

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fifth
Legislature*

OF THE

STATE OF MAINE

Volume II

May 5, 1971 to June 15, 1971

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Friday, May 7, 1971

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

Prayer by the Rev. Mr. Roy Moody of Gardiner.

The journal of yesterday was read and approved.

Papers from the Senate Reports of Committees

Ought to Pass in New Draft

Report of the Committee on Legal Affairs on Bill "An Act relating to Electrical Inspection" (S. P. 483) (L. D. 1563) reporting same in a new draft (S. P. 567) (L. D. 1708) under same title and that it "Ought to pass"

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed.

In the House, the Report was read and accepted in concurrence, the New Draft read twice and assigned the next legislative day.

Non-Concurrent Matter

An Act Increasing Minimum Wages (S. P. 16) (L. D. 44) which was passed to be enacted in the House on April 28 and passed to be engrossed as amended by Senate Amendment "B" on April 23.

Came from the Senate passed to be engrossed as amended by Senate Amendments "B" and "C" in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Westfield, Mr. Good.

Mr. GOOD: Mr. Speaker, I move that the House insist on its former action.

The SPEAKER: The gentleman from Westfield, Mr. Good, moves that the House insist on its former action.

The Chair recognizes the gentleman from Bath, Mr. Ross.

Mr. ROSS: Mr. Speaker and Members of the House: Senate Amendment "C" S-144, increases the present Minimum Wage from \$1.60 to \$1.80. It states that we will not go up to \$2.00 until the federal wage standards do.

But it does one other thing. Minimum Wage for employees in nursing homes and hospitals are now

ten cents less than all others, and this raises them on October 15 of this year to \$1.60, and after October 15, 1972 they will be raised to \$1.80 in conformance with everybody else.

So I now move that we recede from our former action and concur with the Senate.

The SPEAKER: The gentleman from Bath, Mr. Ross, moves that the House recede from its former action and concur with the Senate.

The Chair recognizes the gentleman from Brunswick, Mr. McTeague.

Mr. McTEAGUE: Mr. Speaker and Members of the House: The House has voted in the past, strongly, I think by a margin of approximately 3 to 1, to go along with the \$1.80-\$2.00 version. We passed it through here by a significant margin. The facts have not changed; I hope the House will continue to support this.

I support the motion of our House chairman, Mr. Good, that we insist and would like to discuss with you Senate Amendment "C" and tell you why in my opinion, regardless of whatever the good intentions were behind it, that it would be very detrimental to Minimum Wage.

The Senate Amendment "C" provides that we shall go to \$2.00 when and if the Federal Minimum Wage goes to \$2.00. Look at the amendment which is under filing number S-144 and you will see that it doesn't say that if the federal goes to \$1.95 we go to \$1.95. If the federal went to \$1.95 we would stay at \$1.80, again lagging behind.

Earlier in the session I introduced a bill to tie our state Minimum Wage to the federal minimum. At that time I received a written opinion from the Attorney General's office that this was unconstitutional, to tie it in in such a way. I understand, but do not know for certain, that there now is an opinion perhaps in writing, perhaps orally, I don't know, that approves Senate Amendment "C" for constitutionality.

I would suggest that there has not been a change in the Constitution in the last two months and if a bill that I presented to tie our Minimum Wage to the federal is un-

constitutional in February, that there is grave question concerning the constitutionality of Senate Amendment "C" in May.

What has changed, because the Constitution has not, is the chance of passage of a meaningful increase in the Minimum Wage to keep us ahead and just to catch up with inflation. Perhaps the calculations were in February, that this House and the Senate would not be responsible and responsive as it was to the needs of the people. And thus the ruling was — and frankly it is based on old legal precedent, and if we accept those old cases perhaps it is all right. But thus the ruling was that we could not tie to the federal.

Now we are told that at least in regard to time we can tie to federal. Again my suggestion is that the Constitution has not changed, but the vote count has changed. I ask you, if it were really the intention of Senate Amendment "C" to be helpful to the working people of Maine, if it were really the intention to tie in to the federal, then instead of saying we stay at \$1.80 even though the federal increases to \$1.99, why did not the amendment provide for a penny to penny increase along with the federal?

And if I may be so presumptuous I will answer my own question. The reason why is because the game of non-concurrence is being played on us. Many people do not want to stand forthright and openly against Minimum Wage. I compliment the gentleman from Houlton, Mr. Haskell, that his opposition to the Minimum Wage has been forthright. He has not tried to hide the basis of his feelings.

But in spite of whatever smoke is raised by Senate Amendment "C," the issue today in reality is clearly before us as it was when we approved this measure by a vote of over 3 to 1 — and incidentally I should say on a bipartisan basis. If my recollection is correct, although proudly the Democratic party stood almost to a man behind Minimum Wage, the majority of the Republican party also stood with them.

I ask you to recall the names not only of the working people of Maine but recall the very incisive political judgment of Mr. Good in his statement in this House about two weeks ago, directed to members of his party, the Majority Party. The reason that the majorities of the Majority Party have been changing — if I may paraphrase Mr. Good, is not merely because the Democrats have outstanding candidates like Senator Muskie; it is also because some few, and I suspect and hope the minority in the Republican Party, feel compelled to have a knee-jerk reaction against things to help the working people.

This should not be a partisan issue. There are poor people who are Republicans as well as Democrats. Don't be taken in by this smoke screen of Senate Amendment "C" and ask yourself once more the question — if it really was a good faith effort to tie us in with the federal then why if we go along with Senate Amendment "C" do we stay at \$1.80 when the federal wage goes up to \$1.99?

Let us inspect and characterize, after reflection, Senate Amendment "C" for what it is, an attempt to do by indirection what could not be done by direction, what could not be done directly. It is simply an attempt to defeat a meaningful increase in our Minimum Wage. Mr. Speaker, when the vote is taken I ask for a roll call.

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

Mr. NORRIS: Mr. Speaker and Ladies and Gentlemen: I would like to compliment my good friend Mr. McTeague on a fine political speech this morning and now I will try to address myself to the bill. With the feeling of my constituents I have repeatedly voted against this bill, but with this amendment on it I now find that I feel that it is palatable to me and would be palatable to my constituents. So I would hope that you would go along with the motion of Mr. Ross to recede and concur with the Senate.

The SPEAKER: The Chair recognizes the gentleman from Houlton, Mr. Haskell.

Mr. HASKELL: Mr. Speaker and Ladies and Gentlemen of the House: I am not going to bore you by repeating arguments I have already made against this bill. However, Mr. McTeague does raise a new argument in his presentation; namely, that it is necessary to constantly increase wages in order to keep up with inflation. I think that many of you are familiar with the fact that the constantly increasing wage structure is a very significant causative factor of inflation.

In fact we have a situation here almost analogous to a dog chasing his own tail, an attempt to keep our wages up with inflation which is caused by wage increases. At some point we are going to have to grab the dog and have him sit down for a little while. Which in my view is the thing that is necessary if this country is going to solve an extremely serious inflationary issue.

Another point which has been made in reference to an increase in wages in nursing homes, I have made the argument here that we are going to substantially increase welfare costs. Now if you think that it isn't going to very substantially affect the total costs for the State of Maine for welfare costs, you think in terms of the impact of this wage increase on the cost of nursing home care and convalescent care for welfare cases in the state, and project this over a period of time and I think you will begin to see that this does indeed have an extremely important effect on the welfare costs of the state indirectly, through increased prices for welfare in this situation, in addition to the fact that you are, and constantly do screen out of the labor market the very people that you are purporting to try to help.

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

Mr. COTE: Mr. Speaker and Ladies and Gentlemen of the House: Today being May 7, which is a day of all days probably in this state, I would like to say that my colleague from Lewiston, Mr. Jalbert, who had a similar bill introduced on the Minimum Wage Law, this morning would stand up

here and voice his sentiments along with Mr. McTeague and Mr. Good. So I would like to put myself on record and Mr. Jalbert as supporting the position as taken by the gentleman Mr. Good.

The SPEAKER: The Chair recognizes the gentleman from Old Town, Mr. Binnette.

Mr. BINNETTE: Mr. Speaker, Ladies and Gentlemen of the House: I shall be rather brief, but after hearing my good friend Mr. Haskell state about the dog chasing around, I don't know, we haven't got to worry much about that, we have a dog leash law. We did, I think we still have it, haven't we?

So I really believe that Representative McTeague has brought out a very important factor in regard to that amendment, and I would like to have that defined once again, please.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. Ross.

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: The gentleman from Brunswick, Mr. McTeague, inferred that Republicans were sometimes against labor. I must remind this House again that a Republican sponsored the first Minimum Wage bill. Since then Republicans have sponsored all of the increases. I spoke and voted for the original bill, but I now support this amendment in fear of losing the entire thing.

