

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Tenth
Legislature***

OF THE

STATE OF MAINE

Volume II

FIRST REGULAR SESSION

MAY 4, 1981 to JUNE 19, 1981

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HOUSE

Thursday, May 28, 1981

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

Prayer by the Reverend Stephen Craft of the Church of Christ, Unity.

The journal of yesterday was read and approved.

Papers from the Senate

The following Communication:

The Senate of Maine
Augusta

May 27, 1981

The Honorable Edwin H. Pert
Clerk of the House
110th Maine Legislature
State House
Augusta, Maine 04333
Dear Clerk Pert:

The President today appointed the following members of the Senate to the Committee of Conference on Bill, "An Act to Undedicate Funds Received from Public Reserved Lands." (S. P. 92) (L. D. 208)

Senators:

McBREAIRTY of Aroostook
REDMOND of Somerset
O'LEARY of Oxford

Respectfully,
MAY M. ROSS

Secretary of the Senate

The Communication was read and ordered placed on file.

The following Communication:

The Senate of Maine
Augusta

May 27, 1981

The Honorable Edwin H. Pert
Clerk of the House
110th Maine Legislature
State House
Augusta, Maine 04333
Dear Clerk Pert:

The President today appointed the following members of the Senate to the Committee of Conference on Bill, "An Act to Add a Class Size Adjustment to the School Finance Act." (H. P. 1176) (L. D. 1400)

Senators:

PIERCE of Kennebec
TROTZKY of Penobscot
MINKOWSKY of Androscoggin

Respectfully,
MAY M. ROSS

Secretary of the Senate

The Communication was read and ordered placed on file.

Reports of Committees**Ought to Pass in New Draft**

Report of the Committee on Public Utilities on Bill "An Act to Encourage Small Power Production Facilities" (S. P. 474) (L. D. 1330) reporting "Ought to Pass" in New Draft (S. P. 638) (L. D. 1653)

Came from the Senate with the Report read and accepted and the New Draft passed to be engrossed as amended by Senate Amendment "A" (S-294)

In the House, the Report was read and accepted and the New Draft Read Once. Senate Amendment "A" (S-294) was read by the Clerk and Adopted in concurrence.

Under suspension of the rules, the New Draft was read the second time and passed to be engrossed as amended in concurrence.

Ought to Pass in New Draft

Report of the Committee on Energy and Natural Resources on Bill "An Act to Amend the Site Location of Development Law to Protect Ground Water" (S. P. 583) (L. D. 1559) reporting "Ought to Pass" in New Draft (S. P. 632) (L. D. 1647)

Came from the Senate with the Report read

and accepted and the New Draft passed to be engrossed as amended by Senate Amendments "A" (S-282) and "B" (S-293)

In the House, the Report was read and accepted in concurrence and the New Draft read once. Senate Amendment "A" (S-282) was read by the Clerk and adopted in concurrence. Senate Amendment "B" (S-293) was read by the Clerk and adopted in concurrence.

Under suspension of the rules, the New Draft was read the second time and passed to be engrossed as amended in concurrence.

At this point, the rules were suspended for the purpose of allowing members to remove their jackets for the remainder of the session.

Non-Concurrent Matter**Later Today Assigned**

Bill "An Act Promoting Alcoholism Prevention, Education, Treatment and Research" (H. P. 1540) (L. D. 1655) which was passed to be engrossed in the House on May 26, 1981.

Came from the Senate passed to be engrossed as amended by Senate Amendment "C" (S-296) in non-concurrence.

In the House: On motion of Mrs. Post of Owl's Head, tabled pending further consideration and later today assigned.

Non-Concurrent Matter

Bill "An Act to Provide a Referendum to Abolish County Government and Authorize Reassignment of its Functions and Duties to Appropriate State and Municipal Departments and Agencies" (H. P. 1040) (L. D. 1259) on which the House Insisted on its previous action whereby the Bill was passed to be engrossed in the House on May 26, 1981.

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

In the House: On motion of Mr. Carter of Winslow, the House voted to Insist and join in a Committee of Conference.

Non-Concurrent Matter**Later Today Assigned**

RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Penobscot County for the Year 1981 (Emergency) (H. P. 1498) (L. D. 1618) which was Finally Passed in the House on May 22, 1981.

Came from the Senate Failing of Final Passage in non-concurrence.

In the House: On motion of Miss Aloupis of Bangor, tabled pending further consideration and later today assigned.

Messages and Documents

The following Communication:

Committee on Labor

May 27, 1981

The Honorable John Martin
Speaker of the House
State House
Augusta, Maine 04333

Dear Speaker Martin:

The Committee on Labor is pleased to report that it has completed all business placed before it by the first regular session of the 110th Legislature.

Total number of bills received	121
Unanimous reports	81
Leave to Withdraw	42
Ought Not to Pass	2
Ought to Pass	10
Ought to Pass as Amended	26
Ought to Pass in New Draft	1
Divided Reports	39
Referred to Judiciary	1

Respectfully submitted,
S/ EDITH S. BEAULIEU

House Chairman

The Communication was read and ordered

placed on file.

The following Communication: (S. P. 644)

State of Maine
Senate Chamber
President's Office
Augusta, Maine 04333

May 27, 1981

Honorable Howard M. Trotzky
Honorable Laurence E. Connolly, Jr.
Chairmen, Joint Standing
Committee on Education
State House
Augusta, ME 04333

Please be advised that Governor Joseph E. Brennan is nominating Richard I. Morin of St. Agatha for reappointment to the Board of Trustees for the University of Maine.

Pursuant to 20 MRSA Section 2251, this nomination will require review by the Joint Standing Committee on Education and confirmation by the Senate.

Sincerely,

JOSEPH SEWALL
President of the Senate

JOHN L. MARTIN
Speaker of the House

Came from the Senate read and referred to the Committee on Education.

In the House, was read and referred to the Committee on Education in concurrence.

Special Sentiment Calendar

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

Recognizing:

Robert R. Masterton, of Cape Elizabeth, President of Maine Savings Bank, who was installed as Chairman of the National Association of Mutual Savings Banks; (S. P. 643)

John 'Jock' Coombs, of Bangor, who has been named a scholar-athlete by Springfield College; (H. P. 1561) by Representative Tarbell of Bangor.

The University of Maine at Orono Baseball Team, coached by John Winkin, winners of the NCAA Northeast Regionals, placing them in the College World Series; (H. P. 1564) by Representative Tarbell of Bangor. (Cosponsors: Representative Gavett of Orono, Senators Sewall of Penobscot and Devoe of Penobscot)

The University of Maine at Orono Baseball Team, coached by John Winkin, ECAC New England champions for the second consecutive year; (H. P. 1565) by Representative Tarbell of Bangor. (Cosponsors: Representative Gavett of Orono, Senators Sewall of Penobscot and Devoe of Penobscot)

Tracy L. Gowen, of Scarborough, Valedictorian of Scarborough High School, Class of 1981; (H. P. 1566) by Representative Higgins of Scarborough.

Nancy J. Littlejohn, of Scarborough, Salutatorian of Scarborough High School, Class of 1981; (H. P. 1567) by Representative Higgins of Scarborough.

Monmouth Academy Girls Softball Team, 1981 Mid-Maine Softball Conference Champions; (H. P. 1568) by Representative Davis of Monmouth. (Cosponsor: Senator Ault of Kennebec).

The Stearns Minutemen, of Millinocket, who won the North Penquis League Baseball Championship for 1981; (S. P. 645)

There being no objections, these items were considered passed in concurrence or sent up for concurrence.

House Reports of Committees**Ought to Pass in New Draft**

Representative Ridley from the Committee on Public Utilities on Bill "An Act Providing for Certain Public Utility Bond Financing by the Maine Municipal Bond Bank" (H. P. 1132) (L. D. 1349) reporting "Ought to Pass" in New Draft (H. P. 1558) (L. D. 1668)

Report was read and accepted and the New

Draft read once. Under suspension of the rules, the New Draft was read the second time, passed to be engrossed and sent up for concurrence.

Ought to Pass in New Draft

Representative Kany from the Committee on Public Utilities on Bill "An Act to Amend the Charter of the Bethel Water District" (H. P. 810) (L. D. 969) reporting "Ought to Pass" in New Draft (H. P. 1549) (L. D. 1665)

Report was read and accepted and the New Draft read once. Under suspension of the rules, the New Draft was read the second time, passed to be engrossed and sent up for concurrence.

Ought to Pass in New Draft

Representative Vose from the Committee on Public Utilities on Bill "An Act to Provide More Public Accountability for Sewer and Sanitary Districts" (H. P. 814) (L. D. 1670)

Report was read and accepted and the New Draft read once. Under suspension of the rules, the New Draft was read the second time, passed to be engrossed and sent up for concurrence.

Consent Calendar

First Day

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

(H. P. 626) (L. D. 709) Bill "An Act to Increase Eligibility Levels for the Elderly Householders Tax and Rent Refund Act" — Committee on Taxation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-495).

No objections having been noted, the above item was given Consent Calendar Second Day notification, passed to be engrossed as amended and sent up for concurrence.

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

Emergency Measure Later Today Assigned

An Act to Provide for a Commission to Propose a Method of Providing Volunteer Legal Services (S. P. 634) (L. D. 1649)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken.

Whereupon, Mr. Hobbins of Saco requested a roll call vote.

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

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

The SPEAKER: The pending question is on passage to be enacted. This being an emergency measure, it requires a two-thirds vote of all the members elected to the House. All those in favor of this Bill being passed to be enacted will vote yes; those opposed will vote no.

ROLL CALL

YEA — Baker, Beaulieu, Benoit, Berube, Boisvert, Boyce, Brannigan, Brennerman, Brodeur, Carroll, Carter, Chonko, Clark, Conary, Connolly, Cox, Crowley, Davies, Dexter, Diamond, G. W.; Diamond, J. N.; Erwin, Fitzgerald, Fowlie, Gillis, Gowen, Gwadosky, Hall, Hanson, Hayden, Hickey, Higgins, H. C.; Ingraham, Jackson, Jacques, Jalbert, Joyce, Kane, Kany, Kelleher, Ketover, Kilcoyne, LaPlante, Laverriere, Lisnik, Livesay, Locke, MacBride, MacEachern, Macomber, Mahany, Manning, Martin, A.; Masterton, McGowan, McHenry, McKean, McSweeney, Michaud,

Mitchell, E. H.; Mitchell, J.; Moholland, Murphy, Nadeau, Nelson, M.; Norton, O'Rourke, Paradis, E.; Paradis, P.; Pearson, Perry, Post, Pouliot, Prescott, Racine, Randall, Reeves, P.; Richard, Rolde, Smith, C. B.; Soulas, Soule, Studley, Swazey, Tarbell, Telow, Theriault, Thompson, Tuttle, Vose, The Speaker.

NAY — Aloupis, Armstrong, Bell, Bordeaux, Brown, A.; Brown, D.; Brown, K. L.; Cahill, Callahan, Carrier, Conners, Damren, Davis, Day, Dillenback, Drinkwater, Dudley, Foster, Gavett, Higgins, L. M.; Hobbins, Holloway, Huber, Hunter, Hutchings, Jordan, Kiesman, Lancaster, Lewis, Lund, Masterman, Matthews, McPherson, Nelson, A.; Paul, Perkins, Peterson, Reeves, J.; Ridley, Roberts, Salsbury, Sherburne, Small, Smith, C. W.; Stevenson, Stover, Strout, Treadwell, Twitchell, Walker, Webster, Wentworth, Weymouth.

