

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Ninth
Legislature***

OF THE

STATE OF MAINE

Volume II

First Regular Session

May 7, 1979 to June 15, 1979

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grossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

On motion of Mr. McKean of Limestone, the House reconsidered its action of earlier in the day whereby the House voted to adhere on Bill "An Act to Provide Special Free License Plates for the 100% Disabled Veteran", House Paper 1174, L. D. 1436.

On motion of the same gentleman, the House voted to recede and concur.

Orders of the Day

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

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Maintain and Protect the Integrity of the Maine State Retirement System (H. P. 780) (L. D. 973) (C. "A" H-424)

Tabled—May 23, 1979 by Mr. Tierney of Lisbon.

Pending—Final Passage.

On motion of Mr. Tierney of Lisbon Falls, tabled unassigned pending final passage.

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

HOUSE DIVIDED REPORT — Majority (9) "Ought Not to Pass" — Minority (4) "Ought to Pass" — Committee on Transportation (Emergency) (H. P. 1318) (L. D. 1572)

Tabled—May 23, 1979 by Mrs. Mitchell of Vassalboro.

Pending—Acceptance of either Report.

On motion of Mr. Tierney of Lisbon Falls, tabled unassigned pending acceptance of either report

(Off Record Remarks)

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

BILL, "An Act to Allow Direct Purchase by Citizens of Certain Bonds" (S. P. 459) (L. D. 1373) (C. "A" S-194)

Tabled—May 23, 1979 by Mr. McHenry of Madawaska.

Pending—Motion of the same gentleman to Reconsider Passage to be Engrossed.

On motion of Mr. McHenry of Madawaska, the House reconsidered its action whereby the Bill was passed to be engrossed.

On motion of the same gentleman, retabled pending passage to be engrossed and specially assigned for Wednesday, May 30.

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

HOUSE DIVIDED REPORT — Majority (7) "Ought to Pass" — Minority (6) "Ought to Pass" as Amended by Committee Amendment "A" (H-493) — Committee on Health and Institutional Services on Bill, "An Act to Authorize the Administration of Medications by State Corrections Officials in Certain Cases" (H. P. 1025) (L. D. 1270)

Tabled—May 23, 1979 by Mrs. Prescott of Hampden.

Pending—Acceptance of either Report.

Mr. Brennerman of Portland moved that the Minority "Ought to Pass" Report be accepted.

On motion of the same gentleman, tabled pending his motion to accept the Minority Report and assigned for Tuesday, May 29.

Mrs. Berube of Lewiston was granted unanimous consent to address the House.

Mrs. BERUBE: Mr. Speaker and Members of the House: For the past couple of days, I have been following very closely the Senate calendar's back page under "Special Appropriations Table." Yesterday, there was a bill, L. D. 833, which was on the list with 60 other L. D.s waiting to be funded, for a total of \$13.2 million.

This morning, this was the first item I looked for and it disappeared. I was told that it had

been taken off the table. I was further given a copy of the Press Herald and I will quote from the last paragraph of a particular news item: "We slipped it off the Appropriations Table and enacted it under the hammer in less than 20 seconds." said Senate Majority Leader.

I do understand the leadership was divided, that it was not a unanimous decision.

This bill had a fiscal note because of a loss of revenue, so this morning I called the licensing bureau to see if indeed there was revenue lost, revenue income to them, or whether the fixtures might, indeed, have been inflated. Well, the fiscal year ending July, 1978, the revenues were, for 214 slot machines at \$250 each, it was \$51,360. For fiscal year July, 1978, ending July 1, 1979, 406 machines for a total of \$97,440.

I was subsequently told that this was an inflated figure, as most of it had gone to the federal government. So, I called the Legislative Finance Office and was told that \$54,000 went to the General Fund, \$43,000 is dedicated funds for enforcement, and as far as they knew, none

Now, I supported L. D. 833. I felt then, as I do now, that it was the right thing to do. But when I raised the issue some 10 days ago of the propriety and a rumor that this bill would not set on the Appropriations Table like all the others, I was told, that won't happen, it can't happen and don't worry.

