

# 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**

Tuesday, March 3, 1981

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

Prayer by the Reverend John Eklund of the First Parish Congregational Church of Pownal. The journal of yesterday was read and approved.

**Papers from the Senate  
Later Today Assigned**

Bill "An Act Concerning the Keeping of Wild Animals Purchased from Dealers or Pet Shops" (S. P. 355) (L. D. 1030)

Came from the Senate referred to the Committee on Agriculture and ordered printed.

In the House, referred to the Committee on Agriculture in concurrence.

On motion of Mr. MacEachern of Lincoln, the House reconsidered its action whereby the Bill was referred to the Committee on Agriculture in concurrence.

On further motion of the same gentleman, tabled pending reference and later assigned.

Bill "An Act to Prohibit Unconscionable or Exploitative Residential Rental Agreements" (S. P. 357) (L. D. 1032)

Came from the Senate referred to the Committee on Judiciary and ordered printed.

In the House, referred to the Committee on Judiciary in concurrence.

Bill "An Act to Revise Workers' Compensation Disability Payments" (S. P. 358) (L. D. 1033)

Bill "An Act to Standardize Death Benefits under the Workers' Compensation Laws" (S. P. 359) (L. D. 1034)

Came from the Senate referred to the Committee on Labor and ordered printed.

In the House, referred to the Committee on Labor in concurrence.

Bill "An Act to Provide a One month Grace Period for Expired Motor Vehicle Registrations" (S. P. 356) (L. D. 1031)

Came from the Senate referred to the Committee on Transportation and ordered printed.

In the House, referred to the Committee on Transportation in concurrence.

**Messages and Documents**

The following Communication:

Department of Educational  
and Cultural Services

March 2, 1981

TO: May M. Ross, Secretary of the Senate  
Edwin H. Pert, Clerk of the House  
FROM: Harold Reynolds, Jr., Commissioner  
Re: Report of Advisory Committee on Medical Education

In accordance with the provisions of 20 MRSA, Chapter 403, it is my duty to annually report to the Legislature and to the Governor a Plan relating to the participation of Maine Contract Students in medical education programs. It is my pleasure, therefore, to transmit herewith the third Status Report prepared by the Advisory Committee on Medical Education which summarizes the Committee's activities and recommendations for the period January 1980 — December 1980.

Was read and with accompanying report ordered placed on file.

**Petitions, Bills and Resolves  
Requiring Reference**

The following Bills and Resolves were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

**Aging, Retirement and Veterans**

Bill "An Act Covering Cost-of-Living Increases for Teachers" (H. P. 918) (Presented by Representative Stevenson of Unity)  
(Ordered Printed)

Sent up for concurrence.

**Agriculture**

Bill "An Act Concerning the Transmission of Rabies by Unvaccinated Dogs" (H. P. 919) (Presented by Representative Drinkwater of Belfast)

(Ordered Printed)

Sent up for concurrence.

**Business Legislation**

Bill "An Act to Provide for an Inactive License for Barbers and Beauticians" (H. P. 920) (Presented by Representative Paul of Sanford)

(Ordered Printed)

Sent up for concurrence.

**Education**

Bill "An Act to Require School Administrative Districts and Community School Districts to Obtain Voter Approval of a Municipality's Voters Before Closing an Elementary School in that Municipality" (H. P. 921) (Presented by Representative McCollister of Canton) (Cosponsor: Representative Rolde of York)

Bill "An Act to Require a Bond in Certain Suits Seeking to Enjoin School Construction Projects" (H. P. 922) (Presented by Representative Murphy of Kennebunk) (Cosponsors: Representative Conners of Franklin and Senator Wood of York)

(Ordered Printed)

Sent up for concurrence.

**Energy and Natural Resources**

Bill "An Act to Establish an Emergency Radiological Response System" (H. P. 923) (Presented by Representative Huber of Falmouth) (Cosponsors: Representative Martin of Eagle Lake and Senator Sewall of Penobscot)

Bill "An Act Concerning Existing Municipal Solid Waste Facilities" (H. P. 924) (Presented by Representative Leighton of Harrison)

(Ordered Printed)

Sent up for concurrence.

**Labor**

Bill "An Act Concerning Unemployment Compensation" (H. P. 925) (Presented by Representative Swazey of Bucksport)

(Ordered Printed)

Sent up for concurrence.

**State Government**

Bill "An Act Concerning Property Deposited with Museums and Historical Societies" (H. P. 926) (Presented by Representative Rolde of York)

Committee on Legal Affairs was suggested.

On motion of Mrs. Kany of Waterville, the Bill was referred to the Committee on State Government, ordered printed and sent up for concurrence.

**Marine Resources**

Bill "An Act to Regulate Striped Bass" (H. P. 927) (Presented by Representative Hanson of Kennebunkport) (Cosponsor: Senator Dutremble of York)

(Ordered Printed)

Sent up for concurrence.

**Public Utilities**

Bill "An Act to Create a Fund to Pay for the Eventual Decommissioning of Any Nuclear Power Plant" (H. P. 928) (Presented by Representative Davies of Orono)

Bill "An Act to Establish a Municipal Power District Enabling Act" (H. P. 929) (Presented by Representative Baker of Portland) (Cosponsors: Representative Murphy of Kennebunk and Boisvert of Lewiston and Senator Dutremble of York)

(Ordered Printed)

Sent up for concurrence.

**Taxation**

Bill "An Act to Exempt State and Federal

Retirement Pensions from State Income Tax on the First \$10,000" (H. P. 930) (Presented by Representative Tarbell of Bangor) (Cosponsors: Representatives Wentworth of Wells and Masterman of Milo)

(Ordered Printed)

Sent up for concurrence.

**Later Today Assigned**

RESOLVE, Authorizing the State Tax Assessor to Convey the Interest of the State in Certain Real Estate in the Unorganized Territory (H. P. 931) (Presented by Representative Kilcoyne of Gardiner)

Committee on Taxation was suggested.

On motion of Mrs. Kany of Waterville, tabled pending reference and later today assigned.

**Orders**

On motion of Representative Mitchell of Vassalboro, the following Joint Order: (H. P. 932)

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 8, 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 and appropriate homecoming for these returning individuals; and 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.

**House Reports of Committees**

**Divided Report**

Majority Report of the Committee on Agriculture reporting "Ought Not to Pass" on Bill "An Act Relating to Pesticide Registration" (H. P. 4) (L. D. 4)

Report was signed by the following members:

Senators:

HICHENS of York  
SHUTE of Waldo

— of the Senate.

Representatives:

NELSON of New Sweden  
SHERBURNE of Dexter  
CONARY of Oakland  
LISNIK of Presque Isle  
CALLAHAN of Mechanic Falls

— of the House.

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

Report was signed by the following members:

Senator:

WOOD of York

— of the Senate.

Representatives:

MICHAEL of Auburn  
MAHANY of Easton

LOCKE of Sebec  
SMITH of Island Falls  
MCCOLLISTER of Canton  
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Easton, Mr. Mahany.

Mr. MAHANY: Mr. Speaker, I move acceptance of the Minority "Ought to Pass" Report.

The SPEAKER: The gentleman from Easton, Mr. Mahany, moves that the Minority "Ought to Pass" Report be accepted.

The Chair recognizes the gentleman from Dexter, Mr. Sherburne.

Mr. SHERBURNE: Mr. Speaker, Ladies and Gentlemen of the House: When this bill came before the Agriculture Committee, we had a real good hearing on it. The main support for the bill, I think, was from the department. The department would like to change the power of registration from the commissioner to the Board of Pesticide Control. The farmers, orchardists mainly, and potato growers are hesitant to do this. The main reason for that hesitancy is because of the short time that we have had the Pesticide Control Board.

The Board has been in existence less than a year. They are not belittling the work of the Control Board. They are not finding fault with the Control Board, we think it is a very able board, but always farmers have had the Commissioner of Agriculture that they could turn to with their problems, and with his power of registration now, they still feel that he is there.

The biggest concern that they have is that we are going too far and too fast. I think that probably in a couple of years this type of a move would be acceptable to the farmers, but right at the present time they feel that we are moving a little too far and a little too fast.

If you will look at the names on the report, you might say this is a party bill, but in no way is it a party bill. It is just that the people who voted "ought not to pass" are those that are representing constituents, probably have more constituents that are farmers than the others do. In fact, most of us represent farmers from both parties, one just as many as the other. But the main concern here is that we are just moving too far and too fast, and they feel that with the power of registration in the hands of the commissioner, it does give them and check and balance, and this is the way the farmers would like to have it left for at least a while.

