

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

Monday, April 25, 1983

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

Prayer by Deacon Angelo LeVasseur of St. Theresa's Catholic Church, Mexico, and St. Joseph's Catholic Church, Dixfield.

The members stood for the playing of the National Anthem by the Lawrence High School Band of Fairfield.

The journal of the previous session was read and approved.

Papers from the Senate

The Senate of Maine
Augusta

April 21, 1983

The Honorable John L. Martin

Speaker of the House
111th Maine Legislature
Augusta, Maine 04333

Dear Speaker Martin:

In accordance with Joint Rule 38, please be advised that the Senate today confirmed, upon the recommendation of the Joint Standing Committee on Energy and Natural Resources, the Governor's nomination of Kim Matthews of Freeport to the Board of Environmental Protection.

Ms. Matthews is replacing Lionel C. Ferland.

Sincerely,

S/JOY J. O'BRIEN

Secretary of the Senate

The Communication was read and ordered placed on file.

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

Report of the Committee on Business Legislation reporting "Ought Not to Pass" on Bill "An Act to Amend the Regulation of Business Practices between Motor Vehicle Manufacturers, Distributors and Dealers Act" (S. P. 137) (L. D. 429)

Report of the Committee on Business Legislation reporting "Ought Not to Pass" on Bill "An Act Concerning Used Car Repairs and Insurance" (S. P. 234) (L. D. 676)

Report of the Committee on Business Legislation reporting "Ought Not to Pass" on Bill "An Act Relating to Finance Charges on Lender Credit Card Sales" (S. P. 300) (L. D. 914)

Report of the Committee on Judiciary reporting "Ought Not to Pass" on Bill "An Act to Enable Claimants to Process Small Claims Locally" (S. P. 373) (L. D. 1147)

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

Unanimous Leave to Withdraw

Report of the Committee on Taxation reporting "Leave to Withdraw" on Bill "An Act to Provide Exemptions on Sales or Donations to State, any Political Subdivisions or the Federal Government under the Sales and Use Tax Law" (S. P. 467) (L. D. 1421)

Report of the Committee on Education reporting "Leave to Withdraw" on Bill "An Act to Provide Transportation to Nonpublic School Students" (S. P. 370) (L. D. 1144)

Report of the Committee on Business Legislation reporting "Leave to Withdraw" on Bill "An Act to Amend the Late Payment Provisions of the Maine Insurance Code" (S. P. 200) (L. D. 622)

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

Divided Report Indefinitely Postponed

Majority Report of the Committee on Legal Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (S. 66) on Bill "An Act to Permit the Sale of Liquor After 11 a.m. on Certain Sundays" (S. P. 449) (L. D.

1370)

Report was signed by the following members:

Senator:

CHARETTE of Androscoggin

— of the Senate.

Representatives:

COX of Brewer

DILLENBACK of Cumberland

COTE of Auburn

McSWEENEY of Old Orchard Beach

SWAZEY of Bucksport

PERRY of Mexico

— of the House.

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

Report was signed by the following members:

Sensors:

SHUTE of Waldo

DANTON of York

— of the Senate.

Representatives:

HANDY of Lewiston

STOVER of West Bath

DUDLEY of Enfield

— of the House.

Came from the Senate with the Minority "Ought Not to Pass" Report read and accepted. In the House: Reports were read.

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

Mr. COX: Mr. Speaker, I move that the Majority "Ought to Pass" Report be accepted and would speak briefly to my motion.

The SPEAKER: The gentleman from Brewer, Mr. Cox, moves that the Majority "Ought to Pass" Report be accepted in non-concurrence. The gentleman may proceed.

Mr. COX: Mr. Speaker, Ladies and Gentlemen of the House: Before we proceed to vote on this, I think the House should be aware of just what this bill does. It represents a compromise position on the part of many of the members of the Legal Affairs Committee.

The original bill would have allowed liquor to be sold, in all of the places that sold liquor, after eleven o'clock on certain Sundays in the year. It was amended so that the present version would allow liquor to be served only in Class A restaurants and hotels that serve meals. The majority of the committee did not feel that allowing people to have a little wine or a cocktail with their meals constituted any serious threat to the morals of the state, and that is the reason for the "ought to pass" report.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I signed the "ought not to pass" report, and I thought for a very good reason. I thought so when I signed it and I still think so this morning.

First of all, the people that have to have a drink with their dinner on Sunday, eleven o'clock is kind of early for them to be having their dinner; they generally have dinner after twelve or even later than that.

Second of all, I know a lot of people that use quite a lot of intoxicating liquor on Saturday and Saturday night, and I thought they ought to have a pause, maybe time enough to go to church and be with their families for an hour or two before they indulged all over again.

I think it is a good idea to leave it the way it is and this bill ought not to pass. Believe me, I gave it some serious consideration.

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

Mr. JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: I was around when this idea of having twelve o'clock openings was suggested to this body many years ago. There was a group of people from all denominations present. The agreement was made soundly, and any of us who were around would never go along with anything lower than twelve o'clock.

I can appreciate the remarks of Mr. Cox, and I am no purist, but I can assure you that 99 percent of the people that do have a drink and

at the same time eat, they will have a drink or two or three or four before they eat and then if there is room enough, they will eat.

This is a booze bill first, second, third, fourth and fifth and last. As far as I am concerned, it shouldn't even be entered in the derby, and I don't think it will be. It is a bad, bad bill.

Mr. Speaker, I move the indefinite postponement of this bill, all reports, all commas, all semi-colons and all periods, and when the vote is taken, I move it be taken by the yeas and nays.

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

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

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

ROLL CALL

YEA—Ainsworth, Allen, Anderson, Andrews, Armstrong, Beaulieu, Bell, Benoit, Bonney, Bost, Brodeur, Brown, A.K.; Brown, D.N.; Brown, K.L.; Cahill, Callahan, Carrier, Carroll, D.P.; Carroll, G.A.; Carter, Cashman, Chonko, Clark, Conary, Connors, Cooper, Crouse, Crowley, Curtis, Daggett, Davis, Day, Dexter, Drinkwater, Dudley, Foster, Greenlaw, Gwadosky, Hall, Handy, Hickey, Higgins, L.M.; Holloway, Jackson, Jacques, Jalbert, Joseph, Joyce, Kelleher, Kelly, Ketover, Kiesman, LaPlante, Lebowitz, Lewis, Lisnik, Livesay, Locke, MacBride, MacEachern, Macomber, Martin, A.C.; Martin, H.C.; Masterman, Masterton, Matthews, K.L.; Matthews, Z.E.; Maybury, McColister, McHenry, McPherson, Melendy, Michael, Michaud, Mitchell, E.H.; Mitchell, J.; Moholland, Murphy, Nelson, Norton, Paradis, E.J.; Paradis, P.E.; Parent, Perkins, Pines, Randall, Reeves, J.W.; Richard, Ridley, Roberts, Roderick, Salsbury, Scarpino, Seavey, Sherburne, Smith, C.B.; Smith, C.W.; Soucy, Sproul, Stevens, Stevenson, Stover, Strout, Studley, Tammara, Telow, Theriault, Thompson, Tuttle, Vose, Walker, Webster, Wentworth, Weymouth, Zirkilton, The Speaker.

NAY—Bott, Brannigan, Cote, Cox, Diamond, Dillenback, Erwin, Lehoux, Manning, McSweeney, Murray, Nadeau, Perry, Racine, Rotondi, Swazey.

ABSENT—Baker, Connolly, Gauvreau, Hayden, Higgins, H.C.; Hobbins, Ingraham, Kane, Kilcoyne, Mahany, McGowan, Paul, Pouliot, Reeves, P.; Rolde, Small, Soule, Willey.

Yes, 115; No, 16; Absent, 18; Vacant, 2.

The SPEAKER: One hundred fifteen having voted in the affirmative and sixteen in the negative, with eighteen being absent and two vacant, the motion does prevail.

