

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Tenth
Legislature***

OF THE

STATE OF MAINE

Volume I

FIRST REGULAR SESSION

December 3, 1980 to May 1, 1981

KJ PRINTING
AUGUSTA, MAINE

HOUSE

Monday, March 2, 1981

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

Prayer by the Reverend George Darling of the Unity Union Church.

The members stood at attention during the playing of the National Anthem by the Georges Valley High School Band of Thomaston.

The journal of the previous session was read and approved.

**Papers from the Senate
Tabled and Assigned**

The following Joint Order: (S. P. 364)

ORDERED, the House concurring that "AN ACT to Repeal Provisions from Premiums and Rebates under the Liquor Laws," H. P. 234, L. D. 249, be recalled from the Governor's desk to the Senate.

Came from the Senate read and passed.

In the House, the Order was read.

On motion of Mr. Cox of Brewer, tabled pending passage in concurrence and tomorrow assigned.

Non-Concurrent Matter

Bill "An Act to Require School Districts to Account for Federally Subsidized Pupils as Residents of the District" (H. P. 100) (L. D. 130) which was passed to be engrossed as amended by Committee Amendment "A" (H-52) in the House on February 25.

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" (H-52) and Senate Amendment "A" (S-28) in non-concurrence.

In the House: On motion of Mr. Connolly of Portland, the House voted to recede and concur.

Messages and Documents

The Following Communication:

MAINE STATE RETIREMENT SYSTEM
State Office Building
Augusta, Maine

January 29, 1981

Honorable Joseph E. Brennan

Governor of Maine

State House, Augusta

Members, 110th Legislature

Dear Governor Brennan and Members of the Legislature:

In accordance with the provisions of 5 MRSA, Section 1005, the Trustees of the Maine State Retirement System submit herewith an annual report showing the fiscal transactions of the Retirement System for the fiscal year ending June 30, 1980, together with the assets and liabilities of the System at the end of that year. This report includes the following:

Report of the Actuary for the Year Ended June 30, 1980

Report of the Investment Consultant

Report of the Executive Director

Group Life Insurance Underwriter's Report for the policy year ended June 30, 1980

Membership on the Board of Trustees is comprised of eight persons; seven voting members and the State Treasurer who is ex-officio non-voting member. Three members of the Board are appointed by the Governor, subject to review and approval by the Joint Standing Committee on Aging, Retirement & Veterans and confirmation by the Legislature, one of whom is named from a list of three persons submitted by the Maine Retired Teachers Association; one member elected by the Maine Teachers Association; one member elected by the Maine State Employees Association; one member appointed by the Maine Municipal Association; and one member who is a recipient of a retirement allowance under the System, selected by the foregoing members.

The value of the System's investments at June 30, 1980, was \$272,523,379. Investments were comprised of bonds (\$117,101,913),

common stocks (\$120,126,223), mortgage and mortgage type (\$26,295,241), and other investments (\$9,000,000).

Investment earnings credited to the System totalled \$34,543,688 during the year. The rate of return on these investments, based on book value, was 7.88%.

At year end there was cash on deposit with the State Treasurer's office amounting to \$39,149,222, which was invested in the State Treasurer's "Cash Pool." Interest is credited on a monthly basis and the average interest earnings credited to these funds during the year was 12.72%.

Investment return from securities under management by investment managers is measured as the "time-weighted rate of return," and is based upon the market value of securities, including market value gains and losses and investment earnings. The time-weighted rate of return for the year ending June 30, 1980, was 14% as compared to 11.1% for the previous fiscal year. The time-weighted rate of return on equity investments was 23% and on fixed income investments 2.1%.

The Trustees have held two meetings during the past year with investment managers, for the purpose of reviewing the performance of respective investments under management, and understanding the techniques and strategies used by managers in the past, and plans for the future. Subsequent to the close of the fiscal year the Trustees took an action to authorize the investment of an additional \$6,000,000 for equity management by Merrill Trust Company of Bangor, \$6,000,000 for equity management by Alliance Capital Management Corp., \$6,000,000 for management by The Travelers Insurance Company (real estate equity fund), and the employment of an additional fixed income manager (FMR Investment Service, Inc. of Boston). This investment action was taken after various available investment vehicles were reviewed by the Board at a special Board meeting held in the spring.

The Trustees have taken an action to request funding for the so-called "non-contributory" teacher group in the amount of \$12,000,000 in the first year of the biennium, and \$13,200,000 in the second year of the biennium. Expenditures for retirement benefits on this group, together with interest charges, have exceeded appropriations and other credits to extent of \$141,017,263 as of June 30, 1980. It is believed that funding for this item is essential to maintain the integrity of the total System.

Under date of March 4, 1980, the Joint Select Committee to Study the Maine State Retirement System, appointed by the 109th Legislature, submitted a report to the Legislature with numerous recommendations. This report included a report prepared by The Wyatt Company, an actuarial firm which had been engaged by the Committee. The Wyatt Company recommended actuarial assumptions, which if adopted, would result in significantly higher appropriation funding for the System. After a careful review of The Wyatt Company recommendations as to actuarial assumptions with the System's Actuary (Towne & Associates), it was the Trustees position that the current assumptions continue to be valid until the experience study covering these assumptions, which is currently in progress, is completed and the System's Actuary reports to the Board of Trustees in 1981.

Very truly yours,
/S/WILLIAM G. BLODGETT,

Executive Director for
the Board of Trustees,

Maine State Retirement System

Was read and with accompanying Report ordered placed on file.

**Petitions, Bills and Resolves
Requiring Reference**

The following Bills were received and, upon recommendation of the Committee on Refer-

ence of Bills, were referred to the following Committees:

Business Legislation

Bill "An Act Creating a Priority Concerning Certain Claims of the Maine Insurance Guaranty Association" (H. P. 916) (Presented by Representative Kelleher of Bangor)

(Ordered Printed)

Sent up for concurrence.

Later Today Assigned

Bill "An Act to Authorize a School Nursing Health Coordinator in the Department of Educational and Cultural Services" (H. P. 909) (Presented by Representative Diamond of Windham) (Cosponsor: Senator Clark of Cumberland)

Committee on Education was suggested.

On motion of Mr. Pearson of Old Town, tabled pending reference and later today assigned.

