

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Legislative Record

OF THE

One Hundred and Seventh Legislature

(First Special Session)

OF THE

STATE OF MAINE

1976

KENNEBEC JOURNAL
AUGUSTA, MAINE

penalized. They should come up with those figures, that is their obligation; if they don't, then that is their problem. If they can't estimate well into their next year, if they can't do it, they should change their own school budget year, but they should be held to their estimates and they should **provide the information at the state level**, but to make them do it the way we think is best for them, I think, is not the best approach.

The SPEAKER: The Chair recognizes the gentleman from Farmington, Mr. Morton.

Mr. MORTON: Mr. Speaker, Ladies and Gentlemen of the House: I listened carefully to the young gentleman from Bangor in his remarks and he is talking about adding confusion. Well, that is exactly what this uniform fiscal year was attempting to do, to eliminate confusion.

You have heard the gentleman from Livermore Falls expound on the needs of us getting accurate solid figures, but I hope you listened to the gentleman from Winthrop, Mr. Bagley, when he pointed out the confusion that exists in the local units.

Now, any of you folks that have been to town meetings in the old days when the school boards were not insulated by SAD's and remember the real difficulty that people in the communities had in understanding the school budget, for the very reason that Mr. Bagley was talking about, because half the school budget was in one year of the town's raising money and the other half was in another year. This way, the school budgets can be determined on the basis of the school year, he is correct in saying that it is the school year budget that we are talking about and it is pretty well set, the pattern is, that we run the schools from September to June and the break comes in the summertime and teacher contracts run for the school year, contracts for purchasing run for the school year, so you get the full story when you go from July 1 to June 30th; otherwise, you are constantly splitting the year. This has always been a confusing thing for the people in the towns who are not able to understand this. It is good, practical, common sense, and if we pass this amendment and go along with this insistence, then you have just thrown the whole concept out the window.

I hope you will not vote to insist.

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

Mrs. MITCHELL: Mr. Speaker, may I pose a question through the Chair to the gentleman from York, Mr. Rolde? Is one of the major purposes for this legislation to lessen the impact of deficit costs by leeway in conversion towns?

The SPEAKER: The gentlewoman from Vassalboro, Mrs. Mitchell, has posed a question through the Chair to the gentleman from York, Mr. Rolde, who may answer if he so desires.

The Chair recognizes that gentleman.

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: That would be one effect if the bill itself goes through, and I would remind the members of this House again that this bill calls for an extension on this uniform fiscal year for six months. This was done at the request of Maine Municipal Association because some towns were having great difficulty moving immediately to this uniform fiscal year. That could have an effect on this so-called \$2.6 million additional in the leeway deficit because some towns, if my bill goes through, would defer taking any action this Spring on the leeway. So, I think the answer to your question is yes.

Mr. Morton of Farmington was granted permission to speak a third time.

Mr. MORTON: Mr. Speaker, I would like to take some exception to the answer that the gentleman in the northeast corner just gave. It is true that this would defer that and I do not oppose that idea. However, from a practical point of view, I think we should all realize that over half the communities in the state have made the shift already and that very nearly all the rest of the communities, with very few exceptions, are prepared to go in this six-month period. It will not be possible for them to back away.

For instance, under the law, the law that we are presently operating under, SAD 9 has prepared its budget, has advertised its meeting for the 24th, which is next Tuesday, and it would be impossible for them to back away and take advantage of this. So I think you are going to find from a practical point of view, in answer to Mrs. Mitchell's question, that a very great big percentage of the communities will not be able to take advantage of this time extension.

The SPEAKER: The Chair recognizes the gentleman from Bridgewater, Mr. Finemore.

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: I have sat here and listened to all the experts on municipalities and on school boards. Well, I have had the opportunity to serve 25½ years on school boards and municipal affairs. Of course, I come from a very conservative district, my whole district, 18 towns, so on and so forth, but anyway, we get along all right. But here you are now, if you vote against Mr. Cox's motion, you are voting against taking something else away from the towns that we now have. You are telling us we have to do it. Maybe it is the right thing but why not let us prove that ourselves and when it is time, let us go into it, why go along? Why listen to someone who hasn't any experience in municipal business? I think today that is what you need, people who will listen to this. I believe our Speaker and many of us here know that up in our country we get along all right, maybe we come out wrong on our estimates, we are not perfect, but we are not telling someone else they are not perfect for that simple reason. As you sit here and listen to people working against Mr. Cox's motion, I think it is time we left it alone and let the towns hold onto a few things.

We are talking about our new bill here, any one of the three or four bills and our 12 or 13 printouts, we are talking about taking more away from the towns. Let's stop, spend their money wisely and get along a little better.

I hope you will go along with Mr. Cox' motion.

The SPEAKER: The pending question is on the motion of the gentleman from Brewer, Mr. Cox, that the House insist. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

71 having voted in the affirmative and 51 in the negative, the motion did prevail.

By unanimous consent, the House voted to take from the table the second tabled and today assigned matter:

Bill "An Act Concerning Allowances Granted to Indian Representatives During Special Sessions" (H. P. 1921) (L. D. 2109)

Tabled — February 17 by Mr. Rolde of York.

Pending — Passage to be Engrossed.

Thereupon, the Bill was passed to be engrossed and sent up for concurrence.

The following paper from the Senate was taken up out of order by unanimous consent:

Bill "An Act Delaying the Effective Date of the Maine Criminal Code in Order to Allow Sufficient Time for Necessary Revisions" (Emergency) (S. P. 704) (Approved for Introduction by a Majority of the Committee on Reference of Bills pursuant to Joint Order S. P. 635, as amended)

Came from the Senate passed to be engrossed without reference to a Committee and ordered printed.

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

Mr. HENDERSON: Mr. Speaker, before I go along with this thing that I don't understand and I don't see it being referred to any committee, I would like to ask someone here who is defending this proposition to do it, because I understand the code will go into effect in March and I haven't necessarily had any direct communication that there will be any problems and I don't know what the future date is. Could someone give me some justification?

The SPEAKER: The Chair recognizes the gentleman from Standish, Mr. Spencer.

Mr. SPENCER: Mr. Speaker, Ladies and Gentlemen of the House: The effect of this would be to delay the effective date of the Criminal Code from March 1 to April 1, so that the revisions which will soon be considered by the Judiciary Committee which have come out of the Criminal Code Revision Commission can be fully reviewed and then acted on by this legislature before anything goes into effect so we don't change our criminal law for two weeks and then change it again.

Thereupon, under suspension of the rules, the Bill read twice and passed to be engrossed without reference to any Committee in concurrence.

On request of Mr. Rolde of York, by unanimous consent, unless previous notice was given to the Clerk of the House by some member of his or her intention to move reconsideration, the Clerk was authorized today to send to the Senate, thirty minutes after the House recessed for lunch all matters passed to be engrossed in concurrence and all matters that required Senate concurrence; and that after such matters had been so sent to the Senate by the Clerk, no motion to reconsider would be allowed.

(Off Record Remarks)

On motion of Mr. Rolde of York, Recessed until four o'clock in the afternoon.

After Recess
4:00 P.M.

The House was called to order by the Speaker.

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

Bill "An Act to Return to Local Control of Funding of Public Schools" (Emergency) (H. P. 1915) (L. D. 2101)

Tabled — February 11 by Mr. Lynch of Livermore Falls.

Pending — Motion of Mr. Smith of Dover-Foxcroft to reconsider indefinite postponement of the Bill and accompanying papers.

The SPEAKER: The Chair recognizes the gentleman from Wells, Mr. Mackel.