

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD  
OF THE  
*One Hundred and Twelfth*  
*Legislature*  
OF THE  
STATE OF MAINE

VOLUME I  
SECOND REGULAR SESSION  
January 8 - April 2, 1986

The House was called to order by the Speaker.  
Prayer by Dr. Norman L. Conard, First  
Congregational Church, Wilton.  
The Journal of, March 19, 1986, was read and  
approved.  
Quorum call was held.

#### PAPERS FROM THE SENATE

The following Communication:

SENATE OF MAINE  
OFFICE OF THE SECRETARY  
AUGUSTA, MAINE 04333

March 19, 1986

The Honorable John L. Martin  
Speaker of the House  
112th 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  
Judiciary, the Governor's nomination of Jack O. Smith  
of Ellsworth for appointment as Justice to the Maine  
Superior Court.

Jack O. Smith is replacing Jessie Briggs Gunther.

Sincerely,

S/Joy J. O'Brien  
Secretary of the Senate

Was read and ordered placed on file.

At this point, a message came from the Senate,  
borne by Senator Violette of Aroostook of that body,  
proposing a Joint Convention to be held in the Hall  
of the House at 10:45 a.m. for the purpose of  
extending to His Excellency, Joseph E. Brennan,  
Governor of Maine, an invitation to attend the  
Convention and to make such communication as he may  
be pleased to make.

Thereupon, the House voted to concur in the  
proposal for a Joint Convention to be held at 10:45  
a.m. and the Speaker appointed Representative DIAMOND  
of Bangor to convey this message to the Senate.

Subsequently, Representative DIAMOND of Bangor  
reported that he had delivered the message with which  
he was charged.

#### PAPERS FROM THE SENATE

RESOLVE, to Permit John Taylor, Personal  
Representative of the Estate of Sharon Taylor, to Sue

the State for Wrongful Death (S.P. 889) (L.D. 2238)

Came from the Senate, referred to the Committee  
on Legal Affairs and Ordered Printed.

Was referred to the Committee on Legal Affairs in  
concurrence.

Bill "An Act to Establish the New England and  
Eastern Canada Legislative Commission" (Emergency)  
(S.P. 888) (L.D. 2237)

Came from the Senate, referred to the Committee  
on State Government and Ordered Printed.

Was referred to the Committee on State Government  
in concurrence.

#### Ought to Pass in New Draft

Report of the Committee on Business and Commerce  
on Bill "An Act to Create a Maine Code Governing the  
Sale of Certain Commodities" (S.P. 788) (L.D. 1981)  
reporting "Ought to Pass" in New Draft (S.P. 871)  
(L.D. 2196)

Came from the Senate, with the report read and  
accepted and the New Draft passed to be engrossed as  
amended by Senate Amendment "A" (S-421).

Report was read and accepted and the bill read  
once.

Senate Amendment "A" (S-421) was read by the  
Clerk and adopted and the Bill assigned for second  
reading later in today's session.

#### PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

##### Reported Pursuant to the Statutes

Representative ROLDE from the Committee on Audit  
and Program Review, pursuant to Maine Revised  
Statutes Annotated, Title 3, chapter 23 ask leave to  
submit its findings and report that the accompanying  
Bill "An Act to Improve Child Welfare Services in  
Maine" (H.P. 1588) (L.D. 2233) be referred to the  
Joint Standing Committee on Audit and Program Review  
for Public Hearing and printed pursuant to Joint Rule  
18.

Report was read and accepted, and the bill  
referred to the Committee on Audit and Program  
Review, ordered printed and sent up for concurrence.

#### ORDERS

On motion of Representative MICHAEL of Auburn,  
the following Joint Resolution: (H.P. 1580)  
(Cosponsors: Senators ERWIN of Oxford, CARPENTER of  
Aroostook, BLACK of Cumberland, Representatives  
MCCOLLISTER of Canton, DAGGETT of Manchester, TARDY

of Palmyra, SHERBURNE of Dexter, PARENT of Benton, BRAGG of Sidney, LORD of Waterboro, AYER of Caribou and WHITCOMB of Waldo)

JOINT RESOLUTION RECOGNIZING MAINE AGRICULTURE  
AND ALL THOSE DEDICATED TO THAT  
TIME-HONORED PURSUIT

WHEREAS, the first and most precious of all the arts is agriculture; and

WHEREAS, it is the farmer who harnesses uncontrollable nature and makes it work for the growth of food and fiber, the good of the community and the larger progress of the world; and

WHEREAS, farmers and the agricultural way of life keep alive the humanistic values, work ethics and spiritual example upon which this State and nation were built and forged into greatness; and

WHEREAS, one can only admire those in Maine who answer the call to agriculture and in their labor learn acceptance of nature's unpredictable moods, seasons and immutable laws; and

WHEREAS, agriculture as a whole keeps the wheels of the economy turning. It is the steady hard work and backbone of the Maine farmer who, through good times and bad, shoulders the wheel; and

WHEREAS, today, there is reason for much hope, as this is the first generation to possess the capability, through the agricultural development, to banish hunger and, to the extent that this fact is perceived and acted upon, will carry the thanks of future generations; now, therefore, be it

RESOLVED: That We, the Members of the Senate and House of Representatives of the One Hundred and Twelfth Legislature of the State of Maine now assembled in Second Regular Session, take this opportunity to recognize those of this State who have dedicated themselves to the pursuits of agriculture and to express to them a message of tribute and support for their timeless efforts to produce food and fiber, a vocation which not only occupies an honored place in our culture, but contributes immeasurably to the betterment of mankind; and be it further

RESOLVED: That suitable copies of this resolution be transmitted forthwith to the farm families of this State through their appropriate representatives in honor of this special occasion.

Was read and adopted and sent up for concurrence.

By unanimous consent, was ordered sent forthwith to the Senate.

On motion of Representative McSWEENEY of Old Orchard Beach, the following Order:

ORDERED, that Representative Ruth Joseph of Waterville be excused March 20 and 21 for Legislative

Business.

Was read and passed.

REPORTS OF COMMITTEES

Unanimous Leave to Withdraw

Representative RICE from the Committee on Marine Resources on Bill "An Act to Repeal the Sardine Inspection Tax" (H.P. 1453) (L.D. 2050) reporting "Leave to Withdraw"

Representative CROWLEY from the Committee on Marine Resources on Bill "An Act Concerning a Mussel Dragging Season" (H.P. 1360) (L.D. 1904) reporting "Leave to Withdraw"

Representative WEYMOUTH from the Committee on Utilities on Bill "An Act to Amend the Charter of the York Water District" (Emergency) (H.P. 1214) (L.D. 1721) reporting "Leave to Withdraw"

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

Divided Report

Majority Report of the Committee on Energy and Natural Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (H-587) on Bill "An Act to Clarify the Sand Dunes Law" (H.P. 1221) (L.D. 1729)

Signed:

Senators: USHER of Cumberland  
EMERSON of Penobscot

Representatives: MICHAUD of Medway  
JACQUES of Waterville  
RIDLEY of Shapleigh  
HOGlund of Portland  
DEXTER of Kingfield  
BROWN of Livermore Falls  
HOLLOWAY of Edgecomb  
LAW of Dover-Foxcroft

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

Signed:

Senator: KANY of Kennebec

Representatives: MITCHELL of Freeport  
COLES of Harpswell

Reports were read.

Representative Michaud of Medway moved that the House accept the Majority "Ought to Pass" Report.

The SPEAKER: The Chair recognizes the Representative from Saco, Representative Nadeau.  
Representative NADEAU: Mr. Speaker, Ladies and

Gentlemen of the House: I would just like to ask the Chairman of the Committee for a brief explanation of what this bill entails?

The SPEAKER: Representative Nadeau of Saco has posed a question through the Chair to anyone who may respond if they so desire.

The Chair recognizes the Representative from Medway, Representative Michaud.

Representative MICHAUD: Mr. Speaker, Men and Women of the House: What this bill does is, two years ago, former Senator Peter Danton, sponsored legislation which would attempt to address some of the sand dune situations. He withdrew the bill because both the DEP and the BEP said that they recognized there was a problem with the rules and they would much rather address it through the rules than have legislation in.

They did adopt the rules but it did not address the situation. Probably this should be a private and special law because it only pertains to that one area. It would allow them to build a sea wall in front of the house to help protect the house from falling into the ocean. There was some concern about liability. They are still liable if there is any erosion to the abutting property. This is to address a concern down in Scarborough.

The SPEAKER: The Chair recognizes the Representative from Freeport, Representative Mitchell.

Representative MITCHELL: Mr. Speaker, Men and Women of the House: I hadn't planned to debate this issue but I would like to amplify on Representative Michaud's response to the question.

The bill did come in as a bill which would have gutted the sand dunes law and the committee saw fit to eliminate most of the bill. It is essentially a private and special bill and it affects six people who own property on the Scarborough River and it allows four of those people to build a sea wall in front of their house.

I supported a compromise that the committee voted out unanimously two or three weeks ago, which would have required the people who built the sea wall to repair any damage the sea wall does to the neighbors property. When an amendment came in that reduced or eliminated that responsibility, I decided not to support the bill.

What happens is, when you build a sea wall, you have this scalloping on the edge of the sea wall. So, if you build a sea wall in front of four houses, you have a scalloping that kind of comes in and erodes the land out just at the end of the sea wall and there are six houses that are affected and four of the neighbors agreed to build a sea wall and two of them couldn't. What the sea wall is going to do -- at least the experts who came to the committee said -- that it would just go out and erode the neighbors property.