Education

Bill "An Act to Amend Special Education Statutes for Support of Special Education Programs and Services Provided in Excess of the Normal School Year" (H. P. 910) (Presented by Representative Rolde of York) (Cosponsors: Senator Clark of Cumberland and Representative Murphy of Kennebunk) (Governor's Bill)

(Ordered Printed)

Sent up for concurrence.

Energy and Natural Resources

Bill "An Act to Provide for State Enforcement of Plumbing Code" (H. P. 911) (Presented by Representative Michaud of East Millinocket) (Cosponsor: Representative Smith of Island Falls)

(Ordered Printed)

Sent up for concurrence.

Health and Institutional Services

Bill "An Act Authorizing and Directing the Bureau of Mental Health to Enhance and Protect the Rights of Recipients of Mental Health Services" (H. P. 912) (Presented by Representative Manning of Portland) (Cosponsors: Senator Bustin of Kennebec and Representative Holloway of Edgecomb) (Governor's Bill)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act to Prohibit Welfare Fraud" (H. P. 913) (Presented by Representative Manning of Portland)

Bill "An Act to Increase the Penalties for Drug Trafficking" (H. P. 914) (Presented by Representative MacBride of Presque Isle) (Cosponsor: Representative Aloupis of Bangor)

(Ordered Printed)

Sent up for concurrence.

Labor

Bill "An Act Relating to Unfair Wage Agreements under Employment Practices Law" (H. P. 915) (Presented by Representative Beaulieu of Portland) (Submitted by the Department of Manpower Affairs pursuant to Joint Rule 24)

(Ordered Printed)

Sent up for concurrence.

Orders

On motion of Representative Mitchell of Vassalboro, the following Joint Order: (H. P. 917)

WHEREAS, We, the Members of the 110th Legislature, have special feelings of honor and respect for those individuals who have walked these halls in the past; and

WHEREAS, a great debt of gratitude is owed to those notable figures who by their outstanding ability and foresight have fashioned the laws of this State; and

WHEREAS, it is our fond wish that these friends and former colleagues be appropriately

received with special honor and distinction in the setting of their past accomplishments; now, therefore, be it

ORDERED, the Senate concurring, that Wednesday, April 15, 1981, be set apart and designated as "Welcome Back Day" at the Maine Legislature and that a special committee composed of the Legislative Administrative Director, the Secretary of the Senate and the Clerk of the House of Representatives, chaired by the Legislative Administrative Director, is authorized to make all plans and arrangements to provide an appropriate homecoming for these returning individuals; and be it further

ORDERED, that all former presiding officers and members of the Senate and House are hereby cordially invited to be the guests of the 110th Legislature in session on that date; and be it further

ORDERED, that each member of the 110th Legislature be charged with the pleasant duty of urging all colleagues of former Legislatures within their districts to make every effort to return on "Welcome Back Day" and share the friendship and pleasant memories of their years of service to this State.

Was read and passed and sent up for concurrence. (Later Reconsidered)

Special Sentiment Calendar

In accordance with House Rule 56, the following items (Expressions of Legislative Sentiment)

In Memory Of:

Rabbi David Berent of Lewiston, well-known religious leader; (H. P. 908) by Representative Jalbert of Lewiston. (Cosponsors: Senator Charette of Androscoggin and Representatives Nelson of Portland and Brennerman of Portland)

No objections having been noted, the above item was considered adopted and sent up for concurrence.

House Reports of Committees

Ought Not to Pass

Representative Murphy from the Committee on Education on Bill "An Act to Dissolve the Wells-Ogunquit Community School District" (Emergency) (H. P. 651) (L. D. 792) reporting "Ought Not to Pass"

Representative Soule from the Committee on Judiciary on Bill "An Act to Establish Statutory Definitions of Entrapment Under the Criminal Code" (H. P. 398) (L. D. 441) reporting "Ought Not to Pass"

Representative Gwadosky from the Committee on Legal Affairs on Bill "An Act to Allow Retailers to Sell Brands of Malt Beverage and Table Wine in Addition to Those Distributed by Maine Wholesalers" (H. P. 284) (L. D. 323) reporting "Ought Not to Pass"

Representative Swazey from the Committee on Legal Affairs on Bill "An Act to Permit Consumption of 3.2% Beer by Persons 18 to 20 Years of Age" (H. P. 326) (L. D. 385) 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

Representative Lisnik from the Committee on State Government on Bill "An Act to Establish the Salary Range for the Director of the Office of Energy Resources" (H. P. 76) (L. D. 122) reporting "Leave to Withdraw"

Representative Webster from the Committee on State Government on Bill "An Act to Make the Treasurer of the State an Ex-officio Member of the State Liquor Commission" (H. P. 386) (L. D. 429) reporting "Leave to Withdraw"

Representative Ketover from the Committee on Health and Institutional Services on Bill "An Act to Create the Community Alternatives Act of 1981" (H. P. 554) (L. D. 630) reporting "Leave to Withdraw"

Representative Prescott from the Committee on Health and Institutional Services on Bill "An Act Concerning Smoking in Public Places and at Public Meetings" (H. P. 201) (L. D. 246) reporting "Leave to Withdraw"

Reports were read and accepted and sent up for concurrence.

On motion of Mr. Diamond of Windham, Recessed until the sound of the gong.

After Recess

11:20 a.m.

The House was called to order by the Speaker.

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

Leave to Withdraw

Representative Mahany from the Committee on Agriculture on Bill "An Act Concerning Damage Done to Sheep by Dogs or Wild Animals" (H. P. 37) (L. D. 46) reporting "Leave to Withdraw"

Report was read and accepted and sent up for concurrence.

Divided Report

Majority Report of the Committee on Election Laws reporting "Ought Not to Pass" on Bill "An Act to Prohibit Voter Registration on Election Day with Certain Exceptions" (H. P. 35) (L. D. 40)

Report was signed by the following members:

Senators:

CARPENTER of Aroostook
PRAY of Penobscot

— of the Senate.

Representatives:

BOISVERT of Lewiston
DIAMOND of Bangor
NADEAU of Lewiston
BENOIT of South Portland
BORDEAUX of Mt. Desert
ROBERTS of Buxton

— of the House.

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

Report was signed by the following members:

Senator:

PIERCE of Kennebec

— of the Senate.

Representatives:

HANSON of Kennebunkport
WENTWORTH of Wells
WEYMOUTH of West Gardiner
CAHILL of Wiscasset

— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentlewoman from South Portland, Ms. Benoit.