ABSENT — Austin, Cunningham, Curtis, Martin, H. C.; McCollister, Michael.

Yes, 91; No, 53; Absent, 6; Vacant, 1.

The SPEAKER: Ninety-one having voted in the affirmative and fifty-three having voted in the negative, with six being absent, the Bill fails of passage to be enacted.

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

Mr. HOBBS: Mr. Speaker, having voted on the prevailing side, I move that we reconsider our action whereby this Bill failed of enactment.

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

Ms. BENOIT: Mr. Speaker, Men and Women of the House: I hope you didn't know what you were voting on. This is An Act Providing for a Volunteer Lawyer's Board. When the original bill came before the committee, it had a fiscal note, we knew that we couldn't accept it. They worked out what I think is an admirable compromise.

This is going to set up a board that will do a study of the State of Maine to see how many people need the services such as Pine Tree Legal is able to give to people who cannot afford their own legal services. It is just a study commission. It is going to be funded totally by lawyers out of the fees that they pay to the Bar Association. They are going to fund this at a total of \$10,000. It is not going to cost the state one cent.

If President Reagan's budget goes through as he has proposed, Pine Tree Legal may no longer be in existence. It is a service that is necessary to a lot of people, and I would hope that you would reconsider this and that we can pass this bill.

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

Mr. KELLEHER: Mr. Speaker, I move that this be tabled until later in today's session.

Whereupon, Ms. Lund of Augusta requested a roll call vote.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Bangor, Mr. Kelleher, that this be tabled until later in today's session pending the motion of Mr. Hobbins of Saco to reconsider failure of passage to be enacted. All those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Baker, Beaulieu, Benoit, Berube, Boisvert, Brannigan, Brennerman, Brodeur, Carroll, Chonko, Clark, Connolly, Cox, Crowley, Davies, Diamond, G. W.; Diamond, J. N.; Erwin, Fitzgerald, Fowlie, Gillis, Gowen, Gwadosky, Hall, Hanson, Hayden, Hickey, Hig-

gins, H. C.; Hobbins, Ingraham, Jacques, Jalbert, Joyce, Kane, Kany, Kelleher, Kilcoyne, LaPlante, Laverriere, Lisnik, Locke, MacEachern, Macomber, Mahany, Martin, A.; McGowan, McHenry, McKean, McSweeney, Michaud, Mitchell, E. H.; Mitchell, J.; Moholland, Murphy, Nadeau, Nelson, M.; Norton, O'Rourke, Paradis, P.; Paul, Perry, Peterson, Post, Pouliot, Prescott, Racine, Randall, Reeves, P.; Richard, Ridley, Roberts, Rolde, Smith, C. B.; Smith, C. W.; Soulas, Soule, Strout, Swazey, Telow, Theriault, Thompson, Twitchell, Vose, The Speaker.

NAY — Aloupis, Armstrong, Bell, Bordeaux, Boyce, Brown, A.; Brown, D.; Brown, K. L.; Cahill, Callahan, Carrier, Conary, Conners, Damren, Davis, Day, Dexter, Dillenback, Drinkwater, Dudley, Foster, Gavett, Higgins, L. M.; Holloway, Huber, Hunter, Hutchings, Jackson, Jordan, Kiesman, Lancaster, Livesay, Lund, MacBride, Masterman, Masterton, Matthews, McPherson, Nelson, A.; Paradis, E.; Pearson, Perkins, Reeves, J.; Salsbury, Sherburne, Small, Stevenson, Stover, Studley, Tarbell, Treadwell, Tuttle, Walker, Webster, Wentworth, Weymouth.

ABSENT — Austin, Carter, Cunningham, Curtis, Ketover, Lewis, Manning, Martin, H. C.; McCollister, Michael.

Yes, 84; No, 56; Absent, 10; Vacant, 1.

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

Passed to Be Enacted

An Act to Authorize Municipal and Quasi-municipal Water Districts to Set Rates (S. P. 628) (L. D. 1637)

An Act Concerning the Protection of Incapacitated and Dependent Adults (S. P. 630) (L. D. 1639)

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

An Act to Establish a Limited Tax Credit to Aid Businesses Providing Day Care Services to their Employees (H. P. 1240) (L. D. 1465) (C. "A" H-466)

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

The SPEAKER: The Chair recognizes the gentleman from Madawaska, Mr. McHenry.

Mr. MCHENRY: Mr. Speaker, I would like to ask a question through the Chair. How does a business qualify for this tax credit? Do they provide a babysitter or what?

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

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

Mrs. POST: Mr. Speaker, essentially what a company does, if it provides day care for its employees, it is able to get a tax credit on its income tax. It is a limited credit, and this is a project to try to encourage industries and businesses within the state to provide adequate child care services for their employees.

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

An Act to Revise the Law Concerning Absentee Voting (H. P. 1506) (L. D. 1619) (H. "A" H-472)

An Act to Amend Certain Motor Vehicle Laws (H. P. 1512) (L. D. 1628) (H. "A" H-461; S. "A" S-283)

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 item

of Unfinished Business:

RESOLVE, to Authorize Expenditure of Certain Federal Funds for New or Expanded Programs (Emergency) (H. P. 1361) (L. D. 1546)

— In House, Failed of Final Passage on May 26.

— In Senate, Finally Passed in non-concurrence.

Tabled—May 27 (Till Later Today) by Representative Diamond of Windham.

Pending—Motion of Representative Kany of Waterville to Recede.

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

Mrs. KANY: Mr. Speaker, I would request a roll call on the motion to recede.

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 Yarmouth, Mr. Jackson.

Mr. JACKSON: Mr. Speaker, Ladies and Gentlemen of the House: I would urge you to recede and to put on the most excellent amendment that the lady from Waterville would present. If the amendment is not put on, I would urge you to not vote for the bill in final enactment.

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

Mr. KELLEHER: Mr. Speaker and Members of the House: Being on the opposite side of this question from Brother Jackson of Yarmouth, I, myself, would urge this House to recede.

The SPEAKER: A roll call has been ordered. The pending question is on the motion of the gentlewoman from Waterville, Mrs. Kany, that the House recede. All those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA—Aloupis, Armstrong, Baker, Beaulieu, Bell, Benoit, Berube, Boisvert, Bordeaux, Boyce, Brannigan, Brenerman, Brodeur, Brown, A., Brown, D., Cahill, Callahan, Carrier, Carroll, Carter, Chonko, Clark, Connolly, Connors, Connolly, Cox, Crowley, Damren, Davies, Davis, Day, Dexter, Diamond, G. W., Diamond, J. N., Dillenback, Drinkwater, Dudley, Erwin, Fitzgerald, Foster, Fowlie, Gavett, Gillis, Gowen, Gwadosky, Hall, Hanson, Hayden, Hickey, Higgins, H. C., Higgins, L. M., Hobbins, Holloway, Huber, Hunter, Hutchings, Ingraham, Jackson, Jacques, Joyce, Kane, Kany, Kelleher, Ketover, Kiesman, Kilcoyne, Lancaster, LaPlante, Laverriere, Lewis, Lisnik, Livesay, Locke, Lund, MacBride, MacEachern, Macomber, Mahany, Manning, Martin, A., Masterman, Masterton, Matthews, McGowan, McHenry, McKean, McPherson, McSweeney, Michael, Michaud, Mitchell, E. H., Mitchell, J., Moholland, Murphy, Nadeau, Nelson, A., Nelson, M., Norton, O'Rourke, Paradis, E., Paradis, P., Paul, Pearson, Perkins, Perry, Peterson, Post, Pouliot, Prescott, Racine, Randall, Reeves, J., Reeves, P., Richard, Ridley, Roberts, Rolde, Salsbury, Sherburne, Small, Smith, C. B., Smith, C. W., Soulas, Soule, Stevenson, Stover, Strout, Studley, Swazey, Tarbell, Telow, Theriault, Thompson, Treadwell, Tuttle, Twitchell, Vose, Webster.

NAY—Brown, K. L., Jordan, Walker, Weymouth.

ABSENT—Austin, Cunningham, Curtis, Jalbert, Martin, H. C., McCollister, Wentworth, The Speaker.

Yes, 138; No, 4; Absent, 8; Vacant, 1.

The SPEAKER: One Hundred thirty eight having voted in the affirmative and four in the negative, with eight being absent, the motion to

recede does prevail.

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

Mr. KELLEHER: Mr. Speaker, I move that this be tabled until later in today's session.

Whereupon, Mr. Jackson of Yarmouth requested a roll call vote.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Bangor, Mr. Kelleher, that this be tabled until later in today's session pending further consideration. All those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA—Baker, Beaulieu, Benoit, Berube, Boisvert, Brannigan, Brenerman, Brodeur, Carrier, Carter, Chonko, Clark, Connolly, Cox, Crowley, Davies, Dexter, Diamond, G. W., Diamond, J. N., Drinkwater, Erwin, Fitzgerald, Gillis, Gwadosky, Hall, Hayden, Hickey, Higgins, H. C., Hobbins, Jacques, Jalbert, Joyce, Kane, Kany, Kelleher, Ketover, Kiesman, Kilcoyne, LaPlante, Laverriere, Lisnik, Locke, MacEachern, Macomber, Mahany, Manning, Masterman, Masterton, McGowan, McHenry, McKean, McSweeney, Michael, Michaud, Mitchell, E. H., Mitchell, J., Moholland, Nadeau, Nelson, M., Norton, Paradis, P., Paul, Pearson, Perry, Pouliot, Prescott, Richard, Roberts, Smith, C. B., Smith, C. W., Soulas, Soule, Strout, Swazey, Theriault, Thompson, Tuttle, Twitchell, Vose, Webster, The Speaker.

NAY—Aloupis, Armstrong, Bell, Bordeaux, Boyce, Brown, A., Brown, D., Brown, K. L., Cahill, Callahan, Canary, Connors, Damren, Davis, Day, Dillenback, Dudley, Foster, Fowlie, Gavett, Gowen, Hanson, Higgins, L. M., Holloway, Huber, Hunter, Hutchings, Ingraham, Jackson, Jordan, Lancaster, Lewis, Livesay, Lund, MacBride, Martin, A., Matthews, McPherson, Murphy, Nelson, A., O'Rourke, Paradis, E., Perkins, Peterson, Post, Racine, Randall, Reeves, J., Reeves, P., Ridley, Rolde, Salsbury, Sherburne, Small, Stevenson, Stover, Studley, Tarbell, Telow, Treadwell, Walker, Wentworth, Weymouth.

ABSENT—Austin, Carroll, Cunningham, Curtis, Martin, H. C., McCollister.

Yes, 81; No, 63; Absent, 6; Vacant, 1.

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

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

Bill "An Act to Remove the Towns of Medford, Osborn and Great Pond and Lakeville Plantation from the Maine Forestry District" (H. P. 252) (L. D. 292) (H. "A" H-403 to C. "A" H-380)

—In House, Passed to be Enacted on May 22.

—In Senate, Failed of Passage to be Enacted in non-concurrence.

Tabled—May 27 (Till Later Today) by Representative Mitchell of Vassalboro.

Pending—Further Consideration.

Thereupon, the House voted to adhere.

By unanimous consent, ordered sent forthwith to the Senate.