The first bill said that they could put the sea wall in and, if it eroded the property, then the people who built the sea wall would be responsible. But we had this amendment and it says basically they are only responsible for building frontal sand dunes. There is a lot more property there than just a frontal sand dune. The fact of the matter is that, every ten years, there is a really severe storm on the Maine coast that does a lot of damage. It has always happened in the past and odds are that there are going to continue to be severe storms on the coast in the future.

So basically, this bill is a bad neighbor bill.

It is a bill in which you give some people the right to build a sea wall that is going to adversely affect the property of their neighbors and you are not allowing the neighbors the proper recourse to be compensated for those damages and that is why I signed the "Ought Not to Pass" Report.

Mr. Speaker, I would request a division on this, please.

The SPEAKER: The Chair recognizes the Representative from St. George, Representative Scarpino.

Representative SCARPINO: Mr. Speaker, Men and Women of the House: I would just like to bring out a point to exemplify something that Representative Mitchell said. Whenever someone builds a sea wall, there is a thing called a long shore current. A long shore current is a natural phenomenon that occurs where any body of water touches the shore. Many of you probably have noticed and some of you may have wondered why, if you see the wind blowing and it is blowing up waves on a lake or on a river, that regardless of what direction those waves are going in the middle of the lake, when they hit the shore, they come perpendicular to the shore. So, they actually change direction. This is a partial result of the thing called the long shore current. What the long shore current will do is, if you place a natural obstruction in the way of that current, depending on what way the current's prime flow of direction is, which has nothing to do with which direction the tide or river happens to be flowing, the long shore current will take, if you have a light sandy material on the face of that breakwater or artificial obstruction, sands and silts from one side of it undercut the front of it and deposit it on the other side of it, depending upon the action of the current.

I am not aware of the specifics in this particular case and of the potential problem caused but one thing you can be guaranteed of is that 'mother nature' is going to do two things, it is going to undercut the sea walls and it is going to take some of the light silty materials from one end of that sea wall, on the face of that sea wall, and deposit it on the other end of the sea wall. It is unavoidable, it is uncontrollable and it is going to create a situation that is going to alter the immediate shore line in that area. In order to retain the current configuration, it would require dredging, continually.

The SPEAKER: The Chair will order a vote. The pending question before the House is the motion of Representative Michaud of Medway that the House accept the Majority "Ought to Pass" Report. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

72 having voted in the affirmative and 23 in the negative, the Majority "Ought to Pass" Report was accepted and the Bill read once.

Committee Amendment "A" (H-587) was read by the Clerk and adopted and the Bill assigned for second reading later in today's session.

#### Divided Report

Majority Report of the Committee on Energy and Natural Resources reporting "Ought Not to Pass" on Bill "An Act to Control Acid Rain" (H.P. 1443) (L.D. 2034)

Signed:

Senators: USHER of Cumberland  
EMERSON of Penobscot

Representatives: MICHAUD of Medway  
JACQUES of Waterville  
RIDLEY of Shapleigh  
DEXTER of Kingfield  
BROWN of Livermore Falls  
HOLLOWAY of Edgecomb  
LAW of Dover-Foxcroft  
HOGLUND of Portland

Minority Report of the same Committee reporting  
"Ought to Pass" in New Draft (H.P. 1589) (L.D. 2234)  
on same bill.

Signed:

Senator: KANY of Kennebec

Representatives: MITCHELL of Freeport  
COLES of Harpswell

Reports were read.

The SPEAKER: The Chair recognizes the  
Representative from Medway, Representative Michaud.

Representative MICHAUD: Mr. Speaker, Ladies and  
Gentlemen of the House: I move the adoption of the  
Majority "Ought Not to Pass" Report.

Last year, the committee dealt with acid rain  
legislation and, in that legislation, we sent out a  
couple of studies to be done. I might add neither  
one of those are back as of yet.

The basic philosophy behind the Majority "Ought  
Not to Pass" Report is, we heard testimony that the  
feds are not going to do anything about the acid rain  
situation; therefore, the State of Maine should step  
in and propose some acid rain legislation.

My feeling and the feeling of the majority of the  
committee is, we wish to see those studies back,  
which will be next year, and not only that but a more  
important issue, that acid rain cannot be dealt with  
by state bases, there has to be a national solution  
to the problem. The acid rain deposition in the  
State of Maine is on the decline. It is my  
understanding that 90 percent of the acidity is from  
other states.

I haven't had a chance to finish reading the  
Bangor Daily News this morning but I see where  
President Reagan has ok'd a \$5 billion plan for acid  
rain. I am pleased to see that the feds are moving  
on this issue and hope you would go along with the  
majority of the committee on the "Ought Not to Pass"  
Report.

The SPEAKER: The Chair recognizes the  
Representative from Harpswell, Representative Coles.

Representative COLES: Mr. Speaker, Men and Women  
of the House: I think the basic issue here today is,  
is Maine going to do its share? For years, Maine and  
the rest of New England have been saying to the rest  
of the country, please stop dumping your garbage on  
us. For years, the rest of the country has ignored  
us. The rest of the country is now, at least  
President Reagan is now prepared to advocate that a  
national program be adopted. That national program

doesn't mean that Maine has to do nothing.

The national program that was introduced in  
Congress this week by Senator Mitchell of Maine, by  
the Senators from Rhode Island and Vermont  
respectively, provides for a reduction in the nation  
wide acid or sulfur dioxide emissions to a rate of  
1.2 pounds per million BTU's. That is exactly the  
same thing that this bill provides.

Under that Mitchell, Stafford, Pell Bill, Maine  
will have to do its share.

What we are asking today is that Maine agree now  
to do its share. Maine is the only state in New  
England that does not have an acid rain control  
program in effect. Besides New England, New York  
State has a very strong program going into effect,  
much stricter than ours because their emission  
problem is worse. Ontario has agreed to reduce its  
emissions by two-thirds. Minnesota is reducing its  
emissions. These states are all acting to do their  
share of the national cleanup, not more than their  
share, just their share. These states, when they  
take these actions, which are similar to the actions  
proposed in this bill or in the Minority Report in  
this bill, there will be a reduction of sulfur  
dioxide acid rain in Maine of 15 to 20 percent at a  
minimum.

We have been complaining for years about other  
people's garbage falling on us; yet, our own garbage  
is falling on us and it is also falling on our  
neighbors to the north and east, to the Maritime  
Provinces.

Where do we get off saying, we won't clean up our  
share? Where do we get off saying, you can't dump on  
us, but we can dump on you? For years, the answer on  
the national level has been, we need to do more study  
but it ill behooves me to say we need to do more  
study when our entire Congressional Delegation and  
all of our New England neighbors and all of our  
Canadian neighbors are all preparing to do their  
share right now.

The study will fill in details but it won't  
change the substance. The substance is that we need  
to start cleaning up our acid emissions, our SO-2  
emissions. This bill provides a vehicle to do so,  
which is extremely reasonable. It doesn't mandate  
any form of technology, it doesn't mandate any kind  
of fuel, it allows every company involved and every  
institution involved to figure out what is the best  
way for them to do it themselves.

It is not going to cost very much. The worst  
case cost amounts to less than 3 percent of the  
current fuel bill of these sources of emissions. To  
give you an example of how that cost is very unlikely  
to be the real cost -- how the real cost is much more  
likely to be like a million or a million and a half  
dollars -- Boise Cascade is about to replace three  
oil-fired boilers with wood-fired boilers. The  
reduction of statewide SO-2 emission rates, because  
of that one project alone being undertaken for other  
reasons, not as part of an acid rain program, is  
going to move us one-sixth of the way toward the  
eventual goals in 1995 -- that one company. That  
means every other company needs to do that much  
less. That means that the \$7 million worst case cost  
is reduced immediately by that one project to less  
than \$6 million. There are other companies who are  
going to be doing other things. Every time they do  
these other things, the cost of this program goes  
down.

It is my firm belief that, if we don't want to

embarrass the people of Maine, we don't want to embarrass our leaders in Washington, if we want to be able to hold our heads up and say we are still leaders in the fight against acid rain, then we must reject the Majority Report and accept the Minority Report.

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

Representative BROWN: Mr. Speaker, Ladies and Gentlemen of the House: In response to the most recent speaker on this issue, Maine has no reason to be embarrassed by the acid rain situation. We passed legislation last year, as the chairman of my committee, Representative Michaud, pointed out. We have taken that positive step.

Further, over the last few years, Maine has taken a number of positive steps in the reduction of sulfur dioxide emissions to the atmosphere. This bill, if it passes, would attempt to reach a goal of 1.2 pounds of sulfur dioxide emitted for every million BTU's. Now let's not get hung up in technical figures today, but we are presently around 1.6 or 1.7 and we are headed toward 1.4 even with the measures that have been undertaken by Maine's businesses and industries already. We are already headed to 1.4. This is data that has been presented to us by the DEP. We are doing our share. Maine businesses are already biting the bullet and to ask them to take a bigger bite of the bullet, I think, would be grossly unfair at this point in time.

Representative Coles said that it really wouldn't cost very much. The DEP, in its support of this legislation at the public hearing by its own admission said, it was probably going to cost Maine industries between \$5 and \$6 to \$7 million. Well, I don't know where Mr. Coles comes from but where I come from \$5 to \$7 million is a lot of money, especially high amounts to poke at our industries at this particular point in time.

Let's look at the real facts if this bill were to pass — somewhere between 5 and 10 percent of our acid rain problem in Maine, (by way of an acid rain problem creating difficulties with our lakes, forests, etc.) is generated within Maine. Let's look at what we are doing — I told you that we are 1.6, 1.7 headed for 1.4 already with no additional legislation — if we take it to 1.2 and multiply that figure by 5 to 10 percent of the problem being generated in Maine, (if my map is correct and I have done it many times) we would be solving less than 1 percent of the problem that we have here in Maine at a cost of \$5 to \$7 million to Maine industry. Maine industry certainly cannot afford it at this point in time. We are doing our job, we are doing it well, in light of what the President and the Canadian Prime Minister have come up with by way of agreements. I think that we are headed in the right direction nationally so let's not hit Maine industries and Maine businesses anymore. They are already doing their job, we are already headed towards a good goal, let's stay on that track.