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

The SPEAKER: The gentlewoman from South Portland, Ms. Benoit, moves that the Majority "Ought Not to Pass" Report be accepted.

The Chair recognizes the gentleman from Mt. Desert, Mr. Bordeaux.

Mr. BORDEAUX: Mr. Speaker, Ladies and Gentlemen of the House: I must confess that I got balled up and made some kind of a sad mistake here, because I learned this morning that I had signed the "Ought Not to Pass" and I thought I had signed the "Ought to Pass."

Coming from a resort area like mine, with an adjoining town with a college in it, I certainly don't want to sign it out "Ought Not to Pass." I want to be on record on signing the "Ought to Pass" Report.

The SPEAKER: The Chair recognizes the gentlewoman from Wells, Mrs. Wentworth.

Mrs. WENTWORTH: Mr. Speaker and Members of the House: I ask you to vote against the

"Ought Not to Pass" motion.

This bill has the backing of nearly 100 percent of all election officials, and I think it is time that we listened to the people with expertise and experience.

The SPEAKER: The Chair recognizes the gentlewoman from South Portland, Ms. Benoit.

Ms. BENOIT: Mr. Speaker, Men and Women of the House: In 1977, the Maine Legislature passed a law which allowed voter registration on election day. Ever since then, there has been numerous efforts to repeal this law. Each time the arguments have been essentially the same. First of all, we hear from the town clerks and registrars, we hear about the alleged incidences of fraud. But when we ask these people if these people who voted illegally have been reported to the proper authorities, the answer is usually no. When we ask how many there have been, the answers are vague, maybe one or two.

These few alleged abuses do not represent widespread fraud, quite the contrary. While the opportunity may be there for fraud and abuse, there is no reliable evidence that illegal registrations have actually become a problem in the State of Maine. The evidence we do have indicates that fraud is practically non-existent.

Election day officials also complain of the heavy workload which may be experienced on election day. To be sure, this may be a problem; however, how many days a year does this actually occur?

I also might add here that we do have a bill before the Election Laws Committee, which is still in committee, and it would allow boards of registration to deputize people to help them, to assist them, on election day. This would alleviate this problem.

I think that it is fair to say that election day registration has encouraged greater voter participation in Maine elections, and this is what we want, we want everyone who wants to vote to be able to vote. Some people don't register until election day; perhaps they should, but they don't. They forget or they don't make up their minds that they want to vote until election day. These people should have the right to register on that day.

In short, our system is working reasonably well. By making it as easy as possible for citizens to qualify to vote, we have greatly enhanced the democratic process. There is no good reason to repeal this law which permits and encourages qualified citizens to register as new voters on election day.

I urge you to support the Majority "Ought Not to Pass" Report.

The SPEAKER: The Chair recognizes the gentleman from Kennebunk, Mr. Murphy.

Mr. MURPHY: Mr. Speaker, Men and Women of the House: As a cosponsor of L. D. 40 and speaking as a former selectman, I have seen first-hand the potential for fraud and the duress election day registration places on town clerks and registrars.

Despite his reassurances after the fact, Secretary of State Quinn's memo, just days before the nuclear referendum, was interpreted by the press and by the public as a warning of potential voter day fraud.

Under the present law, the investigation for fraud can come only after the election and after the ballot box has been contaminated and sealed.

I have always been a firm believer of one person-one vote and not one extra vote for some of the people. Ironically, the present law actually means some of the people might not be able to vote. I think we all remember very clearly news clips of Portland citizens stacked up in the halls waiting to register and real questions being asked about whether all or some of those voters might not be able to vote that day, and I am sure that some Portland citizens, in frustration, went home that day without being able to vote.

In previous sessions, as well as this session,

there are those who have labeled this bill as a partisan issue—far be it.

At the hearing on L. D. 40, a steady stream of Democratic town clerks and Democratic registrars, representing communities with Democratic constituencies, testified in favor of L. D. 40. Good management and good legislation demands that we stay close and listen to those who administer local government.

As a teacher, maybe I was mistaken for believing that citizenship requires acceptance of responsibility. For that reason and because I feel we need to listen to those who administer the election laws, I urge you to vote against the "Ought Not to Pass" Report and request, Mr. Speaker, a roll call.

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

Mr. DIAMOND: Mr. Speaker and Members of the House: The gentleman from Kennebunk, Mr. Murphy, raised a point that I don't believe has any bearing on this issue. The point he raised is that there is potential for fraud and abuse in this matter.

In the Election Laws Committee, we have a number of bills before us that will deal with the abuses that many of you here have voiced regarding election laws. Certainly, though, the ability to register to vote and to vote on election day is not a matter where the majority of the committee feels there is abuse. We have a bill before us that deals with deputizing certain members of the community in order to facilitate the process of registering voters. That is what we felt was the main concern of the Town Clerks Association.

There are a number of problems in election laws, we admit that, but this is not one. I challenge anybody here to point out cases of abuse and fraud where they have been substantiated. I have been talking with members of the Attorney General's Office and the Secretary of State's Office, and certainly in any matter there is potential for fraud, but those cases haven't emerged. If we were to pass this bill, certainly the only thing we would be doing is, we would be restricting the ability of the citizens of Maine to participate in the electoral process, and certainly that isn't anything we would want to do.

Mrs. Wentworth, the gentle lady from Wells, pointed out that the Town Clerks Association seemed to be 100 percent behind this bill. Probably, in my short period here, the strongest single interest group I have found is the Town Clerks Association. I have many friends who are members of that, but they seem to oppose every bill that would liberalize—I use the word carefully—the electoral process. Their complaints, again, are administrative complaints, and we certainly have a number of bills dealing with that, and I am open to change as far as the administrative changes are concerned, but we have got to remember—who are we here for? Are we representing the Town Clerks Association or are we representing the people of Maine?

The SPEAKER: The Chair recognizes the gentlewoman from Woolwich, Mrs. Cahill.

Mrs. CAHILL: Mr. Speaker, Ladies and Gentlemen of the House: I don't mean to belabor this issue unduly, but I would like to bring up one more topic that hasn't yet been discussed, and that is, by allowing people to register to vote on election day, we are actually hurting the two-party system in Maine and the rest of the country that all of us here in this room are trying so hard to preserve. Let me give you an example of that.