The SPEAKER: The Chair recognizes the gentleman from Sebec, Mrs. Locke.

Mrs. LOCKE: Mr. Speaker, Men and Women of the House: Last session, this legislature passed legislation that created the Pesticide Control Board. The Board was given the authority to license applicators, but by some oversight, the authority to register pesticides was left in the hands of the Commissioner of Agriculture. This bill would transfer the power of pesticide registration from the commissioner to the board.

It is only logical that this transfer of power take place for a number of reasons. The commissioner who favors the bill, as well as the board, as well as the forest industry, as well as many other people, including farmers, cannot, in his present role as decisionmaker, be an advocate for agriculture.

For instance, if the board was hearing testimony at a public hearing on an agriculturally used pesticide, he can neither give oral nor written testimony that would be recorded in the record. His judgment, along with the board's, has to be based on the testimony given by others.

At a hearing on pesticide use in forestry, the Commissioner of Conservation can be present and can give that department's views and the views of those people concerned with the use of that particular pesticide.

The Human Services Commissioner can be present at a public hearing and give that department's views both for and against a partic-

ular pesticide, or the registration or restriction of that pesticide.

But the Department of Agriculture cannot give testimony at a hearing concerning an agricultural pesticide. He cannot be an advocate for agriculture and be doing his job as a decisionmaker.

Also, pesticides are used by many, many people other than farmers. They are used in forestry, they are used in homes, they are used in stores, they are used in other buildings, they are even contained in insect repellent.

Right now, there are many questions being raised on the use and application of these chemicals. Hearings are being held more and more all around the state. The Commissioner of Agriculture has to be at every one whether or not they concern farmers. Should he be using his time in this manner, or would his time be better spent on matters that are truly agriculturally oriented? The correct place for the authority to register pesticides is in the hands of the Pesticide Control Board, and we can put it in their hands by passing this bill, by voting for the "ought to pass" report.

The SPEAKER: The Chair recognizes the gentleman from Fryeburg, Mr. Kiesman.

Mr. KIESMAN: Mr. Speaker, Ladies and Gentlemen of the House: I feel I should speak on this bill this morning because I have been a member of the Joint Select Committee on Pesticide Review since it was established at the end of the last session. In that capacity, I have attended a great number of hearings around the state on pesticides and pesticide review activities.

I want to stand here right now and say that I have the greatest respect for the present Board of Pesticide Control. It is a good board, it is well made up, and I think they have done an excellent job in the short time that they have been in existence.

I would also have to say that I would echo the words of the gentleman from Dexter, Mr. Sherburne, where he said that the board has been in existence for a very short time, and I think possibly indicated that, to paraphrase his statement, he would like to see them get their feet on the ground a little bit more. Well, I think maybe they have their feet on the ground pretty well, but they haven't had time to stop and get them planted very firmly because they have been on the run ever since. They have had a great number of petitions, hearings for one reason or another, since they came into existence, and they have not really had time to stop and take a real good, firm look at what they are doing or what they are trying to do.

What they have done has been very good, I think, but I do agree that we need to give them time to get established before we put an additional workload on them, and that is what this would be, to require them to do the registration of pesticides.

I think our system of government has been made up by a series of checks and balances, and that is what we have here in the registration of pesticides, it is a check and balance system with the commissioner doing the registration and the board taking a look at it. He certainly receives all the guidance of all of the expertise and experience and judgment of the present board before he makes a decision, and to say that he should be an advocate one way or the other on this as his job as commissioner, I think is wrong. I think he has to judge all sides of an issue as a commissioner, and I don't think the argument that he should be an advocate and be in an advocate position and relieved of the burden of making decisions is appropriate.

Mr. Speaker, when this is called to vote, I request a roll call.

The SPEAKER: The Chair recognizes the gentleman from Mars Hill, Mr. Smith.

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: I talked with quite a considerable number of farmers in my area, and their biggest problem is that the department of

agriculture is one of the departments down here that they have got a little faith in. They are just afraid if this is moved out of their hands, it might wind up over in the DEP or some other place where they have got a great fear.

I hope you will vote with the majority of this committee.

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

Mr. HALL: Mr. Speaker, Ladies and Gentlemen of the House: I, too, served on this Joint Select Committee on Pesticide Control. As a matter of fact, I was one of the cosponsors of this bill, and as I went back through my district this summer, I wanted to reiterate to myself—have I done the right thing, because at that hearing, if you remember right, I got quite upset because one of the constituents accused me of doing something drastically wrong.

No district the size of mine is made up of any one particular group. There are farmers large and small, there are woodsmen and, as my dear friend Mrs. Locke spoke of, there are housewives, people who work in the shoe shops, people who work everywhere. The idea of a Pesticide Control Board, once explained, they were very much in favor of it. As I said at the hearing, if you remember, in regard to what one farmer said to me, who is quite a good size farmer not too far from me, and I am sure Mr. Sherburne knows him as well as I do, when the sprayer came over my area, without any spray control board at the time and without any pesticide control board at the time, when the state sprayer came over my area, without any rules and regulations, and left pava-spray on my land and on his, he was very upset. He said that if that continued, and he was no hippie or anything of that sort, he was a good, solid citizen—he must have been because he always voted for me—he said, "If that ever happens again, Don, I will never vote for you again." And when I reiterated what we had done this time in the legislature, he was very pleased with what we had set up with the Pesticide Control Board.

The SPEAKER: The Chair recognizes the gentleman from Easton, Mr. Mahany.

Mr. MAHANY: Mr. Speaker and Members of the House: This bill is not just concerned with agriculture. It takes in the whole community. I think if you look at the members on the control board, you would readily see that it takes in forestry, medical, audubon, the general public at large, and it is really a cross community control board.

I would like to mention some of the people who were proponents of the bill at the hearing. Mr. Kiesman has already stated his position, his position was a proponent, and he made a very good statement at the hearing. Mrs. Locke, the sponsor of the bill, she spoke very intelligently as a proponent for the bill.

Bill Ginn, a member of the Pesticide Control, Chairman of the Board, he spoke of what they had done in the various areas that they had worked.

Stewart Smith, of course, spoke as Commissioner and gave his reasons why he felt the registration should be changed from him to the control board.

Mr. Wyman, from the Cooperative Extension Service, he spoke very favorable of this.

Mr. Chaffee of the Forest Products Council, he felt it was well done last year.

Doug White, Maine Audubon Society, he wanted to go on record as supporting the bill.

A farmer from Central Aroostook, Malcolm Brown, made the statement that the council and the Farm Bureau was speaking for all the farmers, and do not assume that they are.

Senator McBreairey spoke favorably for this L. D.

Of course, there was some opposition to it, but that was very much in the minority. I think it is a good bill, I think it is a good move to change the registration from the hands of the commissioner to the control board. This bill

doesn't take it out of the department, it will be an agency working in the Department of Agriculture, and the Commissioner of Agriculture will have much to do and say about hiring the executive director.

I urge you to support the motion.

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

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

The SPEAKER: The pending question was on the motion of the gentleman from Easton, Mr. Mahany, that the Minority "Ought to Pass" Report be accepted. All those in favor will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Baker, Beaulieu, Benoit, Berube, Boisvert, Brannigan, Brenerman, Brodeur, Brown, A.; Brown, K. L.; Carroll, Carter, Chonko, Clark, Connolly, Cox, Crowley, Davies, Diamond, G. W.; Diamond, J. N.; Dudley, Erwin, Fitzgerald, Fowlie, Gowen, Gwadosky, Hall, Hayden, Hickey, Hobbins, Huber, Jacques, Jalbert, Joyce, Kane, Kany, Kelleher, Ketover, Kilcoyne, LaPlante, Laverriere, Livesay, Locke, MacEachern, Macomber, Mahany, Manning, Martin, A.; Martin, H. C.; McCollister, McGowan, McHenry, McKean, McSweeney, Michael, Michaud, Mitchell, E. H.; Mitchell, J.; Nadeau, Nelson, M.; Norton, Paradis, P.; Pearson, Perry, Pouliot, Prescott, Racine, Reeves, P.; Richard, Ridley, Roberts, Rolde, Smith, C. B.; Soule, Theriault, Thompson, Tuttle, Twitchell, Webster. The Speaker.