The SPEAKER: The Chair recognizes the gentleman from Eagle Lake, Mr. Martin.

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: First let me comment on one comment made by the gentleman from Houlton, Mr. Haskell, and that is the costs of the welfare if the increase of \$2.00 should take place. It ought to be pointed out that in both the amendment that we accepted and the amendment that is presently before us, the maximum for nursing homes is \$1.80, and at no time would there have been an increase to \$2.00 in that particular field.

So this bugaboo about the cost that we would have to pay em-

ployees in nursing homes is kind of ridiculous, because it is non-existent. For those of you who know anything about nursing homes, perhaps you would be interested to know that it is very difficult to get people to work there, because of the type of work that they have to do. I would be willing to take \$3.00 out of my own pocket to pay them for an hour's work rather than my receiving \$1.60 or even \$2.00 I can assure you.

My personal reaction about the remark made by the gentleman from Bath, Mr. Ross, is that he is worried about losing the whole thing. Well I honestly don't believe that a serious attempt has been made in the other body to get it through. I believe that we ought to give them that chance, and for that reason I would agree with the motion made by the gentleman from Westfield, Mr. Good, that we insist. If that should fail in the other body, then it would come back to us; and then the motion of the gentleman from Bath could be entertained.

I think at this point when we really don't know whether or not it can be gotten through anywhere else but here, I think we are kidding ourselves and we are really selling the working man down the drain. I consider this amendment nothing more than a sellout and I do not think that we ought to endorse it. So I would hope that we would vote against the motion to recede and concur, and then we would vote yes on the motion to insist.

The SPEAKER: The Chair recognizes the gentleman from Fairfield, Mr. Lawry.

Mr. LAWRY: Mr. Speaker and Members of the House: I don't pretend to be an economist. However, as a small businessman I must of necessity come in contact with people in situations which do affect my thinking. So far in this session we have been bombarded with L. D.'s which would liberalize Workmen's Comp. benefits and Unemployment Compensation benefits, and it does seem to me that if an employer is to survive he

must have some control over the cost per unit of whatever he sells. To do this either he increases his volume or reduces his costs. He enjoys little control over the market of how much volume he can obtain.

So I feel he must look elsewhere to reduce his cost per unit, and I submit that this is in the area of payroll primarily. And to reduce his payroll in this day of inflation means only one thing, a reduction in the number of employees. And I feel that to add this two-step increase in the Minimum Wage would not only be unwise at this time, but detrimental to the working man we are trying so hard to protect. I hope that we do recede and concur with Mr. Ross's motion.

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

Mr. DAM: Mr. Speaker and Members of the House: I will be very brief. I merely want to go on record as disagreeing with my seatmate. I do not agree with his philosophy at all.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mr. McTeague.

Mr. McTEAGUE: Mr. Speaker and Members of the House: The gentleman from Bath I think possibly has misconstrued or perhaps possibly also to the gentleman from Bath I have misstated or not accurately, entirely with accuracy, stated what I intended.

First, I believe like Mr. Ross I am concerned primarily not with the creation of partisan issues but with the enactment of legislation. I think this has been the tenor generally of this session and I hope it continues. I would suggest that the motion before us to insist was made by the gentleman who is the House chairman of the Labor Committee. I would suggest that a majority of the members of both parties on the Labor Committee has supported this legislation. We do not seek in any way a partisan issue; we seek assistance for people that need it.

Speaking of cutting costs and helping people find employment, and helping the economy generally, I find it ironic that we think

that the belt tightening that is to be done, it is to be done by the thinnest of all, those who make \$1.60 or less than \$2.00 an hour. Within this week there have been announcements that banks are again skyrocketing their interest rates. Do we allow the bankers to go ahead and do this because they have the power? And are we to deny the right to keep up with inflation to the working people?

The issue again is—and I would try to reply to Mr. Binnette who raised the question, and I would like to make this clear. There was a bill put in near the beginning of the session to tie our Minimum Wage automatically, both to dollars and cents and as to timing to the federal wage. The Attorney General's office in a written opinion by an Assistant Attorney General ruled that matter unconstitutional. If anyone has knowledge of a written opinion of the Attorney General's office sustaining the constitutionality of Senate Amendment "C", which is really the issue today, I and perhaps some other members of the House would be interested in it. Perhaps it came from a different Assistant Attorney General. Perhaps the Constitution has changed, perhaps the political count has changed.

But I suggest to you that Senate Amendment "C" is much weaker than that. Remember, look at it yourself, read it, and ask yourself this question after reading it. If the federal Minimum Wage goes to \$1.95, will Maine still be fifteen cents behind? If the answer to that question is yes, I think it follows that this amendment is a smoke screen to defeat and diminish the concept of the Minimum Wage.

Remember that in spite of what Mr. Haskell has said about our inflationary pressures, whenever we talk about inflation we always seem to talk about the working man who is causing inflation. You know bank interest rates, to build your own home or to buy a home, were not too many years ago, perhaps three or three and a half years ago, six per cent. I now understand that they are in the neighborhood of eight per cent. Gentlemen, that is a 33% increase.

If we were to increase the Minimum Wage proportionately to the increase in the interest rates at banks, we would be increasing it to about \$2.15.

Why do we always seek to blame those who are without power and at the bottom of the economic scale? Let us give them a hand, and I would like to respond to the philosophy of Mr. Lawry and say I too am a small businessman in town where there are some people prosperous and some not quite so prosperous, and I know ultimately that my prosperity is dependent upon the prosperity of the average man. I think that is true of every member of this House.

We can't have a society of a few kings and many paupers. If we are all to have a fairly good living, each, we must try to extend opportunity, we must have a broad based rather than a narrow based economy. Perhaps we come back today to the very basic philosophical difference mentioned by Mr. Haskell. He says you will increase welfare rolls. He repeats the argument made in 1935 or thereabouts when the 25 cent Minimum Wage was put through in the midst of the worse depression in our country's history, and it wasn't true then and it didn't work that way, and it isn't true now.

I say, on the contrary, that in order for any of us to be prosperous we all must be at some minimum level of prosperity, and that is why it is called the Minimum Wage.

The SPEAKER: The Chair recognizes the gentleman from Chelsea, Mr. Shaw.

Mr. SHAW: Mr. Speaker and Ladies and Gentlemen of the House: To answer Mr. Binnette's question on the leash law, it is on the table in the Senate for lack of money at the present time; and that is where it seems to me a lot of people who are now working are going to be if we boost the price as much as some people would like to increase it.

The other day we had a hearing of the Appropriations Committee on the University of Maine. They want \$200,000 to bring their

lower paid people up to where the other states employees are, and one of the things that they mentioned was—I think they are paying \$1.60 now, and the increase in wages would force them to increase their expense. So they came to us for more money.

I was called by a member, a fellow who runs a nursing home, and he said in his nursing home he has a certain number of patients. He is compelled by state law to hire a certain number of people to work in that home, and if we put this Minimum Wage bill through it is going to increase his cost about \$400 a week, and he expects us to increase the Health and Welfare Department's appropriation to take care of this measure.

Everywhere you turn you run into the same situation. When you increase your beginners in a job a flat amount, then the ones at the top get three or four times as much of an increase. This is really a ballooning aspect.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Bath, Mr. Ross, that the House recede from its former action and concur with the Senate on Bill "An Act Increasing Minimum Wages," Senate Paper 16, L. D. 44. If you are in favor of receding and concurring you will vote yes; if you are opposed you will vote no.

ROLL CALL

YEAS — Ault, Bailey, Baker, Bartlett, Berry, G. W.; Berry, P. P.; Birt, Bither, Bragdon, Brown, Brown, Bunker, Carey, Crosby, Cummings, Curtis, A. P.; Curtis, T. S., Jr.; Donaghy, Dudley, Emery, D. F.; Evans, Finemore, Gagnon, Gill, Hall, Haskell, Hawken, Hayes, Henley, Hewes, Hodgdon, Immonen, Kelley, K. F.;

Kelley, R. P.; Lawry, Lee, Lewin, Lincoln, Littlefield, Lund, MacLeod, Maddox, Marstaller, McNally, Millett, Mosher, Norris, Page, Parks, Payson, Porter, Pratt, Rocheleau, Rollins, Ross, Scott, Shaw, Silverman, Simpson, L. E.; Stillings, Susi, Trask, Tyndale, White, Wight, Williams, Wood, M. W.; Woodbury, The Speaker.