The SPEAKER: The Chair recognizes the Representative from Freeport, Representative Mitchell.

Representative MITCHELL: Mr. Speaker, I request a roll call.

Men and Women of the House: The acid rain problem is an international problem. It is caused by sulfate and nitrate emissions. Most of these emissions come from the Midwest, not all of them, 10

percent of them come from our own state. It is a very complex, political problem because the bulk of the damage is outside of the United States or in limited areas of the country. The cause is widespread throughout the country but centered in the Midwest.

The Resolution will require a very large investment by some Midwestern utilities. The bill before you is a significant and meaningful measure. It is a significant step to solve one of our country's largest environmental problems in helping clean up the acid rain situation. The bill will allow the gains be spread throughout the industry as Representative Coles mentioned to minimize the impact on any one particular source. Most importantly, I think, it is a bill that our Congressional Delegation can be proud of when they fight for our rights to a clean environment on a national level. I think we have two choices, we have a choice to maybe embarrass our Congressional Delegation by doing nothing and sitting back and saying it is someone else's problem or we can take a modest step to show that we care about solving the problem. We can take this step to show the rest of the country that we are not the kettle calling the pot black.

It is a serious problem, it threatens our forests, lakes, and it threatens our way of life and it threatens our economy. Frankly, I think that the paper industry, which is opposed to the bill, is shortsighted because certainly the natural resource that they depend on for making the paper is damaged by this acid rain and I think they should make every effort to provide for the continued health of that natural resource.

The cost of the bill, \$7 million, is miniscule compared to its potential damage. It is also miniscule compared to what we are asking the Midwestern neighbors to pay to help solve the problem. We can't procrastinate forever.

The Minority Report is a bill that our Congressional Delegation can be proud of when they go fight for our rights in Washington and I urge you all to defeat the pending motion and move to accept the Minority "Ought to Pass" Report.

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 Chair recognizes the Representative from Shapleigh, Representative Ridley.

Representative RIDLEY: Mr. Speaker, Ladies and Gentlemen of the House: As most of you know, I have been involved in this acid rain problem pretty much since I have been down here, having been to seminars in Canada, Washington and in our own state.

First of all, I would like to digress a minute and tell you that I certainly am concerned with Maine's forest. I don't know whether it is fortunate or unfortunate but I did have the experience about 20 or 30 years ago when we had the big forest fire down in the southern end of the state where it completely obliterated the forest and all vegetation in the area that I lived. I am telling you that it is not a pretty sight and I certainly hope that we never have anything that would even measure up to that again.

I look into the reality, so to speak, of this bill we have before us and probably the biggest thing that I object to is, last year we asked you people to pass a bill and appropriate money for a study that would be done within our own boundaries in relation to the effects of acid rain on our lakes and streams and also our forests. That information is going to be coming back to us next January. Some of it, however, is back and, in the committee room, I asked the State Biologist, Matthew Scott, if the State of Maine stopped producing acid rain today and didn't produce any, (we do produce somewhere in the neighborhood of between 5 and 10 percent) what would the effect be on our lakes? His answer was, you wouldn't have any noticeable difference. As far as the forests are concerned, that study isn't in and there hasn't been any information made available to us. I understand that they didn't hire anybody to start working on it until some time in February. That information will be available in January. There is a study going on with International Paper and the Forestry Department on the federal level, which I think will produce a lot of valuable information. So, I think it would be wise to wait until we get some of this information because I think we should try and get the most effective way for the dollar. As you know, the economy of this state is very important to all of us and if we are going to spend some money, we should make sure that we are spending it in the right direction.

This booklet that was put on your desks the other day, "Acid Rain" from the Department of Environmental Protection over at the State Planning Office -- I wish you would take the time to read that because there is a lot of valuable information in it. It was put together very well and it supports a lot of the opinions that the committee had and that I am trying to point out to you today.

When you get a chance, turn to Page 20, it is a modeling of pollutant transport and explains how the bulk of the acidic problems in the State of Maine are coming from outside of the state.

In closing, it says: "preliminary results of the study indicate that more than 85 percent of sulfate deposition in Maine results from emissions outside of the state." I think this is pretty much agreeable to everybody that has had anything to do with this.

If you would look on Page 25 -- a couple of paragraphs there listed as a summary and I would just like to take a minute of your time to read it to you, if I could, because I think it is very important. It says: "Acidic deposition is a regional problem as atmospheric flow does not respect state or national boundaries. Much of Maine's acid problem originates from sources outside the state. While there are many uncertainties in our knowledge of acidic deposition and its effects (I emphasize that, there are many uncertainties, they are not absolutely sure just what effects it does have and what the best approach is to combat it) but one thing is certain, sulphate and nitrogen emissions must be reduced and monitoring and research on our valuable natural resources must continue." I agree with that 100 percent. That is why I think we should wait and get some test results from actual tests that were conducted within the boundaries of the State of Maine monitoring our lakes and streams and also our forest lands before we put any more burden on industry, hanging another tire around their necks. I think we have hung enough of them around there for awhile but if the report comes

back that this is the way to go, I will be the first one to get up and support it. All I am asking is, let's just wait and see what comes out of this report, the monitoring within the boundaries of the State of Maine of our lakes, streams and forests.

The SPEAKER: The Chair recognizes the Representative from Harpswell, Representative Coles.

Representative COLES: Mr. Speaker, Ladies and Gentlemen of the House: The experience I have had this session has taught me the futility of trying to debate technical points on the short end of a 10 to 3 report. I think the major point to be made here again is that we have a problem with acid rain. Some of that problem is caused by us. Our rate of emission is 1.8 and that figure is one that I have worked very hard on, over the last two weeks with the Air Bureau, to refine and firm up. That is our current rate. The national program calls for all states to have a rate of 1.2 by 1995. This bill does that very simply and it does it at a very minor cost. The 51 major sources of emissions in this state have spent \$240 million a year on oil. In the worst case, they have spent \$6 million as a nominal sum. In fact, we just gave them a \$25 or \$30 million tax break on the cost of fuel. It is not a matter of imposing a cost on someone that isn't there now -- we are already paying this cost, it is just that we are not paying it through our fuel bills, we are paying it through reduced fishing opportunities, corrosion of masonry and mortar in buildings, ruined paint jobs, and corroded metal in structures such as bridges. We are paying it through reduced visibility in the summertime. Up to 70 percent of the reduction of our visibility in this state is caused by sulfur particles in the air. Our tourist industry is paying it, the people of this state are already paying it -- the question is, who should be paying it, the people who are causing the problem or the people who happen to live here?

The SPEAKER: The pending question before the House is the motion of Representative Michaud of Medway that the House accept the Majority "Ought Not to Pass" Report. Those in favor will vote yes; those opposed will vote no.

101 having voted in the affirmative and 32 in the negative with 18 being absent, the motion did prevail. Sent up for concurrence.

(See Roll Call No. 261)

## CONSENT CALENDAR

### FIRST DAY

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

(H.P. 1537) (L.D. 2173) Bill "An Act to Create a Noncommercial Scallop License and to Adjust Fees for the Scallop Boat License" Committee on Marine Resources reporting "Ought to Pass"

There being no objections, the above item was ordered to appear on the Consent Calendar of later in today's session 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. 1300) (L.D. 1816) Bill "An Act to Amend the Waterville Sewerage District Charter" (C. "A" H-586)

On motion of Representative Carter of Winslow, was removed from the Consent Calendar, Second Day.

Subsequently, the Committee Report was read and accepted and the Bill read once.

Committee Amendment "A" (H-586) was read and adopted and the Bill assigned for second reading later in today's session.

(H.P. 1477) (L.D. 2079) Bill "An Act Pertaining to Snowmobile Registration"

(H.P. 1452) (L.D. 2049) RESOLVE, Authorizing the Director of Parks and Recreation to Convey by Deed the Interest of the State of Maine in a Certain Parcel of Real Property in the Town of Jackman (C. "A" H-588)

(H.P. 1500) (L.D. 2113) Bill "An Act Regarding Family Housing" (C. "A" H-589)

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

As Amended

Bill "An Act to Amend Financial Reporting Requirements of Insurers" (S.P. 754) (L.D. 1918) (C. "A" S-422)

Was reported by the Committee on Bills in the Second Reading, read the second time and Passed to be Engrossed as Amended in concurrence.

At this point, the Speaker appointed the following members to escort the Agricultural Queens and the Vice President of Future Farmers to the Rostrum:

BEGLEY of Waldoboro  
RICHARD of Madison  
WHITCOMB of Waldo  
BRAGG of Sidney  
DILLENBACK of Cumberland  
THERIAULT of Fort Kent  
PARENT of Benton  
LISNIK of Presque Isle

The following Agricultural Queens and Vice

President of Future Farmers were escorted to the rostrum amid the applause of the House:

Lauren Giustra of Waldoboro, Blueberry Queen  
Allison Green of Madison, Egg Festival Queen  
Cynthia Kenney of Knox, Farm Bureau Queen  
Tanya Powers of No. Vassalboro, Downeast Congress Queen  
Anne Brown of Cumberland, Honey Queen  
Cindy Voisine of Fort Kent, Potato Queen  
Kristin Kelley of Albion, Grange Queen  
Brent Buck of Mapleton, Vice President of Future Farmers

The SPEAKER: On behalf of the members of the House, it is my pleasure to welcome all of you here who are representing Agriculture Day.