The following paper appearing on Supplement No. 2 was taken out of order by unanimous consent:

Divided Report

Later Today Assigned

Majority Report of the Committee on Transportation on Bill "An Act to Provide Photographic Nonalterable Drivers' Licenses and Other State Documents" (H. P. 1019) (L. D.

1229) reporting "Ought to Pass" in New Draft under New Title Bill "An Act to Provide Photographic Nonalterable Drivers' Licenses and Identification Cards" (H. P. 1555) (L. D. 1666)

Report was signed by the following members:

Senators:

O'LEARY of Oxford
EMERSON of Penobscot
USHER of Cumberland

—of the Senate.

Representatives:

REEVES of Pittston
STROUT of Corinth
FOWLIE of Rockland
HUTCHINGS of Lincolnville
MACOMBER of South Portland
McKEAN of Limestone
MOHOLLAND of Princeton

—of the House.

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

Report was signed by the following members:

Signed:

Representatives:

HUNTER of Benton
McPHERSON of Eliot
CARROLL of Limerick

—of the House.

Reports were read.

On motion of Mr. Carroll of Limerick, tabled pending acceptance of either Report and later today assigned.

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

Divided Report

Majority Report of the Committee on Business Legislation reporting "Ought Not to Pass" on Bill "An Act to Establish a Program of Funded Self-insurance for Public Schools and Municipalities" (H. P. 835) (L. D. 1028)

Report was signed by the following members:

Senators:

CLARK of Cumberland
SUTTON of Oxford
SEWALL of Lincoln

— of the Senate.

Representatives:

GAVETT of Orono
RACINE of Biddeford
JACKSON of Yarmouth
GWADOSKY of Fairfield
BRANNIGAN of Portland
PERKINS of Brooksville
TELOW of Lewiston
MARTIN of Van Buren

— of the House.

Minority Report of the same Committee reporting "Ought to Pass" in New Draft (H. P. 1557) (L. D. 1667) on same Bill.

Report was signed by the following members:

Representatives:

POULIOT of Lewiston
FITZGERALD of Waterville

— of the House.

Reports were read.

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

Mr. BRANNIGAN: Mr. Speaker, Members of the House: I move that we accept the Majority "Ought Not to Pass" Report.

This bill has been before the legislature on several occasions. A study was done on this issue by the Business Legislation Committee in the 109th Legislature and a unanimous "Ought Not to Pass" Report followed that study.

A few days ago, I stood before you and urged that the state get into an area of insurance in the competitive state fund on workmen's compensation. There were many reasons given for getting into that type of an insurance, but the reason that I gave and the reason that I felt very sincerely about and still do is that there

was a need. I believe that I stood here and said to you that day that had there been no need, I would not have been recommending it and I believe that members of the majority of our committee would not be recommending it.

I stand here today and say to you, and as a majority of our committee says to you, that we do not need it in this case. In the area of schools and their contracts on insurance, it is very competitive, as we are told. It may be that in some communities that is not so, but if that is true, that is the community's problem and it is their fault. If there is some kind of so-called old boy arrangement in which one party, one agent, one company, gets all the business, no matter what the price, then that is the problem of that community and this is an optional system being proposed in this L. D. and therefore that wouldn't help that community. It would be up to that community to decide that they are to make it very competitive, put it out to bid and so forth.

It is our belief that any community that aggressively pursues an insurance contract for their school system will find good rates, inexpensive rates; therefore, we have voted, a large majority, "Ought Not to Pass" on this.

There was one other part of the bill where there was some confusion about buildings, what buildings, buildings where municipal offices are kept in the same buildings with schools and so forth. That was another flaw in the bill, although I wouldn't say fatal and could have been worked on. The major issue is that in this area there is no need for the state because there is good competition.

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

Mr. LaPLANTE: Mr. Speaker, Ladies and Gentlemen of the House: This is my bill and I did sponsor it three years ago. The reason that I sponsored it is because our school insurance is very expensive, not only in one area but all areas.

When I began doing some research on school insurance, I found the State of Maine insures all its buildings across the state, which is \$700 million worth of property, for about \$130,000 a year. When I researched the costs and the value of schools, we have approximately \$700 million worth of property, approximately the same amount of property as the state property, and it is costing the taxpayers \$5 million to \$6 million a year.

Under the original bill that I presented, which would mandate that schools be under one program, and we have a lot of brokers all up and down the coast who are willing to accept this, it would have brought the cost from \$5 million to \$6 million to approximately \$300,000 a year, which would be a saving of \$4 million to \$5 million or better a year to the taxpayers.

The gentleman who just spoke against the bill, of course, does back a state insurance program for workmen's compensation. Several weeks ago, he did suggest that we should accept a service fee for non-profit organizations and a two percent tax, because that would help the city of Auburn, because the local taxpayers are paying a high cost to live in a home; yet, when you can save the taxpayers some money on a simple program like this, then people come out against it. I have found that it is a lot easier to spend money here than to agree to save \$5 million to \$6 million.

I don't believe that we really believe that taxpayers should save money. This is an ultimate program, the same as the state insurance program on state buildings, to save \$5 million to \$6 million a year of your taxpayers' money. Now, 50 to 60 percent of that comes off the state property tax, and if you really believe that your taxpayers should save their money, then this is an area that you can save money without reducing any benefits whatsoever in the school system.

I can see with the report in the Senate that it is not going anywhere, but I would hope that we

believe that taxes are too high, that we believe that there are some methods that we can adopt without reducing services that will ultimately save the taxpayers some money.

I was told three years ago not to introduce this, because this began in 1944, 1963, 1973 and nobody wanted to introduce it because they were afraid of the insurance lobbying and I found out what the insurance lobbyists can do up here, I have been at it for three years with this bill and they have their way very easily up here because everybody follows whatever they say, and that is why we have problems in many other areas. That is why this bill, for the last three years, has always been kept in committee until the final days, until we do not have the opportunity to really debate it the way we should and really study it the way we should; therefore, I know where it is going, I know that it is going down the drain, but if you really believe that the taxpayers should save money, this is an area that you can save without eliminating services to your school system.

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

Mr. JACKSON: Mr. Speaker, Ladies and Gentlemen of the House: I urge your acceptance of the Majority Report on this. This bill has been in front of our committee repeatedly in other years. I don't think I want to dignify the arguments dealing with the lobby. To me, when you start arguing about the lobbyists, it is a last ditch attempt when you run out of any other argument that you can put up against a bill.

The greatest argument that we had against the bill is that it is now being handled by agents. The agents are providing services to the towns. The agents are there on call, and the servicing. We repeatedly heard that the town — they provide all kinds of services. Often the school insurance goes into other areas, there are other things tied in with the package, that when there is a fire or something, they provide very good service, and I think, basically, these are the reasons we decided against putting this into the public sector.

I would urge your acceptance of the Majority Report, which is the "Ought Not to Pass" Report.

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

Mr. DILLENBACK: Mr. Speaker, Ladies and Gentlemen of the House: Prior to coming into the legislature, I served on the Insurance Advisory Board that this bill makes reference to. Mr. LaPlante came up to us and spoke to us about his problems and projections in trying to get this thing through.

The State Insurance Advisory Board does a wonderful job for the State of Maine. It does not throw out all the business to the insurance people because we take deductibles. The problem with schools in the State of Maine is that if you have a school in Cornish, Maine, as an example, where they have an inadequate water supply and they do not have sprinklers, their rate is going to be high as high can be because there is nothing you can do about it. The town is not in the position to put in a water system, they are not in a position to spend the money to upgrade their facilities so they can have a good system, so what would happen is, if all the schools in the state were together, those that have good ratings would compensate for those who do not have good ratings, you would bring your average costs down very easily.

I agree that this bill probably won't go but it is something that you should think about for the future. This bill would help because you would have a deductible. How many schools burn down when you take all the schools? If one or two burned, that would be a minor problem if you had all the schools in a fund or in a pool of insurance. This is not a bad idea, this is an excellent idea. We save the state thousands of dollars with the Maine Advisory Insurance Board. We have \$3 million in a reserve in that

board, probably more today. It is an excellent idea and I don't think you should just wash it down the drain without giving it some consideration.

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

Mr. CARROLL: Mr. Speaker, Ladies and Gentlemen of the House: I happen to represent the town of Cornish and I know the situation as well as Mr. Dillenback does. He has property there, a shopping center, but I want to assure him that we have a tank truck system and we have cooperative and mutual agreements within the towns. We can put more water on a fire with the tank system than you can with a hydrant system today. We can have fire trucks coming in there and you will need traffic cops to direct them because that is how much cooperative effort we have. We learned this from the horrors of the 1947 forest fire.

We do have a good system, but that still doesn't give me the answer that I want from Brother Jackson. He told about all the services the agents give, and I want to know if these services are compensating the taxpayers in that are for the high rates they are paying for the school insurance.

It is time that we begin to do the state's business down here and not other people's business. It is time we came down here to save money for the towns that we represent and the taxpayers we represent and as I have repeated over and over, I don't like the third body out here that keep putting their oar in and ruining it. I want them to get their oar off. I don't want to row this boat, I represent my seven towns and those seven towns deserve to have good consideration and save them more money than it is costing them to insure their schools.

I think this body is being negligent and is not carrying out its responsibilities, when it doesn't question that committee, where it doesn't question the people that are consistently opposed to the self-insurance system that we are talking about. We are supposed to be saving money down here, not consistently getting up and spending it.

When they have a good bill and they say, I notice there are three signers on there from the other body and they are not going to go for it, then let's hang that other body with it, let's put it right on them and tell them, you don't want to save money for the people of the state of Maine. The sooner the people of the state of Maine know who they are, the better off we are going to be.

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

Mr. RACINE: Mr. Speaker, Ladies and Gentlemen of the House: I voted with the Majority "Ought Not to Pass" on this particular bill simply because I felt that we have sufficient competition in the insurance industry to be able to provide reasonable rates to our communities. In Biddeford, where I come from, we have an advisory board that reviews the insurance packages and they advise the mayor and the finance committee as to whether or not the rates are reasonable. The packages are put out to bid and it is very, very competitive.

At the hearing, I did not hear any testimony or substantiating information that would provide a reduction in premiums. There was some information that was given to the committee, this is \$5 million to \$6 million, I don't know where that figure comes from, I don't know how accurate it is, but as it stands now, I feel that we have a competitive status, which is what we are looking for, and I don't believe that we should go along with the recommendation that we go into a self-insurance program for the school districts within the state. I think that if we do that, it would be a mistake, and as far as the lobbying, I was not lobbied on this particular bill, possibly because I was with the Majority Report, which was "Ought Not to Pass."

I hope that you will support the Majority

"Ought Not to Pass" Report.

The SPEAKER: The Chair will order a vote. The pending question before the House is on the motion of the gentleman from Portland, Mr. Brannigan, that the House accept the Majority "Ought Not to Pass" Report. Those in favor will vote yes; those opposed will vote no.

Mr. LaPlante of Sabattus 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 pending question before the House is on the motion of the gentleman from Portland, Mr. Brannigan, that the House accept the Majority "Ought Not to Pass" Report.

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

Mr. CARTER: Mr. Speaker, pursuant to Joint Rule 10, I wish to be excused.

The SPEAKER: The Chair would excuse the gentleman from Winslow, Mr. Carter, from voting on this issue.