During one of the most recent statewide elections, I was at the voting place of one of my municipalities that I am affiliated with. In a 45 minute time frame, I observed a particular registrar registering 13 people to vote. Of those 13 people, ladies and gentlemen, only two enrolled in a party. When I questioned the registrar concerning this, the reply was—people stand in line for just so long and so not to

impede the voting process further, they often don't take time to enroll into a particular party. Why do we have so many unenrolled voters in Maine? I would suggest to you, ladies and gentlemen, that perhaps voter registration on election day is one of the greatest causes.

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

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: I had a personal experience that has made me an absolutely adamant opponent of this bill. It happened a number of years ago, before we had a law on the books that allowed you to register on election day. I was campaigning, I am a justice of the peace, I can register voters. There was a young man in a house, I went in and found out he was not registered, or in the course of the conversation it came up that he wasn't registered. I asked him if he would register to vote. Young people are often very difficult to get to register to vote. They have strange ideas about voting. Some of them feel insecure about it, they feel they might make fools of themselves. I even had one young man who thought he would be drafted if he registered to vote, and this young man had some of these misconceptions, which I managed to alleviate in discussion with him. Finally, he agreed to register to vote. I brought the card down to the town hall, this was well before the period when they closed off the polls, and this young man rather proudly came down to vote on election day, only to be informed by the town clerk that his card had been lost, there was no record of him on the rolls. That young man did not vote that day, and I doubt if he has probably ever voted since.

I know of other instances where town clerks — was again before this law was passed — in one town near me the town clerk refused to obey the law and refused to post the voting list five days before the election. I had to call the Secretary of State and have the Secretary of State intervene to force this town clerk to obey the law.

Also, in our district we have a lot of people who move in from out of state, and when I tell them, when I am campaigning, that they can go down and vote on election day, they are just dumbfounded. They say — gee, that is just fantastic, that is just great.

Finally, I would raise just one question — I understand that in certain small towns, under a size, they have always been allowed to register on election day and if this law is passed, they would be losing a privilege that they have always had.

I certainly hope you will vote for the "Ought Not to Pass" Report.

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

Mr. NADEAU: Mr. Speaker, Ladies and Gentlemen of the House: I would like to address some of the concerns raised by the gentlewoman from Woolwich, Mrs. Cahill. First you have to understand that I am a loyal and active Democrat, a firm believer in the two-party system, and would share any concerns with anyone if anything was negatively affecting the two-party system as a concept. I cannot agree with the gentlewoman in this particular instance; I don't think her conclusions are founded. However, if that is a real concern, I am certainly hoping and expecting her support on a bill I have coming up in committee this week which would condense the two card system into one. Presently, you must register and enroll on separate cards, and the bill I have would combine them into one registration form. So that, hopefully, will alleviate the concern that she has about election day registration.

Secondly, I would just like to point out that we, as public officials, as campaigners, as politicians, constantly in interviews, newspaper articles, brochures, how many times have we all encouraged people to get involved in the political process, encouraged people to get out

and vote, how much time and effort and money do we spend encouraging people to get out and vote in any given election, primary or general election? I dare say quite a bit. And this is one mechanism that does allow people the opportunity to participate in the electoral process.

In some cities and towns in recent general elections and general elections in the past, staggering numbers of people have registered to vote on election day, and I would challenge anyone, as the gentleman from Bangor, Mr. Diamond, did, to point out factually any documented violations of the law in terms of numbers. I mean, the percentage has got to be extremely insignificant when you consider the thousands and thousands of people that do successfully register and vote because of this law that Maine I think so intelligently adopted in the past.

I would encourage you all to support the majority report. I think it is right, I think we owe it to ourselves and I think we owe it to the people of Maine.

The SPEAKER: The Chair recognizes the gentleman from Madison, Mr. Richard.

Mr. RICHARD: Mr. Speaker and Members of the House: I like to consider myself a basic person, and I think actually we are circumventing a basic right that the citizens of the United States have. Our Constitution ensures that everyone should have the right to vote. I think anything we do which would negate that would be wrong.

I urge that we support the measure.

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

A vote of the House was taken, a 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 gentlewoman from South Portland, Ms. Benoit, that the Majority "Ought Not to Pass" Report be accepted. All those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Baker, Beaulieu, Benoit, Boisvert, Brannigan, Brennerman, Brodeur, Carroll, Carter, Chonko, Clark, Connolly, Cox, Crowley, Davies, Diamond, G.W.; Diamond, J.N.; Erwin, Fitzgerald, Fowlie, Gwadosky, Hall, Hayden, Hickey, Higgins, Hobbins, Jalbert, Joyce, Kany, Ketover, Kilcoyne, LaPlante, Laverriere, Lisnik, Locke, MacEachern, Macomber, Mahany, Manning, Martin, H.C.; McCollier, McGowan, McHenry, McKean, Michael, Michaud, Mitchell, E.H.; Mitchell, J.; Nadeau, Norton, Paradis, P.; Paul, Pearson, Perry, Post, Pouliot, Prescott, Reeves, P.; Richard, Ridley, Rolde, Smith, C.B.; Soulas, Soule, Swazey, Theriault, Thompson, Tuttle, Twitchell, Vose, Webster, The Speaker.

NAY — Aloupis, Armstrong, Bell, Berube, Bordeaux, Boyce, Brown, A.; Brown, D.; Brown, K.L.; Cahill, Callahan, Carrier, Conary, Conners, Cunningham, Curtis, Damren, Davis, Day, Dexter, Dillenback, Drinkwater, Foster, Gavett, Gillis, Hanson, Higgins, L.M.; Holloway, Huber, Hunter, Hutchings, Ingraham, Jackson, Jordon, Kelleher, Kiesman, Lancaster, Leighton, Lewis, Livesay, Lund, MacBride, Martin, A.; Masterman, Masterton, Matthews, McPherson, McSweeney, Murphy, Nelson, A.; O'Rourke, Paradis, E.; Perkins, Peterson, Racine, Randall, Reeves, J.; Salsbury, Sherburne, Small, Smith, C.W.; Stevenson, Stover, Studley, Tarbell, Telow, Treadwell, Walker, Wentworth, Weymouth.

ABSENT — Austin, Dudley, Gowen, Jacques, Kane, Moholland, Nelson, M.; Roberts, Strout. Yes, 72; No, 70; Absent 9.

