

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

INDEX

FIRST SPECIAL SESSION

AUGUST 3, 1981

INDEX

FIRST CONFIRMATION SESSION

AUGUST 28, 1981

INDEX

SECOND SPECIAL SESSION

SEPTEMBER 25, 1981

INDEX

THIRD SPECIAL SESSION

DECEMBER 9, 1981

INDEX

HOUSE

Friday, June 19, 1981

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

Prayer by the Monsignor David Fitzpatrick of Saint Andrew's Catholic Church, Augusta.

The members stood for the Pledge of Allegiance.

The journal of the previous session was read and approved.

(Off Record Remarks)

On motion of Mrs. Mitchell of Vassalboro, Recessed until ten o'clock in the morning.

**After Recess
10:00 a.m.**

The House was called to order by the Speaker.

Messages and Documents

The following Communication:

STATE OF MAINE

House of Representatives

Speaker's Office

Augusta, Maine 04333

June 16, 1981

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

I am pleased to authorize and direct you to serve on a full-time basis when the Legislature is not in regular or special session, as provided in Section 22 of Title 3 of the Maine Revised Statutes Annotated, for the 110th Maine Legislature.

Sincerely,

S/JOHN L. MARTIN

Speaker of the House

The Communication was read and ordered placed on file.

Passed to Be Engrossed

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, to Establish a Local Road Assistance Program, to Continue the Maine Turnpike Authority and to Adjust Highway Fund Revenue" (Emergency) (H. P. 1696) (L. D. 1691) (Presented by Representative Carroll of Limerick) (Cosponsors: Representatives McKean of Limestone, Strout of Corinth and Hutchings of Lincolnville) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27)

Under suspension of the rules and without reference to a Committee, the Bill was read twice, passed to be engrossed and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

Orders**Later Today Assigned**

On motion of Representative Jalbert of Lewiston, the following Joint Order: (H. P. 1699)

ORDERED, the Senate concurring that Bill, "An Act to Continue the Maine Turnpike Authority," Senate Paper 650, Legislative Document 1676, be recalled from the Governor's desk to the House.

The Order was read.

On motion of Mr. Jalbert of Lewiston, tabled pending passage and later today assigned.

Special Sentiment Calendar

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

Anne D. Stimpson who is retiring after 30 years of dedicated service as librarian of the Mark and Emily Turner Memorial Library in Presque Isle; (H. P. 1697) by Representative

MacBride of Presque Isle)

Arnold and Lillian Forsman of New Sweden who will celebrate their 50th wedding anniversary on July 12, 1981; (H. P. 1698) by Representative Matthews of Caribou) (Cosponsor: Representative Nelson of New Sweden)

Frank Stevens, upon retirement after 33 years' service with the Kennebunk Police Department, 23 of those years as Chief of Police; (H. P. 1700) by Representative Murphy of Kennebunk)

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

Passed to Be Enacted

An Act to Amend the Maine Tree Growth Tax Law (H. P. 801) (L. D. 955) (S. "A" S-373 to C. "B" H-547)

An Act to Clarify the Status of Certain Real Estate Titles in the State (S. P. 598) (L. D. 1594) (H. "A" H-573)

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:

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 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 29 by Representative Carroll of Limerick.

Pending—Acceptance of Committee Report.

Thereupon, the Bill was indefinitely postponed in non-concurrence and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

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

Bill "An Act to Fund the Highway Allocation Act for Fiscal Years 1981-'82 and 1982-'83" (Emergency) (H.P. 1653) (L.D. 1690)

—In House, Majority "Ought to Pass" Report Accepted and Bill Passed to be Engrossed on June 9.

—In Senate, Minority "Ought to Pass" Report Accepted and Bill "An Act to Create a Fuel Efficiency Adjustment Program and Other Highway Revenue Adjustments" (Emergency) (H. P. 1652) (L. D. 1689) Passed to be Engrossed as Amended by Senate Amendment "A" (S-363) in non-concurrence.

Tabled—June 10 by Representative Mitchell of Vassalboro.

Pending—Motion of same gentlewoman to Adhere.

Thereupon, the House voted to adhere.

By unanimous consent, ordered sent forthwith to the Senate.

On motion of Mrs. Mitchell of Vassalboro, the following matter was removed from the Unassigned Table:

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Undedicate the Highway Fund (H. P. 733) (L. D. 833)

Tabled—March 10 by Representative Mitchell of Vassalboro.

Pending—Passage to be Engrossed.

Thereupon, the Resolution was indefinitely postponed and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

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

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

The following Joint Order: (S. P. 700)

WHEREAS, Legislative Document 1683, Bill "An Act to Fund and Implement Certain Collective Bargaining Agreements and Fund and Implement Benefits for State Employees Excluded from Collective Bargaining" has been passed; and

WHEREAS, the passage of this bill has serious ramifications for the Maine State Retirement System, and

WHEREAS, no opportunity was afforded for a full actuarial study of the implications of the legislation; and

WHEREAS, the precedent established may have serious implications for the funding of the system; now, therefore, be it

ORDERED, the House concurring, subject to the Legislative Councils' review and determination hereinafter provided, that a committee composed of a subcommittee of the Joint Standing Committee on Appropriations and Financial Affairs and a subcommittee of the Joint Standing Committee on Aging, Veterans and Retirement shall study the retirement provisions contained in L.D. 1683 to determine if the funding is sound and to make recommendations for corrective action is required; and be it further

ORDERED, that the committee report its findings and recommendations, together with all necessary implementing legislation in accordance with the Joint Rules, to the Legislative Council for submission in final form at the Second Regular Session of the 110th Legislature; and be it further

ORDERED, that the Legislative Council, before implementing this study and determining an appropriate level of funding, shall first ensure that this directive can be accomplished within the limits of available resources, that it is combined with other initiatives similar in scope to avoid duplication and that its purpose is within the best interests of the State; and be it further

ORDERED, upon passage in concurrence, that a suitable copy of this Order shall be forwarded to members of the committee.

Came from the Senate read and passed.

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

House at Ease

Called to order by the Speaker.

At this point, the rules were suspended to allow members to remove their jackets for the remainder of today's session.

(Off Record Remarks)

Thereupon, the House recessed until the sound of the gong.

**After Recess
3:20 P.M.**

The House was called to order by the Speaker.

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

Bill "An Act to Make Additional Corrections of Errors and Inconsistencies in the Laws of Maine" (Emergency) (S.P. 701)

Came from the Senate, under suspension of the rules and without reference to a Committee, the Bill read twice and passed to be engrossed as amended by Senate Amendments "A" (S-374) and "B" (S-375).

In the House, under suspension of the rules and without reference to a committee, the Bill was read once. Senate Amendment "A" (S-374) was read by the Clerk and adopted in concurrence. Senate Amendment "B" (S-375) was read by the Clerk.

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

Mr. HIGGINS: Mr. Speaker, Ladies and Gen-

tlemen of the House: Could we have just a brief explanation of Senate Amendment "B"? I can't seem to find it.

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

(At Ease)

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

Mr. HIGGINS: Mr. Speaker, for the benefit of the rest of the members of the House, the Senator from Portland, Senator Conley, has informed us that this is purely a clarification on the collective bargaining bill that we passed for county employees earlier in this session, and while I am on my feet, Senate Amendment "A" was an emergency preamble that was necessary to the bill.

Thereupon, Senate Amendment "B" was adopted in concurrence.

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

By unanimous consent, ordered sent forthwith to Engrossing.

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

**Passed to Be Enacted
Emergency Measure**

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, to Establish a Local Road Assistance Program, to Continue the Maine Turnpike Authority and to Adjust Highway Fund Revenue (H. P. 1696) (L. D. 1691)

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

Mr. Racine of Biddeford 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 will vote yes; those opposed will vote no.

The Chair recognizes the gentlewoman from Bethel, Miss Brown.

Miss BROWN: Mr. Speaker, I request permission to pair my vote with the gentleman from Brooksville, Mr. Perkins. If he were here, he would be voting yes; I would be voting no.

ROLL CALL

YEA—Aloupis, Baker, Beaulieu, Bell, Benoit, Berube, Boisvert, Boyce, Brannigan, Brennerman, Brodeur, Brown, D.; Cahill, Callahan, Carroll, Chonko, Clark, Conary, Connolly, Cox, Crowley, Cunningham, Curtis, Davies, Davis, Day, Diamond, G.W.; Diamond, J.N.; Dillenback, Drinkwater, Fitzgerald, Foster, Fowlie, Gillis, Gowen, Gwadosky, Hall, Hayden, Hickey, Higgins, H.C.; Higgins, L.M.; Hobbins, Holloway, Huber, Ingraham, Jackson, Jacques, Jalbert, Jordan, Joyce, Kane, Kelleher, Kilcoyne, Lancaster, LaPlante, Laverriere, Lisnik, Locke, Lund, Macomber, Mahany, Manning, Masterton, Matthews, McCollister, McGowan, McHenry, McKean, McPherson, McSweeney, Michael, Michaud, Mitchell, E.H.; Mitchell, J. Moholland, Nadeau, Nelson, M.; O'Rourke, Paradis, E.; Paradis, P.; Pearson, Perry, Post, Pouliot, Prescott, Randall, Reeves, P.; Richard, Ridley, Roberts, Sherburne, Small, Smith, C.B.; Soule, Stevenson, Stover, Strout, Tarbell, Telow, Theriault, Thompson, Treadwell, Tuttle, Webster, Weymouth, The Speaker.

NAY—Armstrong, Austin, Bordeaux, Brown, A.; Carrier, Conners, Damren, Dexter, Gavett, Hanson, Hunter, Hutchings, Kiesman, Lewis, Livesay, MacBride, Martin, A.; Masterman, Murphy, Nelson, A.; Norton, Paul, Peterson, Racine, Reeves, J.; Salsbury, Smith, C.W.; Soulas, Studley, Walker, Wentworth.

ABSENT—Carter, Dudley, Erwin, Kany, Ketter, MacEachern, Martin, H.C.; Rolde, Swazey, Twitchell, Vose.

PAIRED—Brown, K.L.-Perkins.

Yes, 106; No, 31; Absent, 11; Paired, 2; Vacant, 1.

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

Signed by the Speaker and sent to the Senate.

By unanimous consent, ordered sent forthwith.