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

ABSENT — Higgins, Moholland, Paul, Post. Yes, 80; No, 67; Absent, 4.

The SPEAKER: Eighty having voted in the affirmative and sixty-seven in the negative, with four being absent, the motion does prevail.

Thereupon, the Bill was read once and assigned for second reading tomorrow.

#### Divided Report Indefinitely Postponed

Five members of the Committee on Education on Bill "An Act to Remove Restrictions Preventing the Spouse of a Teacher from Serving on a School Board" (H. P. 99) (L. D. 129) report in Report "A" that the same "Ought to Pass"

Report was signed by the following members:

Senator: CLARK of Cumberland — of the Senate.

Representatives: CONNOLLY of Portland  
BROWN of Livermore Falls  
THERIAULT of Fort Kent  
THOMPSON of South Portland — of the House.

Five members of the same Committee on same Bill report in Report "B" that the same "Ought Not to Pass"

Report was signed by the following mem-

bers:

Senators: TROTZKY of Penobscot  
PIERCE of Kennebec — of the Senate.

Representatives: GOWEN of Standish  
MURPHY of Kennebunk  
MATTHEWS of Caribou — of the House.

Three members of the same Committee on same Bill report in Report "C" that the same "Ought to Pass" as amended by Committee Amendment "A" (H-64)

Report was signed by the following members:

Representatives: ROLDE of York  
BROWN of Gorham  
LOCKE of Sebec — of the House.

Reports were read.

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

Mr. CONNOLLY: Mr. Speaker, I move acceptance of Report A, "Ought to Pass", and would like to speak to my motion.

The SPEAKER: The gentleman from Portland, Mr. Connolly, moves that the "Ought to Pass" Report "A" be accepted.

The gentleman may proceed.

Mr. CONNOLLY: Mr. Speaker and Members of the House: I think that at the outset I would like to explain exactly what the difference is between the three reports.

Current state law prohibits an individual from serving on a local school board or a local school committee or a school board of directors if that school committee's spouse is employed as a full-time employee in any capacity within that same school system, whether that person be a teacher or a janitor, it doesn't make any difference.

Report A, which is the bill in its entirety, if it were passed, would remove that restriction. Report B is the "Ought Not to Pass" Report, and Report C, which has been referred to by some members of the Education Committee as the fall back position, would say essentially what is good for the goose is good for the gander. It changes the title of the bill and would say, okay, if you are not going to allow a school committee member's spouse to serve as an employee of that school district, we are also not going to allow the superintendent to have his spouse or her spouse employed at the same time in that school district. So, those are the differences between the three reports, so you understand what the issue is.

I, obviously, am supporting the "Ought to Pass" Report without any amendments, and I would call to your attention the fact that this is not a partisan issue. There are members of both parties on the committee who have signed this particular report, and I think the reason for that is because the bill represents, I think to many of us, a true local control issue.

If the bill were to pass, we would be saying that if the candidate for a school board or a school committee ran for an election and his or her spouse were employed in that school district, that that would be an issue in the campaign. Everybody who is going to vote in that election would understand that, because it would be made an issue, and the ultimate decision would be left in the hands of the voters. That is where those of us who have signed this "Ought to Pass" Report think the decision should be left, it should be left with the voters, it should be left with the electorate.

The main testimony at the committee hearing, other than the testimony of the sponsor, supporting the bill, the argument was made that present law infringes upon a citizen's right to serve on a school committee, and I believe that that is true.

You will hear the argument made by those who oppose the bill that if the bill were to pass

we would have all sorts of instances where conflicts of interest could arise. I would just point out to you that we do have state statute in Title 30 sufficient conflict of interest prohibitions, and if this bill were to pass, there would be nothing that would prohibit a municipality from passing an ordinance that would do the same thing as current state law now does. In fact, it is my understanding that in the City of Portland they have passed a prohibition against principals having their spouse be employed by the school district.

I would urge this legislature to support the Majority Report of the Committee, the "Ought to Pass."

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

Mr. MURPHY: Mr. Speaker, Men and Women of the House: I would like to commend the chairman of our committee for his very clear and concise description of the three reports that came out of that committee. It was a very confusing hearing; the workshop was even more confusing, as we all went in three different directions.

I would like to reinforce the chairman's description of this bill as being non-partisan. If you will look on the "ought to pass," you will see that the gentleman from Livermore Falls and the gentleman from Portland are together on this issue.

L. D. 129 proposes to remove the restriction against the spouse of the teacher from serving on a school board. What appears at first glance to be a noble, enlightened, liberating piece of legislation is really, if you consider your own community and its school board, full of ominous implications for teachers, school directors, the public and the children we teach.

At issue here is the conflict of interest that will occur if L. D. 129 is passed. The husband and wife relationship will change to an employee/employer relationship. The school director is involved in the hiring, promotion, discipline and dismissal of teachers. In cases where the director would come into direct individual contact with the spouse, the director should abstain, as the conflict of interest law now demands. There is no problem to that point for either the director or the teacher.

Today, the majority of employer/employee labor decisions are made through collective bargaining, and rightfully so. Issues subject to collective bargaining — salaries, working hours and conditions, grievance arbitration and on and on. Removal of this restriction in L. D. 129 would mean that spouses would be represented by both parties to the negotiations. Would traditional conflict of interest laws require the director's spouse to abstain? No, but out of respect for the integrity of the bargaining system, they or their director colleagues would ask for that director to abstain.

What would be the cost to your school system if the restriction is removed? If your community has three school board members and one is the spouse of a teacher, one third of the board would be abstaining on important issues such as the budget. In SAD's, where a town might have only one representative to the district board, if that member is the spouse of a teacher and abstains, that town has lost its representation. These personal decisions that would have to be made by a director's spouse complicate an already complex, demanding job for both parties.

The disenfranchisement of a town where one third or one fifth of the voters who cast their particular vote for that candidate reduces further an already ebbing confidence in the schools to meet the problems of society. A candidate for office should fulfill all their responsibilities of office to which he or she was elected. I won't even touch upon what the employer/employee relationship would be like at home.

On the darker side, directors employ the superintendent, who hires all teaching personnel.

Removal of the restriction would put pressures on the superintendent that he or she doesn't need and opens the door to nepotism. With all the problems facing our schools today, we do not need the issue of nepotism as one of them.

At the hearing, the Principals' Association, the School Board Association and the Department of Education and Cultural Services took a very strong stand in opposition to 129. I would ask you, before you vote today, that you should resolve in your own mind, would the removal of this restriction create a conflict of interest?

Finally, to protect the integrity of the collective bargaining system, to provide for full board representation in employer/employee relations and to save some marriages, I urge you to vote against the "ought to pass" report.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I was the sponsor that put this bill on the books two years ago, and it took me more than one term to get it there. I don't think it should be removed. It has worked well in my area. We have a lot of small towns where there aren't that many people to serve on school boards and the like, and quite often this was the case. We had a lot of conflict before this where a woman was teaching school and her husband was on the school board and generally her husband could influence one of the other members of the school board. Even bus drivers were involved at the time I had this legislation put on the books, and I do hope that the people in this House will be kind enough to leave it there. It has worked well over the last few years and I think it is wise to leave it there.

The SPEAKER: The Chair recognizes the gentleman from Old Town, Mr. Pearson.

Mr. PEARSON: Mr. Speaker, Ladies and Gentlemen of the House: This is my bill. I am really pretty interested in this bill. As a matter of fact, some people have said I have been a little hyper about it.

This bill is designed to allow the spouses of full-time employees in the schools to be able to serve on the school board. As far as I know, this is the only group of people in the state who are excluded from serving under Maine statutes because of their relationship with another person. I could be wrong on that, but I have asked around and done as much research as I could, and I think that I am correct on that.

What it says is, if I were married, my wife couldn't serve on the school board. However, the principal's wife could. And if I were married, my wife couldn't serve on the school board but the superintendent's wife could be an employee within the school system. As a matter of fact, the way the law is written right now, if I were a teacher in the school system, my father could be on the school board, my son could be on the school board, my daughter could be on the school board, my brother could be on the school board, everybody but my wife, and I think you are really starting to get a little sexist when you start saying that people who are married to one another can't disagree with one another and continue a marriage. I think that you are being inconsistent with the standards that you use to evaluate other things. If you want to be consistent, you ought to be able to allow them to serve also.