LAUREN GIUSTRA: Hello, my name is Lauren Giustra and I became the 1985 Blueberry Queen at the Union Fair on the 25th Anniversary of the occasion. As Blueberry Queen, I am the blueberry industry's chief spokeswoman. My attendance at functions such as this one is intended to help promote the blueberry industry in Maine. I have participated in Maine Day at the Big E and have recently attended an agricultural dinner in Portland. Throughout my reign, I will try to participate in as many parades as possible and will visit blueberry packing plants throughout Maine until another queen is crowned in August of 1986.

When I am not promoting the blueberry industry, I am busy studying to become a medical doctor. I am in my second year at St. Joseph's College in North Windham, Maine. When I graduate from medical school, I plan to practice medicine in a rural Maine area with a need of a doctor.

Before I conclude, I would like to add a few comments about the blueberry industry. This past summer, the blueberry crop was exceptionally good, both in quality and in quantity. One of the problems that the Maine Blueberry Industry has been having is proper promotion for good distribution. It is not unusual for a blueberry grower to lack a competitive buyer. Such a buyer is necessary for a grower to receive the best price per pound possible. It appears that the situation has improved this year with a bumper crop and an adequate distribution.

In conclusion, I would like to thank you for inviting me here for Agriculture Day. It has been a privilege and pleasure to talk to you.

ALLISON GREEN: Good morning, my name is Allison Green and I am the Pittsfield Egg Festival Scholarship Queen. Through the pageant, I received a thousand dollars and a lot of memories.

I am presently attending the University of Southern Maine and I am a Sophomore in the School of Nursing, majoring in therapeutic recreation.

I represent the egg industry of Maine and I want you each to know that brown eggs are local and brown eggs are fresh. (applause) It is Easter, and this month, more than 190 million eggs will be sold -- that is 20 percent more than any other time of the year -- that is a lot of eggs.

It is a pleasure to be here and to represent the Maine State Egg Industry.

Have a nice day and keep your sunny side up. (applause)

CYNTHIA KENNEY: Hi, my name is Cindy Kenney. I represent the Maine Farm Bureau. As farm bureau members, we as farmers, have the opportunity to perform two major tasks. One, to come into closer contact with you, our lawmakers; and two, to work as a working unit of producers. I represent the future of Maine farms through the organization and by attending conventions, Ag Days, and many other functions, I can help others to understand our Maine farming industry.

With a farming background and my own desire to continue dairy farming, I hope I can inspire others. I do enjoy this chance to talk with others and learn about other commodities. This crown has offered me a broad education by the things that I can do for it, the Farm Bureau.

Thank you all for your hospitality and the opportunity to speak with you this morning.

I would also like to offer a small gift to the Speaker of the House from the Farm Bureau. (applause)

The SPEAKER: I really was beginning to wonder where that came from. Thank you.

TANYA POWERS: Good morning, I am Tanya Powers and I live in North Vassalboro, Maine. I am the Downeast Congress Queen and I was crowned in August in Lewiston, Maine. I represent the horse industry in Maine and the horse industry, not only includes show horses but it also includes work and pleasure horses. I think, through my title, I would like people to know that horses can be fun and that people in Maine really should be interested in the horse industry as well as the other industries of Maine.

Thank you for inviting me here today. (applause)

CINDY VOISINE: Hello, my name is Cindy Voisine and I am Maine's Potato Blossom Queen for 1985-86. I am originally from Fort Kent and now I live in Lewiston, Maine where I attend Bates College as a Freshman.

Once my reign began last July, I didn't really understand what my reign would entail. Attending various agricultural conventions and fairs was planned but the personal feelings I acquired for the potato farmers were not but, as the year progressed, I became more aware of the many problems that the potato farmers are facing. With the 15 percent increase in the potatoes nationwide, the average farmer barely gets \$3.00 for a barrel of potatoes, while it costs \$9.00 to produce. Since 1980, the number of potato farmers dropped significantly from 1300 to 830. The potato farmer must now market the potatoes against the competitive Canadian market and are definitely losing. Not only being an excellent farmer is necessary but the farmer must now be an excellent salesman. Becoming aware of these problems is a task for everyone. Assistance must be given to the potato farmer, not only to protect the industry but to preserve the livelihood and the dignity of these farmers. Legal action should be taken to help these farmers out of their plight. They certainly need your support.

Thank you very much. (applause)

ANNE BROWN: Good morning, I am Anne Brown from Cumberland and I have been the Maine Honey Queen since last July.

I would like to share a few of my ideas about beekeeping with you because I think a lot of people

are not aware of the role the honeybee plays in our agricultural community. One subject that was pointed out to me was that if we were not using honeybees to pollenate our crops of blueberries, cranberries and every other thing that we grow in this state, we would be eating seeds and only 10 percent of those are edible. I think I would like to leave that to the birds. It is a better diet. I thought that was quite astounding that if we no longer had honeybees and took them from our state to other states to pollenate oranges and grapefruits and things of this sort, that our crops would not be here. You would go to the supermarket and you would not be buying any food at all. To me, this is very dramatic but I think it is a part of the beekeeping industry that people have to know about, that not only do we produce a great food substance, which is honey, and a lot of substances for your cosmetics, shampoos and things of this sort but we really are out there being the little man behind the scene (I should say woman since most of your honeybees are women) and we are playing our role in putting little nectar in there and trying to produce the best crops we can for the State of Maine.

We really need your support. Thank you very much and have a really great first day of Spring. (applause)

KRISTIN KELLEY: Good morning, my name is Kristin Kelley and I am from Albion, Maine. Right now, I am a Junior at the University of Maine at Orono where I am majoring in elementary education but I am learning political science. Now that I have all your interest, I guess as the Grange Queen, I will try to promote the Grange, which is an organization that is rather old and has been around for awhile, and one that tries to help the farmers and foresters of our communities.

Who knows better about the farmers and foresters than me -- I live on a farm in Albion, Maine. I guess my job has been kind of similar to yours, I learned how to shovel quite a long time ago and I guess you do a bit of shoveling here too. (applause) That is probably why I decided to take political science as a minor.

I would just like to thank you all for letting me be here and I would like to talk with any of you if I get a chance but I know you will be shoveling a lot right here today.

One last thing -- I guess I am around to try to get the farmers a break instead of being broke. (applause)

BRENT BUCK: My name is Brent Buck and I am from Mapleton. I am the Vice President of the Maine Association of Future Farmers of America. I live on a farm in Mapleton with my father and older brother and we all farm. We grow roughly 200 acres of potatoes. Basically, this is a family farm.

In the past, I believe the problem hasn't been not enough money but too much money -- too much money has been dumped in creating too much of a surplus, hurting the small family farm. We are trying to help them survive. If this keeps up, there won't be any family farms. There will be two or three huge farms doing it all and possibly of very poor quality and maybe not enough quantity. Thank you. (applause)

The SPEAKER: On behalf of your own legislator's, who escorted you here this morning and on behalf of

the entire Maine House, I want to thank you for participating in Agriculture Day. We certainly thank you for your words and we hope that the legislators will hear them rather than perhaps shovel them. Thank you again and we certainly wish you the best in whatever profession you choose in your life.

Subsequently, the Agriculture Queens and the Vice President of Future Farmers were escorted from the Hall of the House, amid applause, the members rising.

#### 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 matter of unfinished business: Bill "An Act to Clarify the Rate Design Stability Responsibilities of the Public Utilities Commission" (Emergency) (S.P. 717) (L.D. 1840) (C. "A" S-417)

TABLED - March 19, 1986 (Till Later Today) by Representative VOSE of Eastport.

PENDING - Passage to be Engrossed.

Subsequently, the Bill was passed to be engrossed in concurrence.

The Chair laid before the House the second matter of unfinished business: An Act to Strip Crime of its Profit (S.P. 847) (L.D. 2139)

TABLED - March 19, 1986 (Till Later Today) by Representative DIAMOND of Bangor.

PENDING - Passage to be Enacted.

On motion of Representative Allen of Washington, retabled pending passage to be enacted and later today assigned.

The Chair laid before the House the third matter of unfinished business: An Act to Clarify the Confidentiality Provisions of the Maine Banking Code (H.P. 1532) (L.D. 2159)

TABLED - March 19, 1986 (Till Later Today) by Representative DIAMOND of Bangor.

PENDING - Passage to be Enacted.

On motion of Representative Brannigan of Portland, under suspension of the rules, the House reconsidered its action whereby L.D. 2159 was passed to be engrossed.

The same Representative offered House Amendment "A" (H-590) and moved its adoption.

House Amendment "A" (H-590) 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.

#### (Off Record Remarks)

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

#### (At Ease)

The House was called to order by the Speaker.

At this point, the Senate entered the Hall of the House and a Joint Convention was formed.

#### In Convention

The President of the Senate, Charles P. Pray, in the Chair.

On motion of Senator Violette of Aroostook, it was

ORDERED, that a Committee be appointed to wait upon his Excellency, Governor Joseph E. Brennan, and inform him that the two branches of the Legislature are in Convention assembled, ready to receive such communication as he may be pleased to make.

The Chairman appointed:

Senators: BROWN of Washington  
GAUVREAU of Androscoggin  
HICHENS of York

Representatives: BROWN of Gorham  
BOST of Orono  
HANDY of Lewiston  
O'GARA of Westbrook  
ROBERTS of Farmington  
MATTHEWS of Caribou  
SMALL of Bath  
FOSS of Yarmouth  
LAWRENCE of Parsonfield

Senator Brown of Washington, for the Committee, subsequently reported that the Committee had delivered the message with which it was charged and that the Honorable Joseph E. Brennan, Governor of the State of Maine, would attend forthwith.

