Fillmore, Garsoe, Gavett, Gould, Gray, Higgins, Hunter, Hutchings, Immonen, Leighton, Leonard, Lewis, Lougee, MacBride, Marshall, Masterton, Maxwell, McHenry, McPherson, Morton, Payne, Peltier, Reeves, J., Sewall, Silsby, Small, Smith, Sprowl, Stetson, Stover, Studley, Tarbell, Theriault, Torrey.

NAY — Austin, Bachrach, Baker, Barry, Beaulieu, Berube, Blodgett, Bowden, Brannigan, Brennerman, Brodeur, Carter, D., Chonko,

Cloutier, Conary, Connolly, Cox, Curtis, Davies, Dexter, Diamond, Doukas, Drinkwater, Dutremble, D., Dutremble, L., Fowlie, Gowen, Gwadosky, Hanson, Hobbins, Huber, Hughes, Jackson, Jacques, E., Jalbert, Joyce, Kane, Kany, Kelleher, Kiesman, Laffin, Lancaster, LaPlante, Lizotte, Locke, Lowe, Mahany, Martin, A., Matthews, McKean, McSweeney, Michael, Mitchell, Nadeau, Nelson, A., Nelson, M., Nelson, N., Norris, Paradis, Pearson, Post, Reeves, P., Rolde, Rollins, Sherburne, Simon, Strout, Tierney, Tuttle, Twitchell, Violette, Wentworth, Whittemore, Wood, Wyman, The Speaker.

ABSENT — Berry, Brown, A., Carroll, Churchill, Dow, Elias, Hickey, Howe, Jacques, P., MacEachern, Masterman, McMahon, Paul, Peterson, Prescott, Roope, Soulas, Tozier, Vincent, Vose.

PAIRED — Gillis-Hall.

Yes, 53; No, 76; Absent, 20; Paired, 2.

The SPEAKER: Fifty-three having voted in the affirmative and seventy-six in the negative, with twenty absent and two paired, the motion does not prevail.

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

An Act to Clarify Certain Provisions Relating to the Statistical Reporting of Abortions (H. P. 545) (L. D. 676) (S. "A" S-160 to C. "A" H-339)

An Act Concerning the Categories of "Horseless Carriage" and "Antique Motor Car" under the Motor Vehicle Statutes (H. P. 635) (L. D. 786) (C. "A" H-439)

An Act Concerning Reimbursement for Health Care Services in Certified Rural Health Clinics (H. P. 700) (L. D. 890) (S. "A" S-208)

An Act Concerning Traditional Methods of Construction Under the Manufactured Housing Statutes (H. P. 724) (L. D. 911)

An Act to Update the Insured Value Factor in the Computation of Legal Tuition Fees under the Education Statutes (H. P. 732) (L. D. 919) (C. "A" H-441)

An Act Relating to the Powers of Hospital and Medical Service Organizations (H. P. 806) (L. D. 1009)

An Act to Provide Moneys for Snow Removal at Private Airports Open to the Public (H. P. 1043) (L. D. 1194) (C. "A" H-440)

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.

#### Orders of the Day

The Following Joint Order: (S. P. 574)

WHEREAS, there is only one professional, resident musical proscenium theater company performing in the United States today; and

WHEREAS, that company started in the summer of 1959 at the Pickard Theater on the Bowdoin Campus at Brunswick; and

WHEREAS, the Brunswick Music Theater, as it is called, has presented over 180 productions and entertained over one million people since its founding; and

WHEREAS, the founder and guiding spirit behind this significant development is Victoria Crandall who first came to Maine to help run a music camp in 1940; and

WHEREAS, she has warmed the hearts of many Mainers and, along with her talented cast, has contributed much to the musical awareness development and enjoyment in this State; now, therefore, be it

ORDERED, the House concurring, that we the members of the Senate and House of Representatives of the 109th Legislature, recognize this important and growing contribution of Mrs. Victoria Crandall and do hereby proclaim this Day, May 24, 1979 as

BRUNSWICK MUSIC THEATER DAY in the State of Maine in her honor and urge all citizens to join in appropriate acknowledge-

ment in honor and celebration of the occasion; and be it further

ORDERED, that a suitable copy of this Order be transmitted to Mrs. Crandall in token of our esteem.

Came from the Senate read and passed.

