

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Eleventh
Legislature***

OF THE

STATE OF MAINE

Volume I

FIRST REGULAR SESSION

December 1, 1982 to May 13, 1983

HOUSE

Thursday, March 24, 1983

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

Prayer by Reverend Leroy Pinkham of the Steuben Union Church.

The journal of yesterday was read and approved.

Papers from the Senate

Bill "An Act Authorizing the Public Utilities Commission to Expend Revenues Collected as Filing Fees or Expense Reimbursements" (S. P. 411) (L. D. 1264)

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

In the House, was referred to the Committee on Public Utilities in concurrence.

Reports of Committees**Unanimous Ought Not to Pass**

Report of the Committee on Business Legislation reporting "Ought Not to Pass" on Bill "An Act Concerning Credit Card Sales of Motor Fuels" (S. P. 299) (L. D. 913)

Was placed in the Legislative Files without further action pursuant to Joint Rule 15 in concurrence.

**Ought to Pass in New Draft
Tabled and Assigned**

Report of the Committee on Education on Bill "An Act to Amend the Statute Relative to the Appointment of the Commissioner of Educational and Cultural Services" (S. P. 220) (L. D. 657) reporting "Ought to Pass" in New Draft (S. P. 416) (L. D. 1263)

Came from the Senate with the Report read and accepted and the New Draft passed to be engrossed.

In the House, the Report was read.

On motion of Mrs. Mitchell of Vassalboro, tabled pending acceptance of the Committee Report in concurrence and tomorrow assigned.

Ought to Pass in New Draft/New Title

Report of the Committee on Judiciary on Bill "An Act to Remove Reference to Deputy Clerks under the District Court Laws" (S. P. 152) (L. D. 443) reporting "Ought to Pass" in New Draft under New Title Bill "An Act to Remove Reference to Clerical Assistants under the Court Laws" (S. P. 419) (L. D. 1268)

Came from the Senate with the Report read and accepted and the New Draft passed to be engrossed.

In the House, the Report was read and accepted in concurrence, the New Draft given its first reading and assigned for second reading Friday, March 25.

Divided Report

Majority Report of the Committee on Education reporting "Ought Not to Pass" on Bill "An Act Concerning Certain Inequities under the Education Laws" (S. P. 166) (L. D. 521)

Report was signed by the following members:
Senators:

HAYES of Penobscot
CLARK of Cumberland

— of the Senate.

Representatives:

LOCKE of Sebec
BROWN of Gorham
THOMPSON of South Portland
CROUSE of Washburn
RANDALL of East Machias
SMALL of Bath
MURPHY of Kennebunk
SOUCY of Kittery
BOTT of Orono
MATTHEWS of Caribou

— of the House.

Minority Report of the same Committee reporting "Ought to Pass" as amended by Committee Amendment "A" (S-36) on same Bill.

Report was signed by the following member:
Senator:

HICHENS of York

— of the Senate.

Came from the Senate with the Majority "Ought Not to Pass" Report of the Committee on Education read and accepted.

In the House: Reports were read.

On motion of Mrs. Locke of Sebec, the Majority "Ought Not to Pass" Report was accepted in concurrence.

Non-Concurrent Matter

Bill "An Act to Establish the Position of Director of Technical Analysis within the Public Utilities Commission" (H. P. 963) (L. D. 1244) which was referred to the Committee on Public Utilities in the House on March 17, 1983.

Came from the Senate referred to the Committee on State Government in non-concurrence.

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

Non-Concurrent Matter

Bill "An Act Concerning Court Procedures Dealing with Notice in Liability Cases" (H. P. 402) (L. D. 485) which was passed to be Enacted in the House on March 17, 1983.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" (S-35) in non-concurrence.

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

Petitions, Bills and Resolves**Requiring Reference**

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

Election Laws

Bill "An Act Concerning Absentee Voting by Armed Services Members" (H. P. 990) (Presented by Representative Livesay of Brunswick)

Bill "An Act to Clarify Proposed Constitutional and Statewide Referenda Questions which Appear on State Ballots" (H. P. 991) (Presented by Representative Rolde of York) (Ordered Printed)

Sent up for concurrence.

Energy and Natural Resources

Bill "An Act to Prohibit the State from Charging Fees to the General Public for Access to Public Lands" (H. P. 992) (Presented by Representative Jacques of Waterville) (Cosponsors: Representatives McGowan of Pittsfield, Dexter of Kingfield, and Michael of Auburn) (Ordered Printed)

Sent up for concurrence.

Later Today Assigned

Bill "An Act to Amend the Maine Coastal Protection Fund" (H. P. 993) (Presented by Representative Scarpino of St. George) (Cosponsor: Representative Mitchell of Freeport) Committee on Energy and Natural Resources was suggested.

On motion of Mr. Kelleher of Bangor, tabled pending reference and later today assigned.

Energy and Natural Resources cont'd.

RESOLVE, Authorizing the State to Convey its Interest in the Public Lots in the Town of Great Pond to the Inhabitants of Great Pond (H. P. 994) (Presented by Representative Conners of Franklin) (Cosponsor: Senator Perkins of Hancock) (Ordered Printed)

Sent up for concurrence.

Fisheries and Wildlife

Bill "An Act to Prohibit Smelting on Morrill Pond in Somerset County" (H. P. 995) (Presented by Representative McGowan of Pittsfield) (Cosponsor: Representative Jacques of

Waterville)

(Ordered Printed)

Sent up for concurrence.

Tabled and Assigned

Bill "An Act Relating to the Licensing of Dental Radiographers" (H. P. 996) (Presented by Representative Manning of Portland) (Cosponsors: Senators Bustin of Kennebec, Gill of Cumberland, and Representative Chonko of Topsham)

Committee on Health and Institutional Services was suggested.

On motion of Mr. Brannigan of Portland, tabled pending reference and tomorrow assigned.

Health and Institutional Services

Bill "An Act to Authorize Coverage of Medical Supplies Under the Low Cost Drugs for the Elderly Program" (H. P. 997) (Presented by Representative Hayden of Durham) (Cosponsors: Speaker of Martin of Eagle Lake, Representative Nelson of Portland, and Senator Clark of Cumberland) (Ordered Printed)

Sent up for concurrence. (Later Reconsidered)

Judiciary

Bill "An Act Concerning Confidentiality of Information" (H. P. 998) (Presented by Representative Connolly of Portland) (Cosponsors: Representatives Masterton of Cape Elizabeth, Hayden of Durham, and Senator Clark of Cumberland)

Bill "An Act Concerning Grandparents' Visitation Rights" (H. P. 999) (Presented by Representative Small of Bath) (Ordered Printed)

Sent up for concurrence.

Business Legislation

Bill "An Act to Authorize the Public Advocate to Intervene in Workers' Compensation Rate Filings" (H. P. 1000) (Presented by Speaker Martin of Eagle Lake)

Committee on Labor was suggested.

On motion of Mrs. Mitchell of Vassalboro, the Bill was referred to the Committee on Business Legislation, ordered printed and sent up for concurrence.

Labor

Bill "An Act to Amend the Municipal Employees Collective Bargaining Law to Make Manpower Issues a Mandatory Subject of Bargaining" (H. P. 1001) (Presented by Representative Beaulieu of Portland) (Ordered Printed)

Sent up for concurrence.

Public Utilities

Bill "An Act to Establish Municipalities as Agents for Utilities within their Jurisdictions for the Purpose of Charges Assessed for Use of Railroad Crossings" (H. P. 1002) (Presented by Speaker Martin of Eagle Lake) (Ordered Printed)

Sent up for concurrence.

State Government

Bill "An Act to Restrict Reimbursement of Mileage to Boards and Commissions to no More than that received by State Employees" (H. P. 1003) (Presented by Representative Gwadosky of Fairfield) (Cosponsor: Speaker Martin of Eagle Lake)

Bill "An Act to Establish Standards of Conduct for Employees of the Maine Guarantee Authority" (H. P. 1004) (Presented by Representative Paradis of Augusta) (Cosponsor: Representative Gwadosky of Fairfield) (Ordered Printed)

Sent up for concurrence.

Orders

On motion of Representative McSweeney of

Old Orchard Beach, it was

ORDERED, that Representative Elizabeth H. Mitchell of Vassalboro be excused March 25th for Legislative Business.

AND BE IT FURTHER ORDERED, that Representative Lorraine Chonko of Topsham be excused March 25th for Legislative Business.

AND BE IT FURTHER ORDERED, that Representative Mavourneen Thompson of South Portland be excused March 25th for Legislative Business.

AND BE IT FURTHER ORDERED, that Representative Merle Nelson of Portland be excused March 25th for Legislative Business.

AND BE IT FURTHER ORDERED, that Representative Phyllis Erwin of Rumford be excused March 25th for Legislative Business.

AND BE IT FURTHER ORDERED, that Representative H. C. Higgins of Portland be excused March 25th for Legislative Business.