The SPEAKER: Seventy-two having voted in the affirmative and seventy in the negative,

with nine being absent, the motion does prevail.

Sent up for concurrence.

Divided Report Tabled Unassigned

Majority Report of the Committee on Energy and Natural Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (H-55) on Bill "An Act to Amend the Maine Christmas Tree Law to Include Registration for Transportation" (H. P. 3) (L. D. 3)

Report was signed by the following members:

Representatives:

MICHAEL of Auburn
JACQUES of Waterville
MITCHELL of Freeport
AUSTIN of Bingham
HUBER of Falmouth
MICHAUD of East Millinocket
HALL of Sangerville

— of the House.

Minority Report of the same Committee reporting "Ought to Pass" as amended by Committee Amendment "B" (H-56) on same Bill.

Report was signed by the following members:

Senators:

McBREAIRTY of Aroostook
REDMOND of Somerset
O'LEARY of Oxford

— of the Senate.

Representatives:

DEXTER of Kingfield
KIESMAN of Fryeburg

— of the House.

Reports were read.

On motion of Mrs. Mitchell of Vassalboro, tabled unassigned pending acceptance of either Report.

Consent Calendar First Day

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

(H. P. 103) (L. D. 137) Bill "An Act Relating to the Raising of Wild Waterfowl in Captivity" — Committee on Fisheries and Wildlife reporting "Ought to Pass" as amended by Committee Amendment "A" (H-62)

(H. P. 466) (L. D. 518) Bill "An Act to Repeal the Law Preventing Hotels and Restaurants from Permitting Secular Business on Sunday" — Committee on Legal Affairs reporting "Ought to Pass"

(S. P. 98) (L. D. 217) Bill "An Act to Conform Confidentiality Requirements of the Maine Committee on Aging with the 1978 Older Americans Act" Committee on Judiciary reporting "Ought to Pass" as amended by Committee Amendment "A" (S-27)

(H. P. 387) (L. D. 430) Bill "An Act to Clarify Lobbyist Disclosure Procedures"—Committee on State Government reporting "Ought to Pass"

No objections being noted, the above items were ordered to appear on the Consent Calendar of March 3, under listing of Second Day.

Consent Calendar Second Day

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

(H. P. 440) (L. D. 487) Bill "An Act to Change the Motor Vehicle Laws to Allow Operators to Redistribute their Axle Weight Limits while Traversing Maine's Interstate Systems"

(H. P. 310) (L. D. 342) Bill "An Act to Permit Reciprocal Licensing of Real Estate Brokers and Salesmen" (C. "A" (H-60)

(H. P. 446) (L. D. 494) Bill "An Act Concerning Use of Aircraft by Aircraft Dealers" (C. "A" H-58)

(H. P. 197) (L. D. 297) Bill "An Act Pertaining to Used Home Warranty and Service Con-

tracts" (C. "A" H-59)

(H. P. 165) (L. D. 220) Bill "An Act to Amend the Law Relating to the Licensing of Privately-owned Business, Trade and Technical Schools" (C. "A" H-61)

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

Passed to be Enacted

An Act to Amend the Subsidized Adoption Law (H. P. 107) (L. D. 141) (C. "A" H-41; "A" H-43)

An Act to Provide Free Pheasant Hunting Stamps to Disabled Veterans (H. P. 136) (L. D. 163) (C. "A" H-39)

An Act to Ensure Notification of Families and Guardians of Patients at State Mental Health Institutes (H. P. 221) (L. D. 258)

An Act to Allow the Exclusion of Covered Persons under a Personal Automobile Policy (H. P. 586) (L. D. 601) (H. "A" H-50)

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

Bill, "An Act to Increase the Eating, Lodging and Recreational Place Licensing Fee" (H. P. 63) (L. D. 97)

Tabled—February 26 by Representative Diamond of Windham.

Pending—Passage to be Engrossed.

Mr. McCollister of Canton offered House Amendment "A" and moved its Adoption.

House Amendment "A" (H-65) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Canton, Mr. McCollister.

Mr. MCCOLLISTER: Mr. Speaker, Ladies and Gentlemen of the House: I rise again on the subject of hidden taxes. In 1975, these fees were raised from \$15 to \$25. The amendment calls for an increase of \$5 to \$30 instead of the \$25 increase that the department had asked for. However, there are times in the proper operation of government when the increased costs of such services are legitimate. What I offer you today is a compromise, less of an increase than the department wants and a reduction in its personnel, while the taxpayers are accepting a slight increase in fees or taxes. The raise will carry the department for two years, to the 111th Legislature, who will then have to deal with this subject again.

Granted, with fewer people to inspect, there will be fewer inspections, because this slight increase will remove one sanitarian from the state employment and possibly two more when the federal 314B monies expire or are transferred to some other use. But, for instance, I believe that our school cafeterias need to be inspected each semester. I feel confident that our superintendents are aware of the licensing law and are sufficiently concerned with the health and welfare of our children to manage without an additional form to file.

I do not believe in the proposition that the taxes levied against a restaurant or other eating or lodging place will be borne by the owners of that business. We all know those fees or taxes, whatever you wish to call them, will be passed on to the consumer. The argument that, well, if you don't want to pay the taxes, you don't go out to eat does not hold water. Anyone, no matter what the level of income, will, sometime during the year, visit Ronald McDonald. There is no way the average citizen in the state of Maine can avoid these increased fees or taxes.

The restaurant owners support the increase in fees that the original bill called for. Of course they do, it is a justification for another price increase. As you well know, a price in-

crease does not only reflect the increased costs of doing business, it also includes an increase in profit in order to maintain the percentage of profit over cost that is demanded in standard business practice. However, if we are to provide adequate safety inspection, the Department of Human Services must have the money to operate on.

I had proposed this to ensure that the owners of restaurants be made more aware of their responsibility under the law by a very stiff fine being assessed by the department for violations of the code on relicensing. I think it is just and fair if we are to hold down the costs of hidden taxes to the taxpayer through less frequent inspections that the owners of all these establishments become more aware of their responsibility.

I would like to point out, this course of action is always open to future legislation if it is found that the restaurant owners must be policed rather than assisted. I believe this amendment accomplishes both things; it holds down the increase of fees to a more reasonable level than the bill originally called for. It also is one step toward putting all departments in state government on notice that people desire not to support a growing bureaucracy and will accept the reduction in governmental services to accomplish this end.