The SPEAKER: The pending question before the House is the motion of the gentleman from Portland, Mr. Brannigan, that the House accept the Majority "Ought Not to Pass" Report. Those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA—Aloupis, Armstrong, Bell, Benoit, Bordeaux, Brannigan, Brennerman, Brown, D.; Brown, K.L.; Cahill, Callahan, Carrier, Conary, Connors, Cox, Damren, Davis, Day, Drinkwater, Dudley, Erwin, Foster, Fowlie, Gavett, Gwadosky, Hanson, Hayden, Hickey, Higgins, L.M.; Hobbins, Holloway, Ingraham, Jackson, Jacques, Kane, Kelleher, Ketover, Kiesman, Kilcoyne, Laverriere, Lewis, Live-say, Lund, MacBride, Macomber, Mahany, Martin, A.; Masterman, Masterton, Matthews, McGowan, McHenry, McPherson, Mitchell, E.H.; Murphy, Nelson, A.; Nelson, M.; Paradis, E.; Paul, Perkins, Perry, Peterson, Post, Prescott, Racine, Randall, Reeves, J.; Richard, Salsbury, Sherburne, Small, Smith, C.W.; Stover, Studley, Tarbell, Telow, Thompson, Twitchell, Vose, Webster, Wentworth, Weymouth.

NAY—Austin, Baker, Beaulieu, Berube, Boisvert, Boyce, Brodeur, Brown, A.; Carroll, Clark, Connolly, Crowley, Davies, Dexter, Diamond, G.W.; Diamond, J.N.; Dillenback, Fitzgerald, Gillis, Gowen, Hall, Higgins, H.C.; Huber, Hunter, Hutchings, Jordan, Joyce, Kany, Lancaster, LaPlante, Lisnik, Locke, Manning, McKean, McSweeney, Michael, Michaud, Mitchell, J.; Moholland, Nadeau, Norton, O'Rourke, Paradis, P.; Pearson, Pouliot, Reeves, P.; Ridley, Roberts, Rolde, Smith, C.B.; Soulas, Stevenson, Strout, Swazey, Theriault, Treadwell, Tuttle, Walker.

ABSENT—Chonko, Cunningham, Curtis, Jalberty, MacEachern, Martin, H.C.; McCollister, Soule, The Speaker.

EXCUSED—Carter.

Yes, 82; No, 58; Absent, 9; Excused, 1; Vacant, 1.

The SPEAKER: Eighty-two having voted in the affirmative and fifty-eight in the negative, with nine being absent and one excused, the Majority "Ought Not to Pass" Report is accepted.

Sent up for concurrence.

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

On motion of Representative Berube of Lewiston, the following Joint Order: (H. P. 1569)

Ordered, the Senate concurring, that Bill

"An Act Relating to Periodic Justification of Departments and Agencies of State Government under the Maine Sunset Law," House Paper 1411, Legislative Document 1576, be recalled from the legislative files to the House.

The Order was read.

The SPEAKER: The pending question before the House is, shall this bill be recalled from the files? Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

Mr. MacEachern of Lincoln 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 Lincoln, Mr. MacEachern.

Mr. MacEACHERN: Mr. Speaker, Ladies and Gentlemen of the House: This bill has been kicking around here for quite awhile. It has been soundly defeated in both Houses and there has been a lot of behind-the-scenes maneuvering on it. The committee has been very strongly set in cement, they don't want to change their position.

I understand that the reason this is being requested to be recalled is for a so-called compromise amendment. I know what the amendment is and it is no better than the bill was in the beginning and I strongly urge you not to recall this. The committee has had an opportunity to put this bill in shape and they refused to do so, and I think we ought to just forget about it and kill this order.

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

Mrs. BERUBE: Mr. Speaker and Members of the House: The bill has not been soundly defeated, to start off with, but the reason to recall this bill is that last week, as you recall, you passed an order overwhelmingly to allow the committee to report out of bill. However, we found out that the cost to reprint the bill would have been \$1,887, so the committee opted to come before you again to simply ask that we recall the bill at no cost. At that point, we can then present to you an amendment which you will be free to accept or reject, but the recall is mainly to save the cost of reprinting a bill and then, if you do grant us this request, you still have the privilege of voting on the so-called compromise amendment.

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

Mr. KELLEHER: Mr. Speaker, since the House doesn't have the bill here at the moment, and since there has been an amendment discussed that we could possibly consider, we would be in a parliamentary position now to understand what the amendment is going to be so we could know whether we want to call the bill back or not?

I will restate it again, it might sound better this time. If the bill is not before us at the moment because the order is requesting it, and because of an alleged amendment that has been considered by the committee, would the person who spoke about the amendment be in order to discuss it now so we could find out whether this House would like to recall the bill or not?

The SPEAKER: The Chair would answer in the affirmative.

Mr. KELLEHER: I would further suggest that Representative Berube or members of that committee would enlighten this House on exactly what the amendment is, and that might encourage us to either vote to recall it or discourage us from recalling it.

The SPEAKER: The gentleman from Bangor, Mr. Kelleher, has posed a question

through the Chair to anyone who may care to respond.

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

Mr. ROLDE: Mr. Speaker, Members of the House: I do have the answer to the gentleman's question. I think I will hold off answering it until I can give you just a little bit of background on what we are talking about here. We are not talking about a single bill that deals with a single subject. We are talking about "the" bill that came out of the Audit and Program Review Committee. It is a bill that has been worked on by the committee all last year and all this year. It is a bill that would save the state over \$2 million in savings.

I will try to refresh your memory as to what happened the other day. We have gotten into a fight over one particular item in this bill. If you will remember, that is an item that was a proposal for some savings by shifting the state police to the Secretary of State's Office. On the initial vote in this House, that proposal was defeated by a 73 to 70 vote. We thereupon insisted and asked for a Committee of Conference. Unfortunately, the other body adhered, and the bill came back to us. The gentlelady from our committee, Mrs. Huber, who had made the motion to insist and ask for a Committee of Conference in good faith, felt that she had to oppose any motion to recede and concur. At that point, we voted to adhere and killed the bill.

I don't think it was the intention of anybody to kill this entire bill with its more than \$2 million in savings and representing the work of almost two years for our committee just over this one issue. At that time, Mrs. Berube said, well, the Governor can put in another bill, and I think that was what we accepted in a hearing.

We later found out, as the gentlelady from Lewiston, Mrs. Berube, told you, it would cost close to \$2,000 to put in another bill. We passed an order that we would report out that bill, but we decided this is a better way to try it.

What we would like to do is have you suspend the rules, we will fight the question of the state police and the inspection stations. If the committee loses it, then we will go along, but we don't want to kill this entire bill and I don't think you want to either.

I hope you will go along, we can fight out the measure dealing with the state police, we can debate that on its merits and see what happens, but we would very much urge you to let us recall this bill and not keep it killed.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: I was one of the members in this House who voted not to kill the bill but I will tell you, I don't think Mr. Rolde has answered my question. There were some 70 odd people that objected to a certain portion of the bill. You are talking about an alleged amendment, Mr. Rolde. My question is, is that amendment prepared to take out the objections that this House had on this bill a few days ago? That is the question, because if you are going to get the answer, I think you might not get the bill recalled.

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

Mr. ROLDE: Mr. Speaker, it depends on how you view the objections of the people in the debate the other day. I think one of the major objections and the reason that people voted the way they did, they objected to having the inspection of inspection stations taken from the state police and transferred to the Secretary of State's Office. The amendment deals with that objection, because it would leave it in the state police, nothing would be transferred to the Secretary to State.

The other part of the problem may not deal with some people's objections, and that is that it asks civilian workers to do this. The basic problem here is that currently the state police

uses license fees from the inspection of inspection stations to fund certain positions. There are apparently five people who work on this, two clerical help, five state troopers, who are funded from the license fees. There are four state troopers who are funded from a combination of the state highway fund and the state general fund.

The state police is very much opposed to either of these amendments because what it would mean is that they would lose these funds, and although they are getting funds for additional state troopers, it would mean a cut in the eventual number of state troopers.

So there are two items — one was the objection of moving to the Secretary of State's Office; that has been removed. The other is the objection of the state police to losing the dedicated funds that they now get, even though if it were done, this could mean a savings of \$175,000, or approximately.

I hope that answers your question, Mr. Kelleher.

The SPEAKER: The Chair recognizes the gentleman from Corinth, Mr. Strout.

Mr. STROUT: Mr. Speaker, Ladies and Gentlemen of the House: You have heard the remarks from the gentleman from York, Mr. Rolde. The reason that I will oppose recall is—shifting from the state police to the Secretary of State doesn't bother me, but it does bother me when you are going to use civilians instead of uniformed officers. I don't think Mr. Rolde mentioned that the state police are against that shift. They are against a cutback in the state police force; they are also against taking out the uniformed officers.

In my opinion, and I think maybe the gentleman from Newport can explain it better than I can, but if you don't have uniformed officers, you might just as well do away with the inspection program.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I am opposed to this bill in its entirety, so I don't want to reconsider or recall anything.

I think when they talk about a savings, which they tried to sell this House, it is as phoney as a three dollar bill, it just isn't there. It looks good on paper, but it is absolutely not a fact, and I am positive of that. There is no way that you can put it in someone else's hands and hire a new crew and come out with less money. You can come out with more people on the payroll, that is about the only thing you can come out with. You are going to be keeping the state police, and they won't be doing a great deal different than they are doing now, because they are already on the force. They are not only inspecting stations, while they are going and coming, they will pick up—try it sometime, go by one speeding and see what he does to you and you will find out that he is on the job while he is on the highway. If you don't believe what I am telling you, try it on your way home this weekend.

This is phoney, what they are telling you, just as phoney as it can be, don't let them sell it to you, it is not a valid argument. I hope we do not recall anything from the files. It is getting late and I don't want to hash over this old cabbage again.

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

Mr. NADEAU: Mr. Speaker, Ladies and Gentlemen of the House: In response to the comments of the gentleman from Enfield, Mr. Dudley, in regards to the entire bill being a sham, all I would suggest to you is—read the bill. You will find that the projected savings are actually real live dollars, so as far as that argument goes, we will just avoid it.

I really do believe we are getting off the track completely. The fact of the matter is, we were backed into a parliamentary corner. The bill was, unfortunately, killed; it should not

have happened but it did because of one particular section of the bill; namely, the state police provision.

If this House and the other body were to kill the entire Audit and Program Review Committee proposal, it would be an absolute unfortunate set of circumstances, it should not happen. The committee worked long and hard, as has been stated, to come up with a proposal that does save \$2.1 million of the General Fund monies. It does revise and reorganize certain divisions within these departments to make state government more efficient, something that we go around the state during campaigns and off season proclaiming to be the name of the game, that is what we should be doing, that is what government needs from the federal level on down to the local level. If we are actually serious, if we are committed to making government more efficient and achieving cost savings, then let us prove it here today.

The amendment should not be the issue. The amendment will be forthcoming if we recall the bill. Let us get ourselves out of this parliamentary corner. Let us recall the bill, get it into a posture where we can deal with it, because the document is massive. You have all looked at it, I am sure. Get the bill back on the floor, vote to recall, vote to support this Joint Order. At that time, the amendment will be presented. We can debate the amendment, we can vote for or against it, and then, at that point, whatever happens, we can deal with the bill in whatever parliamentary course it takes following that.

Ladies and gentlemen, let us take this very seriously, let us look at this intelligently and logically, let us vote to recall the bill, then we can deal with the issue.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mrs. Beaulieu.