NAYS — Albert, Barnes, Bedard, Bernier, Berube, Binnette, Boudreau, Bourgoin, Bustin, Call, Carrier, Carter, Churchill, Clemente, Collins, Conley, Cooney, Cote, Cottrell, Curran, Cyr, Dam, Dow, Doyle, Drigotas, Dyar, Emery, E. M.; Farrington, Faucher, Fecteau, Fraser, Genest, Good, Goodwin, Hancock, Herrick, Jutras, Kelleher, Kelley, P. S.; Keyte, Kilroy, Lebel, Lessard, Lynch, Mahany, Manchester, Mars h, M a r t i n, McCormick, McKinnon, McTeague, Mills, Morrell, Murray, Orestis, Pontbriand, Sheltra, Shute, Slane, Smith, D. M.; Smith, E. H.; Starbird, Theriault, Vincent, Webber, Wheeler, Whitson, Wood, M. E.

ABSENT — Clark, Gauthier, Hanson, Hardy, Jalbert, Lewis, Lizotte, Lucas, McCloskey, O'Brien, Rand, Santoro, Simpson, T. R.; Tanguay.

Yes, 69; No, 68; Absent, 14.

The SPEAKER: Sixty-nine having voted in the affirmative, sixty-eight in the negative, with fourteen being absent, the House has voted to recede and concur.

The Chair recognizes the gentleman from Pittsfield, Mr. Susi.

Mr. SUSI: Mr. Speaker, I move that we reconsider our action whereby we receded and concurred and hope that you will vote against me.

The SPEAKER: The gentleman from Pittsfield, Mr. Susi, moves that the House reconsider its action whereby we receded and concurred.

The Chair recognizes the gentleman from Eagle Lake, Mr. Martin.

Mr. MARTIN: Mr. Speaker, I move that this be tabled for two legislative days and I ask for a roll call.

The SPEAKER: The gentleman from Eagle Lake, Mr. Martin, moves that the reconsideration motion be tabled and specially assigned for Tuesday, May 11. A roll

call vote has been requested on the tabling motion. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All members desiring a roll call vote will vote yes; those opposed will vote no.

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

The SPEAKER: The pending question is on the motion of the gentleman from Eagle Lake, Mr. Martin, that the motion of the gentleman from Pittsfield, Mr. Susi to reconsider receding and concurring be tabled and specially assigned for Tuesday, May 11. All in favor of tabling will vote yes; those opposed will vote no.

ROLL CALL

YEAS — Albert, Bedard, Bernier, Berry, P. P.; Berube, Binnette, Boudreau, Bourgoin, Bustin, Call, Carrier, Carter, Clemente, Conley, Cooney, Cote, Cottrell, Curran, Cyr, Dam, Dow, Doyle, Drigotas, Dyar, Emery, E. M.; Farrington, Faucher, Fecteau, Fraser, Genest, Good, Goodwin, Hancock, Jutras, Kelleher, Kelley, P. S.; Keyte, Kilroy, Lawry, Lebel, Lessard, Lynch, Mahany, Manchester, Marsh, Martin, McCormick, McKinnon, McTeague, Mills, Murray, Orestis, Pontbriand, Rocheleau, Sheltra, Slane, Smith, D. M.; Smith, E. H.; Starbird, Theriault, Vincent, Webber, Wheeler, Whitson, Wood, M. E.

NAYS — Ault, Bailey, Baker, Barnes, Bartlett, Berry, G. W.; Birt, Bither, Bragdon, Brawn, Brown, Bunker, Carey, Churchill, Collins, Crosby, Cummings, Curtis, A. P.; Curtis, T. S., Jr.; Donaghy, Dudley, Emery, D. F.; Evans, Finemore, Gagnon, Gill, Hall, Haskell, Hawkens, Hayes, Henley, Herrick, Hewes, Hodgdon, Immonen, Kelley, K. F.; Kelley, R. P.; Lee, Lewin, Lincoln, Littlefield, Lund, MacLeod, Maddox, Marstaller, McNally, Millett, Morrell, Mosher, Norris, Page, Parks, Payson, Porter, Pratt, Rollins, Ross, Scott, Shaw, Shute, Silverman, Simpson, L. E.; Stillings, Susi, Trask, Tynedale, White, Wight, Williams, Wood, M. W.; Woodbury.

ABSENT — Clark, Gauthier, Hanson, Hardy, Jalbert, Lewis, Lizotte, Lucas, McCloskey, O'Brien, Rand, Santoro, Simpson, T. R.; Tanguay.

Yes, 65; No, 71; Absent, 14.

The SPEAKER: Sixty-five having voted in the affirmative and seventy-one in the negative, with fourteen being absent, the motion does not prevail.

The Chair recognizes the gentleman from Eagle Lake, Mr. Martin.

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: It seems odd to me that this afternoon, without knowing whether or not this particular amendment is in itself constitutional, in view of the decision that has been handed down by the Attorney General's Department earlier, that we are going to ram this thing through for an obvious political reason. If the Attorney General's office can decide at one point that something is unconstitutional for one individual, it ought to be unconstitutional for everyone else. That was the reason why I made the motion to table. Obviously that did not prevail.

I personally think that, for an obvious reason, there is no intention of giving anyone an opportunity to table it. I don't understand what is going on. Perhaps I am being politically naive, and maybe I am not.

I would pose a very simple question to any member of the House who cares to answer as to whether or not they hold a decision from the Attorney General ruling whether this amendment is constitutional, and if they do, I would like them to tell us about it. And if someone can't, then obviously it ought to be tabled so we can find out.

The SPEAKER: The pending question is on the motion of the gentleman from Pittsfield, Mr. Susi, to reconsider whereby we receded and concurred.

The Chair recognizes the gentleman from Brunswick, Mr. McTeague.

Mr. McTEAGUE: Mr. Speaker, is a motion to table for two days in order at this time?

The SPEAKER: The motion is not in order at this time.

Mr. McTEAGUE: Mr. Speaker, is a motion to table for a lesser time in order?

The SPEAKER: A motion to table for a lesser time would be in order at this time.

Mr. McTEAGUE: Mr. Speaker, I move this matter be tabled for one legislative day.

Whereupon, Mr. Ross of Bath requested a vote on the motion.

The SPEAKER: A vote has been requested on the tabling motion. All in favor of tabling this for one legislative day will vote yes; those opposed will vote no.

A vote of the House was taken. 65 having voted in the affirmative and 70 having voted in the negative, the motion did not prevail.

The SPEAKER: The Chair recognizes the gentleman from Eagle Lake, Mr. Martin.

Mr. MARTIN: Mr. Speaker and Members of the House: I hate to be persistent in the question of whether or not this is constitutional, but obviously the gentleman from Bath knows the answer, and I would like him to tell us because he asked for a division on the tabling motion.

Thereupon, Mr. Susi of Pittsfield requested a roll call on the reconsideration motion.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Pittsfield, Mr. Susi, that the House reconsider its action whereby it receded and concurred on An Act Increasing Minimum Wages, Senate Paper 16, L. D. 44. All in favor of reconsideration will vote yes; those opposed will vote no.

ROLL CALL

YEA — Bedard, Bernier, Berry, P. P.; Berube, Binnette, Boudreau,

Bourgoin, Bustin, Call, Carrier, Carter, Clemente, Conley, Cooney, Cote, Cottrell, Curran, Cyr, Dam, Dow, Doyle, Drigotas, Dyar, Emery, E. M.; Farrington, Faucher, Fecteau, Fraser, Genest, Good, Goodwin, Hancock, Jutras, Kelleher, Kelley, P. S.; Keyte, Kilroy, Lebel, Lessard, Littlefield, Lynch, Machester, Martin, McCormick, McKinnon, McTeague, Mills, Murray, Orestis, Pontbriand, Sheltra, Shute, Slane, Smith, D. M.; Smith, E. H.; Starbird, Theriault, Vincent, Webber, Wheeler, Whitson, Wood, M. E.

NAY — Albert, Ault, Bailey, Baker, Barnes, Bartlett, Berry, G. W.; Birt, Bither, Bragdon, Brawn, Brown, Bunker, Carey, Churchill, Collins, Crosby, Cummings, Curtis, A. P.; Curtis, T. S., Jr.; Donaghy, Dudley, Emery, D. F.; Evans, Finemore, Gagnon, Gill, Hall, Haskell, Hawkens, Hayes, Henley, Herrick, Hewes, Hodgdon, Immonen, Kelley, K. F.; Kelley, R. P.; Lawry, Lee, Lewin, Lincoln, Lund, MacLeod, Madrox, Mahany, Marsh, Marsteller, McNally, Millett, Morrell, Mosher, Norris, Page, Parks, Payson, Porter, Pratt, Rocheleau, Rollins, Ross, Scott, Shaw, Silverman, Simpson, L. E.; Stillings, Susi, Trask, Tyndale, White, Wight, Williams, Wood, M. W.; Woodbury.