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

Committee of Conference Report

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Concerning Workers' Compensation Cost Containment" (H. P. 502) (L. D. 553) have had the same under consideration and ask leave to report: that they are unable to agree.

Signed:

Representatives:

MITCHELL of Vassalboro

DIAMOND of Windham

HIGGINS of Scarborough

— of the House.

Senator:

SEWALL of Lincoln

SUTTON of Oxford

BROWN of Washington

— of the Senate.

Report was read and accepted and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

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

The following Communication:

THE SENATE OF MAINE

AUGUSTA

June 19, 1981

The Honorable Edwin H. Pert

Clerk of the House

110th Maine Legislature

State House

Augusta, Maine 04333

Dear Clerk Pert:

The Senate today voted to Adhere to its former action on Bill, "An Act to Create a Fuel Efficiency Adjustment Program and Other Highway Revenue Adjustments," (H. P. 1652) (L. D. 1689).

Respectfully,

S/MAY M. ROSS

Secretary of the Senate

The Communication was read and ordered placed on file.

The following paper appearing on Supplement No. 7 was taken up out of order by unanimous consent:

**Passed to Be Enacted
Emergency Measure**

An Act to Make Additional Corrections of Errors and Inconsistencies in the Laws of Maine (S. P. 701) (L. D. 1692) (S. "A" S-374 and S. "B" S-375)

Was reported that 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. 123 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.

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

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

The following Communication:

OFFICE OF THE GOVERNOR

Augusta, Maine

June 19, 1981

To the Honorable Members of the 110th Maine Legislature

I am returning without my signature, or my approval, L. D. 1688, "AN ACT to Establish Temporary Minimum Prices to be Paid to Milk Dealers and Retailers and to Facilitate Compliance of the Milk Commission with Recent Cases before the Maine Courts".

I cannot, in good conscience, ask Maine consumers to bear an artificial 30 to 40 cents increase in the price of a gallon of milk.

I cannot, in good conscience, condone or acquiesce in price fixing for this vital commodity.

I cannot, in good conscience, assist in reversing a judgment by the Supreme Court of this State that the prices compelled by the Commission were based on standards that ignored the law and relied on unaudited evidence.

This decision is based on two fundamental principles:

First, I believe the free market is generally the fairest and most efficient way to deliver to the people the goods they want in the quality and quantity they desire.

The free market affords no special privilege based on political clout and guarantees no minimum price to protect the inefficient.

The free market tolerates no reliance on artificial advantages granted by the government.

The free market allows people to compete vigorously, to lower prices to their fair value and to innovate changes for the benefit of all.

It is the free enterprise system which has allowed this nation to become so rich and bountiful.

The Maine Milk Commission, with its guaranteed minimum retail prices, its protection for inefficiency and its creation of a special class, is the very antithesis of the free enterprise system.

Second, I believe that a government of the people ought to commit itself to doing the greatest good for the greatest number of its citizens. And it ought to limit itself to doing for the people only that which they cannot better do for themselves.

It is true that there may be some dislocations, some mergers, other rearrangements resulting from this change in milk marketing.

No doubt the post-World War II trend of attrition in both dairies and farms will continue.

In 1945 there were over 1,000 dealers, sub-dealers and dairies in Maine.

In 1945 there were over 5,000 individual dairy farms. Despite the existence of price-fixing during all that time, by 1981 there were just 79 dealers and sub-dealers — of which only 17 were active processing dairies.

And in 1981, there were fewer than 1,100 dairy farms — and more than half of those are on the Boston market unprotected by the Commission.

It is hardly surprising retail price fixing of milk has failed.

If we fix the price of milk, why not fix the price of cheese, eggs, potatoes or blueberries or other Maine products?

The answer is obvious: that is that it just wouldn't work.

And the same applies here.

The impact of the significant reduction in milk prices for nearly 400,000 households in Maine is real and it is substantial.

It means more Maine families can afford to buy more milk, or they can spend the savings

on upgrading their diets, or make other expenditures they could not previously afford.

Indeed, a Maine family with four children could save as much as \$100 in the course of a year with the abolition of retail milk price fixing.

In the aggregate, this kind of savings between the old Milk Commission price of \$2.20 a gallon and the free market price of \$1.80 or less can represent as much as \$14 million dollars annually to the consumers of this State.

These are decisions the individual family, the individual consumer, ought to be free to make without being shackled to artificial price controls imposed by the government. At the same time, the rationale upon which the Commission, and its price fixing regulation, was founded has vanished as a genuine concern.

Enacted during the Great Depression, the Milk Commission was to ensure adequate supplies of milk of proper quality together with a reasonable profit.

Nearly half a century later, there is no question but that there will be adequate stringent health and quality standards, with or without price regulation.

Likewise, there is no question but that all milk marketed in Maine must meet stringent health and quality standards, with or without price regulation.

And, finally, the fact that more than half our dairy farmers sell to the Boston market at a dollar a hundredweight less than their Maine market order neighbors and continue in business is demonstrable evidence that a profit can be made, with or without price regulation.

I respect the views of those who disagree with our position and the sincerity with which they hold their positions.

But, I am convinced the time has come in Maine to let the free enterprise system operate in one of the basic consumer food needs.

We have tried retail price fixing for this commodity for 45 years. I suggest that we can risk for four months the process of the free market, the process of free competition, the process that has made American economy what it is.

Therefore, I respectfully request your support to sustain this veto.

Yours truly,
JOSEPH E. BRENNAN
Governor

The Communication was read and ordered placed on file.

The SPEAKER: The pending question is, shall Bill "An Act to Establish Temporary Minimum Prices to be Paid to Milk Dealers and Retailers and to Facilitate Compliance of the Milk Commission with Recent Cases before the Maine Courts" (H. P. 1660) (L. D. 1688) become law notwithstanding the objections of the Governor?

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

Mr. MURPHY: Mr. Speaker, Men and Women of the House: I am speaking today as someone who has always in the past supported the Maine Milk Commission, but there are three vital issues contained within this milk question this afternoon that we must face.

The first concern is the separation of powers, the proper role for a legislative body. If we override this veto, we, as legislators, will be interfering in the judicial process. The court has issued its decision. That possible interference is a dangerous precedent for the future of Maine government. Where will you draw the line in the future?

This has been an interesting corner back here to observe the debate and digest the rhetoric during the last six months. From both sides of the aisle, Representatives more conservative than me have used repeatedly the words "free market, free enterprise, free and open competition, and the consumer will eventually be the beneficiary." Those are noble words if followed by action and if that action is consistent.

When we discussed bank interest, life insur-

ance loan rates, heating oil and retail gasoline, we heard the catchwords "free enterprise, freedom of the marketplace and open competition." Well, today, at the end of the first semester, we have got before us the final exam, a litmus test for free market enterprise, an issue that touches every citizen in this state.

Before when that free market rhetoric was used, there was a nameless crowd out there that was to bear the cost. Your earlier philosophy and vote shouldn't change because with this issue faces begin to emerge from the crowd — a dairy farmer with a hundred cow herd in Livermore Falls, a family in Harrison with 75 cows, or a young man from South Paris with a small 50 cow dairy farm.

There is a cost to this measure, but there was a cost to every one of those other free enterprise bills earlier in this session, it is just that the faces weren't so visible.

If you truly believe in the free enterprise system and open competition, you have a chance to prove it today or forever hold your peace.

The third issue has to do with your constituents, all of your constituents. When you campaigned, when you went door to door, the voters told you, reduce the cost of living, get government out of business and off our backs and end special interest politics. Today, hopefully our last day, you have an opportunity with one vote to answer those concerns by sustaining the veto. If you decide today to override the veto, let's make it very clear to the folks back home that you have decided here that they will have to pay 25 percent more for milk next week than they are paying today. Add it up; for the next seven months it totals an estimated \$5.5 million out of the pockets of the Maine people. Your constituents are watching today, they have a good memory, they will remember today's \$5.5 million vote in November 1982.

I hope you will vote to sustain the veto.
The SPEAKER: The Chair recognizes the gentleman from Sanford, Mr. Tuttle.
Mr. TUTTLE: Mr. Speaker, Men and Women of the House: I didn't speak on this issue when it came before us last week. The issue of milk pricing is not a new issue before the Maine Legislature.

Before the session, I had two bills that would have in some way affected the function of the Maine Milk Commission in the State. One would have affected those districts that had presently been members of the Maine Milk Commission but decided no longer to be members, and the other would have lessened the commission's influence over the regulation process of milk in the state.

After meeting with the Dairy Farmers Association, I decided to withdraw both bills. Having been a long-time opponent of the Maine Milk Commission, I had many questions as to the effects of the disrupting of the commission's influence during the present day economic situations.

There has been mention by many people that I have talked to that 10 years ago there would have been no legitimate exception to the abolition of the Maine Milk Commission, but that today they do not wish to see the same thing happen to the milk industry that happened to the poultry industry this year.

I guess the word "consumer" has been mentioned many times, particularly in my area of the state, where we are always in competition with the markets of New Hampshire.

During the debate last week, there was mention of the division of power between the judicial branch and that of the legislative branch, as Mr. Murphy mentioned. The most recent Attorney General's opinion, I guess, had clarified the long record of legislative intervention in judicial process, right or wrong.

Some people might ask, what is the difference between paying 25 or 50 cents more for a gallon of milk if it helps the dairy industry and the farmers of the state, but I guess in all hon-

esty, the area that I represent, a man or woman who works for minimum wage, who has to support a family with many children, this very well may mean a difference between paying his bills and going in debt.

It is interesting to note that in other situations, those people who oppose this legislation usually support regulation, and members who are supporting this legislation usually place free enterprise at the top of their list of priorities. It seems that in this case, when it comes time for the Maine farmer, the sides have changed.

I had an interesting conversation with my uncle who has been a dairy farmer in New Hampshire for the past 30 years. In his opinion, the Maine dairy farmers have been sold a bill of goods by the Maine Milk Commission, or have been given a snow job, as the good gentleman from Bangor, Mr. Kelleher, has said, and he feels that the only one that actually benefits from the Maine Milk Commission are a few dairy processors in the state, which has led, in my opinion, to a partial monopoly instead of free enterprise. He also feels that the justification of saving the small farmer by the commission is not the case. If anything, the small dairy farmer has increasingly been put out of business regardless of the effects of the commission.

In closing, in all honesty I feel that the bill that is before you today does not represent good government, and I feel that in the best interest of the people of the State of Maine, I urge you to defeat this bill and sustain the Governor's veto.