At this point, the Honorable Joseph E. Brennan, Governor of the State of Maine, entered the Convention Hall amid the applause of the Convention, the audience rising.

The Governor then addressed the Convention as follows:

Mr. President, Mr. Speaker, Members of the 112th Legislature, honored guests from the University of

Maine and interested citizens:

Now about that seat belt bill -- no, I won't talk about seat belts this morning although I would like to. Instead I will talk about something on which we all agree and that is the improvement of the University of Maine.

In January of this year, the Visiting Committee to the University of Maine delivered their report. It is a superb document put together by an exceptional group of people. Some of the members of that Committee are here with us today in the balcony. I would like to ask them to stand so that we may acknowledge them and thank them for their efforts on our behalf. (Applause) As I have said many times already, this is as talented a group as I have ever had the good fortune to assemble for any public purpose.

I would like to take a moment to acquaint you with the individuals who served on the Visiting Committee, Dr. Edward Andrews from Falmouth, President of the Maine Medical Center and former President of the University of Vermont; Wilma Bradford from Bangor, Trustee of Westbrook College, Trustee of Husson College and prominent community leader; Jean Childs from Westbrook, distinguished contributor to Maine's environment education and civic life; Dr. Robert Clodius from Washington, D.C., President of the National Association of State Universities and Land-Grant Colleges representing 140 major public universities; Francis Keppel from Cambridge, Massachusetts, former Dean of the School of Education at Harvard University and former U.S. Commissioner of Education for Presidents John F. Kennedy and Lyndon Johnson; Dr. Eleanor McMahon, Commissioner of Higher Education for the State of Rhode Island and former Provost of Rhode Island College; Jean Sampson from Lewiston, former State Education Board member, former Trustee of the University of Maine and now an Overseer of Bowdoin College; Dr. Nils (Neels) Wessell, former President of Tufts University, former President of the Alfred P. Sloan Foundation, former Trustee of the University of Maine and now living on Chebeague Island in Casco Bay. Also on the Visiting Committee, a former member of this House of Representatives, former Maine Governor, former United States Senator from Maine, former United States Secretary of State, Edmund S. Muskie. Finally, as Chair of this extremely distinguished group, Dr. Robert Strider, President of Colby College from 1960 to 1979, a member of Governor Muskie's 1957 Commission on Education in Maine and a member of Governor Curtis's 1967 Commission on the Reorganization of the University of Maine.

I would also like to recognize Dr. Charles Lawton, the Executive Director of the Committee, for his excellent work.

Again, on behalf of the people of Maine, I would like to again thank everyone on the Committee especially those from outside of Maine for their sacrifice and their effort on behalf of all of us. We are truly grateful for what you have done.

The report of the Visiting Committee has been well-received. It has been praised by journalists trustees legislators faculty and interested citizens

all across our state.

The Visiting Committee found great strengths in the people of our University. They found faculty like Professor Steve Norton, whose research on acid rain brought a critical issue to public awareness; like Professor James Wilson, who represented our fishing interests at the World Court in the Netherlands; and like Professor John Diamond's, (not to be confused with our own brilliant Democratic Majority Leader!) research on the spruce budworm disease which has contributed to the renewal of Maine's most basic resource our forest.

The Visiting Committee found many such inspiring examples of individual and departmental excellence on every campus in Maine. However, they found that the system as a whole, viewed in its entirety, had serious shortcomings.

Let me take a moment to explain. The Visiting Committee recommends that Maine's University system should have four components: First, community colleges for students seeking two year technical training in business, health and human service occupations.

Second, regional baccalaureate colleges for students seeking four year degrees in teacher education, liberal arts and advanced technical subjects.

Third, an urban comprehensive university for students seeking strong undergraduate education, specialized graduate training and applied research opportunities in cooperation with area institutions.

Fourth, a research and doctoral university for students seeking high-quality undergraduate education and first-rate graduate programs.

In short, Maine needs a system of public higher education with the strength, the diversity and the integrity of the Maine people themselves. But this is not what the Visiting Committee found. Instead, they found a system strong in the middle in four year programs but weak at the ends in community college programs and in research and graduate offerings. Specifically, Maine's enrollment in two-year technical programs is just one-half the national average.

The Committee found that the lack of community college offerings "constitutes a serious shortcoming in Maine's system of public higher education."

At the other end of the spectrum, the Visiting Committee found that the academic quality of Orono has declined and that Maine is now one of only four states in the entire nation that has no public institution classified as a full-fledged doctoral university.

Going further, the Visiting Committee reported that the specific roles of individual campuses within the overall system have not been clearly defined.

Finally, the Visiting Committee found that the University suffers from a lack of state money.

The Visiting Committee did commend this Legislature and this Administration for increasing its support to higher education. In fact, in the last seven years, Maine's rate of increase in university funding is among the very highest in the nation. Even so, our level of university support remains low compared to other states.

As a result, the Visiting Committee has found that our tuition costs are high and that our basic support for academic programs support such as libraries, equipment, and supplies is inadequate. We can and we must do more.

Today, I will propose how we can do more to support the University financially, more to help the University clarify its mission.

I am submitting legislation that will, first of all, change the name of the system to the State University of Maine, as the Visiting Committee recommends. This change will allow the Trustees to restore to Orono its proud historic title of "The University of Maine".

My legislation will also give the Trustees the authority to make other appropriate campus name changes. The Visiting Committee has suggested new campus names that more closely reflect campus missions.

In effect, the Visiting Committee has proposed "truth-in-labeling" for Maine's public institutions of higher learning. I encourage the Trustees to accept their recommendations.

I am also submitting legislation to make a fifteen million dollar "downpayment" for the new State University of Maine. That money will go especially to meet the needs identified by the Visiting Committee, needs such as student financial aid and academic support. The money will be allocated in the following manner.

About \$700,000 to the community college here in Augusta for research equipment and other basic needs.

\$1.7 million to the regional baccalaureate colleges at Fort Kent, at Presque Isle, at Machias and at Farmington for student aid, library books, equipment, building maintenance and faculty support.

And \$4.1 million to the urban comprehensive university in Southern Maine to hire full-time faculty to build up the library and to strengthen the undergraduate program.

Finally, the major part of the funds consistent with Visiting Committee recommendations goes to the research and doctoral university at Orono, \$8.5 million for faculty development for equipment for library books, for student aid and for the purpose of correcting other deficiencies identified by the Trustees.

Of the total amount available, 56% is allocated to Orono. This is consistent with the first priority of the Visiting Committee to restore Orono to its flagship status within the State University of Maine.

But I want to add here that with added money for Orono will come added responsibility. Orono is not the University of Penobscot Valley, it is The University of Maine. It is for all Maine students from Kittery to Eastport to Madawaska. It must meet the most pressing needs of all Maine businesses from York to Aroostook counties. It must help enrich the academic and cultural life of all the other campuses.

It should be absolutely clear that these funds and this mandate are not for "business as usual." The fifteen million dollar downpayment is intended to be a permanent increase in the base of funds for public higher education in the State of Maine. It should be funded this year and next year and every year thereafter. The downpayment requires, in short, new revenues.

I propose to pay for the downpayment through a variety of measures. I propose to raise \$5.7 million by eliminating the sales tax exemption on out-of-state long distance phone calls. The sales tax already applies to instate calls. This means that a ten minute Saturday call from Portland to San Francisco, that now costs \$1.99, would cost ten cents more.

I propose to raise an additional \$3.3 million by increasing the sales tax on lodging by two percent. This rate would be equal to our neighbor in New Hampshire and lower than our neighbors in Massachusetts and New Brunswick. This means that a hotel room now costing \$52 a night would cost \$53 a night or one dollar more.

I propose to raise the remaining \$6 million by stepping up tax enforcement by reducing energy expenses and by closing tax loopholes.

Raising taxes in an election year, even the very small ones I am proposing, is not a normal and is certainly not a popular course of action. But this is not a normal year and we are not dealing with a normal matter. This year we are confronting a once-in-a-generation opportunity to renew public higher education in Maine for all of the Maine people! If we miss this chance, we may not have another for some time to come. We cannot let this historic opportunity slip by over concern for fleeting political advantage. Higher education demands our attention and it demands our action this year. It is an investment we simply cannot afford not to make! It is an investment that builds on prior investments.

In the last seven years, through determined effort, we have added thousands of jobs to our economy. We in Maine can be proud of this record. But now we must make sure that the Maine people get the education they need to take advantage of the new jobs.

President Lyndon Johnson once said, "We must open the doors of opportunity. But we must equip our people to walk through those doors." Nothing equips people better to walk through the doors of economic opportunity than a good education.

Our economy in Maine and in the nation is in the throes of change. Many of Maine's

young people now in school will work in jobs we cannot even imagine today. They need to be ready for their fast-changing world. Nothing prepares them better than a solid education.

A little over a century ago, in his great lectures on The Idea of a University, John Henry Newman pointed out that "the man who has learned to think and to reason and to analyze "who has formed his judgment and has sharpened his mental vision "will not indeed at once be an engineer or a lawyer or a man of business "but he will be placed in that state of intellect in which he can take up any one of the sciences or callings "with ease, with grace and with success."

Indeed, to such a man or a woman education is a lifelong quest not just an activity relegated to a few short years between adolescence and adulthood. The Maine people already know this.

At the University of Southern Maine, a 1984 study of top graduates showed that fully 7 in 10 were age 24 or over. Maine students are changing. The Maine economy is changing. The University must change likewise.