Mrs. BEAULIEU: Mr. Speaker and Members of the House: I rise to join Representative Strout. I think we debated the issue, we voted, made it very clear that we don't want any changes in the state police aspect of it. I think the message was very clear, the responsibility of that committee was not to try to fool around with an amendment that none of us were willing to support, and you should have taken the message right on and clear.

Now, I do not want to distress the work that that committee has done, I do not want to vote against the bill, but I will, and why doesn't somebody just stand up and pass the bill with that recommendation and don't put us to task by bringing us an amendment that we are not going to support. I am going to work very hard to make sure that any amendment that distresses what we told you last week to do, I am going to work to see that it gets defeated.

The SPEAKER: The Chair recognizes the gentleman from Madawaska, Mr. McHenry.

Mr. MCHENRY: Mr. Speaker, Ladies and Gentlemen of the House: I can't believe what is going on here. We are going to waste \$2 million of the taxpayers' money just to keep a few boys in blue? I urge you to reconsider.

The SPEAKER: A roll call has been ordered. All those in favor of this Joint Order, House Paper 1659, receiving passage will vote yes; those opposed will vote no.

ROLL CALL

YEA—Aloupis Austin, Baker, Bell, Benoit, Berube, Boisvert, Bordeaux, Boyce, Brannigan, Brenerman, Brodeur, Brown, A.; Brown, D.; Brown, K.L.; Cahill, Carroll, Carter, Chonko, Clark, Connolly, Cox, Crowley, Curtis, Damren, Davies, Davis, Day, Dexter, Diamond, G.W.; Diamond, J.N.; Dillenback, Drinkwater, Fitzgerald, Fowle, Gavett, Gillis, Gowen, Gwadosky, Hall, Hayden, Hickey, Higgins, H.C.; Higgins, L.M.; Hobbins, Holloway, Huber, Hutchings, Ingraham, Jackson, Joyce, Kane, Kany, Ketover, Kiesman, Lancaster, LaPlante, Laverriere, Lewis, Lisnik, Livesay, Locke, Lund, MacBride, Macomber, Mahany, Manning, Martin, A.; Masterton, McCollister,

McGowan, McHenry, McKean, McSweeney, Michael, Mitchell, E.H.; Mitchell, J.; Moholland, Nadeau, Nelson, M.; Norton, Paradis, P.; Paul, Pearson, Perkins, Peterson, Post, Pouliot, Prescott, Racine, Randall, Reeves, P.; Richard, Roberts, Rolde, Small, Smith, C.W.; Soule, Stover, Swazey, Tarbell, Telow, Theriault, Thompson, Tuttle, Walker, Webster.

NAY—Armstrong, Beaulieu, Callahan, Carrier, Conary, Connors, Dudley, Erwin, Foster, Hanson, Hunter, Jacques, Jalbert, Jordan, Kelleher, Kilcoyne, MacEachern, Masterman, Matthews, McPherson, Michaud, Murphy, Nelson, A.; O'Rourke, Paradis, E.; Perry, Reeves, J.; Ridley, Salisbury, Sherburne, Smith, C.B.; Soulas, Stevenson, Strout, Studley, Treadwell, Twitchell, Vose, Wentworth, Weymouth.

ABSENT—Cunningham, Martin, H.C.; the Speaker.

Yes, 107; No, 40; Absent, 3; Vacant, 1.

The SPEAKER: One hundred seven having voted in the affirmative and forty in the negative, with three being absent, the motion does prevail.

Sent up for concurrence.

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

Ought to Pass in New Draft/New Title

Representative Theriault from the Committee on Education on Bill "An Act to Define Eligibility for School Purposes and to Determine Financial Responsibility for the Education of State Wards" (Emergency) (H.P. 1344) (L.D. 1534) reporting "Ought to Pass" in New Draft under New Title Bill "An Act to Define Eligibility for School Purposes and to Determine Financial Responsibility for the Education of State Wards and Students who are not State Wards" (Emergency) (H.P. 1559) (L.D. 1669)

Report was read and accepted, the New Draft read once and assigned for second reading later in the day.

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

Passed to Be Enacted

An Act to Protect Persons with Children against Discrimination in Fair Housing (S.P. 620) (L.D. 1625) (S. "A" S-279)

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

Mr. Carrier of Westbrook requested a roll call vote.

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

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

The SPEAKER: The pending question is one passage to be enacted. All those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA—Austin, Baker, Beaulieu, Benoit, Boisvert, Boyce, Brannigan, Brenerman, Brodeur, Carroll, Chonko, Clark, Connolly, Cox, Crowley, Davies, Diamond, G.W.; Diamond, J.N.; Fitzgerald, Gillis, Gowen, Gwadosky, Hall, Hayden, Hickey, Higgins, H.C.; Hobbins, Jacques, Jalbert, Joyce, Kane, Kany, Kelleher, Ketover, Kilcoyne, LaPlante, Laverriere, Lisnik, Locke, MacEachern, Macomber, Mahany, Manning, Martin, A.; Masterton, McCollister, McGowan, McHenry, McKean, McSweeney, Michael, Michaud, Mitchell, E.H.; Mitchell, J.; Moholland, Murphy, Nadeau, Nelson, M.; Paradis, P.; Pearson, Pouliot, Prescott, Reeves, P.; Richard, Rolde, Smith, C.B.; Soule, Swazey, Tarbell, Telow, Theriault, Thompson, Tuttle, Vose, Wentworth, The Speaker.

NAY—Aloupis, Armstrong, Bell, Bordeaux, Brown, A.; Brown, D.; Brown, K.L.; Cahill, Callahan, Carrier, Carter, Conary, Conners, Curtis, Damren, Day, Dillenback, Drinkwater, Dudley, Erwin, Foster, Gavett, Fowlie, Huber, Hunter, Hutchings, Ingraham, Jackson, Jordan, Kiesman, Lancaster, Lewis, Livesay, Lund, MacBride, Masterman, Matthews, Nelson, A.; Norton, O'Rourke, Paradis, E.; Paul, Perkins, Perry, Peterson, Racine, Randall, Reeves, J.; Ridley, Roberts, Salsbury, Sherburne, Small, Smith, C.W.; Stevenson, Stover, Strout, Studley, Treadwell, Twitchell, Walker, Webster, Weymouth.

ABSENT—Berube, Cunningham, Davis, Dexter, Martin, H.C.; McPherson, Post, Soulas.

Yes, 76; No, 66; Absent, 8; Vacant, 1.

The SPEAKER: Seventy-six having voted in the affirmative and sixty-six in the negative, with eight being absent, the Bill is passed to be enacted.

Signed by the Speaker and sent to the Senate.

By unanimous consent, all matters acted upon were ordered sent forthwith to the Senate.

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

Mr. GWADOSKY: Mr. Speaker, I move we reconsider our action of earlier in the day whereby the Majority "Ought Not to Pass" Report was accepted on Bill "An Act to Establish a Program of Funded Self-insurance for Public Schools and Municipalities" House Paper 835, L.D. 1028.

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

Mr. LAPLANTE: Mr. Speaker and Members of the House: I would request a roll call vote.

We know what is going to happen in the Senate. I really would like to allow it to flow. I wanted it held because there are some people that do not understand that this is for a savings.

If the gentleman from Fairfield, Mr. Gwadosky, would like to reconsider it, I think we should, and I think we probably should talk just a little bit about it again, because if you understand the issue of saving \$5 million a year, you certainly will go with it.

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

Mr. GWADOSKY: Mr. Speaker and Members of the House: I wish to make it quite clear that I hope you vote against the motion to reconsider. I do not wish this bill to be held.

The SPEAKER: For the Chair to order a roll call, it must have the expressed desire of one fifth of the members present. 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 Fairfield, Mr. Gwadosky, that the House reconsider its action whereby the Majority "Ought Not to Pass" Report was accepted. All those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA—Baker, Boisvert, Brodeur, Carroll, Conary, Conners, Connolly, Crowley, Davies, Diamond, G.W.; Diamond, J.N.; Dillenback, Fitzgerald, Fowlie, Gowen, Hickey, Higgins, H.C.; Huber, Hunter, Hutchings, Jordan, Kane, Kany, LaPlante, Lisnik, Manning, McHenry, McKean, Michael, Michaud, Mitchell, J.; Moholland, Nadeau, Norton, O'Rourke, Paradis, P.; Pearson, Perry, Post, Pouliot, Reeves, P.; Rolde, Smith, C.B.; Stevenson, Strout, Swazey, Theriault, Tuttle, Walker.

NAY—Aloupis, Armstrong, Austin, Beaulieu, Bell, Benoit, Bordeaux, Boyce, Brannigan, Brennerman, Brown, A.; Brown, D.; Brown, K.L.; Cahill, Callahan, Carrier, Chonko, Clark,

Cox, Curtis, Damren, Davis, Day, Drinkwater, Dudley, Erwin, Foster, Gavett, Gillis, Gwadosky, Hall, Hanson, Higgins, L.M.; Hobbins, Holloway, Ingraham, Jackson, Jacques, Jalbert, Joyce, Kelleher, Ketover, Kiesman, Kilcoyne, Lancaster, Laverriere, Lewis, Livesay, Locke, Lund, MacBride, MacEachern, Macomber, Mahany, Martin, A.; Masterman, Masterton, Matthews, McCollister, McGowan, McSweeney, Mitchell, E.H.; Murphy, Nelson, A.; Nelson, M.; Paradis, E.; Paul, Perkins, Peterson, Prescott, Racine, Randall, Reeves, J.; Richard, Ridley, Roberts, Salsbury, Sherburne, Small, Smith, C.W.; Soule, Stover, Studley, Telow, Thompson, Treadwell, Twitchell, Vose, Wentworth, Weymouth.

ABSENT—Berube, Carter, Cunningham, Dexter, Hayden, Martin, H.C.; McPherson, Soulas, Tarbell, Webster, Mr. Speaker.

Yes, 49; No, 90; Absent, 11; Vacant, 1.

The SPEAKER: Forty-nine having voted in the affirmative and ninety in the negative, with eleven being absent, the motion does not prevail.

Sent up for concurrence.

The Chair laid before the House the following matter:

House Divided Report—Majority (10) "Ought to Pass" in New Draft (H.P. 1555) (L.D. 1666)—Minority (3) "Ought Not to Pass"—Committee on Transportation on Bill "An Act to Provide Photographic Non-alterable Drivers' Licenses and Other State Documents" (H.P. 1019) (L.D. 1229) which was tabled and later today assigned pending acceptance of either Report.

On motion of Mr. Strout of Corinth, the Majority "Ought to Pass" Report was accepted and the New Draft read once.

Under suspension of the rules, the New Draft was read the second time, passed to be engrossed and sent up for concurrence.

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

Bill "An Act to Make Drinking in an Unlicensed Public Place a Class E Crime" (H.P. 1011) (L.D. 1207) (C. "A" H-426)

Tabled—May 17 (Till Later Today) by Representative Mitchell of Vassalboro.

Pending—Passage to be Engrossed.

On motion of Mr. Cox of Brewer, tabled pending passage to be engrossed and later today assigned.

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

An Act to Remove the Customer Charge from Electric Utility Rate Structures (Emergency) (S.P. 417) (L.D. 1240) (C. "A" S-245)

Tabled—May 27 (Till Later Today) by Representative Mitchell of Vassalboro.

Pending—Passage to be Enacted.

The SPEAKER: The Chair recognizes the gentlewoman from Bethel, Miss Brown.