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

Mrs. BERUBE: Mr. Speaker and Members of the House: I suppose the easiest thing for me to do as a Democrat today would be to support our Governor, and I guess that is the approach that has been used on me with many of the department people who have been on the third floor. I must say that most of them have been very gracious, including our Speaker. However, I think when they say you have to do something out of loyalty, you have to remember also that loyalty does not mean following blindly, and I think we have to look at the issue.

I am delighted that people are so interested suddenly with the private enterprise system, but when you talk of private enterprise, having a free market, I think we must remember that the people who are the processors, those who will package the milk and deliver it to the supermarket for the consumer to purchase must go and purchase it at the farmer-producer. That price has not been disrupted. In fact, July 1 it will go up to \$15.03 per hundred pounds for class one milk, and \$12.49 for class two milk per hundred pounds. The court did not touch that at all. Had there been fair play, they would have gone across the board and dropped all price supports.

I don't know how long a small processor can remain in business if they have, by law, to pay a certain price for the product and then turn around and process it with all the on-going expenses and then deliver it at a price to make enough of a margin to remain in business, because then, of course, the one who will dictate the price will be the supermarket. My personal feelings are that I don't know how long the supermarkets can continue to use milk as a loss leader. It is a marvelous drawing card, but if you go to buy some frozen orange juice today, you may pay 20 cents more for the same container you purchased last week, which happened to me yesterday. I think that is an aspect that we have to look at.

I have spoken to many people who are processors in my area, I have spoken to consumers, I have spoken to people who are employed by the many processors, and those aren't big employers, they probably employ 6 people, 18 people, I think one had 21 people, but those are jobs that cannot possibly be maintained, and

when we see who is waiting on the wings, the big conglomerates waiting to come in and gobble up all these people. I can't possibly see where the free market will exist in another six months. We will be replacing them, I think, state control by a private monopoly. I ask you to think, which is the worst of the two?

Finally, I walked through several supermarkets yesterday and the day before and I addressed clerks and I addressed consumers who were purchasing from the dairy department, and one lady said, I am delighted the milk is so low, but if the controls go off, are you guaranteeing me that we will continue to pay this low price and will the milk be coming in as fresh as it is now? That is another thought, the milk that reaches the dairy, I understand, is two or three days old. If the big conglomerates take it, we lose our small processors, and it may be milk of 10 to 14 days old, and I don't think that is what we want to do for the consumer.

For those reasons, I will be voting to override.

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

Mrs. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I feel just the opposite. No one needs to tell me about milk. I was brought up on a farm and I am 71 years old, so you know I am not talking about today or yesterday. I was the oldest of eight children and I started milking cows when I was ten years old. Not only did I milk the cows, I delivered the milk with a wooden cart before I went to school every morning and pulled the cart back home after school. In the summer, I delivered milk at night after the evening milking where there were homes with babies and older folks. People don't do that anymore. If you don't believe me, ask one of the ladies who still lives in my town. She was telling my daughter about it this week when we saw her at the Cottle's Supermarket.

When I was working the night shift at the mill when I was 16 years old, I had to be sure that I was home to help milk the cows at 4:30 in the morning. My father was a very small milk dealer who started with 5 and ended with 30 cows. He worked very hard and so did my mother. She milked right along with us. I don't see many wives in the barn today. We didn't have any milking machines.

I remember my father working in the paper-mill on a New Year's day. They didn't have days off in those days, they worked 50 hours or more, and my mother was at home sick in bed. I had to milk 22 cows by myself on that very day, and believe me, there were more tears in that milk pail that night than there was milk.

Like Mr. Stover, my father worked his milk by himself, there was no milk commission to tell them what to do. Those farmers were men who could stand on their own two feet. My father, and other families like him, did not make a fortune, but that is not what mattered. They were just looking for enough to support themselves and their families. You can't make a fortune on the dairy farm, but most dairy farmers are in it because they like the life and can look back and see how they have really done something for others.

When the commercial dealers came in, it was hard for farmers like Mr. Stover and my father to keep their heads above water, but my father would not sell his milk to the dealer for a low price while the dealers were making a fortune.

Another point, my child and I were brought up on raw milk and we never had any problem. After the processed milk came onto the market, I stopped drinking it. To this day I will not drink what I call slop. It is no better than the milk we used to feed to the pigs after we had separated the cream from the milk.

The price of milk is disgraceful for what we get. Farmers used to be dedicated men, but now they can't stand on their own two feet. Milk used to be a decent product that was worth the price to buy it. Maine farmers should

have worked together to make their job worthwhile and not rely on the milk commission to do it for them. They would learn that they could be their own men again with pride and dignity.

Mr. Speaker, ladies and gentlemen, I hope that you will uphold the Governor's veto.

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

Mr. MCCOLLISTER: Mr. Speaker, Ladies and Gentlemen of the House: We heard a few words from down below, some very fine sounding words like free market with no protection.

Over the weekend, I had two farmers, they both live within a half a mile of me, one in one direction and the other in the other, they both have lost their markets. We were discussing this and the idea was proposed that the Maine Milk Commission offers the farmers a minimum wage, and the Democratic Party, for years, has supported the minimum wage for the workers. I don't see how the Democratic Party can do anything than protect the minimum wage for the farmers when we have fought so hard for the minimum wage for the working man.

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

Mr. GILLIS: Mr. Speaker, Ladies and Gentlemen of the House: I rise this afternoon to defend the so-called milk bill and ask you to override the Governor's veto. In view of the proven support that we have extended to the fishing industry, the potato industry and the poultry industry, as expressed by the bond issue which, if accepted by the people of the State of Maine, will make available a total of \$29 million authorized to be expended in support of the fishing, poultry and potato industries, but not one ounce of compassion is being shown for the dairy industry.

The Governor questioned the reason for the decline over the past 35 to 40 years of the dairy farms, down from about 4,000 to about 1,100 today. The Governor intimated that the reason for the decline could be the Maine Milk Commission. Well, you know better than that and I know better than that. I believe that many, many other reasons caused the decline, and I think history will back me up. Some of these reasons are, and if you would go back to your childhood, those that are up in my age bracket, there were many milkmen who had their own farms, their own cattle, and they were classified as dairies. They bottled their own milk and made their own deliveries. They processed it and delivered it to your door. You found it every morning when you got up for breakfast. As these people, God bless them, die off, there was nobody there to take their place, so the decline started.

Another reason was the retirement of many former dairy farmers after long careers in this business. Another reason, of course, was the escalating cost of operation and high cost of replacing much needed equipment. Another reason was the trend that this country experienced over the past 35 to 40 years, particularly pertaining to young people stepping in and taking over the reins on the farms. They did not step in and take over, they headed for the city life. Another reason was when inflation really got a foothold and prices and interest rates ran wild, as they are today, and the young people who wanted to return to the farms, who decided to return to the farms, could not find the necessary capital available or affordable if they could find it, due to the very high interest rates.

Ask yourself a question, can you afford a \$400,000 to \$500,000 mortgage and still find the necessary capital for the operation?

The Governor referred to the Maine Milk Commission as a method of price fixing. Well, ladies and gentlemen of the House, I don't know what is going on in your district, but down in my district there is price fixing going on. We have chainstores down there that normally accept milk from two distributors, two pro-

cessors, and they divide the milk space 50 percent, 50 to one and 50 to the other. You go in there today and you will not find it that way. You will find that these two milk processors have 25 percent of the space, while the store brand milk is in 50 percent of the space. They buy their milk from these two processors and they mark it up 18 and 19 cents a gallon, up to \$1.79 and \$1.80; yet, they mark their own brand only up to \$1.70. If that isn't price fixing, you tell me what it is.

I think if you will refer to some of the letters you received today from the various milk dairies—it has been brought to our attention that a large portion of a bid to supply milk for a supermarket chain has been won by an out-of-state dairy. The facts are, we have not received any private label business from large chains, so our existence is in the hands of the major chains who control the allocation of space and resale price of our product. I just got through telling you about it.

In yesterday's paper, I believe many of you have probably read it, a Cumberland Farms vice president is quoted as saying in the paper: "It is like a dream come true; we are chasing the rainbow and we finally found the end." He has found the rainbow.

Cumberland Farms had dreams of the Maine milk market for years, many years, and now we are at the point where today we could be making that dream come true, the dream to control the pricing of milk in the State of Maine so that the existence of our dairy farms, processors and so forth, lay in the hands of the major conglomerates from outside of the State of Maine.

I urge you, ladies and gentlemen of the House of Representatives, to override the Governor's veto and give the Maine Milk Commission the time necessary to bring their house in order.

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

Mr. SHERBURNE: Mr. Speaker, Ladies and Gentlemen of the House: You have heard many times that the Maine Milk Commission was brought into being because of chaotic conditions back in the thirties. Well, ladies and gentlemen, I would tell you today that without the power of the Maine Milk Commission, we are once more in chaotic condition.

I would like to tell you a little bit about what is happening in the market. I know more about the Bangor market than I do any other part of the state. We have three dealers in the Bangor area, one is quite a sizable dealer; the other two are smaller. The larger dealer, I talked with the general manager of this dairy and he told me that this bill didn't stand a chance, that it wasn't what the dairy business needed. What was needed for the dairy industry in that area was a chance to buy milk cheaper, buy milk from the farm at a Boston market price in the 23rd Zone.

Probably you have heard enough about zones from the Boston market so that you understand them a little, but there are circles made around the Boston area at about 10 mile intervals and each interval is a zone. Each zone from that Boston market receives a little lower price because of the distance to the market. An awful lot of milk in central Maine is processed in the Newport area in the Hood plant. This is considered a Boston market. Newport is in the 21st Zone; the Bangor market is in the 23rd Zone. If this dairy was allowed to buy milk at the 23rd Zone, his price would be a little lower for class one milk than the price in the Boston market in the Hood's plant.

He claimed and he told many legislators that this would only be a 56 cent drop for the farmer because of the fact that he would have a 90 percent class one price. Grant's Dairy in Bangor hasn't maintained a 90 percent class one, they have maintained a 77 percent class one, which would lower the price more than 56 cents, probably in the 60 cent range.

Most of the milk that goes into the Bangor

market, the trucking is more than it is to the Hood plant in Newport, so that 56 cents would be increased whatever the trucking difference is. On my market, it is about 20 or 25 cents more than that, so we are getting close to the dollar.