Representative Connolly indicated a little while ago that he thought this was undemocratic. Well, I just want to carry that a little bit further. If I were from Kennebunk and my local newspaper was, I think it is the York County Coast Star, and I was getting ready to run for the school board and my wife were a member of the teaching profession in that town, I would imagine that the York County Coast Star would bring up the fact, also your opponent, of exactly what it was that your wife did for a job. I think everybody in Kennebunk, and I know they would in Old Town, would not only know that my wife were a teacher, but they would probably know what I drive for a car, they probably

know what church I go to, they would probably know where I have breakfast in the morning, they would probably know everything — my cousins, my uncles, all the interrelationships, and if your town is not like that, you're pretty unusual.

So, when the people go to vote, they know exactly the commodity they are buying. Some of us are able to fool towns for a little while, but you can't do it very long.

We have got some examples — I was here last night wandering around the halls and York County was meeting and they were going through the same things that Penobscot County goes through. I heard them talking about rural patrols and all of this, and sitting up there on the podium in Room 228 was one of the members of the county delegation, who is smiling at me over there now on the other side of the hall, and sitting down below was the county commissioner, his wife.

Also, we have in this legislature a married couple, one who serves in the other body and one who serves in this body. Now, I know personally that they often disagree on issues, and one of them is a real asset to this legislature and we are glad to have her here in the House.

I just really think that you ought to stop and evaluate this. A lot of people said to me the first time they saw that bill — I'm not going to vote for that, I am not going to vote for that because that is an obvious conflict of interest. Well, we have conflict of interest laws in this state, ladies and gentlemen. The conflict of interest laws apply to you and me and everybody else. When I was on the city council in Old Town, my father was the city physician and I didn't vote on any of his salary increases or any of his positions because I felt morally it was a conflict of interest; I don't know if it was legally. But everybody in Maine is subject to the conflict of interest laws, and why doesn't that apply on school boards just like it does in everything else?

Much to my dismay, the Speaker of this House just recognized immediately before me a good friend of mine who said he was the original introducer of this particular bill. I happen to know him and I know his family, and have all my life, and if you were to carry this bill to its logical conclusion, since one of his brothers drives a school bus full time, his wife wouldn't be able to serve on the school board nor would, I suppose, if it were done ethically, the Honorable James T. Dudley.

The SPEAKER: The Chair recognizes the gentlewoman from Brunswick, Mrs. Martin.

Mrs. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: Mr. Pearson, you did a beautiful job, but you haven't swayed me. He said to me — I'll sway you. Well, as far as I am concerned, I would like to see all the relatives in the town off the school board and everything. It is terrible; I live in a town like that.

The SPEAKER: The Chair recognizes the gentleman from Old Town, Mr. Pearson.

Mr. PEARSON: Mr. Speaker, I really, seriously hope you will vote for this bill, but I can tell you that there isn't anybody that I would rather debate than the gentlewoman from Brunswick, Mrs. Martin.

The SPEAKER: The Chair recognizes the gentleman from Caribou, Mr. Matthews.

Mr. MATTHEWS: Mr. Speaker and Members of the House: I only stand when there is something very necessary to say. I support strongly the "ought not to pass" report. I speak as a retired teacher with 35 years experience and the husband of a teacher, a very active teacher.

I should say that the school board members represent the voting public and are in a position of management; don't try to mix labor and management. I am also interested in retaining a happy atmosphere in the home. Imagine a spouse coming home, whose been on the school board, seeing his wife at the door; instead of getting a kiss and a cup of coffee, she says,

dingbat, how did you vote? Think it over!

The SPEAKER: The Chair recognizes the gentleman from Fort Kent, Mr. Theriault.

Mr. THERIAULT: Mr. Speaker, Ladies and Gentlemen of the House: I support Committee Report "A". I served on a school board during a period of time where it was nice to serve on a school board. We didn't have school law books that were about this thick, it was very simple. One of the things that we did not have was the restriction as to who could serve on the school board and whose spouse could do what. And during my ten years, we had occasion to hire the chairperson of the committee's spouse to teach. Another occasion, we hired the superintendent's wife to teach, and the reason I am mentioning that is because there is an amendment that would cover that particular aspect of this bill. The board hired those teachers based on their merit and their credentials, not because they were the spouse of some administrator. These teachers, by the way, are still in our system and they are tremendous teachers, and I think it would have been a great disservice to those teachers and to our students to have deprived them of that opportunity to serve the community.

Another factor to consider concerning the amendment is, in a sparsely populated area like I live in, occasionally we have to hire a superintendent and if we have such a restriction as is being discussed here, it would make the picking much slimmer, and I wish you would consider that in your deliberation.

Another problem that would occur with this bill is that if we do not remove the restrictions, we will continue to have problems in our local communities to come up with candidates for these positions.

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

Mrs. THOMPSON: Mr. Speaker, Men and Women of the House: I, too, share Representative Matthews concerns about the happy home, and that is one reason why I am supporting the "Ought to Pass" report.

I would like to reiterate to explain to you my reasons for choosing to support the "Ought to Pass" Report on this bill, and at the risk of reiterating some of the points that have been said, I think there are important points that should be emphasized.

There are three basic reasons I am supporting this bill. First of all, the current law, the law that this bill would alter, at this point restricts a group of people, because of their spouse's profession, from being able to participate fully in local government. There are, however, no laws similarly restricting the spouses of other professionals and other employees of municipalities.

Secondly, the current law denies the right of local citizens to fully judge who shall serve on their local boards. The field of local candidates, I believe, should not be limited according to ones spouse's profession, as it is now, by a law at the state level.

For those of us who believe strongly in the concept of local control, certainly this bill would carry that concept to its fullest extent, right into the hands of the individual voter.

Thirdly, the law, in Title 30, regarding the conflict of interest, is meant to work not only at the state level but also at the local level. We trust ourselves and our colleagues to declare a conflict if it arises or we shall be challenged. That process is meant to work at the local level also. Certainly, if we trust the process to work with city and town councilors and members of boards of selectmen, we should trust it to work with members of school committees.

For these basic reasons, the fact that no law similarly restricts spouses and other professionals or municipal employees, the fact that the state should not interfere with the local citizen's option to select his own municipal officers and the fact that the conflict of interest



law provides a process which we can trust to work at all levels of government, I support L. D. 129 and I urge you to consider it favorably also.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Boyce.

Mr. BOYCE: Mr. Speaker, Ladies and Gentlemen of the House: I, too, support the "Ought to Pass" report. As many of you know, I am married to a English teacher at Edward Little High School, a very capable woman, who is capable of a lot of things. In fact, if you were watching TV over the weekend, you saw her taking part in her other job as County Commissioner of Androscoggin County in the big jail walkout and the prisoner release that we had to go through, which was due in part, at least to the press anyway, to the legislative delegation, of which I am a part, for dragging our heels on passage of the budget. So, you see there can be these little things that go on within our homes and they do remain happy.

However, in answer to Mr. Matthews' problem, I have gone out and got instant coffee, but I would urge you to pass the "Ought to Pass" please.

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

Mr. BROWN: Mr. Speaker, Ladies and Gentlemen of the House: I feel that I must stand up and speak my piece this morning, but before I do so I would like to make a couple of comments. First, this does represent a new Brown-Connolly coalition in the House. Secondly, I would like to state very, very clearly for that reporter who wrote the now famous article dealing with mossbacks, that occasionally a mossback can say yes.

A few years ago government did what it usually does best, it interfered with the local election process. I would like you to keep in mind that this bill before us this morning does nothing more than repeal something that was passed a few years ago, and, at that time in my own district, we had a situation where a spouse was serving on a school board, a very capable, a very intelligent, a very worthy member of that board, and was forced to resign because of legislation.

Presently, in accordance with existing law, as you now well know, the spouse of a teacher may not serve, no matter how qualified that person is, no matter how much expertise that person has in management, something that is very desperately needed in our school boards today.

There are many inequities within the system, as have already been described. The spouses of school board members can't teach and vice versa. However, spouses of superintendents, there are no restrictions against their teaching; spouses of other school administrators, there are no restrictions that deal their being able to teach. Report "C" does attach that problem but the problem with Report "C" is, it is just one more example of legislative meddling in the local legislative process.

Let's not underestimate the ability of the local electorate to make a wise and informed decision as to who they are going to be electing to represent them. Let's restore our faith in the local electorate instead. They know where the potential conflicts are. For heaven's sake, let's not sit down here in our ivory towers and think that we know better than they who they should be electing. If there is a potential problem, if there is a potential conflict, I have all the confidence in the world that the local people will be the ones that will be able to make the final decision.