Maine's public colleges, with their proud record of accomplishments, did not come about by accident, they came into being and have been sustained and renewed by the drive and energy and vision of the Maine people.

In 1863, the first teacher's college in Maine opened at Farmington, the result of 16 years of effort by reformers like William Crosby of Belfast.

In 1868, the Maine State College of Agriculture and the Mechanic Arts opened at Orono. It was a land grant college designed in the words of the Morrill Act to "promote the liberal and practical education of the industrial classes."

Governor Joshua Chamberlain, fresh from the Civil War, where he had just accepted the surrender of Robert E. Lee's troops at Appomattox, spoke to a joint convention of the Maine Legislature just like this one and described his vision for Maine's new college. Governor Chamberlain said, "Profiting by the experience of the past but unfettered by its traditions, comprehending the best results of the latest scholarship in full harmony with the living interests of the times, such an institution would be a chief means of increasing intelligence and enterprise within our own borders and would open a thousand opportunities to attract young men."

The Maine Legislature in setting up the college explicitly prohibited the charging of tuition. Instead, the Legislature mandated that physical labor be required of every student. The college at Orono was rather famous in this nation for this arrangement. It lasted until 1881 by which time the Legislature reversed itself and required tuition but not labor.

In 1872, Louise Hammond Ramsdell from Atkinson, arrived on campus. She was the first woman student at Orono, she was a math whiz and she graduated with high marks two years later.

In 1897, the college became a full-fledged university, thanks to the leadership and the persistent efforts of people like William R. Pattangall of the Class of 1884 and later Chief Justice of Maine's Supreme Court.

And in this century, time and time again, leaders have emerged to guide Maine's public institutions of higher learning through the storms of war and depression and into the sunlight of a prospering Maine.

Now it is our turn. It is our moment to honor Maine's past traditions to meet Maine's present needs and to build Maine's future dreams.

The people of Maine are with us. They are speaking with one voice. You just have to listen.

Only a few weeks ago, Robert G. Foster, the Chairman of Ventrex Laboratories, Inc., told Portland area business leaders that the university must move forward for Maine to keep its quality of life and for Maine to keep its appeal for high-tech businesses like his own company, Ventrex. He told them not to waste energy fighting over what campus would have what program.

Using Ventrex, his own company, as an example, Robert Foster said, "We need a supply of biotechnology graduates but there's no reason in the world why we can't get them from Orono."

This same month, Maine AFL-CIO President, Charles O'Leary, published an article saying, and I quote: "Workers have traditionally thought of the University of Maine as an avenue of opportunity for their children to improve their lives. Workers still hold this view." Indeed, Mr. O'Leary's words evoke the very language of the 1863 Morrill Land Grant College Act promoting "the liberal and practical education of the industrial classes. Charles O'Leary continues and addresses Maine leaders of both labor and business by saying, "Let's come together on rebuilding one of our greatest resources, the University of Maine, by pushing for full acceptance of the Visiting Committee's Report." (Applause)

The words of business leader, Robert Foster, and labor leader, Charles O'Leary, I believe, capture the hopes of all Maine people. Yes, the Maine people are the allies of University reform.

The major enemy of reform is factionalism. It is the belief that what is good for the north is bad for the south. It is the belief that what is good for one campus is bad for another. It is the belief that what is good for business may be bad for scholarship. Factionalism is an ancient human vice.

President Abraham Lincoln once said, "A house divided against itself cannot stand." Our university is one house with many rooms and with many campuses. Our university system cannot be divided against itself and still stand and still do what the people of Maine need it to do.

Today, I say to you that factionalism and divisiveness have no place in our debate and have no

place in any debate over something as important as higher education in our state.

The elements of excellence are in place today. The buildings are there. The people are there. Now it is up to us to give our talented faculty the tools that they need to bring to Maine students what Plato once called the "highest blessing bestowed on mankind" -- a good education.

It will take a lot of work. Reform cannot simply be achieved by a wave of the hand or by the passage of a law. Reform will take the good will and concerted efforts of hundreds, indeed, thousands of Maine people, administrators, faculty, students, alumni, and most important of all, University Trustees.

The Trustees, under the leadership of Chairman, Joseph Hakanson, ultimately bear the burden of defining system-wide and campus missions, of saying "no" to pet projects that don't fit. They bear the burden of saying "yes" to projects that do fit projects that respond to the needs and to the dreams of the Maine people. But that is what leadership is all about. And what is needed most in the University is leadership at the center.

We, in government, can do our job by providing the Trustees with the resources they need and by holding the Trustees accountable to their stated goals and missions.

Yes, there is a long road ahead of us. But that is precisely why we must start today.

President John F. Kennedy liked to tell the story of a far-sighted French statesman who told his gardener one day to go out and plant a tree. The gardener told the statesman, "There is no use in planting this tree, "It won't bear fruit for a hundred years." The French statesman replied to the gardener, "In that case, plant it this very afternoon!"

Today, I call upon the Legislature, the Trustees, the Presidents, the faculty, and the students -- Go out and plant the seed of the new State University of Maine and go out and plant it this very day! (Prolonged applause, Convention rising)

At the conclusion of the Governor's address, the Governor withdrew amid applause, the members rising.

The purpose for which the Convention was assembled having been accomplished, the Chairman declared the same dissolved and the Senate retired to its chambers, amid applause, the members rising.

(In The House)

The House was called to order by the Speaker.

(Off Record Remarks)

On motion of Representative Ingraham of Houlton, Recessed until 4:30 p.m. in the afternoon.

(After Recess)

The House was called to order by the Speaker.

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

PASSED TO BE ENACTED

Emergency Measure

An Act Relating to the Issuance of Taxable Bonds and the Refunding of Certain Bonds (S.P. 837) (L.D. 2126) (C. "A" S-423)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 112 voted in favor of the same and 1 against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

By unanimous consent, ordered sent forthwith to the Senate.

PASSED TO BE ENACTED

Emergency Measure

An Act to Provide for High School Graduation up to 5 Academic Days Prior to the Conclusion of the School Year (S.P. 868) (L.D. 2184)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 115 voted in favor of the same and 1 against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

PASSED TO BE ENACTED

Emergency Measure

An Act to Authorize the Use of Energy Service Companies and 3rd-party Financing for Conservation Improvements at School Administrative Units (H.P. 1553) (L.D. 2191)

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

emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 107 voted in favor of the same and none against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

PASSED TO BE ENACTED

Emergency Measure

RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Franklin County for the Year 1986 (H.P. 1575) (L.D. 2214)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 118 voted in favor of the same and 1 against and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

PASSED TO BE ENACTED

An Act to Encourage Employers to Assist their Employees in Meeting Their Child Care Needs and Expenses (H.P. 1329) (L.D. 1864) (C. "A" H-579)

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

ENACTOR

TABLED AND ASSIGNED

An Act to Provide for the Motor Vehicle Division to Purchase and Maintain Software Equipment Independent of any Other Provider and Related Hardware (H.P. 1331) (L.D. 1866) (C. "A" H-576)

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

On motion of Representative Hayden of Brunswick, tabled pending passage to be enacted and tomorrow assigned.

PASSED TO BE ENACTED

An Act to Improve the Effectiveness of the Consumer Assistance Division of the Public Utilities Commission and to make Other Changes in the Statutes (H.P. 1378) (L.D. 1941) (C. "A" H-577)

An Act to Repeal the Maine Takeover Bid Disclosure Law (H.P. 1445) (L.D. 2039)

An Act Relating to the Age of Employees who may Receive Payment or be in the Direct Handling of Liquor on the Licensed Premises (H.P. 1488) (L.D. 2100)

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

ENACTOR

TABLED AND ASSIGNED

An Act Relating to Penobscot Nation Game Wardens (H.P. 1552) (L.D. 2190)

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

On motion of Representative Hayden of Brunswick, tabled pending passage to be enacted and tomorrow assigned.

PASSED TO BE ENACTED

An Act Allowing Licensees to Purchase Liquor from Agency Liquor Stores if Licensee is Located more than 20 Miles from State Liquor Stores (H.P. 1554) (L.D. 2192)

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

PASSED TO BE ENACTED

An Act to Phase Out the Sales and Use Tax on Energy Used in Manufacturing (H.P. 1555) (L.D. 2193)

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

Representative Baker of Portland moved that L.D. 2193 be tabled for one legislative day.

Representative CASHMAN of Old Town requested a division.

The SPEAKER: The pending motion before House is the motion of Representative Baker of Portland that L.D. 2193 be indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

32 having voted in the affirmative and 76 in the negative, the motion did not prevail.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Baker.

Representative BAKER: I would request a Division on enactment.

Mr. Speaker, Men and Women of the House: I have to confess to you I am approaching this subject today with a little bit of trepidation. I had a little problem when I saw the bill coming along. Let me explain to you what the problem is.

We are enacting a bill which is going to probably cost a great deal of money. I have been given several different figures, that is why I am not about to question what they are going to be. I have been given an estimate, that in one case, it is going to be \$31 million.



When a bill like this comes along and, as the papers say, just sort of breezes through, it makes me want to say, well wait a minute, before we do this and before this thing, somewhere down the road, is signed into law and we're saying, where are we going to get the money to make it up, and someone then points a finger and says, look, the legislature has passed this bill unanimously without any dissent and it's costing \$31 million -- why didn't they do anything?

I have been here for eight years and I have paid the price in the past for being silent, when I know I should have spoken up and questioned what was the perceived wisdom of the majority on an issue. I am referring to my infamous vote on Bath Iron Works.

I realize the two subjects are not related but my cause for concern is there. What I would like to know is, where are we going to get the money to make up for the money we are going to lose by granting this tax exemption? That is my concern. I am not quite ready to vote for this bill yet and that is why I requested a Division.