House Reports of Committees Unanimous Ought Not to Pass

Representative Handy from the Committee on Election Laws on Bill "An Act Limiting the Time Period for the Acceptance and Expenditure of Campaign Funds by Candidates" (H. P. 139) (L. D. 147) reporting "Ought Not to Pass".

Was placed in the Legislative Files without further action pursuant to Joint Rule 15 and sent up for concurrence.

Consent Calendar First Day

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

(H. P. 513) (L. D. 638) Bill "An Act to Make Allocations from the Alcoholism Prevention, Education, Treatment and Research Fund for the Fiscal Year Ending June 30, 1983" (Emergency)—Joint Select Committee on Alcoholism Services reporting "Ought to Pass".

On the request of Representative Diamond of Bangor, was removed from the Consent Calendar.

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

Tabled and Assigned

(S. P. 219) (L. D. 656) Bill "An Act to Amend the Maine Consumer Credit Code"—Committee on Business Legislation reporting "Ought to Pass" as amended by Committee Amendment "A" (S-34).

On the request of Representative Brannigan of Portland, was removed from the Consent Calendar.

On motion of the same gentleman, tabled pending acceptance of the Committee Report in concurrence and tomorrow assigned.

(H. P. 215) (L. D. 258) Bill "An Act to Provide for Establishment of Employee Cooperative Corporations"—Committee on Business Legislation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-82).

(H. P. 911) (L. D. 1161) Bill "An Act to Provide for Voluntary Inspection of Trailers and Semitrailers under the Motor Vehicle Laws" (Emergency)—Committee on Transportation reporting "Ought to Pass".

(H. P. 12) (L. D. 8) Bill "An Act to Expedite the Handling of Changes in Voter Registration"—Committee on Election Laws reporting "Ought to Pass" as amended by Committee Amendment "A" (H-83).

(H. P. 543) (L. D. 695) Bill "An Act to Permit Young Children to Accompany their Parents into the Voting Booths"—Committee on Election Laws reporting "Ought to Pass" as amended by Committee Amendment "A" (H-84).

No objections being noted, the above items were ordered to appear on the Consent Calendar of March 25, under the listing of Second Day.

Consent Calendar Second Day

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

(H. P. 130) (L. D. 138) Bill "An Act Relating to Motor Fuel Taxes" (Later Reconsidered)

(H. P. 633) (L. D. 784) Bill "An Act to Clarify and Establish the Boundary Line Between the Town of Bowdoinham and the Town of Bowdoin"

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

Tabled and Assigned

(H. P. 671) (L. D. 854) Bill "An Act Concerning the Financial Responsibility of the County for Medical Expenses of Prisoners"

On the request of Mr. McHenry of Madawaska, was removed from the Consent Calendar.

On motion of the same gentleman, tabled pending acceptance of the Committee Report and specially assigned for Monday, March 28.

(H. P. 672) (L. D. 855) Bill "An Act Concerning the Compensation of County Personnel Board Members"

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

Later Today Assigned

(H. P. 769) (L. D. 999) Bill "An Act to Remove the Superintendent of the Governor Baxter School for the Deaf from Classified Service and Clarify the Law Relating to State Educational Personnel" (Emergency) (C. "A" H-78)

On the request of Mrs. Mitchell of Vassalboro, was removed from the Consent Calendar.

Thereupon, the Report was accepted and the Bill read once. Committee Amendment "A" (H-78) was read by the Clerk.

On motion of Mrs. Mitchell of Vassalboro, tabled pending adoption of Committee Amendment "A" and later today assigned.

(H. P. 808) (L. D. 1048) Bill "An Act to Coordinate Regulatory Review"

(H. P. 580) (L. D. 728) Bill "An Act Relating to Handicapped Parking Space Designation" (Emergency) (C. "A" H-79)

(H. P. 573) (L. D. 721) Bill "An Act to Limit Access to Confidential Data" (C. "A" H-80)

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

Passed to Be Engrossed

Bill "An Act to Clarify the Definition of Approved Training in the Unemployment Compensation Program" (H. P. 983) (L. D. 1284)

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

Second Reader

Tabled and Assigned

RESOLVE, Authorizing Larry R. Coffren of Strong to Bring Civil Action against the State of Maine (H. P. 735) (L. D. 944)

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

The SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. Cox.

Mr. COX: Mr. Speaker, a point of parliamentary inquiry. Is this bill properly before the body? Does this bill have a fiscal note attached?

The SPEAKER: The Chair would advise the gentleman from Brewer, Mr. Cox, that in fact

this bill does not contain a fiscal note. Information from the Legislative Finance Office says that this bill could potentially cost the State \$50,000.

The Chair recognizes the gentleman from Brewer, Mr. Cox.

Mr. COX: Mr. Speaker, I now move that this bill and all its accompanying papers be indefinitely postponed.

The SPEAKER: The gentleman from Brewer, Mr. Cox, moves that this Resolve and all its accompanying papers be indefinitely postponed.

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

Mr. DEXTER: Mr. Speaker, Men and Women of the House: We debated this extensively yesterday, you know my position and I hope that you will soundly defeat the motion before this body, and I ask for a division.

The SPEAKER: The pending question is on the motion of the gentleman from Brewer, Mr. Cox, that this Resolve and all its accompanying papers be indefinitely postponed. All those in favor will vote yes; those opposed will vote no. A vote of the House was taken.

13 having voted in the affirmative and 96 having voted in the negative, the motion did not prevail.

Thereupon, on motion of Mr. Handy of Lewiston, tabled pending passage to be engrossed and tomorrow assigned.

Enactor

Indefinitely Postponed

An Act Concerning Sales Prices of Spirituous and Vinous Liquors, Except Table Wine, Sold by State Agency Liquor Stores (S. P. 385) (L. D. 1165) (S. "A" S-24)

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

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: I was reading this bill over last night, as one of us generally goes through bills at different times, and I really couldn't believe what I saw before me. It seems to me that this bill is going to create again a different price for liquor in the agency stores across the state.

If I read the bill correctly, it means that those private agency stores are going to be able to increase the price of liquor up to 8 percent. So instead of us having just a store in southern Maine in Kittery where liquor is sold at a discount, different from the other state stores in the state, it seems that the Legal Affairs Committee has reported out a bill that has got this far that allows all the private agency stores, can you imagine—we don't have any in Bangor, so I really don't care—but you people that have them in your respective communities, they are going to be able to up the price about 8 percent above the normal state liquor stores. If you people who have these agency stores in your community want to reach down into your constituents' pockets and allow them to pay a price above the normal price in the liquor stores, then I suggest, and I ask for a roll call, that you go right on the roll call as supporting that kind of an increase.

Mr. Speaker, I would move that this bill and any and all papers be indefinitely postponed.

The SPEAKER: The gentleman from Bangor, Mr. Kelleher, moves that this bill and all its accompanying papers be indefinitely postponed.

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

Mr. DILLENBACK: Mr. Speaker, Ladies and Gentlemen of the House: I believe the gentleman did read the bill but I think he hasn't read it correctly.

What happens is, in the stores that are not the state liquor stores, they are allowed a 10 percent markup. Ten percent is much less than the state liquor stores, naturally—they are about 47 to 50 percent, as I understand it, maybe 75 percent, I don't know, it is a big

markup, anyhow.

The important thing is, there is a 2 percent tax, so they get an 8 percent markup on the product that they handle. They have to take this product into their store, unpack it, put it on the shelves, price it, service it for 8 percent. The normal markup in a grocery store is 15 to 20 percent. They cannot possibly make any money on this. The only reason they do it is for the advertising quality and the advantage of having the liquor in the store. So, it has been requested that it be marked up to 12 percent. The 12 percent, in effect, will mean roughly a 10 percent markup for the liquor. I hope I have got this straight, but this is about what it is.

A 10 percent markup is not really a profitable markup either, because the overhead of the store runs probably that much.

These stores serve areas where there are not liquor stores, they are small agency stores and it gives them an opportunity to make at least a break-even on the product.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: I read this bill correctly, and let me tell you, when we created agency liquor stores in this state, we created them to accommodate small towns that the state was incapable of servicing.

The argument that Mr. Dillenback has put forward here about these stores are just breaking even, let me tell you something—if you have been around these legislative halls as long as I have, occasionally you will get a call from someone in a small town that you know that wants you to try to help them get that agency store because in fact it is a dollar maker.

I think this is a very poor approach and I am surprised that the committee would pass out this bill. I think it would be poor business on our part to allow these stores to have an 8 percent markup above and beyond what they are already getting. None of them are surrendering their licenses, none of them are taking them back to the Liquor Commission and saying, hey, we made a mistake, we found out we couldn't operate. That is not true at all.

I would suggest that if you want to do something for your constituents, particularly you people in the smaller towns that have these agency stores, I suggest that you vote against this today.

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

Mr. JALBERT: Mr. Speaker and Members of the House: The previous speaker said, "I hope I'm right." Another speaker said he had read the bill twice. I will take a shot on him having read the bill twice and understands what he is reading.

Mr. Speaker, I would request a roll call on the indefinite postponement motion.

The SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. Cox.