Miss BROWN: Mr. Speaker and Members of the House: I would like to have a roll call and explain a little bit about the bill.

We had a debate on this bill yesterday and I think we covered all the facts. Just to refresh your memory a little bit, this is going to change the residential rate, have a minimum charge for the first 80 kilowatt hours. A couple of people came up to me this morning in the hallway and said, gee, I thought I only used 80 kilowatt hours and I went home and checked and I used 400 to 600 or whatever, and that was for a family of three. They don't use their dryer, don't use their electric dishwasher and a lot of appliances that they have.

I urge you not to support the enactment of this bill.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I think this is an issue, like many we have, that I know nothing about and I know

most of you know nothing about, setting public utility rates. I am sure you know no more about it than I do, and I don't think we should pass anything we don't know anything about, and that is just what you will be doing if you pass this bill today. We have a department that looks after rate setting and so forth, and they are supposed to be qualified people in that field. I am not qualified, and I know you are not, and I hope we don't pass this piece of legislation and do something we know nothing about.

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

Mr. DAVIES: Mr. Speaker and Members of the House: I feel a little bit disappointed that we haven't had an opportunity, because of the actions of the gentlelady from Bethel, Miss Brown, to correct some of the problems that I have assessed in this bill. I think it is unfortunate because it is a very important bill. It wouldn't be here, except the Governor thought it was a very important subject and I am going to stick with my Governor on this and I hope that you all will go along with the Governor because it is a very important measure. It is unfortunate that we haven't been able to make the corrections that are necessary, but that is the way the parliamentary process works.

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

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

The SPEAKER: The pending question is on passage to be enacted. This being an emergency measure, it requires a two thirds vote of all the members elected to the House. All those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA—Baker, Beaulieu, Benoit, Boisvert, Bordeaux, Brannigan, Brennerman, Brodeur, Brown, A.; Carrier, Carroll, Carter, Chonko, Clark, Connolly, Cox, Crowley, Davies, Diamond, G.W.; Diamond, J.N.; Erwin, Fitzgerald, Fowlie, Gowen, Gwadosky, Hall, Hayden, Hickey, Higgins, H.C.; Hobbins, Huber, Jacques, Jalbert, Joyce, Kane, Kany, Kelleher, Ketover, Kilcoyne, LaPlante, Laverriere, Lisnik, Locke, MacEachern, Mahany, Manning, Martin, A.; McCollister, McGowan, McHenry, McKean, McSweeney, Michael, Mitchell, E.H.; Mitchell, J.; Moholland, Nadeau, Nelson, M.; Norton, Paradis, P.; Pearson, Post, Pouliot, Prescott, Racine, Reeves, P.; Richard, Ridley, Roberts, Rolde, Soule, Swazey, Theriault, Thompson, Tuttle, Twitchell, Vose, Weymouth, The Speaker.

NAY—Aloupis, Armstrong, Austin, Bell, Boyce, Brown, D.; Brown, K.L.; Cahill, Callahan, Conary, Conners, Curtis, Damren, Davis, Day, Dillenback, Drinkwater, Dudley, Foster, Gavett, Hanson, Higgins, L.M.; Holloway, Hunter, Hutchings, Ingraham, Jackson, Jordan, Kiesman, Lancaster, Lewis, Livesay, Lund, MacBride, Macomber, Masterman, Matthews, McPherson, Michaud, Murphy, Nelson, A.; O'Rourke, Paradis, P.; Paul, Perkins, Peterson, Randall, Reeves, J.; Salsbury, Sherburne, Small, Smith, C.B.; Smith, C.W.; Stevenson, Stover, Strout, Studley, Tarbell, Telow, Treadwell, Walker, Wentworth.

ABSENT—Berube, Cunningham, Dexter, Gillis, Martin, H.C.; Masterton, Perry, Soulas, Webster.

Yes, 79; No, 62; Absent, 9; Vacant, 1.

The SPEAKER: Seventy-nine having voted in the affirmative and sixty-two in the negative, with nine being absent, the Bill fails of passage to be enacted.

Sent to the Senate.

The Chair laid before the House the fifth item

of Unfinished Business:

Bill "An Act to Control the Cost of Workers' Compensation Rates to Maine Employers" (H.P. 1291) (L.D. 1504)

— In House, Majority "Ought to Pass" in New Draft (H.P. 1483) (L.D. 1611) Report Accepted and Bill Passed to be Engrossed as Amended by House Amendment "A" (H-453) on May 22.

— In Senate, Minority "Ought Not to Pass" Report accepted in non-concurrence.

Tabled—May 27 (Till Later Today) by Representative Brannigan of Portland.

Pending—Further Consideration.

The SPEAKER: The Chair recognizes the gentlewoman from Vassalboro, Mrs. Mitchell. Mrs. MITCHELL: Mr. Speaker, I move that this be tabled for one legislative day.

Whereupon, Mr. Higgins of Scarborough requested a roll call vote.

The SPEAKER: For the Chair to order a roll call, it must have the expressed desire of one fifth of the members present and voting. All those 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 gentlewoman from Vassalboro, Mrs. Mitchell, that this be tabled pending further consideration and tomorrow assigned. All those in favor will vote yes; those opposed will vote no.

ROLL CALL

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

NAY—Aloupis, Armstrong, Austin, Bell, Bordeaux, Boyce, Brown, A.; Brown, D.; Brown, K.L.; Cahill, Callahan, Conary, Connors, Curtis, Damren, Davis, Day, Dillenback, Drinkwater, Foster, Gavett, Gowen, Hanson, Hickey, Higgins, L.M.; Holloway, Hunter, Hutchings, Ingraham, Jackson, Jordan, Kiesman, Lancaster, Lewis, Livesay, Lund, MacBride, Masterman, Matthews, McPherson, Murphy, Nelson, A.; O'Rourke, Paradis, E.; Peterson, Randall, Reeves, J.; Salsbury, Sherburne, Small, Smith, C.W.; Stevenson, Stover, Studley, Tarbell, Treadwell, Walker, Wentworth, Weymouth.

ABSENT—Cunningham, Dexter, Gillis, Martin, H.C.; Masterton, Soulas.

Yes, 85; No, 59; Absent, 6; Vacant, 1.

The SPEAKER: Eighty-five having voted in the affirmative and fifty-nine in the negative, with six being absent, the motion does prevail.

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

House Divided Report—Majority (12) "Ought Not to Pass"

— Minority (1) "Ought to Pass" as Amended by Committee Amendment "A" (H-384)—Committee on Education on Bill "An Act to Require Instruction in the Public Schools on the Ill Effects of Alcohol, Tobacco and other Substances" (H.P. 54) (L.D. 75)

Tabled—May 27 (Till Later Today) by Representative Connolly of Portland.

Pending—Motion of the same gentleman to accept the majority "Ought Not to Pass" Report.

On motion of Mr. Connolly of Portland, tabled pending his motion to accept the Majority "Ought Not to Pass" Report and later today assigned.

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

Bill "An Act to Authorize Municipal Ordinances Preventing Drinking in Public" (H.P. 146) (L.D. 172)

Tabled—May 27 by Representative Hobbins of Saco.

Pending—Motion of Representative McSweeney of Old Orchard Beach to Indefinitely Postpone (Roll Call Requested)

On motion of Mr. McSweeney of Old Orchard Beach, tabled pending his motion to indefinitely postpone and tomorrow assigned.

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

House Report—"Ought to Pass" in New Draft under New Title Bill "An Act to Promote Alcohol and Other Drug Abuse Education and Rehabilitation" (H. P. 1533) (L. D. 1645)—Committee on Education on Bill "An Act to Promote Alcohol and Drug Abuse Education and Rehabilitation" (H. P. 219) (L. D. 256)

Tabled—May 27 by Representative Diamond of Windham.

Pending—Acceptance of Committee Report.

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

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

Senate Report—"Ought to Pass" in New Draft (S.P. 609) (L.D. 1607) Committee on Transportation on Bill "An Act to Make Allocations from the Highway Fund and Appropriations from the General Fund for the Fiscal Years Ending June 30, 1982, and June 30, 1983, and to Establish a Local Road Assistance Program" (Emergency) (S.P. 270) (L.D. 752)

Tabled—May 27 by Representative Diamond of Windham.

Pending—Acceptance of Committee Report.

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

Mrs. MITCHELL: Mr. Speaker, I move that this be tabled for one legislative day.

Mr. Higgins of Scarborough requested a roll call vote.

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

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

The SPEAKER: The pending question is on the motion of the gentlewoman from Vassalboro, Mrs. Mitchell, that this be tabled pending acceptance of the Committee Report and tomorrow assigned. All those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA—Beaulieu, Berube, Boisvert, Brannigan, Brenerman, Brodeur, Brown, A.; Carrier, Carroll, Carter, Chonko, Clark, Connolly, Cox, Crowley, Davies, Diamond, J.N.; Dudley, Erwin, Fitzgerald, Fowlie, Gwadosky, Hall, Hickey, Higgins, H.C.; Jacques, Joyce, Kane, Kany, Ketover, Kilcoyne, LaPlante, Laverriere, Lisnik, Locke, MacEachern, Macomber, Mahany, Manning, Martin, A.; McCollister, McGowan, McHenry, McKean, McPherson, McSweeney, Michael, Michaud, Mitchell, E.H.; Mitchell, J.; Moholland, Nadeau, Nelson, M.; Norton, Paradis, P.; Paul, Pearson, Post, Pouliot, Prescott, Racine, Reeves, P.; Richard, Ridley, Rolde, Smith, C.B.;

Smith, C.W.; Soule, Swazey, Theriault, Thompson, Tuttle, Twitchell, Vose, Webster, The Speaker.

NAY—Aloupis, Armstrong, Austin, Bell, Bordeaux, Boyce, Brown, D.; Brown, K.L.; Cahill, Callahan, Conary, Curtis, Damren, Davis, Day, Drinkwater, Foster, Gavett, Gowen, Hanson, Higgins, L.M.; Huber, Hunter, Hutchings, Ingraham, Jackson, Jordan, Kiesman, Lancaster, Livesay, Lund; MacBride, Masterman, Matthews, Murphy, Nelson, A.; O'Rourke, Paradis, E.; Perkins, Peterson, Randall, Reeves, J.; Salsbury, Sherburne, Small, Stevenson, Stover, Strout, Studley, Tarbell, Telow, Treadwell, Walker, Wentworth, Weymouth.

ABSENT—Baker, Benoit, Connors, Cunningham, Dexter, Diamond, G.W.; Gillis, Hayden, Hobbins, Holloway, Jalbert, Kelleher, Martin, H.C.; Masterton, Roberts, Soulas.

Yes, 77; No, 57; Absent, 16; Vacant, 1.

The SPEAKER: Seventy-seven having voted in the affirmative and fifty-seven in the negative, with sixteen being absent, the motion does prevail.

The Chair laid before the House the following matter:

Bill, "An Act Promoting Alcoholism Prevention, Education, Treatment and Research" (H. P. 1540) (L. D. 1655) which was tabled and later today assigned pending further consideration.

On motion of Mrs. Post of Owl's Head, Mrs. Post, tabled pending further consideration and later today assigned.

The Chair laid before the House the following matter:

HOUSE DIVIDED REPORT—Majority (12) "Ought Not to Pass"—Minority (1) "Ought to Pass" as amended by Committee Amendment "A" (H-384)—Committee on Education on Bill "An Act to Require Instruction in the Public Schools on the Ill Effects of Alcohol, Tobacco and other Substances" (H. P. 54) (L. D. 75) which was tabled and later today assigned pending the motion of Mr. Connolly of Portland to accept the Majority "Ought Not to Pass" Report.