I hope that somebody could perhaps answer my fears but I am not sure that is going to be the case, that is why I asked for that Division.

The SPEAKER: The Chair recognizes the Representative from Old Town, Representative Cashman.

Representative CASHMAN: Mr. Speaker, Men and Women of the House: I will try to address some of the concerns of my good friend from Portland.

This bill has indeed breezed along through the first and second reading but it is not a bill that hasn't been around here for awhile. This bill was introduced in the first session of the 112th Legislature by myself, Representative Zirkilton, and two members of the other body. The bill was put in because we felt that the State of Maine already has high energy costs, higher than the national average on electricity, and much higher than the national average on fuel oil. We don't have a great deal of coal or other types of cheap energy to substitute and that our industry might be operating at a disadvantage.

On top of that, we compound that problem in this state by charging a 5 percent sales tax on energy used in manufacturing. We are only one of a handful of states in the country that do that, one of only two in New England, the only other one that does is Vermont and their sales tax is lower than ours.

The sponsors of this bill felt that that was the problem. I think that the tip of the iceberg was seen here in the first session of this legislature with the Keyes Fibre debate. Their costs of energy was driving them out of the state.

Representative Baker says that this is unrelated to Bath Iron Works -- well, I would argue that this not unrelated to Bath Iron Works. We have, in this legislature, made special exceptions for Bath Iron Works, Pratt-Whitney, Spencer-Press, New England Ethanol and Keyes Fibre. We did that for purposes of industrial development or economic development for the betterment of the state. I am not going to debate any of those five issues, but where they are related to this is, that this issue isn't centered around one industry or one manufacturer. This is an industrial development bill for industry and manufacturing in this state in general. It's not geared to one particular manufacturer.

Yes, it costs money, it is a phased in approach to eliminating a tax. It will be phased in over five

years, ending in 1991, and the ultimate cost in lost revenue, while currently that tax brings in \$20 million, projecting an increase in consumption and costs over the next five years, the tax office estimates that the cost will be \$25 million by the time the phase in is completed.

How that is anticipated to be paid for -- the projections in increased revenue for this state, without any tax increases over the next five years, is in the order of \$500 million dollars. This is a fraction of that. This is something that is going to have to be prioritized by later legislatures, the 113th, the 114th, by the Appropriations Committee and the Taxation Committee. If that committee and the 113th does -- as everybody knows, nothing we do in this legislature is sacred -- if the 113th legislature determines that that is too expensive, and not a high enough priority, they certainly can change it. But I think that the attempt here is to identify it is a priority, begin a phase out approach and I think it is for a very worthwhile cause.

This bill would benefit 2000 Maine employees, 80,000 employees that are here now, not to mention whatever industry might be attracted to this state in the next five years.

Because of the Keyes Fibre debate in the first session of the 112th, the Governor appointed the Industrial Stability Commission, as I am sure you are all aware. I was fortunate enough to be a member of that. Over the fall, we studied energy costs in Maine in general and we particularly looked at this bill and the effects it was going to have on the General Fund, as well as the positive effects it would have on industry and industrial development.

The unanimous recommendation of that committee was that this bill pass. That committee was made up of a pretty strong mix of industrialists, the President of the Maine AFL-CIO, John Kerry from the Energy Office, Paul Fritzsche, and a host of other government officials as well as captains of industry. It was the feeling of that committee, unanimously, that the positive effects of this bill and the merits of this bill, in terms of industrial development, far outweigh the loss of revenue to the state.

I think that this is one of the most significant bills for economic development that the legislature has passed in my memory. Yes, it has a price tag, Representative Baker, but I think it is worth the money spent.

The SPEAKER: The Chair recognizes the Representative from Scarborough, Representative Higgins.

Representative HIGGINS: Mr. Speaker, Men and Women of the House: It is always said that politics makes strange bedfellows and you will probably find no stranger combination than the gentleman from Portland, Mr. Baker, and myself today, not only because I am generally in favor of tax cuts for businesses, but more importantly, he is asking the question, where will the money come from?

I agree with what the gentleman preceding me said regarding the need for competitiveness and economic advantage or disadvantage that the state finds itself in now regarding production of goods and services requiring the use of electricity.

The concern that I have here is basically that of an attempt to circumvent the rules of the legislature that say, if an item has a fiscal note on it, that has to be taken into account and balanced in the

budget. This bill has an effective date on it in such a manner that it doesn't have to fit into the current services budget of this biennium. It doesn't take effect, if you will, until the 113th Legislature. Even though it is going to phase in over a five year period, what that means is, in the next biennium, the legislature and the government is going to have a loss of revenue of \$12.4 million right off the top, without that legislature voting on it. In the following biennium, it is going to cost \$33 million in lost revenue, and in the following biennium, at least \$50, and probably more, million dollars. Now, I don't have a real problem with that, except that we don't have anything to balance it against.

When you and I submit a piece of legislation and it is placed on the Appropriations Table and we deal with that at the end of the session, we have to have a balanced budget, we have to have a budget that ends up the year of June 30, 1987 -- balanced. So, if we put a bill on the table and fund it, we have to have the revenues to pay for that.

Now this particular legislation circumvents that because it puts it so far in advance that we don't have anything to balance it against. We don't have an increased revenue or we don't have a projected cut that we can make in that budget that is going to be for the next legislature and the Governor to deal with. I think we are backing ourselves into a corner in doing that. With the federal cuts that everyone seems so interested in now, it seems to me that we ought to be able place this and balance it in the way it was intended to do.

I think it is a dangerous precedent for the legislature to get involved with on an item of this magnitude. You and I all have our own pet projects that we would be interested in, certainly funding the University of Maine, increasing AFDC benefits, more funding for the VTIs, whatever else you might be interested in -- if we do this sort of thing once, it is going to be increasingly more acceptable to do it again. You would be telling members, at least of the Appropriations Committee perhaps, that that is the way to solve these problems, put them off, load up the next year, if you will, and let somebody else worry about it. That concerns me because that is the sort of mentality that we have seen in Washington. I don't want to see that happen here in Maine.

Somebody else is going to have to pay for this in this legislature and the next administration will have to deal with it and that bothers me. There is no accountability here and, as I said and I will reiterate, there is no balancing act. We have nothing here to protect ourselves -- to say if we make this cut, there is not going to be any additional revenue to pay for this.

I am really concerned that this is going to be additional money that the next legislature is going to have to come up with. We all know how hard money is to come by right now -- just listen to what the Governor had to say this morning. If you don't think that that is going to be magnified more in the next administration and legislature, I think you are missing something. I am not convinced that there isn't some additional revenue to be had. The gentleman mentioned \$500 million growth over the next five years, but if you look back in the last two or three legislatures, we have already received that much additional revenue and we have spent it all, we have spent it on other things. I hate to see us put

ourselves in a situation where the next legislature that comes in here is already faced with a \$14 million deficit from a program that we had nothing really to balance it against.

I am supporting the motion or at least voting against this bill today for those reasons and I hope that you will join with me.

The SPEAKER: The Chair recognizes the Representative from Old Town, Representative Cashman.

Representative CASHMAN: Mr. Speaker, Men and Women of the House: I would just like to address a few things mentioned by Representative Higgins. First of all, this bill is a redraft of L.D. 354 which was submitted last year. The original bill did, in fact, have a fiscal note on it because it began to phase out a year earlier. The reason the phase out approach has been postponed is because of the fact the bill was held from one session to another. There is no attempt here to circumvent any process and it certainly does have a future impact statement on the bill.

In terms of the phased in approach, and whether or not that was appropriate, I certainly feel that it was. Future legislatures, as Representative Higgins has pointed out, will have pet projects, and in spite of increases in revenue, I am fairly confident that future legislatures will spend all the money.

The attempt at a phased in approach is to identify this as an expenditure that should be a priority and one that the state should be looking at. Again, the loss of revenue from this will be identifiable every year. It will be a prioritized expenditure. If there is somebody that has an idea on how this can be funded this year, in one year, I am willing to listen to it but I feel the best approach is to phase it in.

I don't think that we are putting anything off. I think the attempt in this bill, and I think it is a very good attempt, is to address a problem that the industry in the State of Maine is having. As I said, I think Keyes Fibre was the tip of the iceberg, I think we will see a great deal more of it in future years. To add a state tax like this and, uniquely so mind you, there are very few states that assess this tax. I don't think that is a unique position that the State of Maine wants to be in.

It is really kind of humorous to be debating Representative Higgins on this issue on the sides that we're on, because I can just picture debates in years gone by over tax conformity and income taxing, corporate income tax increases when we were on opposite sides, and it brings back memories, but still I think that the proper thing to do is to pass this bill. I urge you all to ass it.

The SPEAKER: The Chair recognizes the Representative from Scarborough, Representative Higgins.

Representative HIGGINS: Mr. Speaker, Men and Women of the House: So there is no misunderstanding about the position I am taking on the bill, if you were to back up the effective date of the act and place it so there was a fiscal impact in this year, so that it could be balanced against the revenues that this legislature has at its disposal to fund such a project, I would be in support of that. Let it sit on the table like every other piece of legislation, but to do something like this, it circumvents that intent and I can just think of a dozen pieces of legislation that I would like to do the same thing with and I think we all could.

There are a lot of taxes out there, for example, that you could pass — a decrease in the sales tax by one percent, and think of the revenue, how great that could be. When the next legislature comes in, we're going to be short about \$60 million the first year. I don't think that is the sort of corner we want to back ourselves into and that is exactly what this piece of legislation does. We could all go home and say, hey, I voted to cut the sales tax by 20 percent and lowered it to 4 percent, but when the next legislature comes in here, they are going to have a real serious problem. That's what this legislation does. It doesn't take effect this year. I object to that, I support the legislation, and if you are going to support it, it ought to have the effective date now. The phase in is fine but you have to start so that it affects this year's revenue.