I asked this man why I would sell milk on the Maine market at these reduced prices instead of going to the Boston market, and I can't see why I should, because if I were to lose my market and go to the Boston market, I would have a lot less restrictions than I have today. The dealer that I sell to is a small dealer. If the Governor's decision is sustained here today, the veto is sustained, I am sure that two of the dealers in Bangor will be out of business and many farmers will lose that market and they will go to the Boston market.

A short time ago, I got a letter from my dealer asking us to cut down on production so that he wouldn't have so much surplus. We did this by drying off cows and by culling cows.

This biggest dairy in Bangor has put milk into the supermarkets at a price which the smaller dairies can't possibly meet. He has crowded the showcases, taken up the space so that they can't get their milk in, and I was told by my dealer that his tanks were all full, he had no place to put his milk. The only thing he could do was either pull the plug and let it go or load up his trucks and go down on the street and sell it for whatever he could.

Quite often we hear about the difference in the two markets, that if those on the Boston market can survive for a dollar less, certainly those on the Maine market should be able to. Ladies and gentlemen, two men in any other business or out here in the business world working for a living, one of them can work for a minimum wage all his life and survive. But if a man who is on a \$20,000 salary is cut back to the minimum wage, how long can he last? He will be a welfare case right off quick.

My dairy told me this morning that if he loses this bill, two farmers will have to be dropped immediately and four people that are working for him.

As was mentioned here before, this bill really is the minimum wage for the dairy industry. This is not guaranteeing a profit; this just gives a guaranteed price so that the man can have a chance to make a profit.

Most of the time we hear that milk prices are ridiculously high; most of the country is higher priced than Maine. I heard that in Rhode Island right now prices are \$2.35, higher than they have ever been in Maine. Even at \$2.20, which the price was supposed to go to, would have gone to if the commission had been able to stay in and maintain the price that it had set, at \$2.20 a gallon, milk is 24 cents a pound.

There are people in this body that have stores, at 24 cents a pound, milk is a product that you can open the carton and consume without any preparation whatsoever. I would ask people in this body who know the grocery store business, how many products are there in the marketplace today that can be bought for 24 cents a pound, taken home and consumed with no preparation whatsoever?

The difference in price on the two markets to the farmers would represent \$150 to \$200 per cow, so whatever size the farm is, this is what the difference would be if the man loses his market and goes to the Boston market.

We quite often hear that Boston producers won't be affected by this bill one way or the other. Ladies and gentlemen, the milk that goes into the Bangor market, two of those dairies that will probably go out would probably supply enough milk to fill the Hood plant in Newport to capacity, maybe more than that, and then the little Boston producer who is out there that we talk about who is surviving on the Boston price would have to compete with bigger producers who were trying to enter the Boston market.

One other point I would like to bring out is

this — some of the large dairies are dropping these prices ridiculously low, they are way below cost, with the motive in mind of running out the small dealer and monopolizing the market. But I would also like to point out that the milk that is being produced, that is being sold, processed and sold in these stores today, through this month, isn't paid for. The milk that is made during the month of June won't be paid for until the middle of July. If they take too much loss, possibly some of the farmers won't get paid for the milk that is being used in this promotion.

When I spoke about Grant's Dairy in Bangor hoping to get a chance to buy milk from the farmer at lower prices, there is a twofold purpose there, I believe. There is a dairy in southern Maine, Oakhurst Dairy, who would like to get into the Bangor area. I think this fact has been known for some time. If milk was bought and purchased from the farmer, according to the zone that the dairy is located in, Bangor being in the 23rd Zone, somewhere along there, the Bangor based dairy would have a 34 cent per hundred advantage over Oakhurst. Oakhurst Dairy probably couldn't compete in the Bangor area, but possibly Grant's could compete in the Portland area. Once a few of these larger dairies get control of the market, you can make up your mind that the consumer won't be buying milk at \$1.82 or \$1.79. It will likely go quite a lot higher, because in North Conway, New Hampshire, milk is higher than it has been in Maine.

Ladies and gentlemen, I would hope for the sake of the consumer, the sake of the dairy industry, that you would vote to override this veto.

The SPEAKER: The Chair would ask the Sergeant-at-Arms to escort the gentleman from Fairfield, Mr. Gwadosky, to the rostrum for the purpose of acting as Speaker Pro Tem.

Thereupon, Mr. Gwadosky assumed the Chair as Speaker Pro Tem and Speaker Martin retired from the hall.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: Most of the comments that we have heard this afternoon dealing with the Maine Milk Commission is the encouragement of members of this House to support inefficient dairies. In 1975, as was stated here a few days ago, a law was enacted, it was enacted at the wishes of Yankee Milk, the Maine Farm Bureau and the Maine dairies to implement a system that the Maine Milk Commission has failed to do either through ignorance or through lack of effort dealing with the law and the price fixing of milk at the retail level on the Maine market to Maine consumers.

The Court of this state ruled that the commission failed to act properly in allowing the proper price for milk to the Maine consumers. The dairies in this state got the jitters, all of them. It is rather ironic that one that happens to be in Bangor today, Grant's Dairy, in 1975 was urging the passage of a milk bill that absolutely did nothing for the Maine consumer but placate the Farm Bureau, Yankee Milk and the dealers dealing with price fixing of that commodity. They are asking now that we allow them six or seven months to put their house in order, which the commission has failed to do in the past five years and which the dairies themselves, hand-in-hand with the commission, have failed to do.

Grant's dairy in Bangor has reduced their price of milk, and I applaud the good gentleman from western Penobscot County, Mr. Sherburne, and most of his remarks in describing the Bangor market, whether intentional or not, to give the impression that this is an urban situation against the farmers. Grant's Dairy

has reduced their milk for only one reason; the prices they were charging were unfair and they know the realities of life.

Other dairies in my area feel that they cannot compete with Grant's Dairy or, for that matter, outside dairies either in the other part of the state or outside the state. I say, why should the consumers, why should your constituents, your friends, my friends, pay to underwrite the inefficiency of dairies in this State.

There is a law that we have now on the state statutes which has directed the commission to act in a manner to allow the fair pricing of milk — they haven't done it, they haven't done it at all.

In the "Bangor Deadly" this morning, the Maine Milk Commission could lose members, one is planning to resign, others are thinking they are going to resign if we don't come to their rescue, at a great expense, I might add, at expense to the people of Maine. Well, I can say quite honestly, let them resign. I am sure there are some very honorable men and women out in this state of ours who would do what they swore to do, they take an oath just like you and I take an oath when they are put on boards or commission to uphold the laws of this state.

The arguments that have been presented here so far today are asking us to encourage the artificial price to support dairies that may or may not be efficient. I say that is wrong, it is morally wrong. It is impractical to ask people in this state, and we know that we are a poor state, to spend dollars out of their pockets which they shouldn't be spending.

The Governor, in his veto message, picked out several or declared several reasons why he vetoed this bill in good conscience, and I applaud him, I applaud him not only because he is a friend of mine, because he is the Governor of this state and he is right on on the issue.

A great many of the dairies are concerned that they cannot compete efficiently. Well, if they cannot compete efficiently without gouging the consumers who buy from them, then they shouldn't compete at all. If Footman goes out in Bangor, or Pleasant Hill goes out in Bangor, that market may be picked up by Grant's Dairy, it may be picked up by somebody else, but they are going to have to put milk in those cartons and they are going to buy Maine milk.

Mr. Sherburne said that milk outside the State of Maine is more expensive than it is in Maine. Well, let's take his argument — if it is, then they are not going to ship that expensive milk back to Maine, are they, Mr. Sherburne? Common sense would tell you that. Forty five percent of all the milk produced in Maine is shipped out of state. Here he is a dairy farmer, and a good one, a hard-working man, just take his own arguments, they are not going to ship milk back into Maine if it is selling and it costs more to sell on the Boston market.

I would urge this House to support the Governor's veto this afternoon.

The SPEAKER Pro Tem: The Chair recognizes the gentleman from Lewiston, Mr. Jalburt.

Mr. JALBERT: Mr. Speaker and Members of the House: I assure you that I intend to be very brief because I am not only physically tired but I am mentally tired.

I spent part of the morning trying to dissuade some of my colleagues in my party and some of my colleagues in the other party from objecting to the barrage that we were hit with. I thought for a moment we were going to have a cabinet meeting right here on the third floor. There was only one person missing, and I am delighted to see my good friend from Bangor admit that he really belonged on this side of the aisle. For a moment, I thought he had seen the light, and I love him, and his Governor is my Governor, and he is a friend of mine. This, however, is not a party issue — this isn't Part I, this isn't Part II.

I swore, and my leaders know it, that I would

never buy the funding of a highway program with federal funds, I told Mr. Carroll that for weeks. The Appropriations Committee voted 13 to nothing not to do it, but when the bell rang for good government, I was there.

I have had I don't know how many calls from people very early in the morning telling me to go along with this bill. I thought the long speeches were over last week with that conclusive vote both in this body and in the other branch.

Today, I heard a lot of comments about the amount of people who were lobbying for Cumberland Farms on this thing. It will be kind of interesting to see what they are going to have to pay when this is all over. I know one thing, there are a few people from my area upstairs and there are no days off for them. I visited one of the farms yesterday morning at quarter of five, and the man and wife were both milking and the son was bottling and the daughter was helping. My milkman told me this morning, this may be the last time, Louie, and he has been my milkman for 42 years. I don't call him inefficient, I call him what he is, a hard working, good farmer.

I have always supported the commission. I would like to give them this seven months, as we have agreed to do so. From the first day that my good friend from Easton, Mr. Mahany, came here, he voted for me because I don't know anything about hundred weights or this or that, I know the difference between good milk and bad milk, but he told me and that is the way I voted. I am not going to cast my vote to put hundreds of people out of work, whose homes are already mortgaged, who are keeping their equipment tied with shoelaces, who have nowhere to go and can't borrow money because the banks won't give any money. I am not going to turn the Maine industry to the people that would raise the price of milk at least one dollar within six months or a year. I want no part of that.

I can assure you of one thing, to my fine young man from Kennebunk, Mr. Murphy, that I won't forever hold my peace because I haven't had one single person outside of the people on this floor, and lobbyists, and they have a right to do that, I won't criticize them, and if they make a million, good luck to them, it is their job, they want to win and I want to win. I have a privilege they don't have, I have the final say. I have got this, so whatever they do is all right with me. They have been outsmarted before, and they may be today, who knows?