Mr. COX: Mr. Speaker and Members of the House: I think I should point out some of the reasons why the committee—and if I am right, it was a unanimous report—this has been going along so quietly that I had not expected any difficulty with it, but I will explain why the committee voted the way it did.

In the first place, we are not talking about setting the price at this. This was presented to the committee as a free enterprise bill; we are talking about not state stores where the price is set by the commission, we are talking about stores in private enterprise where the competition factor operates and we could see no reason why we should—frankly, many of us felt we could see no reason why we should be setting a ceiling on the price at all in these agency stores. The House can do whatever it wants to with this bill, I don't consider it a very important bill. It was brought in to us as a free enterprise bill and this was how it was presented, so the House can do whatever it wants to with the bill.

The SPEAKER: The Chair recognizes the

gentlewoman from Washington, Mrs. Allen.

Mrs. ALLEN: Mr. Speaker, Men and Women of the House: I followed this bill from the time it was put in because I do have an agency liquor store in my district.

The currently law now allows liquor stores to buy from the commission their liquor at a rate 10 percent less than what the suggested retail price is in a state liquor store. That 10 percent actually works out to somewhere between 6½ and 8 percent because they have to less the federal tax. That was their desire. They wanted to have the 10 percent increased to 12 percent. The committee decided against that and what they have done now is asked us to approve letting agency liquor stores sell liquor at a price that is up to 5 percent higher than state liquor stores. I think the bottom line here is, if we accept this legislation, we are accepting more price inequity in all of our state liquor stores, and I think you ought to give that point some serious consideration before you vote.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Bangor, Mr. Kelleher, that this Bill and all its accompanying papers be indefinitely postponed in non-concurrence. All those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEAS—Ainsworth, Allen, Anderson, Andrews, Baker, Beaulieu, Benoit, Bonney, Bott, Brodeur, Brown, A.K.; Carroll, D.P.; Carroll, G.A.; Carter, Chonko, Clark, Conary, Connors, Connolly, Crouse, Curtis, Day, Dexter, Diamond, Drinkwater, Erwin, Foster, Gauvreau, Greenlaw, Gwadosky, Hayden, Jacques, Jalbert, Joseph, Kelleher, Kelly, Kiesman, Kilcoyne, LaPlante, Lehoux, Lisnik, Locke, MacBride, MacEachern, Macomber, Martin, A.C.; Masterman, Matthews, K.L.; Matthews, Z.E.; McHenry, Melendy, Mitchell, E.H.; Mitchell, J.; Moholland, Murray, Nelson, Norton, Paradis, E.J.; Pouliot, Racine, Randall, Reeves, J.W.; Richard, Ridley, Roberts, Rolde, Smith, C.B.; Smith, C.W.; Soucy, Soule, Stevens, Stevenson, Strout, Tammaro, Telow, Theriault, Vose, Wentworth.

NAYS—Armstrong, Bell, Bost, Brannigan, Brown, D.N.; Brown, K.L.; Callahan, Cooper, Cote, Cox, Davis, Dillenback, Hall, Handy, Higgins, L.M.; Holloway, Ingraham, Jackson, Ketover, Lebowitz, Lewis, Manning, Masterton, Maybury, Mayo, McGowan, McPherson, Michael, Michaud, Murphy, Nadeau, Paul, Perkins, Perry, Pines, Roderick, Rotondi, Salsbury, Scarpino, Seavey, Small, Sproul, Stover, Swazey, Walker, Webster, Weymouth, Willey, Zirkilton.

ABSENT—Cahill, Carrier, Cashman, Crowley, Daggett, Dudley, Hickey, Higgins, H.C.; Hobbins, Joyce, Kane, Livesay, Mahany, Martin, H.C.; McCollister, McSweeney, Paradis, P.E.; Parent, Reeves, P.; Sherburne, Studley, Thompson, Tuttle, The Speaker.

Yes, 78; No, 49; Absent, 24.

The SPEAKER: Seventy-eight having voted in the affirmative and forty-nine in the negative, with twenty-four being absent, the motion does prevail.

Sent up for concurrence.

Orders of the Day

The following matters, in the consideration of which the House was engaged at the time of adjournment yesterday, have preference in the Orders of the Day and continue with such preference until disposed of as provided by

Rule 24.

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

An Act to Provide an Income Tax Checkoff for Voluntary Support of Nongame Wildlife Management (S. P. 380) (L. D. 1151) (H. "A" H-74)

Set Aside—March 23, 1983 by Representative Kilcoyne of Gardiner.

Pending—Passage to be Enacted.

The SPEAKER: The Chair recognizes the gentleman from Gardiner, Mr. Kilcoyne.

Mr. KILCOYNE: Mr. Speaker, Ladies and Gentlemen of the House: I am going to try one more time. I want to make it clear that I am not opposed to the bald eagle or the other 400 species of wildlife. The question today is, if we fund this good cause through the personal income tax checkoff, what is to prevent us from funding other good causes in an identical manner?

You were told on the floor of the House on March 17 that 20 other states use the voluntary checkoff method for raising funds. Minnesota was one of those states and it raises \$500,000. Well, let me tell you something about Minnesota. Minnesota, late last November, was called into special session by the Governor of that state, and the reason was because of a disappointing revenue collection in that state, and the state legislature had to increase its sales tax from 5 percent to 6 percent. They also added a surtax on their personal income tax which increased withholding by 10 percent. For fiscal year 1984, Minnesota faces a biennial budget gap of \$1.5 million. Ladies and gentlemen, I don't think we should be following the lead of Minnesota, and I would ask for indefinite postponement of this Bill and also ask for a roll call.

The SPEAKER: The gentleman from Gardiner, Mr. Kilcoyne, moves that this Bill and all its accompanying papers be indefinitely postponed in non-concurrence and requests a roll call vote.

The Chair recognizes the gentleman from Westbrook, Mr. Day.

Mr. DAY: Mr. Speaker and Members of the House: I hope you will not vote to indefinitely postpone simply because of what may have happened in Minnesota. Other states have this on a voluntary basis and the committee, by a 12 to 1 vote, thought this was a good idea, and I hope that you will continue to support the idea.

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

Mrs. JOSEPH: Mr. Speaker, Men and Women of the House: I rise to speak to you today to point out other options that are preferable to the voluntary checkoff and available for the funding of the nongame wildlife management; also, to point out to you that this income tax checkoff could be precedent setting, because it was brought to my attention during a justification hearing for the Department of Inland Fisheries and Wildlife that the funding of this particular department is unique.

First of all, this department is the only department that carries a cash balance brought forward of \$2.8 million a year in 1980, \$2.8 million in 1981, and \$1.8 million in 1982; that this department operates only with dedicated revenues; that the interest from the investment of these dedicated funds is credited to the General Fund.

Because we all here agree that nongame wildlife management is worthwhile, that the state does have a responsibility in this area, that it is in the public interest to preserve, protect and perpetuate the nongame resources of the state as a part of responsible government, I offer to you that there are other options available for funding nongame wildlife management which are preferable to the income tax checkoff. I will go on to say that these are that the interest from these dedicated funds be credited back to the department account, that a portion of this interest be statutorily set for

the funding of nongame wildlife management. This interest amounted to \$141,000 in calendar year 1982. Given the interest generated and deposited in the General Fund and the General Fund appropriated in the department's rent, which is an astronomical \$96,900, the difference this year was \$43,000.

Another option and another consideration should be that we should see this as similar to the alcohol premium tax, where the consumers and users of alcohol pay for prevention and rehabilitation, the users, such as people who hunt and people who fish, through the interest on their fees, should in turn pay for the protection and prevention under wildlife management. In fact, this department right now has a proposal in the Governor's Office which will be submitted to you and to us for our consideration for a fee increase which will bring in more revenues of \$2.3 million.

Because there are many worthwhile programs, because these programs too are in need of additional funding, I contend that this will set a precedent that will lead the way to having many such boxes on our income tax form.

Consider if you will voluntary checkoff for family violence, protection of people. Consider if you will a voluntary box for the Humane Society, protection of pets. Consider if you will a voluntary box for the arts, the protection and preservation of the arts, and so on and so forth. I can almost guarantee that next session we will see other bills suggesting voluntary checkoffs.

I ask you not to vote for L. D. 1151 and to indefinitely postpone and to look at other alternatives.

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

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: I hope you do not indefinitely postpone this bill. I would like to make several comments.

I am somewhat confused by the statements of the gentleman from Gardiner, Mr. Kilcoyne. He seems to be intimating that Minnesota's problems all came from the voluntary checkoff for nongame species. My understanding was it came mostly from tax indexing problems, and I would wonder if in the other 20 states, including Minnesota, where this has been put on whether the floodgates indeed have been opened and other programs have come in?

I would also like to address myself to the remarks of the gentlewoman from Waterville, Mrs. Joseph, because she has touched on two committees which I am involved with, the Audit Committee and the Alcoholism Committee, and the problem is, she is correct in saying that there is a cash balance in the department's budget, they do receive interest on it, their rent is paid out of that interest, but the basic problem is that the money that goes to the Department of Inland Fish and Game comes from hunting and fishing licenses, and that money is dedicated to those species which are hunted and fished. Nobody hunts songbirds, nobody hunts bald eagles, and the reason for this particular program is to get around that particular problem.