ABSENT — Clark, Gauthier, Hanson, Hardy, Jalbert, Lewis, Lizotte, Lucas, McCloskey, Obrien, Rand, Santoro, Simpson, T. R.; Tanguay.

Yes, 62; No, 74; Absent, 14.

The SPEAKER: Sixty-two having voted in the affirmative and seventy-four having voted in the negative, with fourteen being absent, the motion does not prevail.

Non-Concurrent Matter Tabled and Assigned

Bill "An Act relating to Requirement of Schools of Barbering and Training for Registration as a Barber" (H. P. 740) (L. D. 1002) which was indefinitely postponed in the House on May 4.

Came from the Senate passed to be engrossed in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Machias, Mr. Kelley.

Mr. KELLEY: Mr. Speaker, I move that we recede and concur, and I would speak briefly to my motion.

The SPEAKER: The gentleman from Machias, Mr. Kelley, moves that the House recede from its former action and concur with the Senate.

The gentleman may proceed.

Mr. KELLEY: Mr. Speaker, Ladies and Gentlemen of the House: After the rather tedious debate on the previous subject, I shall be mercifully brief on this one. I think that we did an injustice to Maine's barbers when we defeated this proposal earlier this week.

On my part, never having given a haircut in my life, I hesitated to indulge in debate on this matter without first doing some research. Like many of you, I was previously under the impression that barbers as a group were opposed to this bill. I now find that almost to a man they are in favor of it.

I am sure that you all realize that the profession is having its problems. You and I may for esthetic or sanitary reasons, make regular trips to our barber. You and I may consider the current habit of long unkempt hair as merely an effeminate fad. But the fact is, that because of this the profession has been forced to expand its services. Many shops have been forced out of business during the past two or three years.

Now the present system allows a student to attend barber school for nine months, whereupon he can take an exam for Master Barber, or he can go to school for six months, work in a shop somewhere for another six months, and at the end of that time he can take an exam for Master Barber. Or he can, under the old system, work eighteen months in a shop for a total of 2500 hours, whereupon he can take his examination as Master Barber.

Now in essence this bill is an attempt by the barbers to upgrade their profession. I think you all agree that barbering has come a long way in the past twenty-five years from the days when we all received the same type of haircut, whether our heads were round or square. This bill would, of course,

in no way affect those barbers who now hold a license. I would remind you that there were no opponents at the committee hearing.

Now it is easy under the present system to turn half trained apprentices loose on the public. And I believe that since the profession is in trouble, over 150 have been squeezed out over the past two years, that the least that we can do is to cooperate with them in this effort to upgrade the strength of their profession.

Mr. Speaker, I would ask for a division.

The SPEAKER: The Chair recognizes the gentlewoman from Newport, Mrs. Cummings.

Mrs. CUMMINGS: Mr. Speaker and Members of the House: I would hope that you would vote against the motion that is on the floor. I still feel that six months, if it has been an adequate length of time in the past to train a man to do an adequate job of barbering, then it is still a sufficient length of time. They can go back and get more training if and when they need it. In the meantime, I think perhaps by adding fifty percent more time needed before you are allowed to apply for your license, it is eventually going to add to a larger increase in the tuition, and this will automatically, I think, put some young men out of the running. It also, I think, discriminates against the young man who perhaps is not quite capable of doing the finer forms and doesn't want to go for his Master Barber's License but wants to have an income, which he can't do in the six months.

I would hope that you would vote against the motion.

The SPEAKER: The Chair recognizes the gentleman from Chelsea, Mr. Shaw.

Mr. SHAW: Mr. Speaker, Ladies and Gentlemen of the House: I understand that one of the reasons for putting this bill in was when they had a young fellow and they had him in there for a few months and then they put him out for further training, that they didn't get the training in the shops that they would be getting at the school. They spent

most of their time sweeping the floors and cleaning up towels and putting wet packs on people's faces. And when they went to take their rests, a much larger majority of these who spent less time in the school flunked the test, and the school people and the barbers seem to think that if a person is serious about barbering, he shouldn't waste a year fooling around and then get thrown out because he couldn't pass the test. He had better complete his course in the school and pass the test and go to work.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Emery.

Mr. EMERY: Mr. Speaker, Ladies and Gentlemen of the House: Just before the session, I received a call from Mr. Percy Hanson, who as we all know has been seriously ill, and he requested that this matter be tabled for two days because he intends to attend next week.

Whereupon, on motion of Mr. Ross of Bath, tabled pending the motion of Mr. Kelley of Machias that the House recede and concur, and specially assigned for Tuesday, May 11.

Non-Concurrent Matter Tabled and Assigned

Bill "An Act to Amend the Municipal Public Employees Labor Relations Law" (H. P. 420) (L. D. 547) which was passed to be engrossed as amended by House Amendment "A" in non-concurrence in the House on April 22.

Came from the Senate with House Amendment "A" indefinitely postponed and the Bill passed to be engrossed as amended by Committee Amendment "A" and Senate Amendment "A" in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentlewoman from Bethel, Mrs. Lincoln.

Mrs. LINCOLN: Mr. Speaker, I move that we recede and concur.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mr. McTeague.

Mr. McTEAGUE: Mr Speaker and Members of the House: We

have just had a rather lengthy debate, as Mr. Kelley has pointed out, on one matter. We are in significant non-concurrence with the Senate on this matter, and I feel that there is room to move together on it.

I had the opportunity to consult with the dean of the Democratic members of the House, Representative Jalbert, whose birthday as we know is today. I called him Wednesday, and I have an appointment with him this afternoon to go down and try to work out an amendment that will be acceptable on a broad basis in both the House and the Senate.

Therefore, Mr. Speaker, I would very much appreciate the courtesy if any member would see fit to table the matter for two legislative days.

Whereupon, on motion of Mr. Susi of Pittsfield, tabled pending the motion of Mrs. Lincoln of Bethel that the House recede and concur and specially assigned for Tuesday, May 11.

Messages and Documents

The following Communication:
THE SENATE OF MAINE
Augusta, Maine

May 6, 1971

Hon. Bertha W. Johnson
Clerk of the House
105th Legislature

Dear Madam Clerk:

The Senate today voted to Adhere to its action whereby it accepted the Majority Ought Not to Pass report in non-concurrence on Bill, "An Act Relating to Selling Certain Drugs" (H. P. 116) (L. D. 160).

Respectfully,

(Signed)

HARRY N. STARBRANCH
Secretary of the Senate

The Communication was read and ordered placed on file.

The following Communication:
THE SENATE OF MAINE
Augusta, Maine

May 6, 1971

Hon. Bertha W. Johnson
Clerk of the House
105th Legislature

Dear Madam Clerk:

The Senate has voted to Insist and join in a Committee of Con-

ference on the disagreeing action of the two branches of the Legislature on Bill, "An Act Providing for Records of Sales of Used Merchandise" (H. P. 490) (L. D. 631). The President has appointed the following members of the Senate to the Committee of Conference: Senators:

HICHENS of York
JOHNSON of Somerset
KELLAM of Cumberland

The Senate has voted to Insist and join in a Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill, "An Act Providing Professional Immunity to Certain Persons in Emergency Cases" (H. P. 149) (L. D. 204). The President has appointed the following members of the Senate to the Committee of Conference:

Senators:

TANOUS of Penobscot
HARDING of Aroostook
CONLEY of Cumberland
Respectfully,

(Signed)

HARRY N. STARBRANCH
Secretary of the Senate

The Communication was read and ordered placed on file.

Orders

Mr. Cote of Lewiston presented the following Joint Order and moved its passage:

WHEREAS, the Members of the State Senate and House of Representatives have learned this date marks the 60th birthday of a dear colleague, and

WHEREAS, said colleague, affectionately known as "Mister Democrat," is unfortunately confined to a Lewiston hospital on this, his very special day; and

WHEREAS, birth is the only commencement day that takes place in a hospital and this veteran lawmaker is shortly expected to escape solitary confinement once again; and

WHEREAS, it is fitting for the Legislature to commemorate the birth of one so dedicated to the high ideals of public service and Americanism; now, therefore, be it

ORDERED, the Senate concurring, that the Members of this Legislature pause in its deliberations

to wish the Honorable Louis Jalbert of Lewiston the warmest congratulations on this, the 60th anniversary of his birth and extend a sincere wish for a speedy recovery; and be it further

ORDERED, that a suitable copy of this Order properly attested be immediately transmitted to St. Mary's General Hospital and said gentleman, to convey the sentiments expressed herein. (H. P. 1309) (Applause)

The Joint Order was read and passed.

By unanimous consent, ordered sent forthwith to the Senate.