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

Mr. DEXTER: Mr. Speaker, I would request a division.

The SPEAKER: The Chair recognizes the gentleman from Island Falls, Mr. Smith.

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: I believe we should give this bill some thought in passing it. A few days ago, we considered a gun safety course was needed. I ask you now, how many accidents do you know that have occurred by the use of guns? Then I would ask you, how many accidents do you know about that liquor or drugs, or the combination of both, was a contributing factor?

Back in 1942, I was privileged to receive a letter from the President of the United States. It began something like this: "Greetings, you have been selected to serve your country." Well, I did report to Camp Devens, and after receiving a few needles and new clothes, we formed outside and were marched to a base theater. I thought this was going to be a treat to help us forget the torture we had been through; well, not so. This was no Mickey-Mouse film. This film was produced by the U.S. Army Signal Corps. As the film got underway, some of the boys fainted, some became sick. I just closed my eyes and listened to the music. This was not the only showing of this film. Many times after and upon arriving overseas, the film was shown again and again, and I might add, it was not by choice that I attended. That film was about what could happen when two people got together, men and women in this case. Don't tell me that that film didn't make an impression on me and others.

I know I am a country boy, but it was a long

time after that before I would take a donut from the Red Cross lady when she came around with the mobile canteen service.

I believe if we save one or two from the effects of liquor, drugs or tobacco, the time will be well spent. Even now when I hear the music and I close my eyes, I can see that film. But I did get over that fright and got married and I now have five wonderful children.

Please support this bill.

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

Mr. CONNOLLY: Mr. Speaker and Members of the House: This particular bill, which received a 12 to 1 "ought not to pass" recommendation from the Committee on Education, would require that every school unit in the state set aside 30 minutes twice each month to deal with drug and alcohol and narcotic abuse instruction programs. It was the feeling of the Committee on Education that since this bill did not carry any funding with it, this was placing a mandate on local school districts to implement a program without providing that school district with any choice in the matter, and also without providing that school district any funding. Based on that situation, the committee voted 12 to 1 "ought to pass" and I would hope that you would accept the committee's recommendation.

The SPEAKER: The Chair will order a vote. The pending question is on the motion of the gentleman from Portland, Mr. Connolly, that the Majority "Ought Not to Pass" Report be accepted. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

Whereupon, Mr. Dexter of Kingfield requested a roll call vote.

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

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

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

Mr. DEXTER: Mr. Speaker, Men and Women of the House: I feel that I must apologize for getting up today, I get up so often; this is my second time on a bill this year.

Here we are, we are dealing with public drinking, we are dealing with the results of the drug problem here, we are not getting at the root of the problem, and that is with our children. This is what this is all about, our children.

I guess the gentleman said there would be a fiscal note on here. I can't see where there is a fiscal note required here. This simply is going to be promoted through the old temperance act, so-called, which is a farce, so we have changed this to help promotion day.

The only opposition at the hearing was Mr. Marvin of the MTA. I had Ed Gorham from the AFL-CIO, the Christian Civic League, State Nurses Association, the American Legion supports this bill. I went to my elementary principal with the bill, and I will admit, it was poorly drafted, so with his help, we came up with this. He said, this is something that I can live with and you use whatever visual aids are available, and there are plenty.

I have got to go back a few years ago. I went to Boston. I have been out of the state since I got home from WW II twice, and that was to Boston both times, and I regretted each time. When I stepped off the bus the street was littered with broken glass and you could see the derelicts around there. I had a daughter who was 13 years old, so I had a group of girls that were in my charge. We went to the Boston Museum of Science. Everything was going fine and we came to the act of reproduction. I said, Oh boy, what do I do now? I got through that

fine, no problems. The next exhibit was the smoker's lung, black as your boot. I was explaining what tobacco did to the lungs and so forth, and I felt this tug on my sleeve. The girl kept saying, Mr. Dexter, Mr. Dexter, so finally I said, what's the trouble? She said, can we move on, I am going to be sick. My mother and father both smoke.

I am a firm believer in education; this is what it is all about. Why don't we get to the root of the problem.

Just look at your newspaper ads, just think about this one—you have come a long way baby. Well, you certainly have. You have caught up with us here in lung cancer and so forth. Imagine having a boy who thought about that ad, he must have hated his mother, that is the only thing I can figure out.

And as far as the mandate goes, the one objection is that it is a mandate. If that is the case, we will go back over the books here and we will reduce our statutes by 99 percent, at least. If this is a mandate, I am all for it.

I hope everyone will support this bill. I realize that even if it survives here today, the other body will pounce on it like a duck after a Junebug, as my good friend from Sangerville would say.

This simple woodsman here put in a simple bill, and I didn't listen to my good friend from Waterville, Mr. Jacques. He said—can't I teach you nothing, Dexter? You want to make it complicated and then you will have a chance. So I hope you will vote against the "Ought Not to Pass" Report.

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

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: I sincerely hate to get up and speak against this bill. It is probably the best intentioned bill that we have had before us in the legislature from probably the best intentioned legislator that we have among us, and I admire him very much and I appreciate very much his victory yesterday on smoking, but we really, sincerely, have had some problems with this in the committee because we have tried very hard not to mandate programs back to the local school systems without giving them the means with which to handle those mandates. We have had a number of them before us so far this year, things like mandating sex education, mandating CPR, mandating energy conservation, consumer education. We got a number of these bills, and we have tried to make it a rule of thumb not to push these back onto the local school systems.

There are some other bills, and that is one of the reasons that we have not gotten to Mr. Dexter's bill until now. We had L. D. 1485, which is a bill that I had worked very, very hard on. As you know, we had 114 votes for it the other day in the House. Right now, we are trying to work out what will happen because we are in non-concurrence with the Senate. This is a very broad bill which will deal with some of the problems that Mr. Dexter is hoping to address.

We do have a minimal program in the Department of Education now that helps schools set up drug and alcohol education programs. They will work with the local schools at their request, and they are inundated their requests, they can't handle all the requests that they are getting. But they also work not just with the schools, but with the communities, because it is not enough just to go into the schools, give a lecture to the kids and think that you have handled the job. It is a much more complicated—I am sorry to say it is complicated it would be nice to say that it was very simple, but alcoholism is not a simple problem either.

So, it is with a very heavy heart that I ask you to go along with the committee. I think this was a very well-intentioned bill, but without the resources for the local schools to come up with having to do a half an hour twice a month, I don't think that this bill is going to be workable,

and hopefully we can pass one of the other bills that we have which will put some teeth into the program and help to address the problem.

The SPEAKER: A roll call has been ordered. The pending question is on the motion of the gentleman from Portland, Mr. Connolly, 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 — Alopis, Armstrong, Baker, Beau-
lieu, Bell, Benoit, Berube, Boisvert, Boyce,
Brenerman, Brodeur, Brown, A.; Brown, D.;
Cahill, Chonko, Connolly, Davies, Davis, Day,
Diamond, J. N.; Dillenback, Erwin, Fitzge-
rard, Gavett, Gowen, Gwadosky, Hanson, Hob-
bins, Huber, Hutchings, Ingraham, Jalbert,
Kane, Ketover, Laverriere, Lewis, Locke,
Lund, MacBride, MacEachern, Macomber,
Masterton, McCollister, McHenry, McKean,
Michael, Michaud, Mitchell, E. H. Murphy,
Nadeau, Nelson, M.; O'Rourke, Perkins, Pouli-
ot, Richard, Ridley, Roberts, Rolde, Salsbury,
Small, Soulas, Soule, Studley, Swazey, Theri-
ault, Thompson, Twitchell, Vose, Walker,
Wentworth, Weymouth.

NAY — Austin, Bordeaux, Brannigan, Calla-
han, Carrier, Carroll, Carter, Clark, Connary,
Cox, Crowley, Damren, Dexter, Diamond, G.
W.; Drinkwater, Dudley, Foster, Fowlie,
Gillis, Hayden, Hickey, Higgins, H. C.; Hig-
gins, L. M.; Holloway, Hunter, Jacques,
Jordan, Joyce, Kany, Kelleher, Kiesman, Kil-
coyne, Lancaster, LaPlante, Lisnik, Mahany,
Manning, Martin, A.; Masterman, Matthews,
McGowan, McPherson, McSweeney, Mitchell,
J.; Moholland, Nelson, A.; Norton, Paradis,
E.; Paradis, P.; Paul, Pearson, Perry, Peter-
son, Post, Prescott, Racine, Reeves, J.; Sher-
burne, Smith, C. B.; Smith, C. W.; Stevenson,
Stover, Strout, Tarbell, Telow, Treadwell,
Tuttle, Webster.

ABSENT — Brown, K. L.; Connors, Cunning-
ham, Curtis, Hall, Jackson, Livesay, Martin,
H. C.; Randall, Reeves, P.; The Speaker.

Yes, 71; No, 68; Absent, 11; Vacant, 1.

The SPEAKER: Seventy-one having voted in the affirmative and sixty-eight in the negative, with eleven being absent, the motion does pre-
vail.

Sent up for concurrence.

The following papers appearing on Supple-
ment No. 8 were taken up out of order by unan-
imous consent:

Bond Issue Tabled and Assigned

An Act to Authorize a General Fund Bond
Issue in the Amount of \$2,500,000 to Assist Mu-
nicipalities with Resource Recovery of Solid
Waste (H. P. 1528) (L. D. 1641) (S. "A" S-289)

Was reported by the Committee on En-
grossed Bills as truly and strictly engrossed.

On motion of Mr. Diamond of Windham,
tabled pending passage to be enacted and to-
morrow assigned.

Passed to Be Enacted Emergency Measures

An Act to Amend the Petroleum Liquids
Transfer Vapor Recovery Law (S. P. 602) (L.
D. 1600) (H. "A" H-476)

Was reported by the Committee on En-
grossed Bills as truly and strictly engrossed.
This being an emergency measure and a two-
thirds vote of all the members elected to the
House being necessary, a total was taken. 129
voted in favor of same and none against, and
accordingly the Bill was passed to be enacted,
signed by the Speaker and sent to the Senate.

An Act Creating the North Berwick Water
District (H. P. 1407) (L. D. 1572) (C. "A" H-
469)

Was reported by the Committee on En-
grossed Bills as truly and strictly engrossed.
This being an emergency measure and a two-
thirds vote of all the members elected to the

House being necessary, a total was taken. 121 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

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

Passed to Be Enacted

An Act to Establish the Dental Practice Act (S. P. 633) (L. D. 1648) (S. "A" S-284)

An Act to Amend Special Education Statutes to Provide for the Computation of Board and Care and to Authorize Rate Approval by the Commissioner (H. P. 268) (L. D. 302) (C. "A" H-470)

An Act to Amend the Charter of the North Yarmouth Water District (H. P. 1406) (L. D. 1571)

An Act Concerning Minimum Limits Required under the Financial Responsibility Law (H. P. 1455) (L. D. 1596) (S. "B" S-286)

An Act to Amend the Laws Governing School Administrative Districts and Community School Districts (H. P. 1514) (L. D. 1631) (H. "A" H-459; H. "B" H-473)

An Act Assuring Legislative Participation in Nuclear Waste Repository Research and Development Activity within the State (H. P. 1526) (L. D. 1636) (S. "A" S-276)

An Act to Provide for the Setoff against Income Tax Refunds of Debts Owed to the State or Collectible by the State (H. P. 1538) (L. D. 1650)

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

By unanimous consent, all preceding Enactors were ordered sent forthwith to the Senate.