Some people have said to me, why don't you just have a General Fund appropriation? When I asked them later, would you vote for that, they say, no that's a very low priority. So we have a Catch-22 situation. This is a voluntary situation, voluntary program, nobody has to check it off, so I think it is a very imaginative and useful way of dealing with a problem of those nongame species that cannot be dealt with through dedicated funds that come from hunting and fishing licenses. I hope you won't indefinitely postpone the bill.

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

Mr. JALBERT: Mr. Speaker, I would think that someone would table this bill to find out what the fiscal note on it would be. The printing of this on the ballot would cost some

money; consequently, there is a fiscal note to be put on this bill in my contention. It costs money to print — one cent or one million, that is the rule, Mr. Speaker.

The SPEAKER: Is the gentleman posing a question to the Chair?

Mr. JALBERT: Well, you voted for the rule. I am not posing a question, I am giving you the facts that you probably forgot for once in your life.

The SPEAKER: Does the gentleman wish to pose a question as to whether or not a fiscal note is needed on this bill?

Mr. JALBERT: Well, I think it is fair enough to find out if there is a need for this fiscal note to be put on the bill. I figure if you are going to print 350,000 ballots and you are going to put this information on the ballot, I think that is going to cost some money. I don't know, maybe you know, I don't know. We have a man that does that figuring and we're paying him pretty good money to do it and he does a very good job. I just thought we might table this thing for one day or else kill it but we could at least give the proponents an opportunity to find out the facts on the bill. Maybe there is no need for it, I think there is, I don't know, I am not the master.

The SPEAKER: The Chair would advise the gentleman that this is printing of the Income Tax form, not the ballot. There is no ballot.

Mr. JALBERT: Doesn't the Income Tax form cost money to print or do we get them for nothing? I pay for mine, I will tell you that. They ought to give me one for nothing.

The SPEAKER: The Chair would advise the gentleman that a fiscal note is on the bill.

Mr. JALBERT: It's already on the bill?

The SPEAKER: The Chair would advise in the affirmative — \$5,000.

Mr. JALBERT: \$5,000 was put on for what? Not for the printing of the form?

The SPEAKER: The Chair would answer in the affirmative.

Mr. JALBERT: Mr. Speaker, I move this bill and all its accompanying papers be indefinitely postponed and would ask for a roll call.

The SPEAKER: The Chair recognizes the gentleman from Westbrook, Mr. Day.

Mr. DAY: Mr. Speaker, Ladies and Gentlemen of the House: The bill does have a \$5,000 figure on it and the reason for that is to defray the cost for the Bureau of Taxation and so forth to handle the extra paper work. There will be no cost of printing ballots or anything like that because the Income tax form is printed, but the extra cost is already in there. The first \$5,000 that comes in is to be used to defray the cost of operating the bill.

The SPEAKER: The Chair recognizes the gentleman from Lincoln, Mr. MacEachern.

Mr. MacEACHERN: Mr. Speaker, Ladies and Gentlemen of the House: I don't think I have ever seen as much smoke blown over a simple little bill as has tried to be done here today. This is a very simple bill that takes care of a situation that needs taking care of. Any talk of a surplus in the department is pure hogwash. This money that is there is not a surplus, it is operating money in the event that the department has a bad year on licenses. They have traditionally carried a cushion of money there in order to operate the department in the meantime. Any talk of surpluses and going to the General Fund is ridiculous as far as I am concerned, because we can't even get enough money to fund the search and rescue operation that the department has now.

I just feel that this is a great bill. It gives the opportunity to people who aren't necessarily hunters and fishermen to voluntarily contribute a few bucks toward the preservation of nongame species. I don't see why all the furor over a bill like this. It is a great bill. Nobody will get hurt by it, nobody has to contribute and it gives the department the opportunity to spend a little more time on these nongame species. The money that is in the department now

came originally from hunting and fishing license fees, and that is dedicated to the department to preserve the game species. There is no money available for nongame species, and I feel that those species are just as important as the game species and the people who don't necessarily hunt and fish, under this bill will have the opportunity to contribute a little money toward that.

I hope you will let this bill go on its way and become law.

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

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

The SPEAKER: The Chair recognizes the gentleman from Milo, Mr. Masterman.

Mr. MASTERMAN: Mr. Speaker, Ladies and Gentlemen of the House: I think this is a splendid way to bring the nongame people and the hunters together. We had never had the ability to protect the nongame species.

I would call to your attention that our state bird is the chickadee and it seems that a state bird deserves some protection. The pileated woodpecker — it is a heartwarming experience to see a pileated woodpecker raising its young, protecting its area. If you don't know what a great northern woodpecker is, it is a large woodpecker, almost as big as a crow, a beautiful bird.

As I said before, this is a good way to make good relations between the nongame people and the game people. Sometimes we hear that the legislators and the legislature is for the birds, and this morning I think we had better vote for the birds. I hope you will join me in the passage of this fine bill.

The SPEAKER: The Chair recognizes the gentleman from Gardiner, Mr. Kilcoyne.

Mr. KILCOYNE: Mr. Speaker, Ladies and Gentlemen of the House: In answer to Mr. Rolde, I would like to say that on March 17th, an analogy was made on the floor of the House by a proponent of this bill, I didn't make that statement, somebody else did.

I would like just to say in conclusion that a tree is a tree, a leaf is a leaf and an income tax return is an income tax return.

The SPEAKER: The Chair recognizes the gentleman from Camden, Mr. Kelly.

Mr. KELLY: Mr. Speaker, Ladies and Gentlemen of the House: I have been a game warden for over 38 years. The enforcement of the fish and game laws, when a warden is sworn in, he is sworn in to enforce all fish and game laws, the protection of all wildlife, when he first goes in as a game warden, he swears to protect all wildlife and to enforce all fish and game laws. This law has been on the books ever since the 30's and a game warden doesn't go in the woods to protect a song bird alone, that is an incidental violation. He goes in to protect the deer, the moose and all the game animals. If he sees a violation of anyone shooting a song bird or disturbing its nest, he will act but only if it is incidental with the work he is already doing.

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

Mr. JACQUES: Mr. Speaker, Ladies and Gentlemen of the House: I won't be very long on this. The bottom line of this whole thing is that the hunters and the trappers, whether it comes from that \$140,000 that my counterpart from Waterville was talking about, which under the present statutes you cannot do, whether it comes out of the so-called surplus, which is really an operating budget, the hunters, the fishermen and the trappers are not going to want their money to go into protecting the loon, the chipmunk and the pileated woodpecker. The bottom line is, if this bill isn't

passed there will be no money for nongame species, period. There are plenty of places to spend the money on game species, which means the black duck, the moose, the bear, the raccoon and the deer, that is where the money is going to go. If this bill doesn't pass, there will be no money going to the nongame species, I can assure you of that.

The SPEAKER: A roll call has been ordered. The pending question before the House is on the motion of the gentleman from Gardiner, Mr. Kilcoyne, that this Bill and all its accompanying papers be indefinitely postponed. The Chair recognizes the gentlewoman from Portland, Mrs. Beaulieu.

Mrs. BEAULIEU: Mr. Speaker, I request permission to pair my vote with the gentleman from Old Town, Mr. Cashman. If he were here, he would be voting no and I would be voting yes.

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

Mr. CONNOLLY: Mr. Speaker, I request permission to pair my vote with the gentlewoman from South Portland, Ms. Thompson. If she were present and voting, she would be voting yes; I would be voting no.

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

ROLL CALL

YEA—Ainsworth, Baker, Benoit, Carrier, Daggett, Drinkwater, Gauvreau, Gwadosky, Handy, Holloway, Jalbert, Joseph, Kelleher, Kelly, Ketover, Kilcoyne, Lewis, MacBride, Macomber, Martin, A.C.; Mayo, McHenry, Norton, Perry, Reeves, J.W.; Salisbury, Smith, C.W.; Stevens, Stover, Strout, Swazey, Tammario, Theriault, Walker, Zirnklilton.

NAY—Allen, Anderson, Andrews, Armstrong, Bell, Bonney, Bost, Bott, Brannigan, Brodeur, Brown, A.K.; Brown, D.N.; Brown, K.L.; Carroll, D.P.; Carroll, G.A.; Carter, Chonko, Clark, Conary, Connors, Cooper, Cote, Cox, Crouse, Crowley, Curtis, Davis, Day, Dexter, Diamond, Dillenback, Erwin, Foster, Greenlaw, Hall, Hayden, Hickey, Higgins, L.M.; Ingraham, Jackson, Jacques, Joyce, Kiesman, LaPlante, Lebowitz, Lehoux, Lisnik, Locke, MacEachern, Manning, Martin, H.C.; Masterman, Masterton, Matthews, K.L.; Matthews, Z.E.; Maybury, McGowan, McPherson, McSweeney, Melendy, Michael, Michaud, Mitchell, E.H.; Mitchell, J.; Moholland, Murphy, Murray, Nadeau, Nelson, Paradis, E.J.; Paradis, P.E.; Paul, Perkins, Pines, Pouliot, Racine, Randall, Richard, Ridley, Roberts, Roderick, Rolde, Rotondi, Scarpino, Seavey, Small, Smith, C.B.; Soucy, Soule, Sproul, Stevenson, Telow, Vose, Webster, Wentworth, Weymouth, Willey, The Speaker.