Non-Concurrent Matter

Bill "An Act to Protect the Health of Children by Prohibiting the Free Distribution of Cigarettes" (H. P. 395) (L. D. 478) which was passed to be engrossed in the House on April 19, 1983.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" (S-67) in non-concurrence.

In the House:

Mrs. Nelson of Portland moved that the House Insist.

Whereupon, Mr. Webster of Farmington moved that the House recede and concur.

The SPEAKER: The Chair will order a vote. The pending question is on the motion of the gentleman from Farmington, Mr. Webster, that the House Recede and Concur. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.
37 having voted in the affirmative and 79 in the negative, the motion did not prevail.
Thereupon, on motion of Mrs. Nelson of Portland, the House voted to Insist.

Non-Concurrent Matter Tabled and Assigned

Bill "An Act to Permit the Employment Security Commission Wider Discretion in Determining Eligibility for Unemployment Compensation Benefits" (H. P. 1123) (L. D. 1467) which was passed to be engrossed in the House on April 19, 1983.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" (S-69) in non-concurrence.

In the House:

Mrs. Beaulieu of Portland moved that the House recede and concur.

On motion of the same gentlewoman, tabled pending her motion to recede and concur and tomorrow assigned.

Non-Concurrent Matter

Bill "An Act Requiring an Annual Report on Safety Problems by Nuclear Power Plants" (H. P. 1129) (L. D. 1484) which was passed to be engrossed in the House on April 19, 1983.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" (S-68) in non-concurrence.

In the House: On motion of Mr. Vose of Eastport, the House voted to recede and concur.

Non-Concurrent Matter

Bill "An Act to Conform the Requirements for Construction of Generating Facilities or Transmission Lines" (H. P. 860) (L. D. 1110) which was passed to be engrossed as amended by Committee Amendment "A" (H-155) in the House on April 19, 1983.

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" (H-155) and Senate Amendment "A" (S-70) in non-concurrence.

In the House: On motion of Mr. Vose of Eastport, the House voted to recede and concur.

Non-Concurrent Matter Tabled and Assigned

Bill "An Act to Revise Laws Concerning Commercial Whitewater Rafting" (S. P. 478) (L. D. 1453) which was referred to the Committee on Fisheries and Wildlife in the House on April 19, 1983.

Came from the Senate with that body having adhered to its previous action whereby the bill was referred to the Committee on Energy and Natural Resources in non-concurrence.

In the House: On motion of Mr. MacEachern of Lincoln, tabled pending further consideration and tomorrow assigned.

Non-Concurrent Matter Tabled and Assigned

Bill "An Act to Regulate Commercial Whitewater Rafting" (Emergency) (S. P. 479) (L. D. 1454) which was referred to the Committee on Fisheries and Wildlife in the House on April 19, 1983.

Came from the Senate with the body having adhered to its previous action whereby the bill was referred to the Committee on Energy and Natural Resources in non-concurrence.

In the House: On motion of Mr. MacEachern of Lincoln, tabled pending further consideration and tomorrow assigned.

Messages and Documents

The following Communication: (H. P. 1147)
State of Maine

Inter-Departmental Memorandum

Date April 21, 1983

To Edwin H. Pert, Clerk of House

Dept. Executive

From Harold Reynolds, Jr., Commissioner
Dept. Educ. and Cultural Services

Subject Report of Advisory Committee on Medical Education

In accordance with the provisions of 20 MRSA, Chapter 304, it is my duty to annually report to the Legislature and to the Governor a Plan relating to the participation of Maine Contract students in medical education programs. It is my pleasure, therefore, to transmit herewith the fifth Status Report prepared by the Advisory Committee on Medical Education which summarizes the Committee's activities and recommendations for the period January 1982 — December 1982.

Was read and with the accompanying report ordered placed on file and sent up for concurrence.

Petitions, Bills and Resolves Requiring Reference

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

Education

Bill "An Act Relating to the Funding of School Construction Projects" (H. P. 1144) (Presented by Representative Mitchell of Vassalboro) (Cosponsors: Representatives Locke of Sebec, Randall of East Machias, and Senator Clark of Cumberland) (Submitted by the Department of Educational and Cultural Services pursuant to Joint Rule 24)

Bill "An Act to Incorporate Bills Passed in the Second Regular Session of the 110th Legislature into Title 20-A" (H. P. 1145) (Presented by Representative Locke of Sebec)

(Ordered Printed)

Sent up for concurrence.

House Reports of Committees

Unanimous Ought Not to Pass

Representative Callahan from the Committee on Transportation on Bill "An Act Concerning Maine Turnpike Commuter Passes" (H. P. 281) (L. D. 341) reporting "Ought Not to Pass"

Representative Macomber from the Committee on Transportation on Bill "An Act to Require Reflectors or ReflectORIZED Material on Railroad Cars Owned or Leased by Maine Railroads" (H. P. 423) (L. D. 506) reporting "Ought Not to Pass"

Representative Theriault from the Committee on Transportation on Bill "An Act to Prohibit Crossing Double Yellow Lines on the Highway" (H. P. 566) (L. D. 716) reporting "Ought Not to Pass"

Representative Callahan from the Committee on Transportation on Bill "An Act Relating to the Mandatory Inspection of Motor Vehicles" (H. P. 660) (L. D. 828) reporting "Ought Not to Pass"

Representative Macomber from the Committee on Transportation on Bill "An Act to Make the Special Motor Vehicle Registration Plate Fee a One-Time Fee" (H. P. 691) (L. D. 871) reporting "Ought Not to Pass"

Representative Macomber from the Committee on Transportation on Bill "An Act to Provide a Discount for Maine Citizens Using the Maine Turnpike" (H. P. 966) (L. D. 1247) reporting "Ought Not to Pass"

Representative Foster from the Committee on Judiciary on Bill "An Act Relating to Sentences for Operating Under the Influence" (H. P. 758) (L. D. 989) reporting "Ought Not to Pass"

Representative Gwadosky from the Committee on State Government on Bill "An Act to Clarify Conflict of Interest for State Boards and Commissions" (H. P. 1064) (L. D. 1402) reporting "Ought Not to Pass"

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

Unanimous Leave to Withdraw

Representative Carroll from the Committee on Transportation on RESOLVE, Authorizing

the Department of Transportation to Redesignate Route 165 from Fort Fairfield to Van Buren as Route 1-A with Access to Ports of Entry at Hamlin and Limestone (H. P. 132) (L. D. 140) reporting "Leave to Withdraw"

Representative Perkins from the Committee on Business Legislation on Bill "An Act Concerning Suits Filed by Insurance Companies Against Uninsured Motorists" (H. P. 724) (L. D. 933) reporting "Leave to Withdraw"

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

Ought to Pass in New Draft Later Today Assigned

Representative Handy from the Committee on Election Laws on Bill "An Act Relating to Boards of Voter Registration" (H. P. 186) (L. D. 228) reporting "Ought to Pass" in New Draft (H. P. 1146) (L. D. 1509)

Report was read.

On motion of Mrs. Mitchell of Vassalboro, tabled pending acceptance of the Committee Report and later today assigned.

Divided Report

Majority Report of the Committee on Fisheries and Wildlife reporting "Ought Not to Pass" on Bill "An Act to Create a Non-resident Property Owner Fishing License" (H. P. 878) (L. D. 1132)

Report was signed by the following members:

Senators:

USHER of Cumberland

DOW of Kennebec

REDMOND of Somerset

— of the Senate.

Representatives:

SMITH of Island Falls

CLARK of Millinocket

MacEACHERN of Lincoln

ERWIN of Rumford

PAUL of Sanford

KELLY of Camden

JACQUES of Waterville

— of the House.

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

Report was signed by the following members:

Representatives:

GREENLAW of Standish

RODERICK of Oxford

— of the House.

Reports were read.

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

Mr. MacEACHERN: Mr. Speaker, I move that the House accept the Majority "Ought not to pass" Report.

Whereupon, Mr. Jackson of Harrison requested a vote.