The following papers were taken up out of order by unanimous consent.

Non-Concurrent Matter

Bill "An Act to Phase Down the Inheritance Tax and to Replace the Inheritance Tax with an Estate Tax Equal to the Federal Credit for State Death Tax" (H. P. 1544) (L. D. 1658) which was passed to be engrossed in the House on May 27, 1981.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" (S-298) in non-concurrence.

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

By unanimous consent, ordered sent forthwith to Engrossing.

Non-Concurrent Matter

Bill "An Act to Conform the Definition of Manufactured Housing with Federal Law" (H. P. 894) (L. D. 998) on which the Minority "Ought to Pass" in New Draft under New Title Bill "An Act to Equalize the Treatment of all Manufactured Housing (H. P. 1534) (L. D. 1646) Report of the Committee on Local and County Government was read and accepted and the New Draft Passed to be engrossed as amended by House Amendments "A" (H-484) and "B" (H-489) in the House on May 27, 1981.

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

In the House:

Mr. LaPlante of Sabattus moved that the House insist.

Whereupon, Mr. Armstrong of Wilton moved that the House recede and concur.

The SPEAKER: The Chair will order a vote. The pending question is on the motion of the gentleman from Wilton, Mr. Armstrong, that the House recede and concur. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

Whereupon, Mr. LaPlante of Sabattus requested a roll call vote.

The SPEAKER: For the Chair to order a roll

call, it must have the expressed desire of one fifth of the members present and voting. All those desiring a roll call vote will vote yes; those opposed will vote no.

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

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

ROLL CALL

YEA—Aloupis, Armstrong, Austin, Bell, Bordeaux, Brown, K. L., Cahill, Callahan, Canary, Connors, Curtis, Damren, Davis, Day, Dexter, Dudley, Foster, Gavett, Gillis, Hanson, Higgins, L. M., Holloway, Hunter, Hutchings, Ingraham, Jackson, Jalbert, Jordan, Kelleher, Kiesman, Lancaster, Laverriere, Lewis, Livesay, Lund, MacBride, Masterman, Masterton, Matthews, McPherson, Murphy, Nelson, A., O'Rourke, Perkins, Peterson, Pouliot, Randall, Reeves, J., Ridley, Salisbury, Sherburne, Small, Smith, C. W., Soulas, Stevenson, Stover, Strout, Studley, Tarbell, Telow, Treadwell, Twitchell, Walker, Webster, Wentworth, Weymouth.

NAY—Baker, Benoit, Berube, Boisvert, Boyce, Brenerman, Brodeur, Brown, A., Brown, D., Carroll, Carter, Clark, Connolly, Crowley, Davies, Diamond, G. W., Diamond, J. N., Dillenback, Drinkwater, Erwin, Fitzgerald, Fowlie, Gowen, Gwadosky, Hall, Hayden, Hickey, Higgins, H. C., Huber, Jacques, Joyce, Kane, Kany, Ketover, Kilcoyne, LaPlante, Lisnik, Locke, MacEachern, Macomber, Mahany, Manning, Martin, A., McCollister, McGowan, McHenry, McKean, McSweeney, Michael, Michaud, Mitchell, E. H., Mitchell, J., Moholland, Nadeau, Nelson, M., Norton, Paradis, E., Paul, Pearson, Perry, Post, Prescott, Racine, Reeves, P., Richard, Roberts, Rolde, Smith, C. B., Soule, Swazey, Theriault, Thompson, Tuttle, Vose, The Speaker.

ABSENT—Beaulieu, Brannigan, Carrier, Chonko, Cox, Cunningham, Hobbins, Martin, H. C., Paradis, P.

Yes, 66; No, 75; Absent, 9; Vacant, 1.

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

Thereupon, on motion of Mr. LaPlante of Sabattus, the House voted to insist.

Non-Concurrent Matter

Bill "An Act to Clarify Certain Provisions of Law Relating to the Method of Voting for School Committee Members of the Wells-Ogunquit Community School District" (H. P. 605) (L. D. 682) on which Report "A" "Ought to Pass" of the Committee on Local and County Government was read and accepted and the Bill passed to be engrossed as amended by House Amendment "A" (H-447) in the House on May 27, 1981.

Came from the Senate with the Bill and accompanying papers Indefinitely Postponed in non-concurrence.

In the House: On motion of Mrs. Wentworth of Wells, the House voted to adhere.

Consent Calendar

First Day

(S. P. 488) (L. D. 1428) Bill "An Act Authorizing a Bond Issue in the Amount of \$29,000,000 for the Purposes of Fostering Agricultural and Economic Development in the State of Maine"—Committee on Transportation reporting "Ought to Pass" as amended by Committee Amendment "A" (S-297)

Report was read and accepted and the Bill read once. Committee Amendment "A" (S-297) was read by the Clerk and adopted in concurrence and the Bill assigned for second reading later in the day.

(Off Record Remarks)

On motion of Mr. O'Rourke of Camden, Recessed until four o'clock in the afternoon.

After Recess

4:00 p.m.

The House was called to order by the Speaker.

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

Passed to Be Engrossed

Bill "An Act to Promote Alcohol and other Drug Abuse Education and Rehabilitation" (H. P. 1533) (L. D. 1645)

Bill "An Act to Define Eligibility for School Purposes and to Determine Financial Responsibility for the Education of State Wards and Students who are not State Wards" (Emergency) (H. P. 1559) (L. D. 1669)

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

Amended Bill

Bill "An Act Authorizing a Bond Issue in the Amount of \$29,000,000 for the Purposes of Fostering Agricultural and Economic Development in the State of Maine" (S. P. 488) (L. D. 1428) (C. "A" S-297)

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.

The following papers appearing on Supplement No. 12 were taken up out of order by unanimous consent:

Leave to Withdraw

Representative Hobbins from the Committee on Judiciary on Bill "An Act to Enhance Public Safety through the Authorization of Suspension of Licenses" (H. P. 948) (L. D. 1124) reporting "Leave to Withdraw".

Representative Hobbins from the Committee on Judiciary on Bill "An Act Concerning Operation of a Motor Vehicle while under the Influence of Intoxicating Liquor" (H. P. 1231) (L. D. 1456) reporting "Leave to Withdraw".

Representative Hall from the Committee on Energy and Natural Resources on Bill "An Act to Facilitate the Development of Hazardous Waste Management Facilities" (H. P. 1397) (L. D. 1568) reporting "Leave to Withdraw".

Reports were read and accepted and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

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

Consent Calendar

First Day

(H. P. 474) (L. D. 538) Bill "An Act Concerning the Regulation of Atlantic Salmon"—Committee on Marine Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (H-497)

(H. P. 712) (L. D. 837) Bill "An Act to Amend the Charter of the Gardiner Water District"—Committee on Public Utilities reporting "Ought to Pass" as amended by Committee Amendment "A" (H-499)

(H. P. 637) (L. D. 727) Bill "An Act Concerning the Suspension of a Driver's License for Operating a Motor Vehicle under the Influence of Alcohol or Refusing to Submit to a Blood or Breath Analysis"—Committee on Judiciary reporting "Ought to Pass" as amended by Committee Amendment "A" (H-502)

(H. P. 556) (L. D. 635) Bill "An Act to Amend Provisions Concerning the Operation of the Operation after Suspension and Habitual Offender

Laws and Certain Nonsentencing Provisions of the operating under the Influence Law" — Committee on Judiciary reporting "Ought to Pass" as amended by Committee Amendment "A" (H-501)

No objections having been noted, under suspension of the rules, the above items were given Consent Calendar Second Day notification, passed to be engrossed as amended and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

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

Divided Report

Majority Report of the Committee on Judiciary reporting "Ought to Pass" as amended by Committee Amendment "A" (H-500) on Bill "An Act to Protect Farmers' Right to Farm" (H. P. 1175) (L. D. 1399)

Report was signed by the following members:

Senators:

DEVOE of Penobscot
CONLEY of Cumberland
KERRY of York

— of the Senate.

Representatives:

DRINKWATER of Belfast
JOYCE of Portland
LIVESAY of Brunswick
O'ROURKE of Camden
BENOIT of South Portland
HOBBINS of Saco
SOULE of Westport

— of the House.

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

Report was signed by the following members:

Representatives:

LUND of Augusta
CARRIER of Westbrook
REEVES of Newport

— of the House.

Reports were read.

Thereupon, the Majority "Ought to Pass" Report was accepted and the Bill read once. Committee Amendment "A" (H-500) was read by the Clerk and adopted.

Under suspension of the rules, the Bill was read the second time, passed to be engrossed as amended and sent up for concurrence.

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

Passed to Be Enacted Emergency Measure

An Act to Revise the Salaries of Certain County Officers (H. P. 1508) (L. D. 1622) (S. "A" S-277)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken, 111 voted in favor of same and 8 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

By unanimous consent, all matters acted upon were ordered sent forthwith to the Senate.

The Chair laid before the House the following matter:

RESOLVE, to Authorize Expenditure of Certain Federal Funds for New or Expanded Programs (Emergency) (H. P. 1361) (L. D. 1546) which was tabled and later today assigned pending further consideration.

On motion of Mr. Jackson of Yarmouth, under suspension of the rules, the House reconsidered its action whereby House Amendment "A" (H-271) was indefinitely postponed.

Thereupon, House Amendment "A" was adopted.

The Bill was passed to be engrossed as amended in non-concurrence and sent up for concurrence.

The Chair laid before the House the following matter:

An Act to Provide for a Commission to Propose a Method of Providing Volunteer Legal Services (Emergency) (S. P. 634) (L. D. 1649) which was tabled and later today assigned pending the motion of Mr. Hobbins of Saco to reconsider whereby the Bill failed of passage to be enacted.

Thereupon, the House reconsidered its action whereby the Bill failed of passage to be enacted.

The SPEAKER: The pending question is on passage to be enacted. This being an emergency measure, it requires a two-thirds vote of all the members elected to the House. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

77 having voted in the affirmative and 61 having voted in the negative, the Bill failed of passage to be enacted.

Sent to the Senate.

The Chair laid before the House the following matter:

RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Penobscot County for the Year 1981 (Emergency) (H. P. 1498) (L. D. 1618) which was tabled and later today assigned pending further consideration.

On motion of Miss Aloupis of Bangor, tabled pending further consideration and tomorrow assigned.

On motion of Mrs. Post of Owl's Head, the House reconsidered its action of earlier in the day whereby Bill "An Act providing for Certain Public Utility Bond Financing by the Maine Municipal Bond Bank," House Paper 1558, L. D. 1668, was passed to be engrossed.

On motion of the same gentlewoman, tabled pending passage to be engrossed and tomorrow assigned.

On motion of Miss Brown of Bethel, the House reconsidered its action of earlier in the day whereby Bill "An Act to Amend the Charter of the Bethel Water District," House Paper 1549, L. D. 1665, was passed to be engrossed.

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

House Amendment "A" (H-504) was read by the Clerk and adopted.

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

By unanimous consent, ordered sent forthwith to the Senate.

On motion of Mr. Callahan of Mechanic Falls,

Adjourned until nine o'clock tomorrow morning.