ABSENT—Cahill, Callahan, Dudley, Higgins, H.C.; Hobbins, Kane, Livesay, Mahany, McColister, Parent, Reeves, P.; Sherburne, Studley, Tuttle.

PAIRED—Beaulieu-Cashman; Connolly--Thompson.

Yes, 35; No, 98; Absent, 14; Paired, 4.

The SPEAKER: Thirty-five having voted in the affirmative and ninety-eight in the negative, with fourteen being absent, and four paired the motion does not prevail.

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

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

Bill "An Act Relating to Attorneys Searching and Certifying Title to Real Estate" (H. P. 969) (L. D. 1225)

Tabled—March 21, 1983 by Representative Racine of Biddeford.

Pending—Passage to be Engrossed.

On motion of Mr. Racine of Biddeford, retabled pending passage to be engrossed and

tomorrow assigned.

On motion of Mr. Carter of Winslow, the House reconsidered its action of earlier in the day whereby Bill "An Act to Authorize Coverage of Medicine Supplies Under the Low Cost Drugs for the Elderly Program," House Paper 997, was referred to the Committee on Health and Institutional Services.

The same gentleman moved that the Bill be referred to the Committee on Appropriations and Financial Affairs.

On motion of the same gentleman, tabled pending his motion to refer to the Committee on Appropriations and Financial Affairs and tomorrow assigned.

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

HOUSE DIVIDED REPORT—Report "A" (6) "Ought Not to Pass" Report "B" (6) "Ought to Pass"—Committee on Legal Affairs on Bill "An Act to Deny Certain State Funds to Any Person Who Refuses to Register under the United States Military Selective Services Act" (H. P. 652) (L. D. 820)

Tabled—March 23, 1983 (Till Later Today) by Representative Mitchell of Vassalboro.

Pending—Motion on Representative Cox of Brewer to accept Report "A" "Ought Not to Pass".

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

Mr. LEHOUX: Mr. Speaker, Ladies and Gentlemen of the House: I rise as the sponsor of L. D. 820. L. D. 820 is An Act to Deny Certain State Funds to Persons who Refuse to Register under the United States Military Selective Services Act.

First of all, I want to remind everybody in the House that we are talking about Selective Service registration; this is not a draft. We are far away from that point.

The purpose of this bill is twofold. First, this bill places the state law in compliance with a federal law, the same as others passed in this House.

Secondly, in Maine we cannot in good conscience tolerate selective disobedience by any law.

We in Maine can certainly be proud of its young men. Today, we have a compliance rate of 98.56 percent, and our state is ranked eighth in the nation. This bill aims to motivate the 1.44 percent, or 726 young men who are in non-compliance towards re-establishing their status as law-abiding citizens.

Since these figures are constantly fluctuating as more young men become of age to register, this bill leads to benefits which may be denied to the discretion of the Governor in accordance with the urgency of the day and/or the seriousness of the situation facing the state and country. We, in presenting this bill, are not jumping in front of the federal government, we are just staunchly along side of our government.

Ladies and gentlemen of the House, public sentiment is also in favor of this bill. WCSH-TV, Channel 6 in Portland, aired this question on their public opinion poll last Friday, and the results were 63 percent in favor of this bill and 37 percent against.

I would hope that you would vote to defeat the motion before us so that we may accept the "Ought to Pass" Report. I also request that we have a roll call.

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

Mr. BRODEUR: Mr. Speaker and Members of the House: I oppose this bill for a variety of religious, moral and political reasons, as well as the practical reasons stated by Representative Cox yesterday and the constitutional reasons stated by Representative Handy yesterday.

I have a feeling that this bill is before us because young men are exercising their choice not to register for the draft, and because there

are so many of them, it is practically impossible for the federal government to prosecute more than a select few. An example—21 people out of an estimated—and this is selective service figures based on 500,000 warnings they have sent—have indicated only 21 out of 500,000. So, as a practical sense, most of them will not be prosecuted.

I would like to point out the religious reasons why I am opposed to this bill. Some of the people who refuse to register, register on strict religious grounds. They believe that one cannot serve two masters. They must serve their God or they must serve man, and to register for the draft can be seen by some as showing that man has a right to force you to serve their needs. To resist the draft is seen as an act asserting one's religious beliefs, serving only God, putting their trust in God.

Another religious reason is the reasons of the Commandment "Thou shall not kill." Mohandas Ghandi said that the first rule of non-violence is not to cooperate with violence. The only purpose for the draft registration is to conduct a draft. The gentleman said that we are far away from the draft. Well, it takes a simple act of Congress to start a draft today or tomorrow. The only reason that there is for a draft is to get people into the military. There are some political and psychological reasons, but the only practical effect of the draft is to get people in that military system.

The purpose of the military is to kill when some person orders it. Some people see non-cooperation with the draft as being noncooperation with violence as their religious principle. One example is Enten Eller. He is a 20 year old math and physics major from Bridgewater College, Virginia. He was the first one that was prosecuted. He has maintained a straight A average. He is a member of the Church of the Brethren, which is a historic peace church, from LaVerne, California, where his father is a Church of the Brethren Minister.

Enten Eller advised Selective Service repeatedly of his decision not to register stating: "I have not registered simply because the U.S. government has asked me to do something God would not have me do . . . I am a non-registrant in order to be faithful to God, my conscience and my church. Christ's way, the way of life, the way of concern for all peoples, the way of non-violent peace cannot be reconciled with involvement in the military."

At his trial on August 17, 1982, Enten politely declined to raise available defenses, preferring to rest his statements of religious beliefs.

Another religious reason is because of the unjust war theory, which is one of the teachings of the Roman Catholic Church that is permissible that a person follow in terms of war. The other teaching that is praised by the church is that of pacifism. The Roman Catholic Church teaching prohibits participating in wars that are not just. About 1972, almost after the fact, the Roman Catholic Bishops raised serious questions about the justification of the Viet Nam war.

Also, in 1965 or 1966, the second Vatican Council, in the Constitution of the Church, said that the use or the threatened use of nuclear weapons had been condemned by the Roman Catholic Church. That makes U.S. military policy relating to nuclear weapons unjustified and prohibited by Catholic teaching.

Very recently, the National Conference of Catholic Bishops opposed military aid to El Salvador and other Central American countries. Participation in wars there in support of present administration goals would not be justified under Roman Catholic teaching.

The Selective Service law does not recognize the objections to particular wars as grounds for conscientious objection. Draft registration could then be looked upon as contrary to one's religious freedom needed to follow the just/unjust war theory.

Although I don't believe that just wars are possible anymore, even if they ever were, some people believe in that theory.

It appears from Pope John Paul's many statements on war, such as one he made in Ireland saying that war is obsolete, and the emphasis on his recent trip to Central America calling on both sides to lay down their arms and to teach non-violence, that he may consider all, or at least most wars, unjust.

Some people have moral objections to the draft. One example of this is a gentleman by the name of Ben Sasway. He is a 21 year old from Vista, California, and a political science major at Humboldt State University in California. He publicly announced his non-registration. "This registration is an affront to freedom, born of a spirit of reckless militarism and as such is completely immoral. I cannot with clear conscience be any part of it . . . I will not be a tool of the military misdirection that involved us in Vietnam 15 years ago and that might see our involvement in El Salvador or Nicaragua today." He also didn't urge other people to do that because he said it was a matter of conscience for him and he should not force his conscience on other people.

There are political reasons for opposing this bill. When Ronald Reagan ran for President, he said he was opposed to a peacetime draft. Many young people and mothers voted for him for that reason. There was as much a mandate for that campaign promise as others. To support enforcement of the draft law would be to encourage broken promises in political campaigns. It would teach the American people that it doesn't matter who you vote for, he will not do what he said anyways. Why vote if it doesn't make any difference?

The strongest reason I have for opposing this is because in times of war, truth is the first casualty. During the Vietnam war, which the draft fueled, we were told that we were fighting an enemy, but we weren't told that the enemy was our allies in World War II. We were told that we were fighting democracy, but we didn't take the advice Lord Montbatten to try to urge the French, after World War II, to negotiate some kind of system which would have a democracy. We financed 90 percent of France's attempt to keep Vietnam as a colony, but when they left the country in 1954, being defeated, we negotiated a settlement that would have required elections, democracy in 1956, those elections were cancelled. President Eisenhower said they were cancelled because Ho Chi Minh would have gotten 80 percent of the vote, so our position of being for democracy wasn't quite accurate.