The SPEAKER: A vote has been requested. The pending question is on the motion of the gentleman from Lincoln, Mr. MacEachern, that the Majority "Ought Not to Pass" Report be accepted. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

76 having voted in the affirmative and 35 having voted in the negative, the motion did prevail.

Sent up for concurrence.

Divided Report

Majority Report of the Committee on Fisheries and Wildlife reporting "Ought Not to Pass" on Bill "An Act to Create Boothbay Region Waterfowl Sanctuary" (H. P. 713) (L. D. 904)

Report was signed by the following members:

Senators:

DOW of Kennebec

USHER of Cumberland

REDMOND of Somerset

— of the Senate.

Representatives:

CLARK of Millinocket
RODERICK of Oxford
MacEACHERN of Lincoln
ERWIN of Rumford
PAUL of Sanford
KELLY of Camden
SMITH of Island Falls

— of the House.

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

Report was signed by the following members:

Representatives:

JACQUES of Waterville
GREENLAW of Standish

— of the House.

Reports were read.

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

Mr. MacEACHERN: Mr. Speaker, I move that the House accept the Majority "Ought Not to Pass" Report.

The SPEAKER: The Chair recognizes the gentleman from Edgecomb, Mrs. Holloway.

Mrs. HOLLOWAY: Mr. Speaker, Ladies and Gentlemen of the House: I just wanted to tell you a little bit about this piece of requested legislation, and this is not an anti-hunting, foot-in-the-door bill.

This particular area consists of the Boothbay region, which is a highly built up area of motels, hotels, commercial fishing boats, pleasure craft, marine laboratories and the busiest draw bridge in the State of Maine. The ducks that come into this area are now being fed by the residents that live along the area and they are now wintering over, and we feel that this could become a wildlife sanctuary, a waterfowl sanctuary, not a wildlife sanctuary, whereby these ducks would be able to stay there without being harassed by hunters.

The town of Southport, which borders one part of the gut, last year had a no firearms piece of legislation at their town meeting, and the person who is requesting this piece of legislation fought very hard and long to keep no hunting and to keep the island open to hunters. He also belongs to the National Rifle Association, he is a member of the Sportsman's Alliance of Maine, he has studied wildlife management in England, and this is not an anti-hunting advocate that wishes for the conservation of the ducks in this particular area.

I do hope that you will consider this piece of legislation and vote against the "ought not to pass" and I would ask for a division, Mr. Speaker.

Whereupon, Mr. MacEachern of Lincoln requested a roll call vote.

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

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

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

ROLL CALL

YEA—Allen, Brannigan, Brown, A.K.; Carrier, Carroll, D.P.; Cashman, Clark, Connors, Cote, Cox, Erwin, Handy, Hickey, Jackson, Joyce, Kelleher, Kelly, Kiesman, Lehoux MacEachern, Martin, H.C.; Maybury, McHenry, Melendy, Murray, Nadeau, Perry, Racine, Reeves, J.W.; Richard, Roderick, Smith, C.B.; Soucy, Stevens, Theriault, Tuttle,

NAY—Ainsworth, Anderson, Andrews, Armstrong, Beaulieu, Bell, Benoit, Bonney, Bost, Bott, Brodeur, Brown, D.N.; Brown, K.L.; Cahill, Callahan, Carroll, G.A.; Carter, Chonko, Conary, Cooper, Crouse, Crowley, Curtis, Daggett,

Davis, Day, Dexter, Diamond, Dillenback, Drinkwater, Foster, Greenlaw, Gwadosky, Hall, Higgins, L.M.; Holloway, Ingraham, Jacques, Joseph, Ketover, LaPlante, Lebowitz, Lewis, Lisnik, Livesay, Locke, MacBride, Macomber, Manning, Martin, A.C.; Masterman, Masterton, Matthews, K.L.; Matthews, Z.E.; McCollister, McPherson, McSweeney, Michael, Michaud, Mitchell, E.H.; Mitchell, J.; Moholland, Murphy, Nelson, Norton, Paradis, E.J.; Paradis, P.E.; Parent, Perkins, Pines, Randall, Reeves, P.; Ridley, Roberts, Rotondi, Salsbury, Scarpino, Seavey, Sherburne, Smith, C.W.; Sproul, Stevenson, Stover, Strout, Swazey, Tammara, Telow, Thompson, Vose, Walker, Webster, Wentworth, Weymouth, Zirkilont, The Speaker.

ABSENT: Baker, Connolly, Dudley, Gauvreau, Hayden, Higgins, H.C.; Hobbins, Jalbert, Kane, Kilcoyne, Mahany, McGowan, Paul, Pouliot, Rolde, Small, Soule, Willey.

Yes, 36; No, 95; Absent, 18; Vacant, 2.

The SPEAKER: Thirty six having voted in the affirmative and ninety five in the negative, with eighteen being absent and two vacant, the motion does not prevail.

Thereupon, the Minority "Ought to Pass" Report was accepted and the Bill read once. Under suspension of the rules, the Bill was read the second time, passed to be engrossed and sent up for concurrence.

Divided Report

Majority Report of the Committee on Legal Affairs reporting "Ought Not to Pass" on Bill "An Act Concerning the Distribution of Table Wines" (H. P. 833) (L. D. 1070)

Report was signed by the following members:

Senators:

CHARETTE of Androscoggin
SHUTE of Waldo
DANTON of York

— of the Senate.

Representatives:

COTE of Auburn
HANDY of Lewiston
MCSEENEY of Old Orchard Beach
PERRY of Mexico

— of the House.

Minority Report of the same Committee reporting "Ought to Pass" as amended by Committee Amendment "A" (H-159) on same Bill.

Report was signed by the following members:

Representatives:

DILLENBACK of Cumberland
SWAZEY of Bucksport
STOVER of West Bath
COX of Brewer
DUDLEY of Enfield

— of the House.

Reports were read.

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

Mr. COX: Mr. Speaker, I move that the Minority "Ought to Pass" Report be accepted and would speak briefly to my motion.

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

The gentleman may proceed.

Mr. COX: Mr. Speaker, Ladies and Gentlemen of the House: While I have no illusions about what is going to eventually happen to this bill, I think the issue is important enough that it should have a good debate and an understanding of the House as to what is at stake here.

This is not a bill in which the health, safety or morals of the people of the State of Maine are concerned, it is a bill which deals with the relationship between wholesalers of wine and their retailers.

The present law forbids a wholesaler to sell to any retailer who is outside of the exclusive sales territory that has been granted to that wholesaler by the producer of the wine. This bill, as it has been rewritten, would allow a

wholesaler to sell at his warehouse to a retailer from another area. In many cases, it is more convenient for a retailer to go to a warehouse that may be nearer to where he is than the warehouse of the wholesaler who has been granted the exclusive right to sell wine in his or her particular territory.

It really is a question, I think, of competition. Do we want a small element of competition in this area whereby a retailer who felt he was getting a better deal in one way or another, either price or convenience, by leaving his district and going and picking up wine at a wholesaler's warehouse could do so?

There is no question of returnable bottles involved here, as there was when we had the bill dealing with both beer and wine. And you will note the signers of the minority report, that Representative Stover and myself are both on the same side of the report, and from the point of view of the House, it would seem that bill that Representative Stover and I are on the same side should be a good bill from our position.

Thereupon, the Minority "Ought to Pass" Report was accepted and the Bill read once. Committee Amendment "A" (H-159) was read by the Clerk and adopted and the Bill assigned for second reading tomorrow.

Divided Report
Later Today Assigned

Majority Report of the Committee on Fisheries and Wildlife reporting "Ought Not to Pass" on Bill "An Act to Establish a Bounty on Coyote" (H. P. 902) (L. D. 1181)

Report was signed by the following members:

Senators:

USHER of Cumberland
DOW of Kennebec

— of the Senate.

Representatives:

MacEACHERN of Lincoln
RODERICK of Oxford
CLARK of Millinocket
PAUL of Sanford
GREENLAW of Standish
ERWIN of Rumford
JACQUES of Waterville

— of the House.

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

Report was signed by the following members:

Senator:

REDMOND of Somerset

— of the Senate.