Every time we remove one more right or apply one more restriction to the local process, we are taking our people just one more step away from the democratic process.

I urge you to support the "Ought to Pass" Report.

The SPEAKER: The Chair recognizes the gentleman from Sabattus, Mr. LaPlante.

Mr. LaPLANTE: Mr. Speaker, Ladies and Gentlemen of the House: I am sorry to see that this is a divided report because I can't support this legislation. The gentleman from Old Town, Mr. Pearson, suggested that the teachers are the only ones that are under the laws of conflict of interest in serving on school boards. Also, the only ones protected on their jobs are serving in the legislature.

The problem is not only when you vote on an issue of monies or their salaries, it is the situation that you place the other two members of the board when a problem, not only of the spouse but any member of the family who serves on a school board, where there a member of the family serves as an employee. It is a very difficult situation to sit next to someone who is your friend and you look at that friend and say, you got a problem with your mother, your father, your husband, your wife, and you have to deal with that problem. It is not just the conflict of interest on voting on these things. And if you think you have problems finding people to serve on school boards, just see what happens to the other two members who have to make a decision and be in their situation for several years under those guidelines. You will have even less people running for school boards.

It is a very delicate situation. It is easy for us to say here that there is no problem of conflict of interest, they just have to refrain from voting. That is not the case; it is the case of the other two members who you are isolating, especially in the rural community where everybody is very close to one another, the other two take the brunt of the problem. They have to deal with that, one person has a spouse or a member of the family that you probably have a problem with in the employment.

Last year I wanted to put an amendment on one of the bills that we had here to include all members of the families of members serving on the school boards which lived under the same roof because of this situation. I know, I served on the school board for 8 years, I know the situation the other two members are in when these things occur. I think we shouldn't just look at the conflict of interest but the interest of the other two members or, if you have a five board member, the other four members that need to deal with that situation.

Now let's say that you have two members serving on the school board that had spouses of relatives employed by the district, where does that leave the third member if you have a three member board? I really think at this time you should leave this law on the books.

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

Mr. MURPHY: Mr. Speaker, Members of the House: I just wanted to reassure the gentleman from Old Town that the York County Coast Star would be overwhelmingly impressed by his sterling character and qualities. I think we have to remember that those people who are responsible for administering our schools, appointed and elected officials are overwhelmingly opposed to L.D. 129. Good analogies have been made about other conflicts of interest, but all those analogies have been in the area of the political realm. Teachers and administrators are all important, are key elements in the final product of the education of children, and I urge you to vote against the "ought to pass" report and would request, Mr. Speaker, that it be by a roll call vote.

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

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

The SPEAKER: The pending question is on

the motion of the gentleman from Portland, Mr. Connolly, that the "Ought to Pass" Report "A" be accepted. All those in favor will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Baker, Beaulieu, Benoit, Boyce, Brannigan, Brennerman, Brodeur, Brown, D.; Chonko, Clark, Connolly, Cox, Crowley, Davies, Davis, Diamond, G. W.; Diamond, J. N.; Erwin, Fitzgerald, Fowle, Gwadosky, Hall, Hayden, Hickey, Hobbins, Huber, Jacques, Jalbert, Jordan, Joyce, Kane, Kelleher, Ketover, Kiesman, Kilcoyne, Lewis, Lisnik, MacEachern, Macomber, Mahany, McCollister, McGowen, McHenry, McKean, McSweeney, Michael, Michaud, Mitchell, E. H.; Mitchell, J.; Nadeau, Nelson, M.; Paradis, P.; Pearson, Perry, Pouliot, Prescott, Randall, Reeves, P.; Richard, Smith, C. B.; Theriault, Thompson, Treadwell, Tuttle, Vose, Walker, Webster.

NAY — Aloupis, Armstrong, Austin, Bell, Berube, Boisvert, Bordeaux, Brown, A.; Brown, K. L.; Cahill, Callahan, Carrier, Carroll, Carter, Conary, Connors, Cunningham, Curtis, Damren, Day, Dexter, Dillenback, Drinkwater, Dudley, Foster, Gavett, Gillis, Gowen, Hanson, Higgins, L. M.; Holloway, Hunter, Hutchings, Ingraham, Jackson, Kany, Lancaster, LaPlante, Laverriere, Leighton, Livesay, Locke, Lund, MacBride, Manning, Martin, A.; Martin, H. C.; Masterman, Masterton, Matthews, McPherson, Murphy, Nelson, A.; Norton, O'Rourke, Paradis, E.; Perkins, Peterson, Racine, Reeves, J.; Ridley, Roberts, Rolde, Salsbury, Sherburne, Small, Smith, C. W.; Soulas, Soule, Stevenson, Stover, Strout, Studley, Swazey, Telow, Twitchell, Wentworth, Weymouth.

ABSENT — Higgins, Moholland, Paul, Post, Tarbell.

Yes, 67; No, 78; Absent, 5.

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

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

Mr. ROLDE: Mr. Speaker, I move acceptance of Report C, and I would speak briefly to my motion.

The SPEAKER: The gentleman from York, Mr. Rolde, moves that the House accept Report C. The gentleman may proceed.

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: You have already been given an idea about what is in Report C. It has been referred to as the goose and gander report, or it has also been called legislative meddling, and you may see it as an attempt to have equal justice and support the one man-one spouse rule.

Just briefly what it does, it says that the same thing that applies to a school board member, where his spouse cannot work in the school, would apply to school superintendents. I have been asked why we didn't include other administrators in the school, such as the principals, etc.; however, I think those who opposed the original bill have really expressed it where they say, and they opposed the original bill, because a school board member deals with, and I will quote the gentleman from Kennebunk, "the hiring, promotion, discipline and direction of teachers" or, as the gentleman from Caribou put it, "school board members are in a position of management and don't mix labor and management." And I submit that the superintendent is in exactly the same position as those members of the school board. Therefore, although I could not support the original bill, I feel that if we had this restriction in the law for school board members, then we should have it for superintendents, and I hope you will support Report C.

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

Mr. JALBERT: Mr. Speaker, this bill has

three reports, and my only reason for voting on Report A is because I saw the gentleman from Portland, Mr. Connolly, and the gentleman from Livermore Falls, Mr. Brown, and when I see anything that would make Barry Goldwater look like a flaming liberal, or would make George McGovern look like a conservative, then I am going to go along, but I don't think this is going anywhere.

Mr. Speaker, I move that this bill and all its accompanying papers be indefinitely postponed and would ask for a division.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, moves that this bill and all its accompanying papers be indefinitely postponed. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

94 having voted in the affirmative and 36 having voted in the negative, the motion did prevail.

Sent up for concurrence.

#### Consent Calendar

##### First Day

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

(H. P. 534) (L. D. 600) Bill "An Act to Require a Certificate of Salvage for Certain Motor Vehicles" — Committee on Transportation reporting "Ought to Pass"

(H. P. 584) (L. D. 664) Bill "An Act to Authorize Municipal Agents to Renew Operator Licenses" — Committee on Transportation reporting "Ought to Pass"

(H. P. 193) (L. D. 233) Bill "An Act Pertaining to Public Safety on Public Ways" — Committee on Transportation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-66)

No objections being noted, the above items were ordered to appear on the Consent Calendar of March 4, 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. 103) (L. D. 137) Bill "An Act Relating to the Raising of Wild Waterfowl in Captivity" (C. "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 Sundays" (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" (C. "A" S-27)

(H. P. 387) (L. D. 430) Bill "An Act to Clarify Lobbyist Disclosure Procedures"

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

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

#### Leave to Withdraw

Report of the Committee on Business Legislation reporting "Leave to Withdraw" on Bill "An Act to Establish Insurance Information and Privacy Protection Standards" (S. P. 194) (L. D. 515)

Report of the Committee on Health and Institutional Services reporting "Leave to Withdraw" on Bill "An Act to Amend the Maine Certificate of Need Act of 1978" (S. P. 193) (L. D. 506)

Came from the Senate with the Reports read and accepted.