It was also said that the reason we got into the war was we were attacked. About 7 years later we found out that that wasn't true. Without the draft, the war would not have been able to continue.

During the Vietnam war, one million people died, five million were made homeless or casualties, and these were strictly for political reasons and reasons that were not true. Those that were drafted were in that number, 55,000 American soldiers died in that war. More than that died of returning veterans who committed suicide. The spouses of 2,000 of the veterans died from causes linked with cancer, probably caused by Agent Orange from veterans. Many women had miscarriages and birth defects.

The U.S. government's track record shows that they do not care about our Vietnam veterans. They are ignoring their requests for medical treatment for Agent Orange. They are the victims of the war.

On the contrary, over 40,000 men were prosecuted for violating draft law, or indicted. Only 3,000 of these men ever went to jail. There was an average of 10,000 AWOL's a month during the war. If they would have used the same standards as they did during World War II, they would have been called deserters, but if

they would have done that, it would have shown that the U.S. military policy wasn't very clear or wasn't supported by their own military.

The resisters survived very well. In fact, some of them were given amnesty, but the veterans did very poorly.

I think the draft encourages war. Without a draft, it would be very difficult to start and continue a long-term war like the Vietnam war that the country did not have the will to fight. Are we going to encourage sending young men to their death, or are we going to affirm their pro-life attitude?

This draft system encourages raising the tensions of conflict through more militarism rather than through peaceful means. I don't want to cooperate with all the threats made by our President whether it is the person who holds the office now or the persons who held it previously.

This country is deeply divided. The division is sometimes evident but most often subtle.

Many of the people who have not registered have given up hope. I go to high schools to talk about situations such as the probability of a nuclear war, and some of the teachers have asked the high school students how many think they are going to grow up. In most of the classes there are very few; in fact, in some classes it is unanimous. I see them as having not very much hope that the present nuclear arms policy will give them life in the future. In fact, some of the experts don't think we will last another year.

If there is any reason that I would hope that you would vote against this law is because of the divisions that it would create, this bill, the divisions it would create in this country. It would require neighbors, teachers, garbage collectors, universities, Department of Motor Vehicles, Department of Human Services, Department of Mental Health and Mental Retardation's staff, private agencies, city clerks who sell fishing and hunting licenses and other people who get state funding would all have to stop what they are doing in order to figure out if that young man was violating the draft law. That is going to bring the division of this country that occurred during the Vietnam war right to our home towns and to our state agencies. That alone, I think, is a good reason for not voting for this bill.

I would urge you to support the "ought not to pass" report.

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

Mr. PARADIS: Mr. Speaker, Ladies and Gentlemen of the House: I oppose the motion that we have before us for acceptance of the "ought not to pass" report today.

I also share the feelings of Mr. Dudley when he spoke to us yesterday, and I am not pleased to see our meager resources being shared with people who have resisted the law and who are in non-compliance with the law of our land. I have no problem with resisters or other non-conformists who are present in our society because this is a free society and there is plenty of room for many different points of views, but eventually the society will have means and ways of dealing with these people and to correct them to adjust their views and bring them back into what is considered proper as far as being a citizen is concerned.

I do have trouble accepting their attitudes of resisting and being in non-conformance with the law and at the same time holding out their hand and expecting benefits of the resources of this state, which is derived from its surplus.

Now, you and I know from serving on the floor of this House that there are never sufficient resources to meet all the needs or to satisfy all the demands which we have before us, that we must establish priorities, and that is exactly what this simple bill here will do. It will determine that those who are in compliance with the law on this important, basic matter

involving citizenship are eligible for such surpluses as we may have to distribute in order to assist those in need. Those who are in non-compliance will have to take to the back of the line and wait their turn until such time that they have satisfied the requirements that society has placed before them in order to be a participating citizen.

I would urge you again to oppose the pending motion along with me so that we may accept the "Ought Not to Pass" Report.

The SPEAKER: The Chair recognizes the gentleman from Rumford, Mrs. Erwin.

Mrs. ERWIN: Mr. Speaker, Ladies and Gentlemen of the House: I rise to respond to some of the comments that have been made on the floor of this House. I am a veteran of the United States Navy, having served during the Korean War, and I was very proud to be in the service, as are all the veterans who have served.

I respect a person's religious belief but where would this great country of ours be today if it weren't for the people willing to go and serve our country during World War I, World War II, Korean War and the Vietnam War. I believe that it is little to ask of a person to save a paper that they might receive from the Selective Service to be used when they want to apply for something like a school loan or something of that sort.

The Representative from Brewer, Mr. Cox, said: "Who would know where a letter is one year from the day they received it from the Selective Service?" I would know where it was if it was important to me. I have been carrying a card for more than 30 years, since I served during the Korean War, and I can assure you that I am proud to carry it.

The SPEAKER: The Chair recognizes the gentleman from Rockland, Mrs. Melendy.

Mrs. MELENDY: Mr. Speaker, Ladies and Gentlemen of the House: To tell you where I am coming from, I must tell you that I have two sons that have signed up for the draft, but I too believe that this bill ought not to pass because my question is, who will this bill affect? This bill will affect our future leaders, the men who are trying to better educate themselves and trying to be more productive citizens in the future. Even these men who have signed up for the draft will, in many cases, be punished, because in many cases paperwork coming together will not happen properly and those who signed up for the draft will lose out on possible loans also. The men who do not go on to school will not be affected or punished for not signing up for the draft. Tell me, who is this bill out to get?

The SPEAKER: The Chair recognizes the gentleman from Old Orchard Beach, Mr. McSweeney.

Mr. MCSWEENEY: Mr. Speaker, Men and Women of the House: This bill came before Legal Affairs, I signed the opposite of what Mr. Cox did, but last week we celebrated St. Patrick's Day. What other nation in the world could celebrate St. Patrick's Day? In a communist nation? No. We are not asking the young people to do that much, we are asking them to sign for the draft, register for the draft, we are not asking them to enlist. But in a Democracy—it's like Khrushchev said: "If we are going to defeat ourselves in the United States, it is going to be from within." It is not going to be outside and we had better start recognizing that, because we live in a world that is tempered with all kinds of fallacies and I hate to say that.

We are not asking a young man to enlist for the draft, it is too much to ask him just to sign up for registration?

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

Mr. BOST: Mr. Speaker, Ladies and Gentlemen of the House: I rise before you today to speak in opposition to L. D. 820; I do not speak in opposition to the Selective Service Act. In my opinion, those who refuse to register for

non-legitimate reasons should be prosecuted and subject to the full penalties of the law.

This bill does something very different. To explain: (1) the war power is exclusively a federal power, it is not an area where states can also act. Federal criminal penalties are already in place to the tune of a \$10,000 fine and up to five years in prison; (2) this bill grants unlimited and unguided power to the Governor. He could randomly pick and choose which state programs to be denied; (3) enactment of this bill would violate due process. It would assess a penalty without holding a hearing and no requirement that the government fulfill its burden of proof; (4) as Representative Handy stated yesterday, the federal court in Minnesota has ruled against a similar law in that state that denies state monies to non-registrants on the grounds that the law violates one fifth amendment rights against self-incrimination; (5) the Judicial Branch and not the Legislature holds the power to try cases under the Separation of Powers doctrine. It is my belief that the Legislature's duty is to set forth unlawful acts and then let the courts enforce the law and punish violators; (6) this legislation is discriminatory. It discriminates against men by excluding women; however, more importantly, it singles out those non-registrants who for economic reasons must apply for grants or loans. If a person is fortunate enough to be able to pay for his education, this law would not apply.

Let me briefly reiterate: I have no problems with the present Selective Service System. I, myself, was issued a Selective Service card several years ago and I still carry it. I do have problems with a bill which does nothing to address the concerns people may have regarding non-registrants. This should not be seen as a roll call on patriotism. This should be seen as a roll call on a piece of unfortunate legislation.

The SPEAKER: The Chair recognizes the gentleman from Mt. Desert, Mr. Zirkilton.

Mr. ZIRKILTON: Mr. Speaker, Ladies and Gentlemen of the House: The issue before us today is not one of rich versus poor or the young versus the old or whether or not all wars are necessary—the issue is whether or not the taxpayers of Maine are going to be forced to subsidize those who are unwilling to register for the draft, those who are unwilling to defend our nation. As one of the younger male members of this House, I speak to you today not as a State Representative but as one who would most likely be called to defend our nation from foreign enemies if such a need were to arise, and if someone is called to defend our nation, our state, and her people and I might add that many people have done so and made the ultimate sacrifice in doing it, if someone is called to do so, and that same person refuses to do so, then what right do they have to expect our state and our nation to come to their aid in their time of need?

Ladies and gentlemen, as far as I am concerned it is very simple. If a male who reaches the age of 18 and will not register to defend our nation, then they have no right to ask anything from our nation in return.