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

The following Joint Order: (S. P. 576)

ORDERED, the House concurring, that when the House adjourns, it adjourns to nine o'clock in the morning on Tuesday, May 29; and when the Senate adjourns, it adjourns to ten thirty o'clock in the morning on Tuesday, May 29.

Came from the Senate read and passed.

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

An Act to Establish Standard Assessment Procedures for the Tax Laws (H. P. 1067) (L. D. 1348) (C. "A" H-431)

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

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

Mr. MORTON: Mr. Speaker, Ladies and Gentlemen of the House: This particular bill, I happened to notice it because every time I see the words 'tax laws', I have been interested in that subject here in the House for six years, and I took a look at it and it is a six page bill which looks to me like sort of an errors and inconsistencies bill. Then I find that the Taxation Committee has come out with an eight page amendment and that disturbs me just a littel, not that I think there is anything wrong, but I think with this extensive a change in the original legislation, we are due an explanation, and I would perhaps ask the chairman for that committee, who has already contacted, me, if she would perhaps give us a little explanation of the bill.

Also, I have two questions, one with respect to Section 3 on the amendment, and would like to ask in connection with Section 3 if this lays a new obligation on businessmen. And in connection with Section 22 on the amendment, what sort of additional information are we liable to get laid on us from the State Tax Assessor?

If the gentelady would like to talk about those things, I would like to listen.

The SPEAKER: The gentleman from Farmington, Mr. Morton, has posed a question through the Chair to the gentelwoman from Owl's Head, Mrs. Post, who may answer if she so desires.

The Chair recognizes that gentelwoman.

Mrs. POST: Mr. Speaker, Ladies and Gentlemen of the House: I guess I probably would have been disappointed if the gentleman from Farmington, Mr. Morton, had not questioned this bill, because if anything, he probably looks more closely to bills with my name on them if it has the word 'assessment' in it.

This bill is a further continuation of the Bureau of Taxation's work in standardizing the taxation statutes. The taxation statutes over a period of years have sort of grown willy-nilly as sections have been amended or repealed or set in, and there has been very little consistency. Last year a bill was passed which standardized the penalty section so that people who were dealing with state taxes knew that for those state taxes the same types of penalties would apply in all situations. It helped stop some of the confusion that many of our individuals and businessmen were finding as they tried to deal with state tax policy, which is never a very pleasant situation in the first place.

What this bill does is to set standard assessment procedures for the tax laws and by assessment it means how taxes are assessed. What has happened over the years is, as we have added a new tax, changed a tax, we have set up a different procedure for when taxes are

due, how late after the time for filing the tax assessor may go back for audit. There have been totally different procedures for many of the different kinds of taxes. That is essentially what this bill does.

The amendment was also supplied to us by the Bureau of Taxation, although, or course, we have had our staff people go over it. I think what the amendment is, as they were going through that process, they came up with some sections that they thought should be repealed and brought in to be more consistent with the original L. D. after it had already been printed.

Section 3 of the amendment, and I have to apologize for not having looked at this before, because when the gentleman sent me a note and said that he was interested in Section 3 and Section 22, I thought he meant of the original bill.

Section 3 of the committee amendment includes a change that was put in at the recommendation of the committee, or by the committee. The state had asked that there be a mandatory seven year time for keeping tax records for all tax purposes. In some instances, that is a lesser period than is presently the case, because in some instances the statutes actually say you have to keep them forever. I don't know if that is the intent, but in some instances that would have been a longer period of time.

What the committee felt should take place is that the State Tax Assessor, through his regular rule and regulation procedure and the APA, at which time there was certainly time for a public hearing, should set a mandatory time, if he wishes, for the keeping of tax records, but in no case can that exceed seven years.

Section 22 of the bill, actually, as I see it, is one of those sections where in fact someone was supposed to keep as a part of his permanent records and permanent means permanent, forever some of the records that are necessary for tax purposes, and under this bill it would no longer be necessary for him to keep those in his records forever.

I would be glad to answer any other questions. The repealing sections are taking out language from the different sections of the statutes. Many of them are references in the definition section to the state tax assessor and assessor which is used in a different manner in different parts of the statutes.