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

The following papers appearing on Supple-

ment No. 2 were taken up out of order by unanimous consent:

#### Consent Calendar

##### First Day

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

(S. P. 140) (L. D. 379) Bill "An Act to Change the Requirements for Appointment to the Board of Commissioners of the Profession of Pharmacy" — Committee on Business Legislation reporting "Ought to Pass" as amended by Committee Amendment "A" (S-30)

(S. P. 28) (L. D. 24) Bill "An Act to Permit 10% Overweight Tolerance for Certain Material Transported on the Highways" — Committee on Transportation reporting "Ought to Pass" as amended by Committee Amendment "A" (S-29)

(S. P. 192) (L. D. 493) RESOLVE, Authorizing and Directing the Department of Transportation to Report on the Effect of the 1980 Census in Establishing Compact Areas — Committee on Transportation reporting "Ought to Pass"

(S. P. 164) (L. D. 418) Bill "An Act to Amend the Professional Service Corporation Act" Committee on Business Legislation reporting "Ought to Pass"

There being no objections, the above items were ordered to appear on the Consent Calendar of March 4, under listing of Second Day.

#### Passed to Be Engrossed Amended Bill

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) (H. "A" H-63 to C. "A" H-57)

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

#### Finally Passed Constitutional Amendment

RESOLUTION, Proposing an Amendment to the Constitution of Maine Clarifying Residency Requirements for Candidates for and Members of the Maine House of Representatives (H. P. 295) (L. D. 339) (C. "A" H-47)

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

The SPEAKER: The Chair recognizes the gentlewoman from Cape Elizabeth, Mrs. Masterton.

Mrs. MASTERTON: Mr. Speaker and Members of the House: Just a word about this constitutional amendment.

The present language in the Constitution reads as follows: "No person shall be a member of the House of Representatives, unless he shall, at the commencement of the period for which he is elected, have been five years a citizen of the United States, have arrived at the age of twenty-one years, have been a resident in this State one year; and for the three months next preceding the time of his election shall have been, and, during the period for which he is elected, shall continue to be a resident in the town or district which he represents."

This language was fine and dandy for those days prior to 1975, but in 1975, this legislature and the people of Maine passed a constitutional amendment which provided for single-member districts in the city. You will remember that prior to that time the city districts were multi-member.

In 1977, reapportionment of the cities took place, so that all of you coming from the cities today represent a single district.

In the fall of 1977, there was a special election to fill a vacancy. I won't mention the name of the gentleman, who is a good friend of mine and of some of you, but he was not residing in the district from which he was elected, but be-

cause of the language in the Constitution, which I have just read to you, that he must be a resident for three months prior to his election in the town or district, that individual continued to be seated in the Maine House. I think it was a painful struggle for all of us on that issue, and the State Government Committee unanimously supported this change, which would clarify once and for all that in order to run for the Maine House, or the Maine Senate also, in order to keep your seat, you must be a resident of the district that you purport to represent.

The SPEAKER: The pending question is on final passage of this Resolution. This being a Constitutional Amendment, it requires a two-thirds vote of all those present and voting. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

141 having voted in the affirmative and none having voted in the negative, the Resolution was finally passed.

Signed by the Speaker and sent to the Senate.

#### Passed to be Enacted

An Act to Exempt Certain Aquaculture Workers Under the Workers' Compensation Law (S. P. 74) (L. D. 111) (S. "A" S-25)

An Act to Define Alewives for the Purpose of Managing or Leasing Alewife Fishing Rights (S. P. 108) (L. D. 238) (C. "A" S-20)

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.

#### Enactor

##### Indefinitely Postponed

An Act to Allow Legislative Override of Legislative Council Action (S. P. 147) (L. D. 318) (S. "A" S-23 to C. "A" S-21)

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

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: I am really quite surprised that this L. D. got as far as it did but, nevertheless, it is at the point where it is about to be enacted, which is L. D. 318.

Looking at the bill and the amendments that were placed upon it, I frankly don't see how this bill does anything constructive.

I was a member of past legislatures when we created the Legislative Council, and at that time I was not a supporter of creating that type of a council. Nevertheless, we all know that someone has to operate the government, or represent this branch, when we are not in session for the two years that we are elected to come here.

This bill, frankly, doesn't do anything at all, and I would respectfully ask you, and apparently there is going to be some more debate on it, to look at the two amendments, it really doesn't do anything. And the thing that bothers me about the bill, not only that it doesn't do anything, but there is a ratification process or an improvement process that we in the legislature have to take action on, may have to take action on certain activities done by the council requiring a two-thirds vote or a simple majority, but it doesn't say when and it really doesn't say how. We have to have some type of system that operates in representing us as a part of government, and I would respectfully ask that you support a motion this morning to indefinitely postpone this bill and all its accompanying papers, because it really doesn't do anything. A lot of you might say the council doesn't do anything, and that is another point you may have my support on, but it doesn't matter really who the leaders are that serve on the council, they remind me something of judges — it isn't that they get appointed but they get anointed and that is when you and I sometimes get annoyed with their activities.



Nevertheless, someone does have to represent us, and at this point in time we have 10 very capable people, certainly five from this body. I can't speak for the other side at all because I really don't know them all that well but, nevertheless, this document here doesn't really do anything at all. So I would ask that you support my motion to bury it.

The SPEAKER: The Chair recognizes the gentlewoman from Waterville, Mrs. Kany.

Mrs. KANY: Mr. Speaker, Ladies and Gentlemen of the House: Perhaps a little explanation is in order. The language of the bill in toto is, "the action shall be a final action unless overridden by the passage of a joint resolution of the legislature, approved by a majority of those present and voting in the other body and in the House of Representatives. Of course, what we are referring to is legislative council action.

I think most people here in the legislature would definitely support the legislative council. It certainly is helpful to have a body which can administer, really, for the legislature and our State Government Committee unanimously favors having a legislative council, but we do believe the legislature itself should have some say and we do believe that we legislators who are elected to represent our districts should be able to override an action or an inaction.

Actually, in the last several years, when the two parties have been evenly split within the legislative council, sometimes the problem has occasionally risen that there is inaction and an inability to agree on something, and this would then allow the legislature to make those decisions for the legislative council when they are unable to act.

The State Government Committee actually unanimously passed out an override which would state that two-thirds of each House would have to override a decision or an indecision of the legislative council. Then, in the other body, it was amended to read a majority, and the more I think about it and the more we members of State Government Committee discussed it, we believe it was an excellent idea and perhaps better than the unanimous bill that we sent out of our committee. Part of the reason is that perhaps we cannot actually even delegate anything to one portion of the legislature. I could even actually question the constitutionality of having a legislative council make decisions for us, but I would rather not do that, because we do find that it is nice to have a body who can make some decisions for us. But I don't believe that we can actually delegate part of our authority, and I would hope that this would correct that situation by at least allowing the majority to override an action.

We have had a number of opinions in the past from Attorneys General — different Attorneys General, telling us that we could never delegate part of our authority when we weren't in session. This has come up as far as confirmation, as far as approval of rules and so on.

I would hope that you would go along with this. I hope that we would seldom feel it necessary to override a legislative council action, but at least it would definitely assure us statutorily that we do have that power.

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

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: I would pose a question to the gentlelady from Waterville through the Chair. My question deals with the question of introducing bills after cloture. Now, of course, the rules are that six members of the legislative council must approve it — would this now be a means for getting bills in that weren't approved by six members of the legislative council?

The SPEAKER: The gentleman from York, Mr. Rolde, has posed a question through the Chair to the gentlewoman from Waterville, Mrs. Kany, who may respond if she so desires. The Chair recognizes that gentlewoman.

Mrs. KANY: Mr. Speaker, Members of the House: I imagine that could be done, and if there were strong feeling in both Houses, then that action could be taken. I don't see any strong support for taking away the total powers of the legislative council, but this simply would allow us to override decisions of a motion that failed because of a failure to get a majority in the legislative council.

The SPEAKER: The Chair will order a vote. The pending question before the House is on the motion of the gentleman from Bangor, Mr. Kelleher, that this Bill and all its accompanying papers be indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

Mrs. Kany of Waterville 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. 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 Scarborough, Mr. Higgins.

Mr. HIGGINS: Mr. Speaker, Ladies and Gentlemen of the House: I really hate to stand up here today as one fifth of all that anointed power that the gentleman from Bangor alluded to earlier, but I would pose a question, if I might, to members of the State Government Committee. When I saw this bill originally come out, it had a two-thirds override of the legislative council, two-thirds vote in both branches, now it is simply a majority vote in both branches of the House and other body to override any action we might take. I guess my question is, what is there in the law now that prevents that from happening without enacting this? In other words, if we take an action in the council meeting that you people disapprove of, it seems to me that that does not preclude anyone here from introducing a joint order or whatever and having a vote taken in both the House and the Senate and having it adopted and that is the end of it. It just seems to me, and I think that is what the gentleman from Bangor was getting at earlier, at least I think it was, that there is nothing, at least as far as I know, that prevents you from doing that now. If there is, perhaps they could inform us of it.