The SPEAKER: The Chair recognizes the Representative from Eastport, Representative Vose.

Representative VOSE: Mr. Speaker, Men and Women of the House: I was also on the Industrial Stabilization Committee, which studied this particular bill and came out as a result of that study. It was a case where we just had to start biting the bullet in some instances and help industry, particularly our northern friends up in our end of the county, paper mills and the high users of electricity that depend upon electricity to stay here in the state and to employ their employees. It is a high cost to them.

The thing that is bothering me here a little bit is that, regardless of whether it is effective in the 113th, the obvious responsibility is here with us in the 112th. I would never think in anyway of blaming the next Governor for being in the hole because of this bill. I am prepared to take full responsibility of it here and now.

I cannot understand the figures that have been thrown around here. It appears to me on the fiscal note on this bill — it said that there would be a loss of \$3,906,000 million or \$4 million in 1987-1988. In 1988-1989, there would be a loss of \$8,585,300. In 1989-1990, the loss at that point would be \$13,728,300. They are not added up, that is the loss for that year. The total loss in the whole bill after phasing in of five years to the budget or to the General Fund would be \$25,493,400. That is not to say how many jobs are affected because of this. I think we should realize that what we're trying to do is paint a better picture to industry that are here now and industry that might come in here to work. We have to give them some breaks, at least that is my feeling and that was the feeling of the committee. I hope you will support this bill.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Connolly.

Representative CONNOLLY: Mr. Speaker, Men and Women of the House: First of all, I want to thank the Representative from Portland, Representative Baker, for calling attention to the bill. Just to explain to members of the House, I thought this bill might be on the Calendar yesterday and I wasn't here. I had asked Representative Baker to keep an eye out, and if it did come up, would he please table it for a day. I don't know whether he knew I was in my seat or not but he sort of jumped the gun this afternoon.

For me, there are two issues represented within this bill. First is the question of money to which Representative Higgins spoke, and I, as a member of

the Appropriations Committee, don't have many real problems with that at this stage because I do understand that this bill, even though it doesn't have a cost to the General Fund next year, does have a future cost. Because of that, it will lie on the Appropriations Table. I, with the rest of the members of the Appropriations Committee, along with the leadership, will have some say in what eventually happens to this bill.

The other question though, and this is something Representative Vose just spoke to, is the whole question of the state's tax policy and how we deal with our tax policy to meet some social need. In this particular case, what I think we are saying is that we want to provide this benefit to industry because we will then be able to keep certain businesses thriving and therefore, jobs will be created. That is certainly something I, as well as Representative Higgins and everybody in here, would to stand full square on and to do something for.

However, Representative Cashman was right when he did say this bill does relate to the whole question of Bath Iron Works. When those of us were here several years ago, when we passed that BIW bond issue and when the voters eventually approved it in public, we were told and we bought the argument that the reason that was necessary was that it was going to create 1,000 plus new jobs. Since the time of that bond issue passing, those new jobs have not been created. The jobs that have been created as a result of that bond issue have enabled people, who were laid off, to come back to work. But, there haven't been any new jobs created.

There is a bill calling for a bond issue that is currently pending before the Appropriations Committee that would allow FAME to set up what is called The Small Development Business Fund and, within that legislation, there is specific criteria that says a business will not be able to get that money unless it is able to show that by using that money, x-number of jobs will be created.

As I read this legislation, it seems very open-ended to me. While it may be our goal to create jobs, there is nothing in this legislation that would call for that to happen, and while I think it might be a good idea for us to say that is our tax policy to see jobs created, nothing in this legislation will require that.

I, at this stage of the game, am prepared to vote against it unless the sponsors or the committee will somehow be willing to back it up to write criteria similar to the criteria in that other legislation tying the benefits from exemption, in this particular case, directly to the creation or preservation of jobs.

The SPEAKER: The pending question before the House is passage to be enacted. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

70 having voted in the affirmative and 36 in the negative, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### PASSED TO BE ENACTED

An Act Concerning the Labeling of Seafood (H.P. 1556) (L.D. 2194)

An Act to Clarify the Regulation of Employment Agencies (H.P. 1557) (L.D. 2195)

An Act to Amend the Revised Maine Securities Act (H.P. 1265) (L.D. 1774) (C. "A" H-578)

RESOLVE, Authorizing the Lease of Little Jewell Island (S.P. 877) (L.D. 2206)

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

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

#### REPORTS OF COMMITTEES

##### Unanimous Leave to Withdraw

Representative ROTONDI from the Committee on Local and County Government on Bill "An Act to Adjust the Borrowing Capacity of Washington County" (Emergency) (H.P. 1306) (L.D. 1822) reporting "Leave to Withdraw"

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 item appeared on the Consent Calendar for the First Day:

(H.P. 1550) (L.D. 2189) Bill "An Act to Provide for the Allocation of the State Ceiling on Bonds for Nongovernmental Purposes" (Emergency) Committee on State Government reporting "Ought to Pass" as amended by Committee Amendment "A" (H-592)

There being no objections, under suspension of the rules, was given second day notification, the House Paper was passed to be engrossed as amended and sent up for concurrence.

By unanimous consent, was ordered sent forthwith to the Senate.

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

#### PAPER FROM THE SENATE

##### Divided Report

Majority Report of the Committee on Judiciary reporting "Ought to Pass" as amended by Committee Amendment "A" (S-425) on Bill "An Act Concerning Mental Examination of Incarcerated Persons Accused of Crime" (S.P. 701) (L.D. 1786)

Signed:

Senators: CARPENTER of Aroostook  
CHALMERS of Knox  
SEWALL of Lincoln

Representatives: KANE of South Portland  
CARRIER of Westbrook  
PARADIS of Augusta  
PRIEST of Brunswick  
DRINKWATER of Belfast  
ALLEN of Washington  
COOPER of Windham  
LEBOWITZ of Bangor  
MacBRIDE of Presque Isle

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

Signed:

Representative: STETSON of Damariscotta

Came from the Senate with the Majority "Ought to Pass" as amended Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (S-425)

Reports were read.

On motion of Representative Paradis of Augusta, the Majority "Ought to Pass" Report was accepted and the Bill read once.

Committee Amendment "A" (S-425) was read by the Clerk and adopted and the Bill assigned for second reading tomorrow.

#### PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

The following Bills were received and, upon the recommendation of the Committee on Reference of Bills, were referred to the following Committees, Ordered Printed and Sent up for Concurrence:

##### Appropriations and Financial Affairs

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$6,000,000 for Energy Improvements in State Facilities" (H.P. 1590) (Presented by Representative CARTER of Winslow) (Cosponsor: Senator DOW of Kennebec)

Bill "An Act to Establish the Cost of the 1986 Spruce Budworm Suppression Project and to Provide Operating Funds for the Spruce Budworm Management Program" (Emergency) (H.P. 1591) (Presented by Representative MICHAUD of Medway) (Cosponsor: Senator PEARSON of Penobscot) (Submitted by the Department of Conservation pursuant to Joint Rule 24)

Bill "An Act Concerning Transitional Services for Handicapped Persons Beyond School Age" (H.P. 1592) (Presented by Speaker MARTIN of Eagle Lake) (Cosponsor: Senator GILL of Cumberland) (Approved for introduction by a majority of the Legislative Council)

pursuant to Joint Rule 27)

(Ordered Printed)  
Sent up for concurrence.

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CONSENT CALENDAR

FIRST DAY

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

(S.P. 669) (L.D. 1723) Bill "An Act to Make Changes in the Laws Governing Public Utilities" Committee on Utilities reporting "Ought to Pass" as amended by Committee Amendment "A" (S-424)

(S.P. 821) (L.D. 2076) RESOLVE, Authorizing the Commissioner of Marine Resources to Lease Lands and Buildings in West Boothbay Harbor Committee on Marine Resources reporting "Ought to Pass"

There being no objections, the above items were ordered to appear on the Consent Calendar of Friday, March 21, 1986 under the listing of Second Day.

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CONSENT CALENDAR

SECOND DAY

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

(H.P. 1537) (L.D. 2173) Bill "An Act to Create a Noncommercial Scallop License and to Adjust Fees for the Scallop Boat License"

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

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PASSED TO BE ENGROSSED

As Amended

Bill "An Act to Create a Maine Code Governing the Sale of Certain Commodities" (S.P. 871) (L.D. 2196) (S. "A" S-421)

Bill "An Act to Clarify the Sand Dunes Law" (H.P. 1221) (L.D. 1729) (C. "A" H-587)

Bill "An Act to Amend the Waterville Sewerage District Charter" (H.P. 1300) (L.D. 1816) (C. "A" H-586)

Were reported by the Committee on Bills in the Second Reading, read the second time, the Senate Paper was Passed to be Engrossed as Amended in concurrence and the House Paper was Passed to be Engrossed as Amended and sent up for concurrence.

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The Chair laid before the House the following item: An Act to Strip Crime of its Profit (S.P. 847) (L.D. 2139) which was tabled earlier in the day and later today assigned pending passage to be enacted.

On motion of Representative Allen of Washington, under suspension of the rules, the House reconsidered its action whereby L.D. 2139 was passed to be engrossed.

The same Representative offered House Amendment "B" (H-591) and moved its adoption.

House Amendment "B" (H-591) was read by the Clerk and adopted.

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

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(Off Record Remarks)

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On motion of Representative Erwin of Rumford,  
Adjourned until March 21, 1986 at twelve o'clock noon.

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