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

An Act to Amend the Split Sentencing Provisions of the Criminal Code. (H. P. 1130) (L. D. 1399)

An Act Concerning Detentions, Public Proceedings and Recording Requirements under the Juvenile Code (H. P. 1144) (L. D. 1406) (C. "A" H-433)

An Act to Clarify the Interstate Corrections Compact (H. P. 1167) (L. D. 1435)

An Act to Allow Approved Conservation Plans to Satisfy the Requirements of the Water Pollution Abatement Licensing Program (H. P. 1185) (L. D. 1458) (C. "A" H-427)

An Act to Exclude Chainsaw and Skidder Allowances in the Computation of an Employee's Average Weekly Wage under the Workers' Compensation Act (H. P. 1259) (L. D. 1507)

An Act to Merge the Septage and Hazardous Waste Law into the Solid Waste Law and to Conform them with the Requirements of the Federal Resource and Conservation Act. (H. P. 1139) (L. D. 1518) (S. "A" S-180 to H. "A" H-318)

An Act to Enable Delegation of the Prevention of Significant Deterioration of Air Quality Program (H. P. 1207) (L. D. 1540) (C. "A" H-429)

An Act Relating to State Participation in General Assistance Programs (H. P. 1356) (L. D. 1592) (H. "B" H-469)

Were reported by the Committee on En-

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

On motion of Mr. McKean of Limestone, the House reconsidered its action of earlier in the day whereby the House voted to adhere on Bill "An Act to Provide Special Free License Plates for the 100% Disabled Veteran", House Paper 1174, L. D. 1436.

On motion of the same gentleman, the House voted to recede and concur.

#### Orders of the Day

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

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Maintain and Protect the Integrity of the Maine State Retirement System (H. P. 780) (L. D. 973) (C. "A" H-424)

Tabled—May 23, 1979 by Mr. Tierney of Lisbon.

Pending—Final Passage.

On motion of Mr. Tierney of Lisbon Falls, tabled unassigned pending final passage.

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

HOUSE DIVIDED REPORT — Majority (9) "Ought Not to Pass" — Minority (4) "Ought to Pass" — Committee on Transportation (Emergency) (H. P. 1318) (L. D. 1572)

Tabled—May 23, 1979 by Mrs. Mitchell of Vassalboro.

Pending—Acceptance of either Report.

On motion of Mr. Tierney of Lisbon Falls, tabled unassigned pending acceptance of either report

#### (Off Record Remarks)

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

BILL, "An Act to Allow Direct Purchase by Citizens of Certain Bonds" (S. P. 459) (L. D. 1373) (C. "A" S-194)

Tabled—May 23, 1979 by Mr. McHenry of Madawaska.

Pending—Motion of the same gentleman to Reconsider Passage to be Engrossed.

On motion of Mr. McHenry of Madawaska, the House reconsidered its action whereby the Bill was passed to be engrossed.

On motion of the same gentleman, retabled pending passage to be engrossed and specially assigned for Wednesday, May 30.

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

HOUSE DIVIDED REPORT — Majority (7) "Ought to Pass" — Minority (6) "Ought to Pass" as Amended by Committee Amendment "A" (H-493) — Committee on Health and Institutional Services on Bill, "An Act to Authorize the Administration of Medications by State Corrections Officials in Certain Cases" (H. P. 1025) (L. D. 1270)

Tabled—May 23, 1979 by Mrs. Prescott of Hampden.

Pending—Acceptance of either Report.

Mr. Brennerman of Portland moved that the Minority "Ought to Pass" Report be accepted.

On motion of the same gentleman, tabled pending his motion to accept the Minority Report and assigned for Tuesday, May 29.

Mrs. Berube of Lewiston was granted unanimous consent to address the House.

Mrs. BERUBE: Mr. Speaker and Members of the House: For the past couple of days, I have been following very closely the Senate calendar's back page under "Special Appropriations Table." Yesterday, there was a bill, L. D. 833, which was on the list with 60 other L. D.s waiting to be funded, for a total of \$13.2 million.

This morning, this was the first item I looked for and it disappeared. I was told that it had

been taken off the table. I was further given a copy of the Press Herald and I will quote from the last paragraph of a particular news item: "We slipped it off the Appropriations Table and enacted it under the hammer in less than 20 seconds." said Senate Majority Leader.

I do understand the leadership was divided, that it was not a unanimous decision.

This bill had a fiscal note because of a loss of revenue, so this morning I called the licensing bureau to see if indeed there was revenue lost, revenue income to them, or whether the fixtures might, indeed, have been inflated. Well, the fiscal year ending July, 1978, the revenues were, for 214 slot machines at \$250 each, it was \$51,360. For fiscal year July, 1978, ending July 1, 1979, 406 machines for a total of \$97,440.