I can't speak longer because I would really get emotional, and I could get emotional very easily by telling you a story that happened yesterday morning, so I will not do it. I am only going to say this, stay with our people, do not put hundreds of people out of work in related industries, products, cars, houses, repairs and everything else. This is just another Hillcrest. It is affecting thousands of people. Proudly, as a good Democrat in good standing, I shall vote to override the veto.

The SPEAKER Pro Tem: The Chair recognizes the gentleman from Eagle Lake, Mr. Martin.

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: Let me first begin by indicating to you that I supported the bill which we now have before us last week. I did so for a couple of reasons, and I want to tell you why I changed my vote today and will ask you to sustain the Governor's veto.

It was my hope last week, after we dealt with that piece of legislation, that the Maine Milk Commission would be able to tell us why we should give them seven months. It was my hope that they would be in a position to convince the Governor of this State that they were right and his position was wrong. They have done neither.

Let me first indicate to you that what they did was try to convince all of us that they

needed seven months, when, in fact, they know, per advice of the Attorney General, that on January 15th of this coming year, they will be asking for additional time. So all of you today, keep that in mind as you vote, because the Maine Milk Commission failed to live up to its responsibility under the so-called Spencer Law that was enacted five years ago. I am convinced that the reason that occurred was because they could not document the prices, that the books, if they had been done properly, would not have demonstrated that the price should have been as high, and I am totally convinced that the foot dragging will continue if this remains. I am totally convinced that the way that can be resolved is for the commission to be under the gun, without this law.

As I said to you, I will vote to sustain because they could not convince the Governor.

Seventeen years ago when I became a member of this body, I was one of 44 members who voted to repeal the Maine Milk Commission. Both Democrats and Republicans, at that time, made up that number. They were not only from the city and they were not only Democrats.

One of the things that really hit home in the last couple of days is that really what the Maine Milk Commission has done over the years had been to create discrimination, that you have side by side two farmers, one under the federal order, the other under the Maine Milk Commission, one at one price and one at the other and, by the way, if you don't know, it is about 50-50 right now in Maine. In Aroostook County, it is about one-third, two thirds. The person under the federal order, even if he wanted to, can't get into the Maine Milk Commission unless he is invited by the producer and I asked one of the farmers how you get in. He said, very simple, it is who your father was, it is hereditary, you have to know someone. I am not suggesting that this farmer had the right answer. What I am telling you today is what that farmer told me. That farmer feels that that was discrimination. I think he has a point and I am not sure that that kind of discrimination ought to be continued.

Let me indicate to those of you who said that this may create chaos, and much as I hate chaos in the business community, we have it every day of the year. For those of us in Aroostook, we have faced chaos every year in the potato industry. We have faced it without any help from a potato commission, probably just the reverse. We have gone from 5,000 farmers to 850 farmers, and during that same period of time, farmers have been driven from their homes and farms. Just yesterday, I was advised that one of the lumber mills is in the process of making arrangements to close in Aroostook County, which will lay off better than 100 employees. That is chaos, and when chaos occurs, I don't like it. You all know I am a Democrat and you all know my position on those issues.

I find it a little bit ironic that some of my best friends on the other side, who have screamed and hollered "the free enterprise system," when really the time is here to demonstrate that that is available to us, choose not to go that way, and I only wish that the gentleman from Harrison, Mr. Leighton, were with us today because I can hear his speech now ringing through the halls, pleading with members of his own party.

The gentleman from Livermore Falls, Mr. Brown, would ring those same remarks but feel that he has to represent the farmers.

The point is, what is it going to be? There has been a lot of emotion, a lot of hysteria and a lot of misinformation, and some of these dealers and processors have done everything they can to scare the farmer, as they always have and always will—if you are not going to buy your milk; if you do this, we won't ship your potatoes. That is nothing new, they do it everytime they turn around and they will continue to do so

regardless of how big or how small.

This Governor, whether you and I agree or disagree, has made it a matter of principle that government ought to get off the backs of people. He has done so by deregulation of trucks; done so by doing away with the PUC section; done so by recommending that water district authorization be returned to the local communities; done so, time and time again, most we have adopted, one of which we all rejected, but his position has been consistent.

The Democratic Party platform, since I was born, has carried the provision that the Maine Milk Commission should be abolished. It is ironic and maybe even an example of what party platforms are, that now the opportunity is here and people run for the hills for whatever reason.

Maybe at the next party convention, at both the Republican and Democratic conventions next year, votes will be taken which will truly reflect the wishes of the majority of the people within each party.

We have, time and time again, nominated candidates who have recommended that the Maine Milk Commission retail price fixing should be abolished. Time and time again, we seem to want to reject that. Whether we like it or not today, the vote will not be based on that principle and it is not an easy one. As one legislator suggested to me, can't we just have one in the middle, because that would solve all of our problems and then we could all go home. Unfortunately, that is not available to us today. The unfortunate part is that either way we go, when we leave here today, we will be convinced, one way or the other, that someone will be hurt.

If we vote to sustain, we know that the consumers will be better off but that some farmers and some dairies may be in trouble. If we vote to override, we know that the price of milk will go back up to where it was.

The unfortunate part as we vote is that that vote is the one which maybe the people ought to remember. I only hope that when it is all over, both sides will understand why it is they voted the way they did and maybe on this one, for some people, it is a more difficult decision than it ought to be. Maybe to some, there is no right and there is no wrong, but I guess as I view where we are right now, after 17 years of taking the position that the Commission does not work, has not worked and will not work, this vote represents the opportunity to carry out what I have been saying. As a result, I will vote to sustain the Governor's veto and I would ask all of you who have doubts to also support, to sustain, that veto. If you don't and if the veto should be overridden, I would simply like to remind you all that on January 15th, we will be back here giving the Commission more time so they can continue to take more time to arrive at the decision which they do not want to make.

It is not an easy choice and there are friends in my party who are farmers, some of whom I represent and some within this body that are members, and I understand how difficult that kind of decision is for them. It is not one that I relish, it is not one that I enjoy, it is not a speech that I care to deliver but it is one that I believe had to be delivered. I ask you, when it is all over, to sustain the Governor's veto.

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

Mr. BROWN: Mr. Speaker, Ladies and Gentlemen of the House: I have heard Livermore Falls mentioned a couple of times today and as I have looked around the hall, I can't see anybody else from Livermore Falls, so I feel disposed to stand and perhaps defend my action.

No, Mr. Martin, I am not running for the hills, I have never been one to run for the hills before, I have never been one to hide my head in shame or to walk the hall when a crucial vote is taken.

Mr. Martin talked about consistency. Mr.

Martin isn't very consistent—last week he voted for the bill and this week he gave an outstanding oration, as he always does, on why he is voting against the bill. Mr. Martin, that is not very consistent. I doubt that the Maine Milk Commission is able to give you the answer in one week that the legislature is trying to give the Maine Milk Commission six months to do.

It is interesting to note that Mr. Martin and I do agree on a couple of things. On this particular issue, I would agree that it is a difficult issue but when one takes all the factors, weighs them carefully, balances all the pros and cons, one has to come down on the side of jobs, as the gentleman from Lewiston pointed out, a major Maine industry, as has been stated before, an industry that is as much Maine as is lobster and pine trees.

Yes, I have been one of those who has supported openly and as best I can the free enterprise system and the free market system, and one would ask, then why am I supporting the Maine Milk Commission on this issue? I wouldn't support the Maine Milk Commission if we had a totally unregulated, economic climate, but we don't.

Someone mentioned earlier the fact that we have minimum wages, which have been supported, obviously, for years and should be. I would also call your attention to a vote that was taken earlier this session, last session and the session before, and that is the right-to-work issue. Those of you who voted against the right to work issue, I would think would find yourselves in a little bit of a conflict if you vote against the Maine Milk Commission, because, really, aren't we talking about the same thing?

We are talking about guaranteeing jobs in Maine, so we are not looking at a totally unregulated economy. I wish that we were but we are not. When that farmer who works from daylight until dusk goes downtown to buy a three inch spring that costs him \$3, we have to ask ourselves, why does it cost \$3? The answer is obvious: the regulatory control that exist at all stages of that spring's development and sale, but yet we are willing, if we vote against the Maine Milk Commission today, to put that same farmer out on a limb to dry.

We are experiencing some very, very tough economic times in this state and in this nation. If we pull the rug on a major Maine industry which is regulated now, if we pull that rug at this point, it is going to have a major, devastating effect that is going to be felt, I believe, far and wide. We are talking about jobs, we are talking about Maine industry. The bottom line is, do we want one of Maine's major industries to go down the tube because some out-of-state firm wants to sell gas and beer?

I urge you very strongly to override the Governor's veto.

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

Mr. CARROLL: Mr. Speaker, Ladies and Gentlemen of the House: In 1965, I came down here to Augusta as a freshman legislator and in the caucus of the Democratic party was informed that the platform of the Democratic party said that the Milk Commission should be abolished. We took a vote and I stood up and stood fast and opposed them and a member of that leadership walked over to me and said, you will be snubbed in the halls, you will never be spoken to again. I told him to go to the devil, that is where he belonged when he tried to use that pressure on me and that is how we play. I always go into battle to win, and I didn't come to Augusta to sell the dairy farmers that I represent down the drain for Cumberland Farms.

When you talk about parties, I consider myself as good a Democrat as Franklin D. Roosevelt, as Harry Truman or Thomas Jefferson. If you want to talk about being good, true Democrats, we all will talk the same battle.

Let's talk about the milk business just a little bit here today. What is happening is that the su-

permarkets control the space. Locust Dairy, who I sell to, is being denied space and they are not selling their product. Do you call that free enterprise? When you have always had a certain amount of space allotted to your in these stores and all of a sudden you are told, no, your product is not going to go on our counters today, we have a no-name product here we are going to sell, is that free enterprise?

Last night I went out and bought some gasoline for my car, bought it for \$1.26.6 in Augusta. You know how much you pay for that in Limerick, Maine? \$1.40, that is free enterprise. You live in the city, folks, you get the bargains; you live in the country, folks, you pay the long price, that is free enterprise.