I ask those of you who feel as I do, that we must hold down government spending, cut down on the number of governmental employees, to support this amendment.

The SPEAKER: The Chair recognizes the gentleman from Presque Isle, Mrs. MacBride.

Mrs. MacBRIDE: Mr. Speaker, Ladies and Gentlemen of the House: I voted against this bill initially and felt there were many arguments against a 55 percent increase in a licensing fee from \$30 to \$50. However, I do feel a \$5 increase is a fair compromise with today's inflation, so I will support this amendment, House Amendment "A".

Mr. Connors of Franklin 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. 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 desire for a roll call, a roll call was ordered.

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

Mrs. BERUBE: Mr. Speaker and Members of the House: I would like to pose a couple of question through the Chair. My first question is, the amendment, does that address also sections two and three of the bill where there is a 100 percent increase from the additional inspection fee from \$5 to \$10 — does this also reduce the fee, the \$5 fee?

My second question is, how much money would that generate, the \$5 increase?

The SPEAKER: The Gentlewoman from Lewiston, Mrs. Berube, has posed a series of questions through the Chair to anyone who may care to answer.

The Chair recognizes the gentleman from Canton, Mr. McCollister.

Mr. MCCOLLISTER: Mr. Speaker, Ladies and Gentlemen of the House: This fee, the \$5 increase, is applied to all fees. Yes, those fees that are now \$5 will be a 100 percent increase. This will raise approximately \$40,000 in the next two years.

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

Mrs. BERUBE: Mr. Speaker, Ladies and Gentlemen of the House: I appreciate very much the response. I still have concerns with the bill, and I would like to state why I cannot vote for an increase in fee today.

First of all, we are still increasing the initial

fee by 30 percent, or close to. The Department of Agriculture charges \$30 for their inspections of establishments — why Human Services must go to \$35, I don't know.

I am particularly concerned with the fact that as federal funds decrease, and the gentleman, Mr. McCollister, is quite correct, the two federal positions, sanitarians, presently are being paid with 314B monies, I guess it is, which is public health monies, and that, I understand, is only a temporary thing until this fee is increased. I am very concerned that when federal funds decrease, we must find other sources of funding, whether they be the general fund or an increase in fees or tax.

Last year, this legislature took away the inspection from the Department of Human Service, the inspection of grocery stores which had deli's. This resulted in a loss to the department of \$14,000, approximately; but it also meant that they had 600 fewer establishments to visit.

I also noticed that they have plans for an expansion of their department and whether or not the fee increase is one reason why they need the additional funding, I can't answer that, but one of their proposed plans for the future, the near future, is to also add to their duties the inspection of public swimming pools as well as the design of them, among other things. So, I wanted you to know why I cannot vote for it. I will not move indefinite postponement, however.

The SPEAKER: The Chair recognizes the gentleman from Hampden, Mrs. Prescott.

Mrs. PRESCOTT: Mr. Speaker, Ladies and Gentlemen of the House: I am going to support this amendment this morning. The gentleman who offered the amendment was on the other side of the committee's original view, and he felt, as did Representative MacBride, that a 65 percent increase was too much to be asking for in fee increases. I guess I would concede to that as well, although I felt that it was an important program.

I introduced the bill for the department, it was a bill that generated revenues that were dedicated to pay for the sanitary inspections. It is a dedicated revenue account. So what I am saying was with my bill, the 314B monies that were being spent to fund two sanitarians in that department were inappropriately being spent. In other words, 314B monies are categorical grant monies, which are public health monies, and could be better used in other areas as opposed to supplementing a dedicated revenue account. So, I felt with my original bill that that would take care of the 314B monies, that they would no longer be used for a fee for service account and those who are needing the services should be those people who are paying the fees. That is the original reason why the fees were so large an increase.

This amendment offers to reduce that so that you will only have a 17 percent increase in fees, and we have had no increases in fees since 1975, and since 1975, inflation has been 12 percent per year. We have also had a collective bargaining agreement which has caused us to increase the salaries in that account, and we have also had the travel expenses for those sanitarians inspecting 15,000 establishments a year go from 12 cents to 20 cents, so there have been increased costs in that account, so I don't think this amendment is unreasonable.

I would like to try to answer the gentlelady's concern about the difference in what the Department of Agriculture charges over what the Department of Human Services charges for an inspection. The maximum is \$35, but does not mean that the department has to charge \$35 for an inspection and, in most cases, they do not charge that amount. The point is, the Department of Human Services, Health Engineering, inspects 8700 establishments, not only the school lunch cafeterias but the restaurants who support this bill. It also inspects any establishment where food is prepared, and if we do not

inspect those establishments, we are going to have to realize that the services are going to have to be reduced.

I hope you will support this amendment, and I hope at the same time you will remember that this does not take us through 1985, like the original bill did, it will only take us through to the 111th.

The SPEAKER: The Chair recognizes the gentleman from Ellsworth, Mrs. Foster.

Mrs. FOSTER: Mr. Speaker, Ladies and Gentlemen of the House: When I first read this bill, I was appalled and I congratulate Mr. McCollister for picking up something that would have allowed that department to have increased their fees so that with 8,600 places they license, that they could have added \$172,000 to that department.

They do not inspect the cities of Lewiston, Portland, Falmouth, or Bangor, that is done by sanitarians in that area. As mayor of the City of Ellsworth, I also am called upon to inspect these same restaurants. They charge a fee, too.

On my last inspection of restaurants, I noticed on the wall of one restaurant, small restaurant owner, and I bring this to your attention, a license from Human Services for \$25, a license from Marine Resources for \$10. Maybe you are not aware, but if you serve seafood in a restaurant, you have to have a special license. A license from the Department of Inland Fisheries and Wildlife for \$17—fresh water fish is served in this restaurant; a license from the Department of Public Safety—once in awhile they dance there—for \$10; a license from the Department of Finance and Administration, a liquor license, for \$760; a license from the City of Ellsworth for a victual's license, which the state also gives; a license from the City of Ellsworth for amusement Class E license for a band once in awhile; also a federal licence for a liquor tax. I did not see a license from the Department of Agriculture, but I did add up the total and it was \$902. I found that five departments were involved, two city licenses and one federal.

This segment of business is hard hit with license fees and legislation. This message is brought to you with the hope that it will help you now in your decision.