Mr. Kelleher of Bangor presented the following Joint Resolution and moved its adoption:

WHEREAS, the people of Maine and the Nation pay tribute to great American citizens on notice of their birthdates, and

WHEREAS, the people of Maine and the Nation hold in especial high esteem this great Nation's living former Presidents, and

WHEREAS, the birthdate of one of the Nation's greatest former Presidents is May 8, 1971,

NOW THEREFORE BE IT RESOLVED, that the 105th Maine Legislature publicly congratulate former President Harry S. Truman on his 87th birthday with the special wish for continued good health and happiness in the future;

AND BE IT FURTHER RESOLVED, that a copy of this Resolution be suitably printed, signed by the sponsor of this Resolution, the Speaker of the House, the President of the Senate and the Governor, and the Great Seal of the State of Maine be affixed, and the official copy sent to former President and Mrs. Harry S. Truman, Independence, Missouri. (H. P. 1310).

The Resolution was read.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: I was asked to put this order in this morning by the good gentleman from Lewiston, Mr. Jalbert, who is not here today. He has presented this order for many many years since he has been in the legislature, and it only goes to

show the feeling that Mr. Jalbert has for this gentleman. We all know that Louie is in the hospital and is not feeling too well himself, but he took the kindness and the trouble and the thought to be sure that this order was presented today.

Thereupon, the Resolution was adopted and sent up for concurrence.

On motion of Mr. Fecteau of Biddeford, it was

ORDERED, that Lisa Ann Daigle of Fort Kent be appointed to serve as Honorary Page for today.

House Reports of Committees Ought Not to Pass

Mr. Carey from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Bill "An Act relating to State Aid for Driver Education" (H. P. 663) (L. D. 974)

Mr. Shaw from same Committee reported same on Bill "An Act Appropriating Funds for State Government Internship Program" (H. P. 323) (L. D. 432)

Mr. Bernier from the Committee on County Government reported same on Bill "An Act relating to Compensation for Full-time Deputy Sheriffs and Chief Deputies of Penobscot County" (H. P. 736) (L. D. 998)

Mr. Kelleher from same Committee reported same on Bill "An Act relating to Compensation for Full-time Deputy Sheriffs of Lincoln County" (H. P. 59) (L. D. 100)

Mr. Dudley from the Committee on Transportation reported same on Bill "An Act relating to Expiration Date of Motor Vehicle Registrations" (H. P. 792) (L. D. 1068)

Mr. Fraser from same Committee reported same on Bill "An Act relating to Provisional Motor Vehicle Operator's License" (H. P. 713) (L. D. 972)

Mr. Hall from same Committee reported same on Bill "An Act Regulating the General Highway Fund" (H. P. 1199) (L. D. 1650)

Mr. Keyte from same Committee reported same on Bill "An Act relating to Procedure for Securing Specially Designed Motor Vehicle License Plates for State Officials" (H. P. 754) (L. D. 1023)

In accordance with Joint Rule 17-A, were placed in the legislative files and sent to the Senate.

Leave to Withdraw

Mrs. Lincoln from the Committee on Labor on Bill "An Act Providing that Minimum Wages in Maine be the Same as Federal Standards" (H. P. 232) (L. D. 314) reported Leave to Withdraw.

Same member from same Committee reported same on Bill "An Act relating to Entitlement to Compensation and Services under the Workmen's Compensation Act" (H. P. 463) (L. D. 591)

Mr. Rollins from same Committee reported same on Bill "An Act relating to Compensation for Non-assenting Employer under Workmen's Compensation Law" (H. P. 1120) (L. D. 1539)

Reports were read and accepted and sent up for concurrence.

Covered by Other Legislation

Mr. Bernier from the Committee on County Government on Bill "An Act Increasing Salaries of Full-time Deputy Sheriffs" (H. P. 638) (L. D. 868) reported Leave to Withdraw, as covered by other legislation.

Mr. Good from the Committee on Labor reported same on Bill "An Act relating to Minimum Wages as Affected by the Average Weekly Wage in Maine" (H. P. 233) (L. D. 315)

Mrs. Lincoln from same Committee reported same on Bill "An Act relating to Minimum Wages as Affected by the Federal Retail Consumer Index" (H. P. 231) (L. D. 313)

Reports were read and accepted and sent up for concurrence.

Ought to Pass in New Draft New Drafts Printed

Mr. Lee from the Committee on Labor on Bill "An Act relating to Payments by Employers to Employees" (H. P. 571) (L. D. 747) reported same in a new draft (H. P. 1307) (L. D. 1713) under title of "An Act relating to Raising Fees and Expenses of Jurors" and that it "Ought to pass"

Mrs. Lincoln from same Committee on Bill "An Act relating to

Specific Periods of Total Incapacity for Certain Injuries under Workmen's Compensation Law" (H. P. 1029) (L. D. 1416) reported same in a new draft (H. P. 1308) (L. D. 1714) under same title and that it "Ought to pass"

Reports were read and accepted, the New Drafts read twice and assigned the next legislative day.

Ought to Pass Printed Bills

Mr. Jalbert from the Committee on Appropriations and Financial Affairs reported "Ought to pass" on Bill "An Act relating to Committees on Status of Women, Children and Youth, and the Aged" (H. P. 477) (L. D. 618)

Mr. Churchill from the Committee on County Government reported same on Bill "An Act Increasing Compensation of Full-time Deputies in all Counties" (H. P. 328) (L. D. 437)

Mr. McTeague from the Committee on Labor reported same on Bill "An Act relating to Injury or Incapacity of Wardens of the Departments of Inland Fisheries and Game and Sea and Shore Fisheries" (H. P. 444) (L. D. 578)

Reports were read and accepted, the Bills read twice and assigned the next legislative day.

Ought to Pass with Committee Amendment

Mr. Churchill from the Committee on County Government on Bill "An Act Amending Fees Charged by Registers of Deeds" (H. P. 762) (L. D. 1028) reported "Ought to pass" as amended by Committee Amendment "A" (H-232) submitted therewith.

Mr. Good from the Committee on Labor on Bill "An Act relating to Testimony and Proceedings before the Industrial Accident Commission" (H. P. 464) (L. D. 592) reported "Ought to pass" as amended by Committee Amendment "A" (H-233) submitted therewith.

Mr. Simpson from same Committee on Bill "An Act relating to Total Incapacity Resulting from Second Injuries under Workmen's Compensation Law" (H. P. 679) (L. D. 916) reported "Ought to pass" as amended by Committee

Amendment "A" (H-234) submitted therewith.

Reports were read and accepted and the Bills read twice. Committee Amendment "A" to each was read by the Clerk and adopted, and the Bills assigned for third reading the next legislative day.

Divided Report Tabled and Assigned

Majority Report of the Committee on County Government reporting "Ought not to pass" on Bill "An Act to Place Full-time Deputy Sheriffs under Personnel Law" (H. P. 431) (L. D. 566)

Report was signed by the following members:

Messrs. PEABODY of Aroostook
DANTON of York
MARTIN of Piscataquis
— of the Senate.

Messrs. CHURCHILL of Orland
PONTBRIAND of Auburn
DYAR of Strong
MILLS of Eastport
BERNIER of Westbrook
HAWKENS of Farmington
KELLEY of Southport
— of the House.

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

Report was signed by the following members:

Messrs. WIGHT of Presque Isle
KELLEHER of Bangor
IMMONEN of West Paris
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Presque, Mr. Wight.

Mr. WIGHT: Mr. Speaker, I move the acceptance of the "Ought to pass" Report.

The SPEAKER: The gentleman from Presque Isle, Mr. Wight, moves the acceptance of the Minority "Ought to pass" Report.

The Chair recognizes the gentleman from Eastport, Mr. Mills.

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: It is my understanding of this bill and the reason for signing "ought not to pass," it is to place a full-time deputy sheriff under the Personnel Law. You have nothing but a political machine that is inaugurated into law and there is

no way you can remove this man, regardless of what his acts may be. I am opposed to the motion.

Whereupon, Mr. Dyar of Strong requested a division.

The SPEAKER: The Chair recognizes the gentleman from Norway, Mr. Henley.

Mr. HENLEY: Mr. Speaker and Members of the House: I suppose I should begin this like everyone else — this is my bill. It, in fact, is a repeat bill, but I would like to explain that the bill, even though I shall fight for it, is unworkable until it is amended in one place. There was an amendment submitted to the committee, but somehow or other it got lost in the shuffle. So the amendment would have to go on if and when the report would be accepted. And anytime anybody wants to know, I can tell them what the amendment does; it does not kill the bill, by the way.

Inasmuch as the amendment is not even prepared, so that anyone cannot see just what it is, and inasmuch as I anticipate a little bit of debate on this and it is going to take a little while to prepare the amendment, I would appreciate if it could be tabled until next week, if someone was kind enough to do that.