I want you to know that I sold milk in the state of New Hampshire when they had the New Hampshire Milk Commission, and I got a dollar a hundred more than the people in Maine who were on the Maine Milk Commission. Then a young man by the name of Tarbell bought the business over from Mr. Badger and the Milk Commission went out of New Hampshire and he started cutting price, and we noticed that our income was getting smaller and we were having a more difficult time paying our bills each week, so we started doing some checking. We finally woke up to the fact that we were getting 50 cents a hundred under the Boston blend price, so we had a meeting with him and we told him that this was not going to go on.

Finally, it comes into Maine. They sell gas, a little hootch, beer, and they use milk as a loss leader. You saw what happened to your poultry industry, they used poultry as a loss leader, where is the poultry industry today? Take a ride with me and I will show you all those empty poultry houses — that is free enterprise. Put the small man out of business, bring your big conglomerates in, that is free enterprise.

I have six grandchildren, two sons, a daughter and a wife. We have accumulated quite a lot of land. I took two of my grandchildren out to grain some heifers and the youngest one said, Grandpa, what you got this land up here for, what are you going to do with it? I said, I hope to God I live long enough and own it long enough so I can give it to you when I die so it will be your heritage, so you will have a chance to own a farm, because if we don't preserve the family farm in Maine, then those grandchildren will not have a chance to have anything.

We know that the Milk Commission isn't perfect, we know that they make mistakes, look at your pencil, see the eraser on it, why do you think they put erasers on pencils? Because people make mistakes.

Let me ask you one thing today — put your hand in my hand and walk with me, let's walk together, man and man, brother and brother, sister and sister, and let us help the Maine farmer to survive. Let the word go forth over this land that we are proud of our Maine dairy farmers and they are not lazy and they are not inefficient, they are hard workers. I picked rock Saturday and Sunday all day, didn't even go to church — is that inefficiency? To work seven days a week, is that inefficiency?

I ask you again, put your hand in my hand, let's walk side by side and let us tell the Governor downstairs, we love you Governor but you have made a mistake this time.

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

Mr. DUDLEY: Mr. Speaker, Ladies and Gentlemen of the House: I have been in this body for some time and I have always supported the Milk Commission, I do now. Personally, I am known for free enterprise and I believe that, that is my personal belief, but I represent a lot of small towns and I wouldn't be doing them justice if I came down here and represented Jim Dudley. I suspect my tenure here is based on my theory that I should support these people rather than myself.

I have sat in this chair and seen this legislature pass legislation that put all the wood in-

dustry out of business in my area and there wasn't anything I could do about it, I voted against it. I see chaos in the potato industry, chaos in the poultry industry and now I see chaos coming to the small farmers. I don't have that many farmers, I don't represent just farmers, I represent a lot of people and they know when you take away restrictions, they saw that happen in the gasoline market. There are bargains in the city and in the country it costs money. Deregulation in trucking — it is good for the cities, I think they get their freight a little cheaper; we can't even find anyone to haul freight in such towns as Springfield, Carroll, Drew, Prentiss, Lowell, Burlington, Passadumkeag and these towns, they don't want to bother with it. When it was regulated, they had to take it — the tail went with the hide, we used to say back on the farm.

I think we should retain the Milk Commission and give them the tools to work with. This legislature, in the past, hasn't given them the proper tools to work with. We have made a commission but we didn't give them the authority that they should have, and I think they should have had more authority and we could strengthen the commission in that area.

I support it and my people know that if we do away with the commission, we are not only hurting the farmers, my people know we will have to have more welfare, where it is coming from? There is no place for these people to go except on welfare. These people that are now working for a living know that they have got to support our welfare programs like they have in the past. They know, too, if this Milk Commission isn't abolished, that they are going to pay more for milk, more than they do in the metropolitan areas, on account of it is a delivery problem and small sales, they can't back a semi-trailer up loaded with milk and unload it all in one spot, they have to make several stops to several little country stores. I think you call them Ma and Pa stores, we have several of them. The people that I represent support the Milk Commission, so I am obliged to. I am for free enterprise but I am obliged to support what the people that I represent want.

I know the farmers that I know are not making minimum wage. It is easy to discourage them. If a man is making money, he can put up with more than he can if he is already discouraged. We are awfully concerned here in this House with minimum wage, though we are not concerned if the farmers make a minimum wage, which he is not. The average farmer, in the areas that I represent, is certainly, and I can prove it, not making the minimum wage, and today we want to take away even that if we can.

I hope that this House, and I am not going to talk any longer, I am not convincing one single person and I know it, but I just want to be on record as defending the people that I represent so they will know that I was here, they will know I tried like I did when we put the wood industry out of business, and we passed legislation that helps put others out of business. I didn't take any part in it and I am not having any part of this. I want them to know it, but beyond that, I know that I am not changing one single vote in this House tonight. Your mind is made up or you have some political ambition, which I don't have, you all have your reasons, and I have mine for saying a few words tonight. I hope the Governor's wishes don't prevail in this House.

The SPEAKER Pro Tem: The Chair recognizes the gentleman from Lewiston, Mr. Jalburt.

Mr. JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: I have here a copy of the 1980 Democratic Platform. On page 9, "we support the decontrol of Milk retail prices," so anyone who made the statement that the Democratic party, in its platform, supported the abolition of the Maine Milk Commission was making mildly, in my language, a misstate-

ment.

At this point, Speaker Martin returned to the rostrum.

SPEAKER MARTIN: The Chair would thank the gentleman from Fairfield, Mr. Gwadosky, for presiding.

Thereupon, the Sergeant-at-Arms escorted Mr. Gwadosky to his seat on the floor and Speaker Martin resumed the Chair.

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

Mr. **RACINE:** Mr. Speaker, Ladies and Gentlemen of the House: This afternoon I rise to support the veto and I would like to state my reasons why. I represent approximately 6500 consumers in the city of Biddeford. These are the people that the proponents are trying to encourage to subsidize the milk industry, and this is all we are doing, subsidizing an industry.

I come from a family that has been in the bakery business for over 40 years. When we started out it was a small bakery, we started out by making small individual pies. The business was very successful initially until the big bakeries moved into the city of Biddeford and surrounding communities. We then switched over to frozen pizzas. We were very successful until we were run out by large corporations. We then switched to the pizza shells, and again we were quite successful, until last year we had to close our door. Nobody subsidized the bakery industry and I would like to know, why should we subsidize the milk industry?

This morning, in a general store in Saco the price of milk was \$1.69 per gallon. If we override the Governor's veto, as soon as we do, the price of milk will be going up to \$2.20 a gallon, and this is what we are asked to do today. It is as simple as that.

The prices should be regulated by supply, demand and competition, it should never be regulated. People who want to buy good Maine milk should pay more to get it; it is as simple as that. If you go to the grocery store and you want to buy high quality ice cream, you pay the price. The same thing should apply to milk, no different. We are talking, roughly, based on the Governor's message, 79 dealers and we are asked to subsidize 79 dealers. Yet, we have a total of 400 households, so if you go from \$1.80, roughly, to \$2.20, we are talking roughly \$14 million. That is the bottom line. If you want to go back to your constituents, your consumers, and tell them that you helped them, beautiful, tell them you raised the price from \$1.69 this morning to \$2.20, then vote to override the veto.

The **SPEAKER:** The Chair recognizes the gentleman from Monmouth, Mr. Davis.

Mr. **DAVIS:** Mr. Speaker, Ladies and Gentlemen of the House: I sat on the Appropriations Committee this year and I saw millions and millions of dollars go to other segments of Maine society, and justly so in most cases. Here we are with a group of hard working people, working seven days a week, I know. I live in the country, I delivered grain to some of the fathers with a Model A pickup truck, if we can't give those people seven months' reprieve, I think we deserve a slap where it would do the most good.

I really feel that these people deserve this reprieve and then we can come back here in January and if the Maine Milk Commission hasn't done its job, we can stop right then and there. The notice is on, the seven months is there. Let's give these people a chance, let's give this segment of our society who work and work and work and that is all they have known all their lives, let's at least give them a chance to make it on their own rather than having to go out and subsidize and subsidize. Let's let them have a chance to make it on their own.

I hope you will vote to override this veto.

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

Mr. **McHENRY:** Mr. Speaker, Ladies and Gentlemen of the House: As you may all know,

I voted for this measure last week but I ask you honestly, and I ask myself honestly, if the shoe was on the other foot, what would the people in this House do if we had a Republican Governor and if we had a Republican House? I don't think there is any question in my mind whatsoever. The Republican party supposedly stands for free enterprise, and yet they are here voting for controlled industry. I just can't understand it.

I, myself, was voting for the measure for the simple reason that I believe my constituents would be paying more, but I guess I have been proven wrong because the price of milk has been going down at home, and as all of you know, I didn't believe that decontrolling oil and gas would lower the price, but I am afraid to say Mr. Reagan is correct, the price of gas is going down and it has been decontrolled, so for those reasons, I hope you will vote to sustain the Governor's veto.

Also, these same people who are saying that the state should not be in the business of the insurance fund that we had asked you people to support to help industry, to help all small business in the state, you said no way. Well, I hope that the same people will vote to sustain the Governor, because he wants government out of the business and I hope you do sustain.

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

Mr. **JACQUES:** Mr. Speaker, Ladies and Gentlemen of the House: I have been sitting here now and I wanted to listen to everybody so I would be sure that I had everything perfectly straight. I probably would be one of the best people in this House to go along with Governor Brennan's veto because most of you that know me and know the first two years I was here, there was probably nobody here that needs to get back into good graces with the good Governor than I do, and I wish I could but I can't, and I will tell you why.

It is not political, it is not reelection, it is another reason. I spent all this week — as you all know by now, I own a little grocery store, and it really doesn't matter an awful lot to me what we do because if it gets to the point where I cannot sell milk any longer, I just won't sell milk because, truthfully, I don't make that much money on it. I pay \$800 a month for electricity and in the summertime, CMP gets all the money that I make on milk, so let them sell the milk and I will sell the beer.

The problem that I do have — I should be right in line in front of Governor Brennan on this bill and will tell you why. Last week my mother bought a half gallon of low fat milk at one of my big supermarkets in the city of Waterville, Cottle's, and the price was on the cover, 89 cents. As I was making my breakfast that morning, I looked at it and I couldn't believe it. I went back to the store to check and I paid more, my cost, than he was selling it for in the store. I can't believe that, Cottle's has less overhead than I do in just a little rinky-dinky store. So I should be ahead of Governor Brennan.