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

Mr. MANNING: Mr. Speaker, Ladies and Gentlemen of the House: I would like to correct the gentleman from Ellsworth—Bangor, the past two weeks, or two weeks ago, did away with their inspections, they are going to throw it back onto the state.

I would also like to point out the fact that in my home town, Portland, every Class A restaurant is inspected not twice a year but every month. If we don't get some fee, we are going to see Class A restaurants throughout the state inspected maybe up to every 18 months. That includes the cafeteria over here in the State Office Building, because Augusta does not have its own health engineering department.

I would like to also point out the fact that is if the papers get hold of this and ship this off to the New England states, and the New England people who come up to this great state, they want to eat in our great restaurants, find out that there is a possibility that this inspection team won't be coming around every year, maybe every 18 months, what is it going to do to our tourism? What is it going to do to our boys' and girls' camps where parents ship their kids up here and they might not get inspected every year? Do you think they are going to feel safe sending their kids up here?

We have got to have some fee. I am not totally in favor of the \$40,000. I would like to see the increase that the department proposed. But if we don't have something, we are going to see it coming back on the general fund, because the sales tax is going to be affected because people aren't going to be eating out, and the money that the boys' and girls' camps bring in, I can

imagine, is going to be drastically reduced because, if I am not mistaken, it has been a big issue in this body here about the safety of boys' and girls' camps in the past, and if the parents feel that their little Johnny's kitchen isn't going to be inspected for about every two years, I am sure they are going to take a second thought about this.

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

Mr. DAVIES: Mr. Speaker and Members of the House: As a single man who finds that eating in a restaurant is sometimes more convenient than preparing my own meals, I have a question I would like to pose to either the chairman of the committee or any other member of the committee that might be able to answer—are the restaurants in favor or opposed to this increase in fee?

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

The Chair recognizes the gentleman from Hampden, Mrs. Prescott.

Mrs. PRESCOTT: Mr. Speaker, Ladies and Gentlemen of the House: I will attempt to answer the question of the good gentleman from Orono, Mr. Davies. The Restaurant Association favored the bill, there were no opponents to the bill, and the restaurants want the bill.

The SPEAKER: The Chair recognizes the gentleman from Ellsworth, Mrs. Foster.

Mrs. FOSTER: Mr. Speaker, Ladies and Gentlemen of the House: The reason, perhaps, my figures of Bangor—I have been waiting two weeks while this has been tabled and two weeks ago they were inspecting, and also at that time, the price increase would have been \$172,000 rather than the \$40,000 that Mr. McCollister's amendment speaks to.

The SPEAKER: A roll call has been ordered. The pending question is on the adoption of House Amendment "A". All those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Alopis, Armstrong, Baker, Beau-lieu, Benoit, Boisvert, Boyce, Brannigan, Brennerman, Brown, A.; Carroll, Chonko, Clark, Connolly, Cox, Crowley, Cunningham, Davies, Diamond, G.W.; Diamond, J.N.; Erwin, Fitzgerald, Fowlie, Hall, Hayden, Higgins, Hobbins, Huber, Jackson, Jalbert, Jordon, Joyce, Kany, Ketover, Kilcoyne, LaPlante, Laverriere, Lisnik, Livesay, Locke, Lund, MacBride, MacEachern, Macomber, Mahany, Manning, Martin, A.; Martin, H.C.; Masterton, Matthews, McCollister, McGowan, McHenry, McKean, McSweeney, Michael, Michaud, Mitchell, E.H.; Mitchell, J.; Norton, Paradis, P.; Paul, Pearson, Perry, Post, Pouliot, Prescott, Racine, Randall, Reeves, P.; Richard, Ridley, Rolde, Smith, C.B.; Soulas, Soule, Stover, Strout, Swazey, Telow, Theriault, Thompson, Tuttle, Twitchell, Vose, Walker, Webster, Weymouth, The Speaker.

NAY — Bell, Berube, Bordeaux, Brodeur, Brown, D.; Brown, K.L.; Cahill, Callahan, Carrier, Carter, Conary, Curtis, Damren, Davis, Day, Dillenback, Drinkwater, Foster, Gavett, Gillis, Gwadodsky, Hanson, Higgins, L.M.; Holloway, Hunter, Hutchings, Ingraham, Kelleher, Kiesman, Lancaster, Leighton, Lewis, Masterman, McPherson, Murphy, Nadeau, Nelson, A.; O'Rourke, Paradis, E.; Perkins, Reeves, J.; Salisbury, Sherburne, Small, Smith, C.W.; Stevenson, Studley, Tarbell, Treadwell, Wentworth.

ABSENT — Austin, Connors, Dexter, Dudley, Gowen, Jacques, Kane, Moholland, Nelson, M.; Peterson, Roberts.

Yes, 90; No, 50; Absent, 11.

The SPEAKER: Ninety having voted in the affirmative and fifty in the negative, with eleven being absent, the motion does prevail.

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

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

JOINT ORDER — Relative to Joint Rule 36-A — Bills or Resolves Introduced at the Request of Another (H. P. 895) Read in House February 27

Tabled—February 27 by Representative Mitchell of Vassalboro.

Pending—Passage.

Mr. Diamond of Windham moved that the Order be indefinitely postponed.

Mr. Drinkwater of Belfast requested a roll call.

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

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

The SPEAKER: The Chair recognizes the gentleman from Windham, Mr. Diamond.

Mr. DIAMOND: Mr. Speaker, Men and Women of the House: I am opposed to this order for a couple of reasons. Number one, if you read the order carefully, what it is saying is, if you want to present a bill for one of your constituents or an organization, that constituent's name or the organization must be put on the bill. Worse than that, however, is that when the bill is presented at the hearing, the person with whom you are representing this bill must be at the hearing too. The person's name that is on the bill, whom you are putting it in for, must be at the hearing. If you are also representing an organization, that organization's name has to be on the bill and has to be at the hearing. Now, I don't know about you, but I represent people who cannot leave their home, let alone their city or town, to come to Augusta for a hearing, and I am concerned about those people. I think we all have to be concerned about those people. We represent them and we were elected to do that, and I think that we should in the manner that we are doing it right now.