Representatives:

KELLY of Camden
SMITH of Island Falls

— of the House.

Report were read.

On motion of Mr. MacEachern of Lincoln, tabled pending acceptance of either Report and later today assigned.

Divided Report

Majority Report of the Committee on Aging, Retirement and Veterans on Bill "An Act to Provide Cost-of-living Adjustments to Retired State Employees, Teachers and Beneficiaries" (H. P. 23) (L. D. 19) reporting "Ought to Pass" in New Draft (H. P. 1142) (L. D. 1507)

Report was signed by the following members:

Senators:

DOW of Kennebec
MINKOWSKY of Androscoggin
TEAGUE of Somerset

— of the Senate.

Representatives:

STEVENSON of Unity
PERRY of Mexico
THERIAULT of Fort Kent
TUTTLE of Sanford
AINSWORTH of Yarmouth
PARADIS of Old Town

HICKEY of Augusta
LEHOUX of Biddeford

of the House.

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

Report was signed by the following member:
Representative:

WALKER of Skowhegan

— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Hickey.

Mr. HICKEY: Mr. Speaker, I move acceptance of the Majority Report and wish to speak briefly to my motion.

The SPEAKER: The gentleman from Augusta, Mr. Hickey, moves that the Majority "Ought to Pass" Report be accepted.

The gentleman may proceed.

Mr. HICKEY: Mr. Speaker, Ladies and Gentlemen of the House: I am sure many of you have been contacted by retirees in your districts relative to the cost-of-living bills presented in this legislature. Our committee heard the two bills submitted by the retiree organizations. Each L. D. was asking for a long-term increase in the cost of living to 6 percent. Unfortunately, the actuary priced both these bills at \$50 million for the biennium. It would have been political hypocrisy to have pushed these bills knowing that this kind of money was not available. However, we did draft a committee bill, L. D. 1507, to make the present 4 percent cost-of-living increase a hard, fast figure for the biennium.

Since 1976, the consumer price index has run from 6 percent to as high as 14.4 in 1980. During that period, the retirees annually received 4 percent. There is a possibility that the CPI will go below the 4 percent in the biennium. If it should, the retirees will be assured of a 4 percent cost-of-living.

The SPEAKER: The Chair recognizes the gentleman from Skowhegan, Mr. Walker.

Mr. WALKER: Mr. Speaker, Ladies and Gentlemen of the House: I rise not so much to oppose my chairman but to give you a look at the other side of the coin.

I oppose this bill because it is by its very nature inflationary. It makes what has been the cap on the cost-of-living increases to retirees the floor for the next two years.

This year this bill will cost the state somewhere between \$500,000 and \$750,000, depending on what the consumer price index does between now and the end of June. At this point in time, at the end of March it was 3.5, as we know, because social security figures have just come out. Certainly the three months in 1983, the next three months in 1983, will be lower cost of living than the three months in 1982, so it has got nowhere to go but down from there.

Although it will probably cost somewhere around \$600,000 this year, next year we are opening up this up to \$5 million in costs, depending on what the CPI does. If the CPI stays the same for the next 15 months as it has for the last 5, it will be \$5 million and it may be nothing, we don't know.

I object to putting the state in a no-win situation, which is what we are doing with this. If the consumer price index remains flat, we will have committed the state to over \$5 million in pension increases in fiscal year 1985. If the CPI is over 5 percent, our retirees will be back for additional increases, the same as they have in the last two years, and we have granted it, but I can't see putting the state in a no-win situation in fiscal '85.

There is no fiscal note attached to this, and rightfully so, since the money was appropriated. But since when have we gone so far as to turn our backs on a savings? Can't we possibly stand being under budget on one item? It seems to me, you know, some of us brought up "a penny saved is a penny earned." If the state can save, and justifiably so, a few million dol-

lars, I see no harm in it.

Now, I am sure there are going to be worse bills. There are other ratholes we can put the money down, but when you think of it in terms of the taxpayer, when you think of it in terms of saving money for the taxpayer, I hate to commit the state to paying anywhere up to \$6 million when we don't know what we need to pay for justifiable cost-of-living increases.

Mr. Hickey of Augusta requested a vote.

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

Mr. DAY: Mr. Speaker, Ladies and Gentlemen of the House: I have been retired for two years and I happen to have a private sector pension which does not have any cost-of-living raise in it. Very, very few private sector pensions do, and 80 percent of us work for the private sector.

Government pensions generally have cost-of-living increases. I tend to agree with the Representative from Skowhegan in that this is the floor. Up until 1965, except for the Civil War, World War I and World War II, inflation rates in this country range from 1/2 to 2 percent on the average. It was only during wartime did we see inflation rates get up above 3.4 percent. In 1965 they went to 3.4 percent and they have stayed there. That has been a terrible burden for those of us who have tried to save a dollar or two or bought life insurance—the first life insurance policy I bought was in 1936, and you can imagine what that is worth in relation to what I expected to get out of it in case something happened to me and my wife would have to use it.

I would hope that we would not set up a procedure whereby there would be an automatic 4 percent floor, and I would rather see it that we would take it from time to time as the cost of living changes. And I certainly would hope, for the well-being of America, if we don't get our inflation rates back down to 1 or 2 percent and lower, this nation is not going to survive in the long, long run.

Mr. Kelleher of Bangor requested a roll call vote.

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

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

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

ROLL CALL

YEA—Ainsworth, Allen, Andrews, Beaulieu, Bell, Benoit, Bost, Brannigan, Brown, A.K.; Cahill, Callahan, Carrier, Carroll, D.P.; Carroll, G.A.; Carter, Cashman, Chonko, Clark, Conary, Connors, Cooper, Cote, Cox, Crouse, Crowley, Curtis, Daggett, Davis, Diamond, Drinkwater, Dudley, Erwin, Foster, Greenlaw, Gwadosky, Hall, Handy, Hickey, Higgins, L.M.; Ingraham, Jackson, Jacques, Joseph, Joyce, Kelleher, Kelly, Ketover, LaPlante, Lehoux, Lisnik, Livey, Locke, MacBride, MacEachern, Macomber, Manning, Martin, A.C.; Martin, H.C.; Masterman, Matthews, K.L.; Matthews, Z.E.; Maybury, McCollister, McHenry, McPherson, McSweeney, Melendy, Michael, Michaud, Mitchell, E.H.; Mitchell, J.; Moholland, Murphy, Murray, Nadeau, Nelson, Norton, Paradis, E.J.; Paradis, P.E.; Parent, Perry, Randall, Reeves, J.W.; Reeves, P.; Richard, Roberts, Roderick, Rolde, Rotondi, Salisbury, Scarpino, Seavey, Smith, C.B.; Soucy, Soule, Sproul, Stevens, Stevenson, Stover, Strout, Tammara, Telow, Theriault, Thompson, Tuttle, Vose, Webster, Wentworth, Weymouth, The Speaker.

NAY—Anderson, Armstrong, Bonney, Brodeur, Brown, D.N.; Day, Dexter, Dillenback,

Holloway, Kiesman, Lebowitz, Lewis, Master-ton, Pines, Racine, Ridley, Sherburne, Swazey, Walker, Zirkilton.

ABSENT—Baker, Bott, Brown, K.L.; Connolly, Gauvreau, Hayden, Higgins, H.C.; Hobbins, Jalbert, Kane, Kilcoyne, Mahany, McGowan, Paul, Perkins, Pouliot, Small, Smith, C.W.; Willey.

Yes, 110; No, 20; Absent, 19; Vacant, 2.

The SPEAKER: One hundred ten having voted in the affirmative and twenty in the negative, with nineteen being absent and two vacant, the motion does prevail.

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

Divided Report Tabled and Assigned

Majority Report of the Committee on Marine Resources reporting "Ought Not to Pass" on Bill "An Act to Revise the Composition of the Marine Resources Advisory Council" (H. P. 1038) (L. D. 1363)

Report was signed by the following members:

Senators:

MINKOWSKY of Androscoggin
SHUTE of Waldo

— of the Senate.