Thereupon, on motion of Mr. Binnette of Old Town, tabled pending the motion of Mr. Wight of Presque Isle to accept the Minority "Ought to pass" Report and specially assigned for Tuesday, May 11.

Divided Report

Majority Report of the Committee on Labor reporting "Ought not to pass" on Bill "An Act relating to Earnings Requirement and Penalty Period for Benefits under Employment Security Law" (H. P. 772) (L. D. 1038)

Report was signed by the following members:

Mr. TANOUS of Penobscot
— of the Senate.
Messrs. SIMPSON of Millinocket
LEE of Albion
ROLLINS of Dixfield
GOOD of Westfield
Mrs. LINCOLN of Bethel
Mr. KELLEY of Machias
— of the House.

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

Report was signed by the following members:

Mr. MARCOTTE of York
— of the Senate.
Messrs. McTEAGUE of Brunswick
BUSTIN of Augusta
GENEST of Waterville
BEDARD of Saco
— of the House.

Reports were read.

On motion of Mr. Good of Westfield, the Majority "Ought not to pass" Report was accepted and sent up for concurrence.

Divided Report Tabled and Assigned

Report "A" of the Committee on Labor reporting "Ought to pass" on Bill "An Act to Eliminate the Waiting Period for Eligibility under Unemployment Compensation" (H. P. 268) (L. D. 357)

Report was signed by the following members:

Mr. MARCOTTE of York
— of the Senate.
Messrs. BUSTIN of Augusta
McTEAGUE of Brunswick
ROLLINS of Dixfield
GENEST of Waterville
BEDARD of Saco
— of the House.

Report "B" of same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following members:

Mr. TANOUS of Penobscot
— of the Senate.
Messrs. SIMPSON of Millinocket
KELLEY of Machias
Mrs. LINCOLN of Bethel
Messrs. LEE of Albion
GOOD of Westfield
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Westfield, Mr. Good.

Mr. GOOD: Mr. Speaker, I move we accept Report "B", the "Ought not to pass" Report.

Whereupon, on motion of Mr. Martin of Eagle Lake, tabled pending the motion of Mr. Good of Westfield to accept Report "B" and specially assigned for Tuesday, May 11.

Passed to Be Engrossed

Bill "An Act relating to Fees for Recording Divorce Decrees" (H. P. 639) (L. D. 869)

Was reported by the Committee on Bills in the Third Reading, read third time, passed to be engrossed and sent to the Senate.

Third Reader**Tabled and Assigned**

Bill "An Act relating to Public Utility Transmission Lines" (H. P. 918) (L. D. 1264)

Was reported by the Committee on Bills in the Third Reading and read the third time.

(On motion of Mr. Martin of Eagle Lake, tabled pending passage to be engrossed and specially assigned for Monday, May 10.)

Bill "An Act to Authorize a Food Stamp Program in Somerset County" (H. P. 1087) (L. D. 1476)

Bill "An Act to Authorize a Food Stamp Program for Piscataquis County" (H. P. 1143) (L. D. 1584)

Bill "An Act to Prohibit Pyramid Clubs and Other Similar Devices" (H. P. 1306) (L. D. 1712)

Were reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed and sent to the Senate.

Amended Bills

Bill "An Act relating to Use of Electronic Recording Equipment in the District Court" (S. P. 298) (L. D. 855)

Resolve Appropriating Funds for Swimming Pool at Pineland Hospital and Training Center (H. P. 411) (L. D. 538)

Were reported by the Committee on Bills in the Third Reading, Bill read the third time, Resolve read the second time, both passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

Bill "An Act Defining the Standards of Judicial Review in Appeals from Orders and Decisions of the Environmental Improvement Commission" (S. P. 565) (L. D. 1703)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be

engrossed as amended by Senate Amendment "A" and sent to the Senate.

Third Reader**Tabled and Assigned**

Bill "An Act Permitting the Liquor Commission to Issue Liquor Licenses to Public Golf Courses" (S. P. 450) (L. D. 1296)

Was reported by the Committee on Bills in the Third Reading and read the third time.

(On motion of Mr. Stillings of Berwick, tabled pending passage to be engrossed and specially assigned for Tuesday, May 11.)

Order Out of Order

From the Senate: The following Order:

ORDERED, the House concurring, that when the House adjourns, it adjourns to Monday, May 10, at 1 o'clock in the afternoon, and when the Senate adjourns, it adjourns to Monday, May 10, at 3 o'clock in the afternoon. (S. P. 572)

Came from the Senate read and passed.

In the House, the Order was received out of order by unanimous consent, read and passed in concurrence.

**Passed to Be Enacted
Emergency Measure**

An Act to Allocate Moneys for the Administrative Expenses of the State Liquor Commission for the Fiscal Years Ending June 30, 1972 and June 30, 1973 (H. P. 289) (L. D. 389)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 105 voted in favor of same and 19 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act relating to Fees and Compensation of the State Board of Administrators of Medical Care Facilities (S. P. 238) (L. D. 754)

An Act Providing Educational Assistance for Certain Widows,

Wives and Children of Veterans and Wives and Children of Prisoners of War (S. P. 560) (L. D. 1700)

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 Voters Resigning or Removed from the Voting List (S. P. 561) (L. D. 1701)

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

(On motion of Mr. Binnette of Old Town, tabled pending passage to be enacted, and specially assigned for Tuesday, May 11.)

An Act to Pay for One Hundred Percent of Health Insurance Plans for State Employees (H. P. 364) (L. D. 471)

An Act relating to Permits for Carrying Concealed Weapons (H. P. 495) (L. D. 636)

An Act Repealing the New England Welfare Compact (H. P. 603) (L. D. 805)

An Act relating to Unorganized Territory Working Capital Fund (H. P. 659) (L. D. 889)

An Act relating to Nonlapsing Funds for Maine School Building Authority (H. P. 1008) (L. D. 1387)

An Act relating to Use of Hypodermic Syringes (H. P. 1019) (L. D. 1398)

An Act relating to Winter Maintenance of State Aid Highways and Town Ways by Municipalities (H. P. 1296) (L. D. 1697)

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.

Orders of the Day

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

SENATE REPORT — “Ought to pass” in New Draft — Committee on Natural Resources on Bill “An Act Prohibiting the Sale or Use of Detergents Containing Phosphate” (S. P. 33) (L. D. 79) — New Draft (S. P. 564) (L. D. 1702) under new title “An Act Restricting the

Sale or Use of Detergents Containing Phosphate” — In Senate, Report accepted and Bill passed to be engrossed.

Tabled — May 5, by Mr. Hardy of Hope.

Pending — Acceptance in concurrence.

On motion of Mrs. Brown of York, retabled pending acceptance of Report in concurrence, and specially assigned for Tuesday, May 11.

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

HOUSE DIVIDED REPORT—Majority (7) “Ought to pass”—Minority (6) “Ought not to pass” — Committee on Legal Affairs on Bill “An Act to Amend the Ogunquit Village Corporation Charter to Equitably Allocate School and Other Common Costs with the Town of Wells” (H. P. 1092) (L. D. 1480)

Tabled—May 5, by Mr. Ross of Bath.

Pending—Motion of Mr. Norris of Brewer to accept Majority Report.

On motion of Mr. Norris of Brewer, retabled pending his motion to accept Majority Report, and specially assigned for Tuesday, May 11.

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

HOUSE DIVIDED REPORT — Majority (9) “Ought to pass” in New Draft — Minority (3) “Ought not to pass”—Committee on State Government on Bill “An Act to Increase Housing and Meal Allowances for Members of the Legislature” (H. P. 544) (L. D. 716)—New Draft (H. P. 1302) (L. D. 1709) under new title “An Act to Increase Compensation for Members of the Legislature”

Tabled—May 5, by Mr. Curtis of Orono.

Pending — Acceptance of either report.

The SPEAKER: The Chair recognizes the gentleman from Orono, Mr. Curtis.

Mr. CURTIS: Mr. Speaker, I move acceptance of the Majority “Ought to pass” Report and would speak to my motion.

The SPEAKER: The gentleman from Orono, Mr. Curtis, moves the

House accept the Majority "Ought to pass" Report. The gentleman may proceed.

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen of the House: As a member of the committee which considered this document, and as a signer of the 9 to 3 "Ought to pass" Report, I prepared a memorandum which was distributed on your desks this morning which explains a little bit of what this L. D. does. I think there have been some questions raised this morning though and I would like to explain it in a little greater detail.

This document does not in any way affect expenses of legislators. That matter is handled in another section of the appropriate statutes. We are dealing this morning only with legislative salaries. This is not a document, a bill to raise our own wages. As a matter of fact, the Maine Constitution, in Article IV, Section 7, specifically prohibits any legislature from raising its own allowances or wages.