The SPEAKER: A roll call has been ordered. The pending question is on the motion of the gentleman from Windham, Mr. Diamond, that this Joint Order, House Paper 895, be indefinitely postponed. All those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA—Aloupis, Armstrong, Baker, Beaulieu, Bell, Benoit, Berube, Boisvert, Boyce, Brannigan, Breneman, Brodeur, Brown, A.; Brown, D.; Brown, K.L.; Callahan, Carrier, Carroll, Carter, Chonko, Clark, Conary, Conners, Connolly, Cox, Crowley, Cunningham, Davies, Davis, Diamond, G.W.; Diamond, J.N.; Erwin, Fitzgerald, Fowlie, Gavett, Gillis, Gwadosky, Hall, Hanson, Hayden, Hickey, Higgins, Hobbs, Huber, Jackson, Jalbert, Joyce, Kany, Kelleher, Ketover, Kiesman, Kilcoyne, Lancaster, LaPlante, Laverriere, Leighton, Lewis, Lisnik, Livesay, Locke, Lund, MacEachern, Macomber, Manning, Martin, A.; Martin, H.C.; Masterman, Masterton, McCollister, McGowan, McKean, McPherson, McSweeney, Michael, Michaud, Mitchell, E.H.; Mitchell, J.; Murphy, Nadeau, Norton, O'Rourke, Paradis, E.; Paradis, P.; Paul, Pearson, Perkins, Perry, Peterson, Post, Pouliot, Prescott, Racine, Randall, Reeves, J.; Reeves, P.; Richard, Ridley, Rolde, Sherburne, Small, Smith, C.B.; Soule, Stover, Strout, Studley, Swazey, Telow, Theriault, Thompson, Tuttle, Twitchell, Vose, Webster, Wentworth.

NAY—Bordeaux, Cahill, Curtis, Damren, Day, Dillenback, Drinkwater, Foster, Higgins, L.M.; Holloway, Hunter, Hutchings, Ingraham, Jordan, MacBride, Matthews, McHenry, Nelson, A.; Salisbury, Smith, C.W.; Stevenson, Tarbell, Treadwell, Walker, Weymouth.

ABSENT — Austin, Dexter, Dudley, Gowen,

Jacques, Kane, Mahany, Moholland, Nelson, M.; Roberts, Soulas, The Speaker.

Yes, 114; No, 25; Absent, 11.

The SPEAKER: One hundred fourteen having voted in the affirmative and twenty-five in the negative, with eleven being absent, the motion does prevail.

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

SENATE REPORT — "Ought to Pass" as Amended by Committee Amendment "A" (S-24) — Committee on Appropriations and Financial Affairs on Bill, "An Act to Adjust the Level of Compensation and Certain Statutory Duties of the Senate Secretary and House Clerk and their Assistants" (EMERGENCY) (S. P. 97) (L. D. 136)

Tabled—February 27 by Representative Pearson of Old Town.

Pending—Acceptance of Committee Report.

On motion of Mr. Pearson of Old Town, retabled pending acceptance of the Committee Report and specially assigned for Wednesday, March 4.

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

House Report—"Ought to Pass" as Amended by Committee Amendment "A" (H-57)—Committee on Fisheries and Wildlife on Bill, "An Act to Increase the Amount of Expenses Which May be Reimbursed to Members of the Inland Fisheries and Wildlife Advisory Council" (H. P. 244) (L. D. 278)

Tabled—February 27, by Representative MacEachern of Lincoln.

Pending—Acceptance of Committee Report.

Thereupon, the Report was accepted and the Bill read once. Committee Amendment "A" (H-57) was read by the Clerk.

Mr. MacEachern of Lincoln offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

House Amendment "A" to Committee Amendment "A" (H-63) was read by the Clerk.

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

Mr. HIGGINS: Mr. Speaker, Ladies and Gentlemen of the House: I think it would be nice if we could hear from the gentleman exactly what his amendment does. I can't seem to find it on my desk and while I have the floor, I would like to pose a question through the Chair. Perhaps his amendment takes care of my problem. I saw the Committee Amendment, as I recall, on this bill and it seemed to me that it was eliminating the upper limit of how much the members of this advisory board can get in compensation or reimbursement. I wonder if the gentleman could explain if his amendment takes care of that or if that is still in the legislation?

The SPEAKER: The gentleman from Scarborough, Mr. Higgins, has posed a question through the Chair to anyone who may respond, if they so desire.

The Chair recognizes the gentleman from Calais, Mr. Gillis.

Mr. GILLIS: Mr. Speaker, Ladies and Gentlemen of the House: Due to the problem that my good friend is suffering at the present time, I will attempt to answer the gentleman's question, Representative Higgins.

The initial amendment was supposed to wipe out the ceiling but instead it wiped out the entire business. The amendment, House Amendment "A" to Committee Amendment "A", brings it back in so that the members of the advisory committee will not only receive their \$25 a day but also be reimbursed for any expenses incurred.

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

Mr. HIGGINS: Mr. Speaker, very quickly, is there still a limit on how much they can be reimbursed and, if so, how much?

The SPEAKER: The Gentleman from Scar-

borough, Mr. Higgins, has posed an additional question through the Chair to anyone who may care to respond if they so desire.

The Chair recognizes the gentleman from Calais, Mr. Gillis.

Mr. GILLIS: Mr. Speaker, there is no limit on their expenses, no limit on the amount. They will be reimbursed for any expenses incurred. In other words, your coming here and staying overnight, your travel pay, your meals, etc., as we are.

Thereupon, House Amendment "A" to Committee Amendment "A" was adopted.

Committee Amendment "A" as amended by House Amendment "A" thereto was adopted, and the Bill assigned for Second Reading tomorrow.

The Chair laid before the House the following matter:

Bill "An Act to Authorize A School Nursing Health Coordinator in the Department of Educational and Cultural Services" (H. P. 909) which was tabled earlier in the day and later today assigned pending reference.

On motion of Mr. Pearson of Old Town, referred to the Committee on Appropriations and Financial Affairs, ordered printed and sent up for concurrence.

On motion of Mrs. Mitchell of Vassalboro, the House reconsidered its action of earlier in the day whereby House Paper 917, Joint Order relative to Welcome Back Day received passage.

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

Mrs. MITCHELL: Mr. Speaker and Members of the House: As Representative Carrier has pointed out, we made a slight mistake in scheduling—this does fall in the middle of Holy Week.

Thereupon, on motion of Mrs. Mitchell of Vassalboro, the Joint Order was indefinitely postponed.

(Off Record Remarks)

On motion of Mr. Fitzgerald of Waterville, Adjourned until ten o'clock in the morning.