Representatives:

HOLLOWAY of Edgecomb
SALSBURY of Bar Harbor
AINSWORTH of Yarmouth
SCARPINO of St. George
MELENDY of Rockland
CROWLEY of Stockton Springs
MITCHELL of Freeport

— of the House.

Minority Report of the same Committee reporting "Ought to Pass" as amended by Committee Amendment "A" (H-162) on same Bill.

Report was signed by the following members:
Senator:

DUTREMBLE of York

— of the Senate.

Representatives:

MANNING of Portland
VOSE of Eastport

— of the House.

Reports were read.

On motion of Mr. Crowley of Stockton Springs, tabled pending acceptance of either Report and tomorrow assigned.

Consent Calendar First Day

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

(S. P. 180) (L. D. 547) RESOLVE, Approving the 1983 Draft and Arrangement of the Constitution of Maine Made by the Chief Justice of the Supreme Judicial Court and Providing for its Publication and Distribution—Committee on State Government reporting "Ought to Pass" as amended by Committee Amendment "A" (S-64).

(S. P. 411) (L. D. 1264) Bill "An Act Authorizing the Public Utilities Commission to Expend Revenues Collected as Filing Fees or Expense Reimbursements"—Committee on Public Utilities reporting "Ought to Pass" as amended by Committee Amendment "A" (S-63).

(H. P. 867) (L. D. 1115) Bill "An Act to Amend the Probate Code"—Committee on Judiciary reporting "Ought to Pass".

(H. P. 908) (L. D. 1187) Bill "An Act Relating to Clam Regulation in the Unorganized Territories"—Committee on Marine Resources reporting "Ought to Pass".

(H. P. 1016) (L. D. 1341) RESOLVE, Authorizing Governor to Convey an Interest in Land and Buildings on the Bangor Mental Health Institute Campus—Committee on State Government reporting "Ought to Pass".

(H. P. 1053) (L. D. 1397) Bill "An Act to Make Corrections in the Maine State Housing Authorities Law"—Committee on State Government reporting "Ought to Pass" as amended by

Committee Amendment "A" (H-163).

(H. P. 984) (L. D. 1289) Bill "An Act Concerning Late Filing Under the Referendum Campaign Reporting Law"—Committee on Election Laws reporting "Ought to Pass".

There being no objections, the above items were ordered to appear on the Consent Calendar of April 26 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. 987) (L. D. 1292) Bill "An Act to Clarify Certain Provisions of the Marine Resources Laws" (Emergency) (C. "A" H-157).

(H. P. 776) (L. D. 1006) Bill "An Act to Amend the Wholesale Seafood License Law"

(H. P. 823) (L. D. 1063) Bill "An Act to Amend the Statutory Requirements Pertaining to Medicaid Copayments" (Emergency) (C. "A" H-158).

No objections 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 Fairly Apportion the Cost of Cancelled Generating Facilities" (H. P. 1140) (L. D. 1496)

Bill "An Act to Authorize the Maine Criminal Justice Academy to Revoke Officer Certification" (H. P. 1141) (L. D. 1505)

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

Bill "An Act to Provide Legislative Participation in the Allocation of Consumer Settlements and for Allocation of Funds for the Low Income Energy Assistance Program" (Emergency) (H. P. 1136) (L. D. 1495)

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

Mr. Carter of Winslow offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-161) was read by the Clerk and adopted.

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

Bill "An Act to Give the Maine Association of Retirees Proper Representation on the Board of Trustees for the Maine State Retirement System" (S. P. 481) (L. D. 1447)

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

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

Mr. MCCOLLISTER: Mr. Speaker, is the House in possession of House Paper 714, L. D. 905, An Act to Amend the Probate Fees?

The SPEAKER: The Chair would answer in the affirmative, having been held at the gentleman's request.

Mr. MCCOLLISTER: Mr. Speaker, I move we reconsider whereby this bill was passed to be enacted and ask for the yeas and nays.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Canton, Mr. McCollister, that the House reconsider its ac-

tion whereby this Bill was passed to be enacted. All those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA—Andrews, Armstrong, Beaulieu, Bell, Benoit, Bonney, Bott, Brannigan, Brown, A.K.; Brown, D.N.; Callahan, Carrier, Carroll, G.A.; Carter, Clark, Conary, Conners, Cote, Crouse, Crowley, Curtis, Daggett, Davis, Day, Dexter, Dillenback, Dudley, Erwin, Greenlaw, Gwadnosky, Hall, Hickey, Higgins, L.M.; Ingraham, Jackson, Jacques, Jalbert, Joseph, Joyce, Kelleher, Kelly, Ketover, LaPlante, Lebowitz, Lehoux, Lewis, Lisnik, Locke, MacBride, MacEachern, Macomber, Martin, A.C.; Martin, H.C.; Masterman, Masterton, Matthews, K.L.; Matthews, Z.E.; Maybury, McCollister, McHenry, McPherson, McSweeney, Melendy, Michael, Michaud, Mitchell, E.H.; Moholland, Murphy, Nadeau, Nelson, Norton, Parent, Perry, Pines, Racine, Randall, Reeves, J.W.; Richard, Ridley, Roberts, Roderick, Salsbury, Scarpino, Seavey, Sherburne, Smith, C.B.; Soucy, Sproul, Stevenson, Strout, Swazey, Tammara, Telow, Thompson, Vose, Webster, Wentworth, Weymouth, Zirkilton.

NAY—Ainsworth, Allen, Anderson, Bost, Brodeur, Cahill, Carroll, D.P.; Cashman, Chonko, Cooper, Cox, Diamond, Drinkwater, Foster, Handy, Holloway, Kiesman, Livesay, Manning, Mitchell, J.; Murray, Paradis, E.J.; Paradis, P.E.; Reeves, P.; Rolde, Rotondi, Soule, Stevens, Stover, Theriault, Tuttle, Walker.

ABSENT—Baker, Brown, K.L.; Connolly, Gauvreau, Hayden, Higgins, H.C.; Hobbins, Kane, Kilcoyne, Mahany, McGowan, Paul, Perkins, Pouliot, Small, Smith, C.W.; Willey, The Speaker.

Yes, 99; No, 32, Absent, 18; Vacant, 2.

The SPEAKER: Ninety-nine having voted in the affirmative and thirty-two in the negative, with eighteen being absent and two vacant, the motion does prevail.

Thereupon, on motion of Mr. Diamond of Bangor, tabled pending passage to be enacted and tomorrow assigned.

The Chair laid before the House the following matter:

Bill "An Act Relating to Boards of Voter Registration" (H. P. 186) (L. D. 228) reporting "Ought to Pass" in New Draft (H. P. 1146) (L. D. 1509) which was tabled and later today assigned pending acceptance of the Committee Report.

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

The Chair laid before the House the following matter:

HOUSE DIVIDED REPORT—Majority (9) "Ought Not to Pass"—Minority (3) "Ought to Pass"—Committee on Fisheries and Wildlife on Bill "An Act to Establish a Bounty on Coyote" (H. P. 902) (L. D. 1181) which was tabled and later today assigned pending acceptance of either Report.

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

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

The SPEAKER: The gentleman from Lincoln, Mr. MacEachern, moves that the Majority "Ought Not to Pass" Report be accepted.

The gentleman may proceed.

Mr. MACEACHERN: Mr. Speaker, Ladies and Gentlemen of the House: Traditionally, bounties in this state have never seemed to work. We pay bounties on animals that are killed in New Hampshire and New Brunswick and Quebec, we pay bounties on German shepherd dogs that were considered to be coyotes, and all kinds of other animals that really aren't what we are after. Bounties are very expensive. There are very few bounties left anywhere in the country. Most states, at one time or

another, had bounties on certain animals but have since discontinued the use because of the ineffectiveness of them. Game management is the best way to go about controlling animals.

I would hope that you would vote with the majority of the committee and go along with the "ought not to pass" on this bill.