The SPEAKER: The Chair recognizes the gentlewoman from Waterville, Mrs. Kany.

Mrs. KANY: Mr. Speaker, Members of the House: There is nothing to prevent, there is no positive statement that we can do that. In addition, as I suggested earlier, I would imagine constitutionally we cannot actually even delegate any authority to a portion of the legislature.

I hope that you will go along with this today. I do think it is a statement, a policy statement in the law, where we deal with legislative council and where their powers are outlined for us, that this would just be a statement that we do believe that we should retain this authority, that we are definitely elected to represent our people and that we should not be giving away any authority to just a portion of our legislature and that our elected partisan leaders can lead and we are delighted that they are willing to do so, but that we feel we should retain some authority to override their decisions.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: I feel that we do exercise our authority here as individual members by electing our respective floor leaders both in this body and also in the other body. As the good gentleman from Scarborough, Mr. Higgins, pointed out, there is nothing preventing us now, if we are dissatisfied with an action of the council, in attempting to change it in the format that Representative Kany is talking

about. I honestly don't see how this is going to be productive in terms of putting it on the statutes. I think it is unnecessary and I hope that you will hold your vote in indefinitely postponing it this morning.

The SPEAKER: A roll call has been ordered. The pending question before the House is on the motion of the gentleman from Bangor, Mr. Kelleher that this Bill and all accompanying papers be indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Austin, Baker, Beaulieu, Benoit, Bordeaux, Boyce, Brennerman, Brown, D.; Brown, K. L.; Callahan, Carroll, Carter, Chonko, Clark, Conary, Connolly, Crowley, Cunningham, Damren, Davies, Davis, Day, Diamond, G. W.; Dudley, Erwin, Foster, Gillis, Gowen, Hall, Hanson, Hayden, Hickey, Higgins, L. M.; Hobbins, Hunter, Hutchings, Ingraham, Jackson, Jacques, Jalbert, Jordan, Joyce, Kelleher, Ketover, Kilcoyne, Lancaster, LaPlante, Laverriere, Leighton, Livesay, Locke, Lund, MacBride, MacEachern, Mahany, Martin, H. C.; Matthews, McColister, McKean, McPherson, McSweeney, Mitchell, E. H.; Nelson, A.; O'Rourke, Paradis, E.; Perry, Peterson, Pouliot, Prescott, Reeves, J.; Reeves, P.; Richard, Ridley, Roberts, Rolde, Salisbury, Sherburne, Smith, C. B.; Smith, C. W.; Soulas, Soule, Strout, Studley, Tarbell, Telow, Theriault, Thompson, Treadwell, Twitcheil, Walker, Weymouth, The Speaker.

NAY — Aloupis, Armstrong, Bell, Berube, Boisvert, Brannigan, Brodeur, Brown, A.; Cahill, Carrier, Connors, Cox, Curtis, Dexter, Diamond, J. N.; Dillenback, Drinkwater, Fitzgerald, Fowlie, Gavett, Gwadosky, Holloway, Huber, Kane, Kany, Kiesman, Lewis, Lisnik, Macomber, Manning, Martin, A.; Masterman, McGowan, McHenry, Michael, Michaud, Mitchell, J.; Murphy, Nadeau, Nelson, M.; Norton, Paradis, P.; Pearson, Racine, Randall, Small, Stevenson, Stover, Swazey, Tuttle, Vose, Webster, Wentworth.

ABSENT — Higgins, Moholland, Paul, Perkins, Post.

Yes, 92; No, 54; Absent, 5.

The SPEAKER: Ninety-two having voted in the affirmative and fifty-four in the negative, with five being absent, the motion does prevail. Sent up for concurrence.

An Act to Exempt Certain Site Evaluators from License Fee Requirements (H. P. 58) (L. D. 71) (C. "A" H-48)

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.

An Act to Increase Registration Fees under the Maine Consumer Credit Code (H. P. 164) (L. D. 190)

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

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

Mr. LEIGHTON: Mr. Speaker, Ladies and Gentlemen of the House: I don't know if I am for or against this bill at this point but it does appear to represent a doubling of fees, a thing that we have seen an awful lot of, and I just don't feel that that kind of thing ought to go through unquestioned as an enactor.

I would pose a couple of questions through the Chair to the committee chairman or any member of the committee who might care to answer.

First, how long has this bureau existed and do the functions of this bureau duplicate those of the Consumer Protection Office of the Attorney General and the Chamber of Commerce? Does this represent any kind of an expansion of this bureau?

The SPEAKER: The gentleman from Harrison, Mr. Leighton, has posed a series of questions through the Chair to anyone who may

care to answer.

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

Mr. BRANNIGAN: Mr. Speaker, Ladies and Gentlemen of the House: The Consumer Credit Code has been in existence since 1975. These fee increases are the first increases since 1975.

The Bureau of Consumer Protection under this law does not duplicate the other areas that were asked about and these fees are moderate increases agreed upon by those who are regulated.

One of the double reasons for the need for this increase is that, of course, all dedicated revenue accounts are being affected because of increases and the necessity of paying wages negotiated through the negotiation process, other increases because of inflation, but also in this account, this consumer group is funded mainly by volume fees and credit volume is down and so their income is down by about \$20,000. In order to offset that, and by agreement with those they regulate and inspect, they decided not to touch the volume fees but to make this first increase in the registration fees, which will produce about \$16,000.

To answer Representative Leighton's last question, there will be no increase in the size of this group. In fact, they have one position that is unfilled of an inspector and will continue to be unfilled, will not be needed because of the volume fees being down.

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

Mr. LEIGHTON: Mr. Speaker, Members of the House: I would suggest that the doubling of fees since 1975 would outpace inflation, and I know that the Bureau of Consumer Protection purports to protect the consumer, but since these registrants aren't the people that pay these fees, the consumers ultimately pay the whole cost. It seems to raise the question, with me at least, as to who is going to protect us from the Bureau of Consumer Protection? I think I would like to ask for the yeas and nays on this, Mr. Speaker, and I think I will be voting against it.

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 a desire for a roll call, a roll call was ordered.

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

Mr. BRANNIGAN: Mr. Speaker, Ladies and Gentlemen of the House: First of all, the fees are being increased and these would be fees for banks, for creditors, your Sears stores that kind, the fees are being increased from \$10 to \$20, that is one registration fee per year in the case where places have branches from \$5 to \$10.

These are the first increases in six years, the only increases since the beginning of this work. The Bureau of Consumer Protection does protect the consumer.

This was a unanimous committee report. The Committee on Business Legislation was very careful in this matter. Very fiscally conservative people on our committee demanded sets of figures, budgets and complete presentation by this bureau. It was not done without a great deal of thought and effort, and I encourage you and I ask you to please support the committee in this regard.

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

Mr. JACKSON: Mr. Speaker, Ladies and Gentlemen of the House: I have to make some reply to my very good friend, the young gentleman from Harrison. Everybody is also looking over at me as if I somehow held the magic key to this whole thing. Yes, it is all right. The money is needed. The Consumer

Protection Department — I know that some people have strong feelings about the department, but in my own view, they do a worthwhile service for consumers in the state and this will not expand the department. This may not even fund the department fully. There is some guess work going on here. As was pointed out, volume fees are decreasing, so it is the same problem we have with the DOT and they also have to budget their money on the basis of the fees coming in the first of the year, but they are working on a state government year, which is a June-July year, so they really don't know where they stand until it comes down to the line.

I guess all I can say in closing is that this is not expanding the department. The department does good work and I feel that this money is needed to continue their work. I hope you will support passage of the bill.

