

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Seventh
Legislature*

OF THE

STATE OF MAINE

1975

KENNEBEC JOURNAL
AUGUSTA, MAINE

An Act to Fund Public School Education (H. P. 1437) (L. D. 1452)

Tabled — April 17, by Mr. Rolde of York.
Pending — Passage to be Enacted.

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

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: Since yesterday, when I tabled this bill, following the explanation of the gentleman from Livermore Falls, Mr. Lynch, that the Legislative Finance Office had found a budgetary problem with it, there has been a good deal of public discussion as to what is happening. I would like to put matters into better perspective, if I can, although at this point there is still some additional information that we are seeking.

At first glance yesterday, the problem seemed merely to concern itself with this bill, L. D. 1452, and that, in the computation of figures because of the 20 percent limitation that it placed on valuation, there was insufficient revenue included, even by upping the mill rate to 14 mills to make up for the loss of pay-in.

As L. D. 1452 stands now, there would be a short fall of about \$1.6 million, according to the figures I received yesterday, although it may be something less than that. However, this problem can be resolved by an adjustment of the formula, and we are working now on developing figures so that an amendment can be presented to you, and for that reason the bill will need to be tabled today, and I will later ask someone to go on and table this for one day.

However, I must give some further explanations of what has developed. In investigating the financial aspects of L. D. 1452, a far deeper problem has been uncovered, and that is a lack of adequate funding for education in the Governor's budget itself.

The Education Committee, in the tremendous work that it did on 1452, assumed that the Governor's budget was a balanced budget. In fact, we have all been operating under the assumption that the Governor's budget was balanced. And, in fact, again, the Constitution requires that the Governor present a balanced budget.

From the preliminary investigation that was made yesterday, it appears that there are not sufficient funds in the Governor's budget for education and that the short fall for this year of the biennium is in the neighborhood of \$6 million. These figures are now being checked out.

I believe it is imperative that we separate the two problems here. There will be those who will use this problem to try to attack and defeat L. D. 1452, despite the tremendous effort that has been made by the Education Committee and others to present us with an education bill that will help us out of our current difficulties. I firmly believe that the problem with L. D. 1452 can be corrected with some appropriate adjustments, and I hope we can do this at the earliest possible moment, perhaps even on Monday.

As for the larger financial crisis of the Governor's budget, I would hope that he would move quickly to rectify the error that was made and to assume the responsibility for rebalancing his budget to take care of meeting the state's full share of the cost of education.

The towns and cities in this state are waiting to decide on their educational budgets, and it is frustrating that after we have worked so hard to perfect a good education bill, we must be stymied at the last minute. I believe that early next week we can correct the problem in L. D. 1452,

and I am hopeful that the Governor will move as quickly to resolve his budgetary problems so that the school units of our state can function.

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

Mr. CAREY: Mr. Speaker, Ladies and Gentlemen of the House: I would like the record to indicate that not all of us thought the Governor's budget was balanced.

On motion of Mr. Lynch of Livermore Falls, tabled pending passage to be enacted and specially assigned for Monday, April 21.

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

Bill "An Act to Create the Commission on Governmental Ethics and Election Practices" (S. P. 487) (L. D. 1778) — Committee on Reference of Bills suggested Committee on State Government — In Senate, referred to the Committee on State Government and Election Laws jointly.

Tabled — April 17, by Mr. Birt of Millinocket.

Pending — Reference.

On motion of Mr. Birt of East Millinocket, referred to the Committee on Election Laws in non-concurrence and sent up for concurrence.

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

An Act Relating to Pulmonary and Cardiac Diseases under the Workmen's Compensation Act (H. P. 230) (L. D. 286)

Tabled — April 17, by Mr. Palmer of Nobleboro.

Pending — Passage to be Enacted.

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

Mr. MCKERNAN: Mr. Speaker and Members of the House: I would thank you for allowing us to table this yesterday. I have talked with both the House and Senate Chairmen of the Labor Committee, and as I said yesterday, I had only given a cursory glance at the statutes involved. After a little bit more examination and discussion with the two chairmen of the Labor Committee, we decided that we could accomplish what my objection was yesterday by taking care of this in the Errors and Inconsistencies Bill, which is going to be coming out of the Labor Committee, and they will, in fact, be taking the burden of persuasion off the employer and just creating a rebuttable presumption for the employee. That is what is done in the other part of the statute and therefore the statutes will continue to be consistent. So I would hope that this would go under the hammer today and be enacted.

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

(Off Record Remarks)

On motion of Mr. DeVane of Ellsworth, Adjourned until Monday, April 21, at five o'clock in the afternoon.