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

Mr. CARROLL: Mr. Speaker, Ladies and Gentlemen of the House: I would ask you to accept the minority report and I would like to speak on the subject.

I appeared before you four years ago with a plea for compassion and understanding, and I was very humble, as you recall.

They tell you that bounties don't work—who told them that bounties don't work? It worked on the black bear, it worked on the bobcat, and it worked on the Canadian lynx. The trouble is, those people in the Fisheries and Wildlife Department are listening to the wrong drummer out there in the street. They don't get out into the woods anymore; they drink coffee in the coffee shops. They don't know what is going on out there. They have got some professionals at the University of Maine studying the subject matter, and they will study it for 50 years and tell you that bounties don't work. I tell you, ladies and gentlemen in this House, bounties do work; they have.

I would like to tell you a sad story about what is happening in your deer herds. They had 50 or more deer out here at Swan Island this winter and they had, I guess, 6 game keepers out there watching them, and what do you think happened? The coyote went out there and killed 26 or 27 of them, and they say coyotes, coy dogs or timber wolves don't kill deer. Well, I'll tell you something else—they don't only kill deer, they kill newborn calves, they kill sheep and lambs, and the day is going to come when they are going to start killing children waiting for school buses in daylight hours throughout this state. Those animals are on the increase, they are multiplying, and they say put pressure on them and they will have two litters a year.

Ladies and gentlemen of the Maine House of Representatives, it is time we declared war on the coyotes, it is time we hunted them from the air, from the sea and from the land, that we trap them, that we plug them, that we use everything we have got, all our resources should go because the red ridinghood animal is on the loose in the State of Maine. He is out there propagating and reproducing.

I used to go hunting years ago. My dad told me, son, someday instead of bringing home the deer, you will come home, hang your rifle up and say I saw some beauties today but I didn't shoot them. I wanted to leave them for my grandsons and my great grandchildren. They are the ones I am preaching for today. I want them to know what a deer looks like in the future. I want them to know without going to a game farm or to a wildlife place that is all fenced in to see what a deer looks like. I want them to be able to ride along the Maine highways with their parents out for a little ride on Sunday afternoon and stop and gaze out over the horizon into a field and see those beautiful deer out there.

Ladies and gentlemen, those coyotes are destroying the lifeblood of this state, the newborn calves that the dairy farmers are spending thousands of dollars to reproduce—I know, they have done it to me. They are destroying the sheep industry and they are destroying the deer. Now, don't tell me that bounties don't work. As I said before, we have got to declare an all-out war.

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

Mr. HALL: Mr. Speaker, Ladies and Gentlemen of the House: I would like to pose two questions. Just how big were those children

that the coyotes might lug off? The other one is, do you have any idea what it would cost to have a bounty on the coyotes?

The SPEAKER: The gentleman from Sangerville, Mr. Hall, has posed two questions to the gentleman from Limerick, Mr. Carroll, who may answer if he so desires.

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

Mr. CARROLL: Mr. Speaker, I will answer the question if I do not lose my right to address the body a second time.

The SPEAKER: The Chair would advise the gentleman that he would not, as long as he only responds to the two questions.

Mr. CARROLL: Mr. Hall, that is a cute question, that one about the children, but I didn't say they had killed any children yet. I said that in the foreseeable future this could happen because they wait in the early morning hours and they arrive at dusk, and they are out there everywhere getting off these buses.

You say, what does it cost for this bounty—well, if you listen to Fisheries and Wildlife, it isn't going to cost anything because the bounty doesn't work. If you listen to George Carroll, I will tell you, you will reap interest upon interest of every dollar spent because you will sell more licenses, more people will be here to hunt and there will be more deer. How are you going to measure dollars and cents until you put something into effect and see what it is going to do?

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

Mr. RICHARD: Mr. Speaker and Members of the House: I would like to quote from an article written by Dr. Daniel J. Harrison, Maine Cooperative Wildlife Research Unit. "In western United States, the coyote population control has been attempted for decades. The federal government alone, not including coyotes removed by state agencies and private individuals, killed an average of 83,000 coyotes per year during the period 1937 to 1970. Based on federal cost estimates alone, this represents an average of approximately \$50 million per year, in 1983 dollars, for a program that has done next to nothing to decrease coyote populations. Forty-six years and 2,823,000 dead coyotes later, western coyote population continues to prosper and expand their geographic range."

I urge that we go along with the committee's "ought not to pass" report.

The SPEAKER: The Chair recognizes the gentleman from Shapleigh, Mr. Ridley.

Mr. RIDLEY: Mr. Speaker, Ladies and Gentlemen of the House: I assure you that I will not give you as colorful a speech as my good friend Mr. Carroll from Limerick, but I would like to bring to your attention a few items.

In my area alone, I have shot three of the coyotes right down back of the barn, and when it gets to the point where you can see these coyotes as often as that without going out looking for them, you can rest assured that there are a lot of them in the area. It certainly has made a big impact on the deer herd in my area, and I think if we don't do something before long, it is going to be devastating to the herd as a whole.

I was fortunate enough to go to a meeting in Washington a couple of weeks ago at the National Legislative Conference and I had the opportunity to talk with several legislators from our western states, mainly Wyoming. They have a bounty out there of \$100 on every coyote. They hunt them from airplanes, any way that they can get them, and these were sheep farmers and cattlemen that I was talking to. They were strongly in favor of this bounty and felt that if they didn't have it, they would be uncontrollable in that area.

I realize that this is different terrain that we live in, that we don't have the open plains, and if you wanted to hunt them by airplane, you couldn't, but I still think a bounty on coyotes

would certainly do a great deal in bringing it under control.

Mr. Carroll mentioned something about the coyotes possibly attacking children—that might sound farfetched, but I can remember in my area not too many years ago when we were overpopulated with bobcats and there was a child going home from school that actually did get attacked by a bobcat. Some of you might recall reading it in the paper. The child was walking up Hospital Hill in Sanford when it happened.

Also, if these coyotes are left to run free the way they are, there is a possibility they might come down with rabies and what would that be—a bunch of animals that looked like dogs running around dopey through the towns and children have a tendency to go up to an animal such as that, as they do now with foxes and raccoons.

They say that it isn't going to work. Well, the state, I heard mentioned, had a plan where they were going to hire, mind you, 12 men, as I understand it, to trap coyotes in the state and pay them an hourly rate. How far do you think 12 men are going to go towards controlling the coyote population in the State of Maine. They could put all 12 of them in Aroostook County and probably never see them again.

This bill does have a sunset on it of September 1, 1986. I think it would be good to give this bill a chance. If it doesn't work, we will let the sunset take it in 1986, but I really think that we should do something. The fish and game members, the ones that I have talked to, feel that something should be done. They have implicated that by the fact that they are hiring men to trap them, so I would hope that you would reject the "Ought Not to Pass" Report and accept the Minority "Ought to Pass" Report.

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

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: The department does have a program which they plan to put in place to hire trappers and they are also going to give an incentive, I think it would amount to \$5,000, but we said that is the same as a bounty so they backed off, but they did propose this incentive. It is the same thing as a bounty, so apparently they thought a bounty was all right in that respect.

I hope you will vote against the motion before you. The coyote is talked more about than any other animal. No matter what bill we hear in our committee, the coyote is always brought to our attention. One gentleman blamed inflation on coyotes. Well, I wouldn't go that far, but I do believe it is a problem that we must deal with if you want to protect the deer herd. The questionnaire which I sent out favored a bounty. We have been talking about coyotes for a number of years. I think enough lip service has been given to this problem.

I now hope you will vote against the motion before you so we might get started on the coyote problem. We need every means available to us to control this animal.

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

Mr. JACQUES: Mr. Speaker, Ladies and Gentlemen of the House: I am not one of those fellows who sits in the office and drinks my coffee. I spend a little time in the woods, so maybe I have a little knowledge and background here.

There are a few points that I would like to make very briefly. My good friend Representative Carroll has said that bounties work. There is no bounty left in the entire United States of America, Alaska or Hawaii at this present time. There are some predator problems all over the country and they have not kept their bounties—that should tell you something.