What this document would do is raise the salaries of legislators in future legislatures, the 106th and future ones, presumably, from \$2,500 to \$3,500 for the biennium. It would also, as you can see from the memorandum, raise the wages paid to the Speaker of the House and the President of the Senate from \$2,800 to \$4,000. There are some other changes that are in the document.

Basically the reasons for considering this is that this increase in salary, in my opinion anyway, is necessary for a member of this legislature to actually meet his expenses. Some of us, of course, are blessed with outside income. Others of us do not have any outside income. I am in the latter category myself, and this past week we received our last — our next to last check, the last salary check that we will receive until the end of the legislative session.

It is going to be kind of hard going for the next few weeks, or perhaps more than a month even, that we may be in session.

In the time that this matter has been under consideration I have never heard anybody in this body, or outside this body, indicate that members of the legislature are

overpaid. And indeed there was an editorial some little time ago in the Bangor Daily News which referred to our "slave wages". I am not sure that would be correct, but at any rate I think that the modest increase that we are asking here is not unreasonable.

In addition I think that the increase in salary would open up the opportunity of legislative service to many more people in the State of Maine than are now able to participate.

Now I have heard it suggested from some members of the legislature that they might suffer financially, or people in future legislatures might suffer financially from this increase. That seemingly ironic situation would occur apparently if some members were on Social Security and the increase in salaries would be taken, or largely taken by the federal government.

I am not in that condition myself, and I am not sure of the facts there. However, to solve that problem, I included the last section of the legislative document, which indicates that it is not necessary for any member of a future legislature to actually receive the increase in salary which would be authorized.

It has also been suggested that a raise in salaries would lead to professional politicians. I realize that this L. D. is not a popular item, and I may be the only person speaking in favor of it, but I would suggest that it is an attempt to improve our government, and to provide a better compensation for the members of the legislature.

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

Mr. KELLEHER: Mr. Speaker and Ladies and Gentlemen of the House: I was quite surprised to see this item on our calendar the way it came out, because if you look at L. D. 716 and look at the redraft 1709, they are two horses of a different color, believe me.

In the original L. D., Mr. Porter's, it called for an increased allowance per day for meals, and also for lodging; and an increase not to exceed \$10 for mileage. No mention of salary increases.

But this little gem that we have got here that came out of State

Government Committee, I am sorry that they didn't have another hearing on it, because I am quite sure some of us would have liked to have gone down and expressed our viewpoints. They increase the salaries of legislators from \$2,500 to \$3,500, and I am not a wealthy man, or a rich man, and I like money just like the rest of you — but we are all kind of economy minded here, I know I am. I am just as careful with the taxpayers' money as I am my own, and I am quite sure that they would have liked to have had a chance to go and talk on this document had they had the opportunity, which they didn't, under the redraft. And I don't think it is fair.

I think the argument that for a little more money we would get better legislators — we have some very capable people in here. And for this reason and the way this redraft came out of committee, I move that this Bill and all its accompanying papers be indefinitely postponed.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. Ross.

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: If ever there was an inappropriate time to even suggest raising our salaries I believe that time is now. I realize that legislators are not paid enough. For those conscientious ones — and there are many of them who put in eight full hours per day, plus all the work they have to do when we are not in session — surely their hourly wage is far below the minimum set by the state.

However, with such things before us like tax relief measures, not only for the elderly, but for disabled veterans and so forth, for the normal increases that are necessitated by inflation, and for the upcoming vote on the repeal of the income tax, I feel that it is most inopportune to even consider it. I surely feel that it is an irresponsible action of the Legislature to take at this time, and I support the indefinite postponement measure.

The SPEAKER: The Chair recognizes the gentleman from South Portland, Mr. Gill.

Mr. GILL: Mr. Speaker and Members of the House: I rise to support the motion to indefinitely postpone this bill. And this is a bill that went in as one guise — I was rather amused to see we introduced two bills to increase our mileage and meal allowance, but now I can see where they have put one of these bills to good use. And that was to come out with a proposal to increase the salaries by 40%.

I assure you there isn't a state employee that is going to get 40% for an increase. And during the time that we all were running for this office we were all stressing tax relief for the elderly, a modest increase for state employees, a form of tax sharing that would be able to help the property taxes back home. But I assure you that all of these categories will not receive as much as they should.

So therefore I agree, this is a very poor time for this type of legislation. However, if you are in favor of repeal of the state income tax I would suggest that you vote for this, because this is just apt to swing enough people against it.

The SPEAKER: The Chair recognizes the gentleman from Kittery, Mr. Hodgdon.

Mr. HODGDON: Mr. Speaker and Ladies and Gentlemen of the House: As a signer of the Minority Report I would just like to clarify one matter that might arise in somebody's mind that there is money bags sitting in the back seat. I can assure you that that is not true. I agree heartily with the gentleman from Bath, Mr. Ross, that the timing of this bill could not have been worse.

The State Government Committee has considered and presented to this House in this session a bill raising our allowance for our daily meals and lodging, for our mileage. We are in the process of presenting a bill for the upgrading of pay for the Legislative Research Committee. We have found that where the 104th passed a law

whereby this body could call itself into session there was no provision made for payment in that case; only in the case of the Governor calling a special session. And there is a bill coming through to take care of that.

All in all I think the legislators for this term have been well taken care of.

The SPEAKER: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker and Members of the House: As has happened occasionally before, the gentleman from Bath, Mr. Ross, took the words right out of my mouth that I was going to express. However, I think that I will say it, perhaps again, in my own words, practically the same thought that he brought forth.

I realize that we are not talking about an appropriation from this Legislature to put this act into effect. However, I do feel that we would be criticized, and justifiably so, in a year when it does appear that we are not going to be able to provide any tax money, and I will venture this as a guess somewhat now, to even implement state employee salaries, or any of the other things which many of us would like to see implemented. And I think that we would be justly and terribly crucified in the press if at this time, and under these circumstances, we put into effect this increase in our own salaries.

The SPEAKER: The Chair recognizes the gentleman from Lubec, Mr. Donaghy.

Mr. DONAGHY: Mr. Speaker and Ladies and Gentlemen of the House: As another Minority Report signer, I would ask that you vote for the indefinite postponement of this bill. It would be an unconscionable thing for us to do to put through a 40% increase, in many cases, for ourselves. I think it is all right for us to say that this is not for us because it will not take effect until next session. Hopefully many of us will be back here next time, and I think a 40% increase is far too much.

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

Mr. COTE: Mr. Speaker and Ladies and Gentlemen of the House: Just for the record, I have been here for twenty years and every time there is a bill that has come up to raise the salary of the legislators, we have had the same argument, "This is not the time to do it."

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

Mr. FINEMORE: Mr. Speaker and Ladies and Gentlemen of the House: The other day we sat in Taxation, saw the wheelchairs come in and the veterans and the disabled come in. They were asking for more exemptions which I am sure they certainly deserve.

After what Mr. Ross has said, I will go along with indefinite postponement of this bill.

The SPEAKER: The Chair recognizes the gentleman from Kingman Township, Mr. Starbird.

Mr. STARBIRD: Mr. Speaker and Ladies and Gentlemen of the House: I have been down in the Law Library doing a little research, as I occasionally do, and I find in 1841 we paid our legislators \$2 a legislative day. Last year this Legislature spent 102 legislative days at a pay of \$2,000 for the session. This figures out something slightly over \$2.00 per day. This year if we go 100 days I would figure that it would be about \$2.50 a day. We have had 50 cents a day increase since 1841, about 130 years.

The SPEAKER: The Chair recognizes the gentleman from Old Town, Mr. Binnette.

Mr. BINNETTE: Mr. Speaker and Ladies and Gentlemen of the House: Every time that this question comes up about a pay raise, I will say like my friend from Lewiston, it is not the right time. Certainly now is not the right time either, because we are trying to hold the line as much as we possibly can and I certainly am in favor of indefinite postponement of this measure and I also would like to call for a roll call.

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

Mr. DAM: I rise to support the motion of indefinite postponement.

And I would suggest to the gentleman, Mr. Starbird, that he revise his figures a little because I think that he is talking about from \$2 a day to \$20 a day instead of \$2 a day to \$2.50 a day. But it seems kind of strange to me that we would even be considering any bill like this today, especially at this time, to give the Legislature or the members of the Legislature a 40% increase in their pay, when just a short time ago we turned down a bill that would give the workers of the State of Maine a measly 12% increase, and this would not justify my voting for this bill even if I did believe that we were entitled to the pay. Maybe we are entitled to it, this I would not say yes or say no. But if we cannot do better by the industrial workers of the State of Maine, then I would not want to be on record as voting to myself a 40% increase in my pay. I think that we should indefinitely postpone this bill.

The SPEAKER: The Chair recognizes the gentleman from Albion, Mr. Lee.