When Mr. Greenlaw called me, and I thank him for that, to tell me that the Governor was going to veto this bill, it was no surprise to me and I will tell you why. It is simply a matter of numbers and I have brought this up before. There are a lot more people that live in this state that drink milk than there are people that produce milk or are involved in the production of milk and I don't mean just the guy who owns the farm. I mean the guy that drives the truck. I have two guys every morning that come into my store, both have families, both depend on this guy right here that is making milk for a living. We are not just talking about the guy who owns the farm, not just 79 people. Just like in the bear thing, we weren't talking about just 15 outfitters, as the gentleman from Island Falls, Mr. Smith, brought out, we are talking about more than that.

I told Mr. Greenlaw, thank you for calling

and I really do not like the idea of voting to override my Governor's veto. At that time, truthfully, I figured that we had given this thing our best shot when we got 116 votes or something and they got 27 down at the other end, I thought we did our job. I thought I was probably right in saying what I was saying.

Between seven-thirty yesterday morning and eleven o'clock last night, I probably got 50 or more phone calls, enough so that my two girls in the store were ready to throw me out and my mother was ready to throw me out for playing secretary all day. Some people tracked me down and they found me. One of them was a kid that I grew up with all my life, he has worked for one milk place for nine years and he said, Paul, I have never asked you for anything but I am going to tell you, I have already been told, you can believe me or you don't have to, but if things don't go the right way tomorrow, I don't have a job. I have a wife, I have two kids, I have a house payment, two car payments, I don't have a job. I said, I understand, thank you very much for calling.

I had two people that called me and I told both of them, you guys never voted for me and never will, I know that, so I don't owe you a thing, and they said, we know that and you are right, we didn't vote for you and we probably never will — no problem. I can deal with somebody like that, honest, straightforward, I have no problems with that. But they made their feelings known and I think they were very sincere about it. I started thinking about it and I thought about it long and hard. Last night, I didn't get much sleep thinking about it. My mother told me, if you put half as much time in this business as you do down in that legislature, we would all retire in five years and we would be very well off, so I don't take this thing very lightly.

It seems to me that we are a little reverse here. We just passed a bill here a little while ago without one word of debate that increases drivers' licenses, the cost of traveling on the turnpike, exams, registration of boat trailers, motorcycles. With not even one word of debate, we committed every citizen that drives, rides, thumbs or anything else, to pay more money for a highway system. What for? To make sure that our highway employees will get their paychecks July 8 because we don't want them to be out of work. We have a commission that has five members who have not done their job and I won't argue that. I said last week, if they don't straighten out their act in six months, I will be the first one, I will be the prime sponsor or the cosponsor to get rid of them, and there is nothing that is going to be different here January 15th than there is right now because I think we are all going to come back, God willing. But we just voted without one word of debate — why? To keep people working.

We have five commissioners that are inept, stupid or something, that just don't do their job, and what do we want to do? Get rid of that commission and along with it flush down everyone else that works like the devil to make a living. I just hope one thing, I hope we have plenty of money in welfare because when we get done with this state, 90 percent of the people are going to be on welfare. Unless you sell lobsters and clams or you are a paper company, there is going to be nothing else left. Maybe you might be able to sell Christmas trees for awhile, but I want to know how long you are going to sell Christmas trees when nobody can afford the \$12 to buy them?

Up to this time, I haven't heard one person tell me that this lower price in milk is going to last. My good friend from Kennebunk, Mr. Murphy, an outstanding legislator, I hope he stays around a long time, even if he is a Republican, he mentioned the fact about the elections of 1982. Well, I am not too worried about that because people are going to do what they want to do anyway, but I am thinking about past 1982, 83, 84, or 85, I am concerned about that.

We had our AG meeting this Wednesday evening at the Civic Center here in Augusta, Associated Grocers, which I am a member of, 371 stores, used to be 458 but for some reason, they are going down, some of those stores are closing. I can't exactly put my finger on why but there is probably a reason. We were told by our general manager there, don't worry about milk, whatever happens with this thing, whether the Governor vetoes it and they don't sustain the veto, we are going to get you all the milk you want from H.P. Hood and he told us the two prices for the gallon and for the quart, whether you want an AG label on it or you don't want any label at all. So one little guy in the front, a little guy like me in the front said, well where does this milk come from? What kind of milk is it going to be? He said, I am not sure about that but you will get all the milk you want. So some of these Maine storeowners were a little concerned that we wouldn't be buying Maine milk. That bothered me a little bit because it seems to me like this guy, Mr. Joyce, who is a representative of Associated Grocers of Maine, was telling me, forget about the small guy like I have in my town, and go buy milk from H. P. Hood, some of that might be from out of state. I don't mind my dollar staying in the state of Maine but I object to it going out of the state, I really do.

What I am going to do is, I am going to vote to override this veto and I hope the Governor forgives me but I think I am right and I think he is wrong. I might be wrong and I hope I am wrong, if we don't override, because I want to see the people in this state get the best they can get for the least amount of money.

Right now, gasoline is cheaper and it is cheaper for one reason, because there is plenty of it. We had a gentleman in Waterville, Maine, at a seminar, Mr. Fitzgerald can tell you, from Texaco who told us that — he said supply and demand. We have plenty of supply right now, gentlemen, so the price is going to be cheap, but he said when the supply gets down and it is going to go down because we are stopping making gasoline right now, he said the price is going to go back up. It will probably go back up higher than what it is now; and that is my concern. That is one thing that nobody has been able to tell me.

I have been wrong before and I will be wrong a lot of times before I die, but I don't believe I am wrong this time. When there are just four places to buy milk from, I don't care how you add it up, you are going to pay more money for your milk, plain and simple.

For no other reason than that, I care about my 6500 people just as much as anybody in this place, that is why I am going to vote.

When 1982 comes along, if I am here or if I am at 111½ Western Avenue, that is up to them, but I am not running for the hills. I have no disillusion about what is going to happen today because I have gotten into a few battles with the Governor before and I have gotten a licking every time because he is a lot stronger than I am and he has a lot more help, but I am going to give it my best shot anyway because I think I am right.

The SPEAKER: The pending question is, shall this Bill become law notwithstanding the objections of the Governor? According to the Constitution, the vote will be taken by roll call. This requires a two-thirds vote of all those present and voting. All those in favor of this bill becoming law notwithstanding the objections of the Governor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Alopis, Armstrong, Austin, Baker, Bell, Berube, Boisvert, Bordeaux, Boyce, Brodeur, Brown, A.; Brown, D.; Brown, K. L.; Cahill, Callahan, Carrier, Carroll, Chonko, Conary, Connors, Cox, Crowley, Cunningham, Curtis, Damren, Davis, Day, Dexter, Diamond, G. W.; Diamond, J. N.; Dillenback, Drinkwater, Dudley, Fitzgerald, Foster,

Gavett, Gillis, Gowen, Gwadosky, Hanson, Hayden, Hickey, Higgins, L. M.; Holloway, Huber, Hunter, Hutchings, Ingraham, Jackson, Jacques, Jalbert, Jordan, Kany, Kiesman, Kilcoyne, Lancaster, LaPlante, Lewis, Lisnik, Livesay, Locke, Lund, MacBride, Mahany, Masterman, Masterton, Matthews, McCollister, McKean, McPherson, Michael, Michaud, Mitchell, E. H.; Nadeau, Nelson, A.; Paradis, E.; Pearson, Peterson, Randall, Reeves, P.; Richard, Ridley, Salsbury, Sherburne, Small, Smith, C. B.; Smith, C. W.; Stevenson, Strout, Studley, Tarbell, Telow, Treadwell, Twitchell, Vose, Walker, Webster, Wentworth, Weymouth.

NAY — Beaulieu, Benoit, Brannigan, Brennerman, Clark, Connolly, Davies, Erwin, Fowlie, Hall, Higgins, H. C.; Hobbins, Joyce, Kane, Kelleher, Ketover, Laverriere, MacEachern, Macomber, Manning, Martin, A.; McGowan, McHenry, McSweeney, Mitchell, J.; Moholland, Murphy, Nelson, M.; Norton, O'Rourke, Paradis, P.; Paul, Perry, Post, Pouliot, Prescott, Racine, Roberts, Soulas, Soule, Stover, Swazey, Theriault, Thompson, Tuttle, The Speaker.

ABSENT — Carter, Martin, H. C.; Perkins, Reeves, J.; Rolde.

Yes, 99; No, 46; Absent, 5; Vacant, 1.

The SPEAKER: Ninety-nine having voted in the affirmative and forty-six in the negative, with five being absent, the Governor's veto is not sustained.

By unanimous consent, ordered sent forthwith to the Senate.

The Chair laid before the House the following matter:

Joint Order (H. P. 1699) relative to Bill "An Act to Continue the Maine Turnpike Authority," Senate Paper 650, Legislative Document 1676, being recalled from the Governor's desk to the House, which was tabled and later today assigned pending passage.

Thereupon, the Order received passage and was sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

On motion of Mrs. Mitchell of Vassalboro, the following matter was removed from the Unassigned Table:

An Act to Authorize Bond Issue in the Amount of \$12,800,000 for Highway and Bridge Improvements (Bond Issue) (H. P. 336) (L. D. 375)

Tabled—May 18 by Representative Mitchell of Vassalboro.

Pending—Passage to be Enacted.

The SPEAKER: The Chair will excuse the gentleman from Mechanic Falls, Mr. Callahan, from voting on this issue.

The pending question is on passage to be enacted. This being a bond issue, in accordance with the provisions of Section 14 of Article IX of the Constitution, a two-thirds vote of those present and voting is necessary. All those in favor of this bond issue being passed to be enacted will vote yes; those opposed will vote no. A vote of the House was taken.

123 having voted in the affirmative and 5 having voted in the negative, the Bond Issue was passed to be enacted, signed by the Speaker and sent to the Senate.

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

Special Sentiment Calendar

The following items:

Recognizing

That the personnel of Reprographics Division of the Bureau of Purchases have provided the professional expertise, dedication and enthusiasm to make this session a success; (S. P. 701)

John Hanson of Hampden for receiving the National University and Continuing Education Association Award for his outstanding work in

the area of labor education; (H. P. 1701) by Representative Prescott of Hampden. (Cosponsors: Senator Pray of Penobscot, Representatives Beaulieu of Portland and Davies of Orono)

Kenneth E. Wormell of Bangor, Former President of the Greater Bangor Labor Council, upon his retirement as Business Agent for Local 621, C.J.A.; after 15 years of service; (H. P. 1702) by Representative Diamond of Bangor.