A bounty is going to be useless in the State of Maine until you can get the people who are managing the wildlife resources to at least admit that we do have a predator problem in

the State of Maine; they do not do so at this time.

This bill isn't arguing how many coyotes there are or whether they kill deer or don't—I know they kill deer, I have seen them kill deer, I have seen many deer that were killed by coyotes and that is not what we are debating here. What we are debating is whether a bounty is going to work to get rid of the coyotes. It will not work and nobody will be able to change my mind any different.

The Canadian lynx has been brought up, the bobcat and the bear—let's look at the history of these three animals. The Canadian lynx, he was hunted, he was hunted for sport, and as he started to get extinct because of the value of his fur, he was hunted even harder. The price of the bobcat fur went up to \$200 at one time and between the hunters and the trappers, they almost wiped them out. The bear at one time was considered vermin in the State of Maine and there was a bounty paid on them. Then came the day of the professional hunter where he could get \$500 or \$600 a week for hunting black bear—that took care of the overpopulation of black bear.

Mr. Letourneau, as you all know, who writes for Sportsmen Say, told us a little story in committee about 50 years ago when it was so he could travel miles and miles and miles for days and days and not see any of these so-called professional hunters. Ask him what it is like today, it is not unusual for him to meet 15 to 20 of these professional hunters with four to six dogs every single day that he travels during the bear season and the bobcat season. He can remember the time when he was one of the few men in the State of Maine hunting for bobcat. That has changed, it is big money now. We have enough pressures on these animals—it wasn't the bounty that brought them down, it was the increase in the value of the resource that brought them down.

Unfortunately, the coyote has a pelt that is valued at about \$15. We kill 1200 coyote every year whether we have a bounty or not. You start off paying, you are going to pay \$25 or \$50 on these 1200 that are killed automatically by the trappers and the hunters and by road kills, so there is that amount of money that is wasted. You will then be paying bounties on coyotes from New Hampshire, Vermont and at least five provinces of Canada that I know of because they don't have a bounty and they will be bringing them right here to collect the bounty. Even if only half of them get away with it, that is half of your money that is going out of here.

Until we can get the Fish and Wildlife people in this proposal that we have heard talked about, about the Department paying so-called bonuses to trap coyotes, that is a joke also. It is not going to work and I think it is just an attempt by the department to appease the feeling of the people in the state of Maine because we have a problem with the coyotes.

The only solution to the coyote overpopulation in the state of Maine is the Maine trappers and the Maine trappers have been treated unfairly, unjustly and with all kinds of prejudice and criticism over the years and I don't know if they are willing to help us out or not.

The Maine trappers have accounted for over 100 coyotes over the last couple of years just in the short trapping season they have, and the biggest enemy of the Maine trapper is the Maine deer hunter, because the minute the deer hunters go into the woods, they steal the furs and they steal the traps of these trappers so these guys pull them and take them out of the woods. These deer hunters, if they would only take time and stop to think about what they are doing and stop acting like a bunch of pinheads sometimes, they would do more to save their deer herd by just leaving the trappers' traps alone than they would by advocating any kind of bounty there is. These same deer hunters would be a lot better off if

they shot one deer a year instead of four or five and six and have everybody in the family tag them; that is another problem with the deer herd that hasn't been brought up.

I am not arguing that the coyotes kill deer or sheep or calves because I have seen it done and it happens often. I don't believe that bounties are going to solve the problem. All of the other states have found that it didn't. Out West they poisoned them, they have shot them from planes and helicopters, snared them, trapped them, had open seasons on them, they allowed night hunting on them, and there are as many coyotes now as there ever was.

What controls coyotes is the availability of the feed they have in an area, and the things are so versatile they can go from eating frogs and grasshoppers to eating a moose calf to eating garbage in a dump. They have found coyotes with tin cans in their stomachs, with tire tubes, with pampers, you name it, they will eat anything.

Obviously, if you have a state with a million people in it and three quarters of the state is forest, the coyotes have plenty to feed on. Putting a \$25 price on their head is not going to control that coyote, and if you believe so, you just do it and you will find out.

In conclusion, I firmly believe that if the trappers in the state of Maine were allowed to do what they do best and they are getting better educated on how to selectively trap coyote, this would solve a major part of the problem, but I am thoroughly convinced by the time that I have spent in the Maine woods that the coyote is a factor in wildlife just like anything else. He may be controlled to a certain degree but he will never be eradicated or wiped out. He plays an important part sometimes in the whole spectrum we call outdoors and what mother nature does.

Whether he kills sheep, cattle or deer is not the question we are debating here because there is no question that he does—the question is whether putting a price on his head will solve the problem. The price on his head will not solve the problems and until this Legislature, especially this House, looks at the way things are run as far as wildlife management in this state is concerned, you are not going to solve the problem, so I hope you will go with the majority of the committee and vote against the bounty. It is money wasted, it is money spent for nothing and it doesn't give anybody a good reputation at all.

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

Mr. DEXTER: Mr. Speaker, Men and Women of the House: I happen to lumber in the area where the coyote was first seen; that was many years ago. I watched him grow and grow and grow. I had 15 miles of road that I plowed last winter, what few storms we had, and in the 15 miles, I did not see one deer track but I saw plenty of coyote tracks. Two years ago they were out getting what few does there were left. Of course, if you kill a doe, you kill at least two and maybe three. So if we don't do something, we are not going to have a deer herd.

Let's make it worthwhile for these trappers—I am not against trappers, I like to have them come on my woods job and I don't want to catch anybody fooling around with their traps. I don't think it would be healthy, but at least let's do something about this.

A year ago this fellow came to me for a job, it was in the fall, he said his wife had kicked him out and he had all his possessions in the car, so I put him on what we call Poplar Mountain. The Olympics had the ski jump there—of course, they have taken it down now. He pitched his little pup tent and bedded down. The next morning I was in there about day-break, he was pacing around and around, he was scared half to death. It seems that during the night up on this ski jump, right over where he was sleeping, there was a whole family of coyotes and they serenaded him all night long.

Needless to say, he quit on me that day.

I can remember a time when I was working for a farmer when I was a kid back in Depression times—he had several of us. Of course, we didn't make much, 6 cents a week, probably, but we had one young fellow there and he didn't seem to want to work. Finally, the old fellow said "Do something, even if it ain't right."

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

Mr. DILLENBACK: Mr. Speaker, Ladies and Gentlemen of the House: You know, the coyote is probably the most intelligent animal we have in the woods. They have an area of about 25 square miles that they cover and they cover it with families, and when you wipe out or clear out a group, another family moves in. They even control the rate of their litters. They know what they are going to do and what area they can survive in. So let's let the hunters and the trappers take care of the coyotes because a bounty will never do it.

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

Mr. KELLY: Mr. Speaker, Ladies and Gentlemen of the House: Back in the late 30s and through the 40s there was a \$25 bounty on the Canadian lynx and the bobcat. The population for both animals was reduced so that the Canadian lynx has not had an open season on it since. The bobcat was nearly put on the endangered species list. Now the bobcat has a very closely watched open season because of the bounty.

In the 50s there was a bounty put on the black bear. The bear was hunted and trapped all over the state. The bear population was reduced so the Fish and Game Department had to close the season on the black bear and just open it for a short period like they do the deer. That was caused by the bounty.

Some of these people get up and talk about some of these wild animals that they are referring to and they wouldn't know the animal if they found it in their soup. In order to control the population of the coyote, a bounty should be put on the animal. From all reports, the coyotes are killing our deer, rabbits and other wildlife. There are reports of coyotes killing beaver and other furbearing animals.

With the bounty bill on the coyote, the state would pay for what work was being done and not paying 12 men who would be staying out in the woods and doing nothing and getting their pay.

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

Mrs. ERWIN: Mr. Speaker, I would like to pose a question. Is there a fiscal note on this bill?

The SPEAKER: The Chair would advise the gentleman that if the bill should survive the initial test, a fiscal note would need to be added at second reading.