I don't regret my vote, but I do take issue with the manner in which priority was determined in removing it from the Appropriations Table.

I think that slot machines were wrong for our state. The manner in which this bill is being funded is also wrong, and two wrongs have never made a right nor have the ends ever justified the means.

Obviously, at this point nothing can be changed, nor would I change my vote, but I just wanted to register my feelings with you.

You know, to many the word "Politician" is equated with all that is wrong in our system and it doesn't have to be so. But as long as we must pass legislation at all costs, I feel that tactics such as this will create more disillusionment with the public and lessen the conscientiousness of others who are involved, like us, in this process called government.

Mr. Pearson of Old Town was granted unanimous consent to address the House.

Mr. PEARSON: Mr. Speaker, Ladies and Gentlemen of the House: I regret to hear the words from Mrs. Berube. I expected that that would be on the table like everything else, and I did not know that it was taken off the table.

Mr. Tierney of Lisbon Falls was granted unanimous consent to address the House.

Mr. TIERNEY: Mr. Speaker, Ladies and Gentlemen of the House: I think the gentelady from Lewiston, Mrs. Berube, is absolutely correct in her characterization of the situation. I personally think it was unfortunate and I hope it won't happen again, but I think the members of the House certainly deserve an explanation.

The issue came up in leadership and it was a divided leadership; I think I was the only one, maybe there were two of us, who felt that it should not be taken off the Appropriations table, and I lost, but that is not the point. The point is that the House should have known prior to enactment of that bill that it was not going to be tabled. That was wrong. I certainly give you my personal pledge, for what that is worth, that that situation will not be repeated.

Mr. Jalbert of Lewiston was granted unanimous consent to address the House.

Mr. JALBERT: Mr. Speaker and Members of the House: I, too, would state that the lady from Lewiston is correct. As a matter of fact, if you go back to the record many moons ago, you will find that not only did we used to have,

set up be me, a Senate Appropriations Table but a House Appropriations Table as well. I have never seen this procedure and I hope it doesn't happen again. I knew nothing about it until I read about it in the paper the day after it happened.

The SPEAKER: The Chair would just like to make note of the fact that if the members of the House are concerned about this particular matter, they should have been concerned about one item that was adopted in the other body without mention to any member of leadership from this body earlier in this session dealing with some coin somewhere.

Reference was made to (S. P. 209) (L. D. 582) Bill "An Act to Assist School Administrative Units in Addressing Problems Associated with Alcohol, Tobacco and Drug Use and Abuse"

In reference to the action of the House on Tuesday, May 22, 1979 whereby it Insisted and Joined in a Committee of Conference, the Chair appointed the following members on the part of the House as Conferees:

Mr. ROLDE of York
Mrs. BEAULIEU of Portland
Mr. NORRIS of Brewer.

Reference was made to (H. P. 841) (L. D. 1069) Bill "An Act Relating to Resident State Police Troopers"

In reference to the action of the House on Tuesday, May 22, 1979 whereby it Insisted and Joined in a Committee of Conference, the Chair appointed the following members on the part of the House as Conferees:

Mrs. POST of Owl's Head
Mr. WOOD of Sanford
Mr. GARSOE of Cumberland

Mr. Davies of Monmouth was granted unanimous consent to address the House.

Mr. DAVIES: Mr. Speaker, Ladies and Gentlemen of the House: Today, we lose the services of another one of our fine, courteous, quiet Pages, Dave Michaud.

This morning at the breakfast table, I asked my 13-year-old daughter if she might not help me compose a little poem. I gave her some thoughts about Dave and this is what I copied down as we mused together.

Today, we are losing the prompt service of Dave Michaud.

All of us wish deeply, he didn't have to go. Yesterday, we discovered he appreciates the curves of a blonde.

But this is typical of a fellow who lives on a pond.

Dave is headed back to Maine's largest county and we all hope his life will be full of bounty.

(Off Record Remarks)

On motion of Mr. Rolde of York, adjourned until Tuesday, March 29th, at nine o'clock in the morning.