Lucille Audet, Executive Secretary of the Lawrence Alumni Association who has provided years of service and has unselfishly given of herself in the spirit of Lawrence High School; (H. P. 1703) by Representative Gwadosky of Fairfield. (Cosponsor: Senator Teague of Somerset)

Leslie G. Merrill of Stetson, member of the 88th, 94th and 101st Maine Legislatures, who celebrated his 94th birthday on June 4, 1981; (S. P. 703)

Lila G. Lincoln, who is retiring after 40 years of dedicated service to the Town of Wayne; including service as town clerk and tax collector; (S. P. 704)

Wendy B. Brown, of Brunswick, Miss Teen Maine for 1981; (S. P. 705)

Rev. John F. Crozier, Pastor of St. Mary's Church, Orono, for his devoted service to parishioners and townspeople of Orono; (S. P. 706)

Robert J. Shinnors of Millinocket, Vice President of Operations, Great Northern Paper Company, an outstanding leader in industry and the community; (S. P. 707)

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

By unanimous consent, ordered sent forthwith to the Senate.

The SPEAKER: The Chair would like to make note of the fact that on the roll call dealing with the Governor's Veto, the gentleman from Newport, Mr. Reeves, is not recorded. If the gentleman from Newport had been recorded, he would have been voting to override, or yea. It appears that something is wrong with the switch.

Also, the Chair would like to make note of the fact that on L. D. 1691, the Highway Fund Allocation Act, there was a confusion, from the messages that were left, and the Chair would just like to make note of the fact because they appear as being absent through error, the gentleman from Enfield, Mr. Dudley, and the gentlewoman from Rumford, Mrs. Erwin, the gentlewoman from Waterville, Mrs. Kany, the gentlewoman from Portland, Mrs. Ketover, the gentleman from Lincoln, Mr. MacEachern, the gentleman from Bucksport, Mr. Swazey, the gentleman from Eastport, Mr. Vose were to be recorded yea, and the gentleman from Norway, Mr. Twitchell, nay, and also the gentlewoman from Van Buren, Mrs. Martin, yea.

(Off Record Remarks)

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

Special Sentiment Calendar

The following items:

Recognizing:

Mr. and Mrs. Vernon Haslam of Eastbrook, who are celebrating their 65th wedding anniversary, (S. P. 708)

Merrilee Monks-Paine, Brunswick Police Department youth aid officer, who was honored by the Kiwanis Club as "Police Officer of the Year" for the year 1981; (S. P. 709)

Ann Sutherland Riley of Brunswick who received the Brunswick Kiwanis Club's "Citizen of the Year" award for the year 1981; (S. P. 710)

The birth of Amanda Grace Wood, on June 17, 1981 at 3 p.m.; weighing 7 lbs., 3 oz., daughter of State Senator Frank P. Wood and Assistant Clerk of the House Deborah Bedard Wood;

(S. P. 711)

Under suspension of the rules, there being no objections, the above items were passed in concurrence.

The following paper appearing on Supplement No. 8 was taken up out of order by unanimous consent:

Non-Concurrent Matter

An Act Establishing a National Guard Scholarship Program in Vocational-technical Institutes. (H. P. 452) (L. D. 499) which was Passed to be Enacted in the House on March 13, 1981. (Having previously been Passed to be Engrossed as amended by Committee Amendment "A" (H-71)

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" (H-71) and Senate Amendment "A" (S-376) in non-concurrence.

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

By unanimous consent, ordered sent forthwith to Engrossing.

House at Ease

Called to order by the Speaker.

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

Passed to be Enacted

An Act Establishing a National Guard Scholarship Program in Vocational-technical Institutes. (H. P. 452) (L. D. 499) (C. "A" H-71 and S. "A" S-376)

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

By unanimous consent, ordered sent forthwith to the Senate.

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

Mrs. MITCHELL: Mr. Speaker is the House in possession of Senate Paper 650, L. D. 1676. An Act to Continue the Maine Turnpike Authority?

The SPEAKER: The Chair would answer in the affirmative, having been recalled from the Governor's Desk.

On motion of Mrs. Mitchell of Vassalboro, under suspension of the rules, the House reconsidered its action where by the Bill was passed to be enacted.

On motion of the same gentleman, the Bill was indefinitely postponed in non-concurrence and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

(Off Record Remarks)

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

Non-Concurrent Matter

An Act to Provide Highway Use Permits for Motor Trucks and Truck Tractors not Registered in Maine and Identification Permits for Those Registered in Maine (Emergency) (H. P. 1439) (L. D. 1581) which was passed to be Enacted in the House on May 19, 1981. (Having previously been passed to be engrossed as amended by Senate Amendment "A" (S-203).

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

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

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

Special Sentiment Calendar

The following items:

Recognizing:

Bruce Lockhart, Brunswick High School

baseball pitcher, who was named 1981 Southern Kennebec Valley Athletic Conference Player of the year; (S. P. 173)

Portland Press Herald television critic, David A. Williams of Freeport, who has been elected to the Board of Directors of the Television Critics Association; (S. P. 172)

There being no objections, the above items were considered passed in concurrence.

At this point, the Speaker appointed Mrs. Mitchell of Vassalboro to inform the Senate that the House had transacted all business before it and was ready to adjourn without day.

Subsequently, Mrs. Mitchell reported that she had delivered the message with which she was charged.

The Chair appointed the following members on the part of the House to wait upon His Excellency, Governor Joseph E. Brennan, and inform him that the House had transacted all business before it and was ready to receive any communication that he may be pleased to make:

Representatives:

CONNOLLY of Portland
McKEAN of Limestone
CARROLL of Limerick
PEARSON of Old Town
JALBERT of Lewiston
FOWLIE of Rockland
CHONKO of Topsham
REEVES of Pittston
CARTER of Winslow
STROUT of Corinth
HUTCHINGS of Lincolnville
SMITH of Mars Hill
BELL of Paris

Subsequently, the gentleman from Portland, Mr. Connolly, reported that the Committee had delivered the message with which they were charged.

At this point, a message came from the Senate, borne by Senator Collins of Knox, informing the House that the Senate had transacted all business before it and was ready to adjourn without day.

At this point, His Excellency, Governor Joseph E. Brennan, entered the Hall of the House amid applause of the House, the members rising and delivered the following communication:

Mr. Speaker, Ladies and Gentlemen of the House: It gives me great pleasure to appear before you this evening to congratulate you on a job well done and to thank you for the many progressive and important bills that you have passed that will benefit the people we serve.

Over the past few weeks, the greatest share of attention has been focused on a few areas of discord, but the fact remains that this Legislature has accomplished a great deal. And when the final record of the 110th Maine Legislature is compiled, you will be remembered not for the disagreements but for the positive achievements that you have enacted.

Let me just cite a few examples.

Together, we have taken historic steps to address one of the most pervasive social issues, the abuse of alcohol and its many unfortunate consequences.

Earlier this week, I signed into law a tough mandatory sentencing law for those convicted of drunk driving, a crime that figures in two out of three deaths on our highways.

Last week, I signed another landmark bill to create a special fund to pay for the programs dealing with the prevention and treatment of alcoholism.

Together, we have passed some important consumer legislation, including a bill to establish the office of Public Advocate, whose responsibility it will be to represent consumers in the deliberations before the PUC; and another to reduce the burden of a mandatory and unfair

minimum charge for electric service, which has been a particular hardship to many of our low income and elderly neighbors.

Together, we have written new legislation to promote our mutual goal of making Maine a more humane and more sensitive place to live by prohibiting discrimination against children in rental housing, by guaranteeing privacy in divorce and child custody proceedings, and by furthering the security of the home against the danger of fire.

Together, we have made some important contributions to our economic future by a major revision in our inheritance tax laws, by passing bond issues to support and to assist some of our oldest and most vital industries, by deregulating intrastate trucking, and by providing the means to assist with the marketing of one of our most important products, the potato.

Together, we have dealt creatively with the dangerous hazards of our modern world by creating a new means of protecting our land, our waters and our woods from the dangers of hazardous waste, and by establishing a new environmental health unit in state government.

Together, we have acted to improve the structure of state government by creating a separate and much-needed Department of Corrections, and by an important reform of our court system, which will streamline criminal justice in Maine and convict the guilty more surely and more promptly, a bill that I have been advocating for a good number of years, the so-called one trial bill.

And, again, we have enacted a highway program that will continue to fund the Maine Department of Transportation at a level that will continue to mean safe roads and bridges for our people and our guests, and we were able to do that with a little difficulty without a tax increase.

The agreement that we reached together proved once again that men and women of good will can set aside their differences in recognition of that which matters. That which matters is not winning or losing but acting in the best interest of Maine, her people and her future.

Some may say the long, painful process that leads to compromise exposed the weaknesses in our system. I say it exposed the strengths, for compromise is the art of give and take and it has been the fuel of our government process at every level of government for more than 200 years. It has worked throughout history and has worked here again today.

I do congratulate each of you for the concern you have shown, for acting consistent with your consciences and for the thoroughness of your study and your attention on this and every other issue that came before you in the past six months. I can truly say it has been a long six months, it has been a tiring six months. I have enjoyed working with you, I have enjoyed working with both parties. Obviously, we haven't always agreed, but I think we have agreed more than we have disagreed. Where there has been disagreements, we have done it up front, we have discussed the issues up front, they have been debated up front, and I accept those judgments.

It truly has been a pleasure and I appreciate very much the opportunity to work with you.

Thank you very much, I hope you have a pleasant summer.

(Prolonged applause, the members rising)
Thereupon, Governor Brennan retired from the Hall of the House.

Speaker MARTIN: On behalf of members of my staff, and I am sure on behalf of all leadership, we thank you all for having made this an enjoyable six months, and with some luck, we may not be back until January.

I hope you all have a pleasant summer and we will see you throughout the summer on various studies and across the state.

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

Mr. MAHANY: Mr. Speaker and Members of the House: I move the House stand adjourned without day.

The SPEAKER: The gentleman from Easton, Mr. Mahany, moves that the House adjourn without day. Is it the pleasure of the House to adjourn sine die?

The motion prevailed and at 7:46 P.M. Eastern Daylight Saving Time, Friday, June 19, 1981, the Speaker declared the House adjourned without day.