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

Mr. KIESMAN: Mr. Speaker, Ladies and Gentlemen of the House: I have heard a lot of things debated this morning, yesterday and today, and I think we should get right down to what the real basic issue is, at least as I see it. We have heard a lot of talk about responsibility. As I see this issue, this is the taxpayers or the people of the state of Maine telling us how they want us to spend their money. That is really what it is all about. Our responsibility is to represent the people that sent us up here, and I will tell you that the people in my district are telling me that I don't want my money spent for someone who won't even make their presence known in the state of Maine as available in case of a national emergency. That is really all the

registration is about—to make their presence known. It doesn't call them into the service, it doesn't draft them, it doesn't go up and ask them to push the button that is going to start the nuclear war, not at all, it just makes their presence known.

I will tell you that there are very few taxpayers in my district that want their monies made available to someone who declines to even make their presence known.

The SPEAKER: The Chair recognizes the gentleman from Thomaston, Mr. Mayo.

Mr. MAYO: Mr. Speaker, Ladies and Gentlemen of the House: I hadn't intended to speak but I think we have to present both sides. I answered the call, I spent three and a half years, I don't object. I have three sons and if any one of them refused to register, the old man would see that they did. However, I think we have to look at some other issues here.

I had an opportunity last night at a candidates meeting with the good citizens of Thomaston—after the meeting of the quizzing of the people running for the Board of Selectmen and School Board members, I said, this is a wonderful opportunity to see what the people think about this and I read the bill to them, what we are talking about right now. I suggested that if anyone wanted to they could come up and talk to me afterwards. I have to tell you, one person came up and said, I am in favor of the bill. About a dozen said, no way, it is not our job, it is a federal, so leave it with the federal, so we are not all hearing the same thing.

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

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

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

ROLL CALL

YEAS—Ainsworth, Andrews, Baker, Beaulieu, Bell, Benoit, Bost, Bott, Brannigan, Brodeur, Brown, A.K.; Cahill, Carroll, D.P.; Chonko, Connolly, Cooper, Cote, Cox, Crouse, Crowley, Diamond, Gauvreau, Hall, Handy, Hayden, Jalbert, Joseph, Ketover, LaPlante, Lisnik, Locke, Manning, Martin, H.C.; Masterton, Mayo, McHenry, Melendy, Michael, Michaud, Mitchell, E.H.; Mitchell, J.; Murray, Nadeau, Nelson, Randall, Rolde, Scarpino, Small, Soule, Stevens, Swazey, Theriault.

NAYS—Allen, Anderson, Armstrong, Bonney, Brown, D.N.; Brown, K.L.; Callahan, Carrier, Carroll, G.A.; Carter, Clark, Conary, Connors, Curtis, Daggett, Davis, Day, Dexter, Dillenback, Drinkwater, Dudley, Erwin, Foster, Greenlaw, Gwadosky, Higgins, L.M.; Holloway, Ingraham, Jackson, Jacques, Joyce, Kelleher, Kelly, Kiesman, Kilcoyne, Lebowitz, Lehoux, Lewis, MacBride, MacEachern, Macomber, Martin, A.C.; Masterman, Matthews, K.L.; Matthews, Z.E.; Maybury, McGowan, McPherson, McSweeney, Moholland, Murphy, Norton, Paradis, E.J.; Paradis, P.E.; Paul, Perkins, Perry, Pines, Pouliot, Racine, Reeves, J.W.; Richard, Ridley, Roberts, Roderick, Rotondi, Salsbury, Seavey, Smith, C.B.; Smith, C.W.; Soucy, Sproul, Stevenson, Stover, Strout, Tammaro, Telow, Vose, Walker, Webster, Wentworth, Weymouth, Wiley, Zirkilton.

ABSENT—Cashman, Hickey, Higgins, H.C.; Hobbins, Kane, Livesay, Mahany, McCollister, Parent, Reeves, P.; Sherburne, Studley, Thompson, Tuttle, The Speaker.

Yes, 52; No, 84; Absent, 15.

The SPEAKER: Fifty-two having voted in the affirmative and eighty-four in the negative,

with fifteen being absent, the motion does not prevail.

Thereupon, "Ought to Pass" Report "B" was accepted, the Bill read once and assigned for Second Reading tomorrow.

Agricultural Day Activities

The SPEAKER: The Chair will appoint the following members to escort the Queens to the rostrum:

Representative Brown of Livermore Falls will be escorting the Farm Bureau Queen, Patricia Fortin; Representative Gwadosky of Fairfield will be escorting the Maine Egg Queen, Gail Elias; Representative Carol Allen of Washington will be escorting the Maine Blueberry Queen, Laurie Brown; Representative Stevenson of Unity will be escorting the State Grange Queen, Cindy Larrabee; Representative Smith of Island Falls will escort the Potato Blossom Queen, Amy Good; Representative Smith of Mars Hill will escort the Future Farmers Queen, Anna Murphy.

The SPEAKER: The Chair is pleased to again this year have Agricultural Day. Legislators always look forward to it for all kinds of reasons, including potatoes, apples, potato chips and food. I noticed during the last debate that many people were eating rather than listening, for whatever reason.

The Chair is extremely pleased to have with him the queens who were able to be with us today, and I am simply going to introduce them the way that I have got them listed here. The first one I would like to introduce to the members of the House is the Farm Bureau Queen, who is Patricia Fortin of Leeds.

Miss PATRICIA FORTIN: My name is Patricia Fortin and I am the Maine Farm Bureau Queen. As the Farm Bureau Queen, I represent all types of farming throughout the State of Maine, as does the Farm Bureau Association.

We are here today in commendation of Maine agriculture, but we are also here to present the Legislature with a message of concerns for the welfare of the Maine agricultural industry.

The concerns of Maine farmers can best be summed up in a recent joke I heard. It is about the new 1983 model of John Deere tractor on the market. This new design is one without a steering wheel and without a seat. This tractor is for our farmers who have lost their butts and don't know which way to turn.

In Maine, we have experienced a dramatic decline in the poultry industry, problems in the potato industry, and recent threats to the Maine milk marketing order, and the list goes on. So, yes, Maine farmers are losing their butts and this is endangering the \$2 billion of Maine agricultural revenue which is directly related to many other agri-businesses.

The losses to Maine agriculture not only mean losses to the Maine economy but also in the field of insurance companies, transportation, product processing plants, agri-supply companies and many other agricultural support industries. When Maine small farm families go under, so do all of these other jobs. That is why it is important that the legislators here today recognize that they are responsible for providing the farmers with a direction to turn. Through legislative policy that supports agriculture, you people here can help the farming industry of Maine.

It is apparent that the agricultural industry is at a turning point. Maine agriculture needs your attention, legislative support and concern.

As I bring this to a close, I would like to leave you with one final thought—the royalty before you, all of us girls up here, and all farm youth in Maine are the most important Maine farm products. We are the next generation of farm family and we would like an opportunity to provide our children with a prosperous life in agriculture. (Applause)

The SPEAKER: The next is the Maine Egg Queen, who is Gail Elias from Benton.

Miss GAIL ELIAS: Hello, my name is Gail Elias and I am a resident of Benton, Maine. I am a Junior at Lawrence High School and I am the reigning queen for the Central Maine Egg Festival, which is held in Pittsfield on July 22nd and 23rd.

The age for entering the pageant is 16 through 18. The girls are judged on poise, personality, talent and interview and will receive a \$700 scholarship to the school of her choice.

The Central Maine Egg Festival is an annual event which is held every July in the town of Pittsfield to promote the egg industry and I will be hoping to see you all there. Thank you. (Applause)

The SPEAKER: The Blueberry Queen, who is Laurie Brown from Appleton.

Miss LAURIE BROWN: Hi there, I am very pleased to be able to represent the blueberry industry in Maine. Blueberries are a very important agricultural business and this last year we harvested the largest crop in Maine history. Compared to the average 22 million pounds, this past season we harvested 36 million pounds, which brought in \$19.8 million.

Maine is the largest wild blueberry grower in the whole United States and I think that is pretty impressive.

I would like to thank you for inviting us all here for this nice agriculture day. Thank you very much. (Applause)

The SPEAKER: The State Grange Agriculture Queen, who is Cindy Larrabee from Thorndike.

Miss CINDY LARRABEE: I would like to say thanks for the invitation and I am the State Agriculture Queen and I go around and visit different granges and I participate in different grange activities. I also am representing the youth as well as the Agriculture Queen.

I have enjoyed my reign as Agriculture Queen. I give up my title in August and I just want to thank everyone for inviting us here. (Applause)

The SPEAKER: Next is the Maine Potato Festival Queen, Amy Good from Monticello.

Miss AMY GOOD: Greetings. Today, we, the Maine potato industry, are providing each of you in the Maine State House of Representatives and Senate with a bag of potato chips to represent our process industry and a bag of round white Maine potatoes to represent our fresh growers.

I would also like to add that our 850 potato farms join you all in saluting our nation's agriculture today.

Finally, the Maine potato growers extend their thanks for your past and continued support of our legislation. Thank you. (Applause)

The SPEAKER: Finally, the Future Farmers' of America, Maine's Sweetheart, who is Anna Murphy of Fort Fairfield.