I was subsequently told that this was an inflated figure, as most of it had gone to the federal government. So, I called the Legislative Finance Office and was told that \$54,000 went to the General Fund, \$43,000 is dedicated funds for enforcement, and as far as they knew, none

Now, I supported L. D. 833. I felt then, as I do now, that it was the right thing to do. But when I raised the issue some 10 days ago of the propriety and a rumor that this bill would not set on the Appropriations Table like all the others, I was told, that won't happen, it can't happen and don't worry.

I don't regret my vote, but I do take issue with the manner in which priority was determined in removing it from the Appropriations Table.

I think that slot machines were wrong for our state. The manner in which this bill is being funded is also wrong, and two wrongs have never made a right nor have the ends ever justified the means.

Obviously, at this point nothing can be changed, nor would I change my vote, but I just wanted to register my feelings with you.

You know, to many the word "Politician" is equated with all that is wrong in our system and it doesn't have to be so. But as long as we must pass legislation at all costs, I feel that tactics such as this will create more disillusionment with the public and lessen the conscientiousness of others who are involved, like us, in this process called government.

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

Mr. PEARSON: Mr. Speaker, Ladies and Gentlemen of the House: I regret to hear the words from Mrs. Berube. I expected that that would be on the table like everything else, and I did not know that it was taken off the table.

Mr. Tierney of Lisbon Falls was granted unanimous consent to address the House.

Mr. TIERNEY: Mr. Speaker, Ladies and Gentlemen of the House: I think the gentelady from Lewiston, Mrs. Berube, is absolutely correct in her characterization of the situation. I personally think it was unfortunate and I hope it won't happen again, but I think the members of the House certainly deserve an explanation.

The issue came up in leadership and it was a divided leadership; I think I was the only one, maybe there were two of us, who felt that it should not be taken off the Appropriations table, and I lost, but that is not the point. The point is that the House should have known prior to enactment of that bill that it was not going to be tabled. That was wrong. I certainly give you my personal pledge, for what that is worth, that that situation will not be repeated.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I, too, would state that the lady from Lewiston is correct. As a matter of fact, if you go back to the record many moons ago, you will find that not only did we used to have,

set up be me, a Senate Appropriations Table but a House Appropriations Table as well. I have never seen this procedure and I hope it doesn't happen again. I knew nothing about it until I read about it in the paper the day after it happened.

The SPEAKER: The Chair would just like to make note of the fact that if the members of the House are concerned about this particular matter, they should have been concerned about one item that was adopted in the other body without mention to any member of leadership from this body earlier in this session dealing with some coin somewhere.

Reference was made to (S. P. 209) (L. D. 582) Bill "An Act to Assist School Administrative Units in Addressing Problems Associated with Alcohol, Tobacco and Drug Use and Abuse"

In reference to the action of the House on Tuesday, May 22, 1979 whereby it Insisted and Joined in a Committee of Conference, the Chair appointed the following members on the part of the House as Conferees:

Mr. ROLDE of York  
Mrs. BEAULIEU of Portland  
Mr. NORRIS of Brewer.

Reference was made to (H. P. 841) (L. D. 1069) Bill "An Act Relating to Resident State Police Troopers"

In reference to the action of the House on Tuesday, May 22, 1979 whereby it Insisted and Joined in a Committee of Conference, the Chair appointed the following members on the part of the House as Conferees:

Mrs. POST of Owl's Head  
Mr. WOOD of Sanford  
Mr. GARSOE of Cumberland

Mr. Davies of Monmouth was granted unanimous consent to address the House.

Mr. DAVIES: Mr. Speaker, Ladies and Gentlemen of the House: Today, we lose the services of another one of our fine, courteous, quiet Pages, Dave Michaud.

This morning at the breakfast table, I asked my 13-year-old daughter if she might not help me compose a little poem. I gave her some thoughts about Dave and this is what I copied down as we mused together.

Today, we are losing the prompt service of Dave Michaud.

All of us wish deeply, he didn't have to go. Yesterday, we discovered he appreciates the curves of a blonde.

But this is typical of a fellow who lives on a pond.

Dave is headed back to Maine's largest county and we all hope his life will be full of bounty.

#### (Off Record Remarks)

On motion of Mr. Rolde of York, adjourned until Tuesday, March 29th, at nine o'clock in the morning.