The SPEAKER: A roll call has been ordered. The pending question before the House is on passage to be enacted. Those in favor will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Aloupis, Armstrong, Baker, Beau-lieu, Bell, Benoit, Boisvert, Bordeaux, Boyce, Brannigan, Brennerman, Brodeur, Brown, A.; Brown, D.; Brown K. L.; Cahill, Carroll, Carter, Chonko, Clark, Connolly, Cox, Crowley, Cunningham, Damren, Davies, Dexter, Diamond, G. W.; Diamond, J. N.; Drinkwater, Erwin, Fitzgerald, Fowlie, Gillis, Gowen, Gwadnosky, Hall, Hanson, Hayden, Hickey, Higgins, L. M.; Hobbins, Huber, Hunter, Ingraham, Jackson, Jacques, Jalbert, Jordan, Joyce, Kane, Kany, Kelleher, Ketover, Kiesman, Kilcoyne, LaPlante, Laverriere, Lisnik, Livesay, Locke, Lund, MacBride, MacEachern, Mahany, Manning, Martin, A.; Martin, H. C.; Masterman, Masterton, Matthews, McGowan, McHenry, McKean, McPherson, McSweeney, Michael, Michaud, Mitchell, E. H.; Mitchell, J.; Murphy, Nadeau, Nelson, A.; Nelson, M.; Norton, Paradis, P.; Pearson, Perkins, Perry, Peterson, Pouliot, Prescott, Racine, Randall, Reeves, P.; Richard, Ridley, Roberts, Rolde, Sherburne, Small, Smith, C. B.; Soulas, Soule, Stevenson, Strout, Studley, Swazey, Telow, Theriault, Thompson, Treadwell, Tuttle, Twitchell, Vose, Walker, Webster, Wentworth.

NAY — Austin, Berube, Callahan, Conary, Conners, Curtis, Davis, Day, Dillenback, Dudley, Foster, Gavett, Holloway, Leighton, Lewis, McCollister, O'Rourke, Paradis, E.; Reeves, J.; Salisbury, Smith, C. W.; Stover, Tarbell.

ABSENT — Carrier, Higgins, Hutchings, Lancaster, Macomber, Moholland, Paul, Post, Weymouth.

Yes, 118; No, 23; Absent, 9.

The SPEAKER: One hundred and eighteen having voted in the affirmative and twenty-three in the negative, with nine being absent, the Bill is 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:

An Act to Require Legislative Confirmation of State Housing Authority Commissioners (H. P. 44) (L. D. 50)

Tabled — February 27 by Representative Diamond of Windham.

Pending — Passage to be Enacted.

The SPEAKER: This being a change to the Constitution of Article 5, Part First, Section 8, which requires that all changes in confirmation be by two-thirds vote of both Houses, the Chair will order a vote. Those in favor of this being passed to be enacted will vote yes; those opposed will vote no.

A vote of the House was taken.

Mrs. Kany of Waterville 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. 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 gentlewoman from Waterville, Mrs. Kany.

Mrs. KANY: Mr. Speaker, Members of the House: This bill just requires legislative confirmation of the Maine State Housing Authority Commissioners. There are six in all. One of them is the Director of the Maine State Housing Authority, and that particular member has already been confirmed. It was the unanimous feeling of the State Government Committee, and I am sure after this morning you realize how well you can trust our good judgment on our unanimous committee reports, that this should be done.

Actually, all joking aside, these individuals have as much responsibility and financial responsibility as anyone involved in state government. We are talking about perhaps the biggest financial institution in the state, individuals with the public's trust. We are talking about an in-state housing authority in which we have given them a bonding limit of \$475 million — \$475 million made up of more obligation bonds and other revenue bonds; that is a lot of responsibility. We just last term increased that substantially.

I hope that you do go along with this. It certainly would be a good idea to have more scrutiny than we have at the present time, particularly since these people do not make their decisions in the public eye. It is an immense responsibility and certainly with that type of a bonding authority, I hope you do go along with this.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: It is very often that I differ with the gentlelady from Waterville but, unfortunately, it has all come to a head this morning.

I have not been a very strong proponent of the Maine Housing Authority, and let me tell you, I voted against every expansion or increase for that department since I have been here. The gentlelady who has such a great concern about the \$475 million of authority has voted unanimously for every increase that has ever come down the road. I think we have just come to an impasse here.

Here is another one of those bills that really isn't necessary. As far as I am concerned as an individual legislator here in this House, there are categories for people to go on, and they are put on by the chief executive of the state. She talked about them dealing and working without the approval of the public eye. Let me tell you, if there is one thing that the public has been concerned about, it has been the Maine Housing Authority, and I feel quite sure they are not making too many deals behind too many closed doors with the lights put out.

I would urge those members who voted those red lights just a few moments ago, when it comes time to flick the switch and not your bic, that you flip red and get rid of this item this morning as well.

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

Mr. HALL: Mr. Speaker, Ladies and Gentlemen of the House: I can't understand why in our committee the other day we had four confirmations of far less value in dollars and cents than this. What the heck ails us if we are voting for something as vastly important as this, if you want to go against the rules and regulations that we use for the members of the DEP or even the members of the Department of Conservation — just think about that.

The SPEAKER: A roll call has been ordered. This being a change to the Constitution, Article

5, Part First, Section 8, it requires a two-thirds vote of the House. Those in favor of this being passed to be enacted will vote yes; those opposed will vote no.

#### ROLL CALL

YEA—Aloupis, Armstrong, Austin, Baker, Beaulieu, Bell, Benoit, Berube, Bosivert, Bordeaux, Boyce, Brannigan, Brennerman, Brodeur, Brown, D.; Brown, K.L.; Cahill, Callahan, Carrier, Carroll, Carter, Chonko, Conary, Connolly, Cox, Crowley, Cunningham, Damren, Davies, Davis, Dexter, Diamond, G.W.; Diamond, J.N.; Dillenback, Drinkwater, Dudley, Erwin, Fowlie, Gavett, Gillis, Gowen, Hall, Hanson, Hayden, Higgins, L.M.; Hobbins, Holloway, Huber, Hunter, Ingraham, Jackson, Jacques, Jalbert, Jordan, Kane, Kany, Ketover, Kiesman, LaPlante, Leighton, Lewis, Lisnik, Livesay, Locke, Lund, MacBride, MacEachern, Manning, Martin, A.; Martin, H.C.; Masterman, Masterton, Matthews, McGowan, McHenry, McSweeney, Michael, Michaud, Mitchell, E.H.; Mitchell, J.; Murphy, Nadeau, Nelson, M.; Norton, O'Rourke, Paradis, E.; Paradis, P.; Pearson, Perkins, Perry, Peterson, Post, Pouliot, Prescott, Racine, Randall, Reeves, J.; Reeves, P.; Ridley, Roberts, Rolde, Salsbury, Shernburne, Small, Smith, C.B.; Smith, C.W.; Soule, Stevenson, Stover, Studley, Swazey, Tarbell, Telow, Theriault, Treadwell, Vose, Walker, Webster, Wentworth, Weymouth.

NAY—Brown, A.; Clark, Curtis, Day, Fitzgerald, Foster, Gwadosky, Hickey, Hutchings, Joyce, Kelleher, Kilcoyne, Laverriere, Mahany, McCollister, McKean, Nelson, A.; Richard, Soulas, Strout, Thompson, Tuttle, Twitchell, The Speaker.

ABSENT—Connors, Higgins, Lancaster, Macomber, McPherson, Moholland, Paul.

Yes, 120; No, 24; Absent, 7.

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

Signed by the Speaker and sent to the Senate.

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

Mr. DIAMOND: Mr. Speaker, having voted on the prevailing side, I now move reconsideration and hope you all vote against me.

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

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

Joint Order—Relative to Recalling H. P. 234, L. D. 249 "An Act to Repeal Provisions for Premiums and Rebates under the Liquor Laws" from the Governor's desk to the Senate (S. P. 364)

Tabled—March 2 by Representative Cox of Brewer.

Pending—Passage in concurrence.

Thereupon, the Order was passed in concurrence.

The Chair laid before the House the following matter:

Bill "An Act Concerning the Keeping of Wild Animals Purchased from Dealers or Pet Shops (S. P. 355) (L. D. 1030) which was tabled earlier in the day and later today assigned pending reference in concurrence.

On motion of Mr. MacEachern of Lincoln, referred to the Committee on Fisheries and Wildlife in non-concurrence, and sent up for concurrence.

The Chair laid before the House the following matter:

Resolve, Authorizing the State Tax Assessor to Convey the Interest of the State in Certain Real Estate in the Unorganized Territory (H. P. 931) which was tabled earlier in the day and later today assigned pending reference.

Thereupon, was referred to the Committee on Taxation ordered printed and sent up for

concurrence.

#### (Off Record Remarks)

On motion of Mrs. Martin of Van Buren,  
Adjourned until ten o'clock tomorrow morning.