Miss ANNA MURPHY: Hello, I would like to extend my warmest welcome from the Maine Association of the Future Farmers of America. Thank you. (Applause)

The SPEAKER: Before we close this event, I must tell you that yesterday the Speaker received a bouquet of flowers from the Chairman of the Agriculture Committee, Luman Mahany, who wished everyone a happy agriculture day. The flowers are in my office for any of you who wish to see them. They were to the entire members of the House.

On behalf of the members of the House, the Chair would certainly thank you for joining us today and we certainly have enjoyed your being with us. We will probably be out there shortly enjoying the food with you. On behalf of the members of the House, I would like to thank the industry for the gifts that you have given and for those who will be taking their potatoes home—the potato chips will never make it but the potatoes might. Thank you very much, and would the escorts please come forward to escort them from the rostrum to my office?

Thereupon, the Agricultural Queens were escorted from the Hall, amid the applause of

the House, the members rising.

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

An Act to Revise the Law Concerning the Investment of Municipal Funds (Emergency) (H. P. 275) (L. D. 335) (C. "A" H-59)

Tabled—March 23, 1983 (Till Later Today) by Representative Higgins of Scarborough.

Pending—Passage to be Enacted.

This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 120 voted in favor of same and none against, and accordingly the Bill was passed to be engrossed, signed by the Speaker and sent to the Senate.

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

Bill "An Act to Increase Reimbursement for Professional Credits for Teachers" (S. P. 361) (L. D. 1074)

Tabled—March 23, 1983 by Representative Mitchell of Vassalboro.

Pending—Passage to be Engrossed.

On motion of Mrs. Mitchell of Vassalboro, tabled unassigned pending passage to be engrossed.

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

The Following Joint Resolution: (S. P. 431)

WHEREAS, agricultural land is essential for agricultural production; and

WHEREAS, Maine agriculture is a major contributor to the economy of this State and the region, both directly and through its advantages to other industry; and

WHEREAS, agricultural activities preserve natural resources, as well as the Maine landscape, foster the values of independence, integrity and self-reliance which spring from agricultural communities and promote economic self-sufficiency; and

WHEREAS, such lands constitute a limited and finite portion of Maine's land base, and continue to be threatened with conversion to nonagricultural uses; now, therefore, be it

RESOLVED: That We, the Members of the 111th Legislature, now assembled in the First Regular Session, consider the state's farmland to be a unique and irreplaceable resource, whose conservation is essential to present and future sustained agricultural activities, and yields significant benefit to the people of the State; and be it further

RESOLVED: That the Members hereby consider it the policy of this State to encourage the efforts of both public agencies and private organizations to protect and maintain open agricultural land within Maine for present and future use. Toward this end, the members endorse the voluntary transfer of rights and interest in agricultural lands through agreements between farmland owners and private land conservation agencies; and further declare their support for activities which will strengthen Maine's agricultural economy and thereby also aid in the conservation of farmland; and be it further

RESOLVED: That the Members take this opportunity to encourage federal, state and local cooperation in this effort to conserve Maine's farmland; and be it further

RESOLVED: That suitable copies of this resolution be sent forthwith to the Department of Agriculture, Food and Rural Resources.

Came from the Senate read and adopted.

In the House the Resolution was Read and adopted in concurrence.

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

Bill "An Act to Remove any Statutory Reference Mandating Teachers to take 6 Credit

Hours for Recertification" (H. P. 1005) (Presented by Representative Locke of Sebec) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27)

The Bill was referred to the Committee on Education, Ordered Printed and sent up for concurrence.

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

An Act to give Alternates the right to Vote on a School Board (Emergency) (H. P. 626) (L. D. 778) (C. "A" H-65)

Tabled—March 23, 1983 by Representative Connolly of Portland.

Pending—Passage to be Enacted.

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

Mr. CONNOLLY: Mr. Speaker, Members of the House: This bill had been sailing its way through the House and yesterday was one step short of enactment when it sort of caught my attention and I had it tabled because it looked as though it addressed an issue that had come before the Education Committee in past years.

I had the opportunity to check the bill out and in fact this is an issue that has been rejected at least on two prior occasions by the legislature's Education Committee. While I sympathize with the problem that the sponsor of the bill is trying to address with this particular legislation, in my opinion I don't think this is the way to go about it. Briefly, let me explain the problem.

The bill attempts to address voting rights of members who sit on the boards for community school districts, and to give you an example: you have a community school district board, three communities, in the example, would be represented on the board, two of those communities, because of the size and the agreement that has been reached, would have three voting members, let's say, on the board. The third community, because of its size, would only have one voting member. All of those people also have alternates that can attend the meetings when they are not there. The alternates, however, do not have the right to vote. This bill would say, in communities where there is only one representative, the alternate would have the right to vote, but it wouldn't extend the same right in the case where there is more than one member, in the cases where there are three members on the board.

This bill is an emergency piece of legislation and I would simply, rather than try to kill the bill, ask you to vote against it.

The SPEAKER: The Chair recognizes the gentleman from Franklin, Mr. Connors.

Mr. CONNORS: Mr. Speaker, Ladies and Gentlemen of the House: I sponsored this bill for two school districts and the only school districts that will be affected are the Flanders Bay School District and the Mountain View School District in my area. I have tried, as the previous gentleman said, to get this done for the town of Sorrento. They have just one school member and two alternates. If that school member is sick or he is away, the alternate can attend and listen to the business but he has no authority to vote. I think we are discriminating against the small town of Sorrento in not giving them the opportunity so their alternate, when he goes there, that he will be able to vote at the school board meetings and carry on the business of those school districts.

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

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: This bill was offered last year as an amendment to a bill. It was defeated because it was unfair. It was unfair then and it is unfair now and I hope you vote against it.

The SPEAKER: The pending question is on passage to be enacted. This being an emergency measure, a two-thirds vote of all the members elected to the House is necessary.

A vote of the House was taken.

63 having voted in favor of same and 67 against, the Bill failed of enactment.
Sent to the Senate.

The Chair laid before the House the following matter:

Bill "An Act to Amend the Maine Coastal Protection Fund" (H. P. 993) which was tabled earlier in the day and later today assigned pending reference.

On motion of Mr. Kelleher of Bangor, the Bill was referred to the Committee on Energy and Natural Resources, ordered printed and sent up for concurrence.

The Chair laid before the House the following matter:

Bill "An Act to Remove the Superintendent of the Governor Baxter School for the Deaf from Classified Service and Clarify the Law Relating to State Educational Personnel" (Emergency) (H. P. 769) (L. D. 999) (C. "A" H-78) which was tabled earlier in the day and later today assigned pending adoption of Committee Amendment "A".

Mrs. Ketover of Portland offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

House Amendment "A" (H-85) to Committee Amendment "A" (H-78) was read by the Clerk and adopted.

Committee Amendment "A" as amended by House Amendment "A" thereto was adopted.

The Bill was assigned for Second Reading Tomorrow.

On motion of Mr. Macomber of South Portland, the House reconsidered its action whereby Bill "An Act Relating to Motor Fuel Taxes" (L. D. 138) (H. P. 130) was passed to be engrossed pursuant to Consent Calendar rules.

Thereupon, the Committee Report was accepted, the Bill read once and assigned for Second Reading Tomorrow.

The SPEAKER: The Chair recognizes the gentleman from Eastport, Mr. Vose.

Mr. VOSE: Mr. Speaker, is the House in possession of L.D. 1244 Bill "An Act to Establish the position of Director of Technical Analysis within the Public Utilities Commission"?

The SPEAKER: The Chair would answer in the affirmative.

On motion of Mr. Vose of Eastport, the House reconsidered its action whereby it voted to recede and concur.

The SPEAKER: The Chair recognizes the gentleman from Eastport, Mr. Vose.

Mr. VOSE: Mr. Speaker, I now move that we insist.

The SPEAKER: The gentleman from Eastport, Mr. Vose, moves that the House insist.

On motion of Mr. Gwadosky of Fairfield, tabled pending the motion of Mr. Vose of Eastport that the House insist and later today assigned.

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

Mr. KELLEHER: Mr. Speaker, having voted on the prevailing side on An Act Concerning Sales Prices of Spirituous and Vinous Liquors, Except Table Wine, Sold by State Agency Liquor Stores (L. D. 1165) I now move the House reconsider its action whereby the Bill was indefinitely postponed and I would urge the House to vote against my motion.

The SPEAKER: The gentleman from Bangor, Mr. Kelleher, having voted on the prevailing side now moves that the House reconsider its action whereby the Bill was indefinitely postponed. Those in favor will say yes; those opposed will say no.

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

The Chair laid before the House the following matter:

Bill "An Act to Establish the Position of Director of Technical Analysis within the Public Utilities Commission" (H. P. 963) (L. D. 1244) which was retabled earlier in the day and later today assigned pending the motion of the gentleman from Eastport, Mr. Vose, that the House insist.

Thereupon, the House voted to insist.

(Off Record Remarks)

On motion of Mr. Pouliot of Lewiston,
Adjourned until twelve o'clock noon tomorrow.