Mrs. Erwin of Rumford requested a roll call.

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

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

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

Mr. CARROLL: Mr. Speaker, Ladies and Gentlemen of the House: I don't ask you to dream the impossible dream, I ask you to believe the cold, hard facts of life and the cold, hard facts are, we have a problem. They keep telling me about the professors at the University of Maine studying this problem. I tell you folks, they don't know what they are doing up there. Those fellows are lost. You put them in the woods, they wouldn't find their way out for six years. They would find their way out under a paper desk, but I would like to point out to you

right now—give this an opportunity. It has a sunset provision in it, pass it, let's see what it does, let's show the sheep farmer and the dairy farmer, the beef farmer, also the sportsmen, that we want to preserve the wildlife. We want to help them preserve their dairy herds and the sheep industry. This is an investment in the future. I urge you all to vote for the Minority Report.

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

Mr. McHENRY: Mr. Speaker, Ladies and Gentlemen of the House: I support getting rid of the coyotes but I would like to know where we are going to get the money to pay the bounty?

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

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

Mr. JACQUES: Mr. Speaker, Ladies and Gentlemen of the House: It is the intention that this money come out of the dedicated revenues of the Fish and Wildlife Department.

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

Mr. MASTERMAN: Mr. Speaker, Men and Women of the House: I thought after Mr. Jacques had made his speech that enough had been said, but in view of the fact that here we are with another emotional issue before us, I think I will take just a couple of minutes and add some input.

It has been my observation over the years that anytime we mess around with nature, we upset the plans of things. It has been stated here this morning that the coyote is here to stay, and that is true because he is an optimistic animal. Where there is a good feed base, he is going to stay and he is going to multiply. The delicacy that they like more than anything, of course, is your rabbit or your hare and these have cycles, as you are all well aware, and right now, between a low cycle and the killing by the coyote, there is an underpopulation of rabbits so they are going to something else. Of course, they will kill sheep and they will kill small calves, no question about that, but this morning what we are talking about is whether it is sensible or wise to put on a bounty. There again it has been my observation that the bounty has never worked on any animal.

I haven't heard anyone here this morning, I hope that I am not the oldest person in this House, but I haven't heard anyone mention the porcupine. When I was growing up it was fun, maybe a little bit sadistic, but we used to build a fire under a hollow tree and as the porcupine came down, we clubbed them on the head because that was an easy way to kill them and we had a bounty of 25 cents per animal. Back in those days that was pretty good money, so we burned out every hollow tree in the country to get that bounty. But what happened? We didn't reduce the population of porcupine one iota. Eventually, the biologists informed us that what we needed was a population of fisher and, here again, the older ones in the House will recognize that animal as the black cat. The fisher has no problem eating the porcupine, something about the chemical, his body structure, the quills don't bother him. Bear or anything else has a problem with porcupine quills. Incidentally, if you have ever seen a bear kill a porcupine, he reaches underneath with his claw and flips him over and then tears him apart and proceeds to eat from that open vent or where he tears it open, but sometimes he does get porcupine quills and sometimes, if any of you have caught bear or killed bear, you will find they are infested with porcupine quills, but the fisher it doesn't bother.

Vermont and New Hampshire found out that we were taking care of our porcupine population by way of the fisher, so our fisheries and wildlife live trapped and, in fact, Myron

Smart up in Milo was the one who handled that program and we moved too many fisher out of Maine so now we have an overpopulation again of porcupine. I am sure Mr. Armstrong can attest to that.

This is an emotional issue and certainly the bounty is not the answer. I agree with Mr. Carroll 100 percent, we have a serious problem. The only thing is, we really don't know what to do about it currently, but there has got to be a better way than a bounty. So I hope you will support Mr. MacEachern in his motion this morning.

The SPEAKER: A roll call has been ordered. The pending question before the House is on the motion of the gentleman from Lincoln, Mr. MacEachern, that the House accept the Majority "Ought Not to Pass" Report.

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

Mr. STROUT: Mr. Speaker, I wish to pair my vote with the gentleman from Pittsfield, Mr. McGowan. If Mr. McGowan were present and voting, he 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 Lincoln, Mr. MacEachern, that the House accept the Majority "Ought Not to Pass" Report. Those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA—Allen, Andrews, Beaulieu, Bell, Benoit, Bost, Bott, Brannigan, Brodeur, Brown, A.K.; Brown, D.N.; Brown, K.L.; Clark, Conary, Cooper, Cote, Crouse, Curtis, Davis, Day, Diamond, Dillenback, Drinkwater, Dudley, Erwin, Greenlaw, Gwadosky, Hall, Handy, Higgins, L.M.; Hobbins, Jackson, Jacques, Joseph, Joyce, Kelleher, Ketover, Kiesman, LaPlante, Lebowitz, Lehoux, Lewis, Lisnik, Livesay, Locke, MacBride, MacEachern, Macomber, Manning, Martin, A.C.; Masterman, Masterton, Matthews, K.L.; Matthews, Z.E.; Maybury, McPherson, McSweeney, Michael, Michaud, Mitchell, E.H.; Mitchell, J.; Moholland, Murphy, Murray, Nadeau, Nelson, Norton, Paradis, E.J.; Paradis, P.E.; Parent, Perry, Pines, Racine, Randall, Reeves, J.W.; Reeves, P.; Richard, Roderick, Rolde, Salisbury, Sherburne, Soucy, Soule, Stevens, Stover, Swazey, Tammaro, Thompson, Vose, Wentworth, Zirnkilton.

NAY—Ainsworth, Anderson, Armstrong, Bonney, Cahill, Callahan, Carrier, Carroll, D.P.; Carroll, G.A.; Carter, Cashman, Chonko, Conners, Cox, Crowley, Daggett, Dexter, Foster, Hickey, Holloway, Ingraham, Kelly, Martin, H.C.; McCollister, McHenry, Melendy, Ridley, Roberts, Rotondi, Scarpino, Seavey, Smith, C.B.; Smith, C.W.; Sproul, Stevenson, Telow, Theriault, Tuttle, Walker, Webster, Weymouth.

ABSENT—Baker, Connolly, Gauvreau, Hayden, Higgins, H.C.; Jalbert, Kane, Kilcoyne, Mahany, Paul, Perkins, Pouliot, Small, Willey, The Speaker.

PAIRED—McGowan, Strout.

Yes, 91; No, 41; Absent, 15; Vacant, 2; Paired, 2.

The SPEAKER: Ninety-one having voted in the affirmative and forty-one in the negative, with fifteen being absent, two vacant and two paired, the motion does prevail.

Sent up for concurrence.

Bill Recalled from Governor's Desk (Pursuant to Joint Order—House Paper 467)

An Act Relating to the Capitalization and Board of Directors of the Maine Fidelity Life Insurance Company. (H. P. 260) (L. D. 320) (C. "A" H-118)

—In House, Passed to be Enacted on April 14, 1983.

—In Senate, Passed to be Enacted on April 15, 1983.

On motion of Mr. Brannigan of Portland, under suspension of the rules, the House reconsidered its action whereby this bill was passed to be enacted.

On further motion of the same gentleman, under suspension of the rules, the House reconsidered its action whereby this bill was passed to be engrossed.

On further motion of the same gentleman, under suspension of the rules, the House reconsidered its action whereby Committee Amendment "A" was adopted, and the Amendment was indefinitely postponed.

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

House Amendment "A" (H-160) was read by the Clerk and adopted.

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

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

RESOLVE, to Authorize a Pole and Transmission Line Easement on Chokecherry Island and Mattanawcook Island and a Portion of the Penobscot River in the County of Penobscot. (H. P. 562) (L. D. 712)

Tabled—April 14, 1983 by Representative Mitchell of Vassalboro.

Pending—Final Passage.

Thereupon, the Resolve was finally passed, signed by the Speaker and sent to the Senate.

(Off Record Remarks)

On motion of Mr. Kelleher of Bangor,
Adjourned until nine o'clock tomorrow morning.