Mr. LEE: Mr. Speaker and Ladies and Gentlemen of the House: I am not in favor of this but I do not know if I am in favor of indefinite postponement either. The original bill called for a moderate increase in our subsistence allowances, a dollar on the meals and a dollar a day on the board. I would like to make a motion, but I guess it is out of order, to substitute the report for the bill.

The SPEAKER: The Chair recognizes the gentleman from South Portland, Mr. Gill.

Mr. GILL: Mr. Speaker and Ladies and Gentlemen of the House: I believe I pointed out to you that there were two documents of this nature.

The other one is on the Appropriations table and it has already passed.

The SPEAKER: The Chair recognizes the gentleman from Fairfield, Mr. Lawry.

Mr. LAWRY: Mr. Speaker and Ladies and Gentlemen of the House: I would be remiss if I did not stand up to say that I do agree with my seatmate, Mr. Dam.

The SPEAKER: The Chair recognizes the gentleman from Casco, Mr. Hancock.

Mr. HANCOCK: Mr. Speaker and Ladies and Gentlemen of the House: Some years back when I was down here visiting the legislature, sitting up in the balcony, the same situation was being debated. Some gentleman, I forget who he was now, who was in favor of increasing the legislators' salaries, made the remark that the then legislature, at least — and it holds true for a lot of the legislatures, I guess, possibly to some extent even this one, that the Legislature was composed of retired school teachers, farmers, lawyers, and damn fools; and as I am neither a farmer, lawyer or school teacher. I must belong in the latter category.

I would have to agree with what the gentleman from Lewiston, Mr. Cote, was saying. Ladies and gentlemen, there is never going to be any good time politically to raise the salary of the legislature. I think that this is obvious. But I think if we are honest with ourselves, and honest with our constituents, that we will go along with this measure to raise the legislative salaries for the 106th and future years.

The SPEAKER: The Chair recognizes the gentlewoman from Bath, Mrs. Goodwin.

Mrs. GOODWIN: Mr. Speaker and Ladies and Gentlemen of the House: By keeping the salary down to the present level we are very efficiently making it almost impossible for the working man to serve in this legislature. I think that the outcome this morning on the Minimum Wage would have been quite a bit different had there been more working men here.

I am getting rather tired of every time someone wants to kill a bill they start waving around property tax relief for the elderly, because as you know there is nobody that wants property tax relief for the elderly any more than I do. But I think it is a fallacious argument to say that passing a program which would be \$202,000 for the next biennium would in any way jeopardize the \$3.5 mil-

lion program for the second year of this biennium.

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

Mr. KELLEHER: Mr. Speaker and Ladies and Gentlemen of the House: It is not very often that I agree with Mrs. Goodwin and I do not right at this present moment. We all know that the people in this state are hard pressed for the concern of taxes, the food prices are high, and they cannot afford anything more put upon them. Now this may not look like much money to you, but when someone goes out trying to buy a quart of milk and a loaf of bread that takes a dollar, and they say now down there in Augusta they are right down there spending our money, and here they are, they are going to increase their salaries, I say no to you, and I say yes to their ideas that we do not have to increase our salaries right now or any other time for the present.

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

Mr. DUDLEY: Mr. Speaker and Ladies and Gentlemen of the House: I wholeheartedly concur with the indefinite postponement of this bill and I won't reiterate on what has already been said here, but I do think and I have always felt that I wasn't here, and we shouldn't be here for the dollar and cent value. I feel as though some of us should be here and most of us should be here as a civic duty. I consider that that is why I am here and I hope that a lot of the others are here for the same purpose. I don't see anyone around me that looks like malnutrition and I think that they have all had plenty of solid foods. I don't know about some of the others. But it seems they have had plenty of solid foods, I can see from my observation in this back corner. As long as it is this way I would like to see this bill defeated.

The SPEAKER: The Chair recognizes the gentleman from Sanford, Mr. Jutras.

Mr. JUTRAS: Mr. Speaker and Ladies and Gentlemen of the House: I will not speak for or against this bill, but I would like

to make an observation here to the Members of this House. Ever since 1925 this legislature has provided the necessary money for each member to buy one automobile, the lowest priced automobile being manufactured. And at that time it was a Ford. In 1925 the salary for the biennium was the same price as a Ford automobile. Throughout the years, from 1925 to date, the salary has been pegged to the cost of the lowest priced automobile, and \$3,500, if that be the price for a Ford automobile it should be paid.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mr. Morrell.

Mr. MORRELL: Mr. Speaker and Ladies and Gentlemen of the House: I rise neither in defense nor opposition to the motion by Mr. Curtis. I would like to make just a comment that I suspect that in years past the men and women who proposed this kind of an increase should be given quiet medals for courage. I hope and I suspect that Ted is with a losing cause today, but I hope that everybody will give him a quiet medal for courage.

The SPEAKER: The Chair recognizes the gentleman from Kingman Township, Mr. Starbird.

Mr. STARBIRD: Mr. Speaker and Members of the House: I confess to having misplaced a decimal point in my quick figuring here a few minutes ago. However, when you consider what \$2.00 could buy in 1841 and compare what \$2.00 can buy today, I still think it is a pretty small increase over the last 130 years.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Vincent.

Mr. VINCENT: Mr. Speaker and Ladies and Gentlemen of the House: I rise in support of this proposal as I did last session. The problem we had last session is that we had 54 freshmen and this session we have around 60 freshmen. What happens in most cases is not that these people are defeated in the primaries or the general elections, they simply cannot afford to be here.

Time and time again when we debate this type of a bill it is the peo-

ple that can well afford to be here that get up and insist that we do not need a pay hike. There are many independently wealthy people here, or retired; or they are young and single and can afford to be here. This body somewhat resembles, in a way, a privileged class. A good many of these people would like to keep it that way.

We have a professional politician here. He is a person who comes back more than two or three terms and he is not just a civic minded person. Under the definition of being civic minded we would have a rotation of people representing the various cities or interests.

These people that come back session after session after session, and they can afford to be here, and they could afford to be here if there were no salary or no expenses involved. There are a good many legislative members here that are fully qualified to be here. There are a good many people back in your districts that would like to run but cannot afford to. Civic duty has a certain limitation, and losing money is not one of them.

A good number of people are making a sacrifice to be here and there is no reason that we should not compensate them to be here to help contribute their efforts, their thoughts, and their particular interests. I would hope that you would support this. I would not have any reluctance in going back and facing the voters of Portland with a pay increase, as I went back and faced them last session asking for a pay increase. If this was double what we were asking for I would still support it and still go back and face them.

Now there are enough people in this chamber that are just barely getting by and I would hope that these people would support this measure and stick by it. The people of this state did not ask for the income tax but we gave it to them, and I voted for it and I will defend it. There are many things that they do not ask for, but we vote because we know more about the issues than they do back home. We are up here, this is why they elected us. We are the ones that have to accumulate the information up here and make a rational decision. And

a good rational decision on this would indicate that we need a pay hike, and I would not be reluctant, and I do not think that any of the other members should be reluctant to go home and defend this type of an issue. We have to go home and face them on votes on the Minimum Wage, we have to go home and face them on taxation votes, abortion votes, fluoridation votes, — all of the controversial votes of the day.

It seems a little preposterous to hear these people stand up, or maybe they come from a little different type of constituency than I do, but they always say that the folks back home want this and the folks back home want that. I have not heard from more than 10 constituents in the last two months. They either have a different type constituency, or they would like to get up and quote figures or distort the support or add weight to the measures that they are debating on. This is a good measure and I would hope that you give it due consideration and vote favorably on it.

The SPEAKER: The Chair recognizes the gentleman from Norway, Mr. Henley.

Mr. HENLEY: Mr. Speaker and Ladies and Gentlemen of the House: It gives me some sort of satisfaction at this time to be able to go across party lines and also the generation gap, and agree with the younger legislators wholeheartedly. I am one of the older members here — not in service, but in years. I voted for the increase the last time. I still feel the same way.

I feel that what has been said relative to pay is right. I am not the least bit afraid to vote for this measure and to go home and face my constituency. I would feel that if we are going to get younger people interested we are going to have to pay at least a reasonable amount. Now we hear so many times in this House, speak about poverty wages, just recently, \$4,000 even for a couple is practically at poverty level, \$5,000 for a member with a family is just barely enough to get along on we are told. Still a businessman or a responsible individual representing his people, coming down here to decide issues or possibly in the next session it

will be half a billion dollars in expenditures, is expected to come down here for half of \$5,000 for the session he is here.

The rest of the 18 months he is supposed to either do one of two things — he either is not able to represent his constituency at all, or else he takes the money out of his own pocket, as a good many of you people have done for years when you do things for your people back home.

Now I don't feel that we should make this completely emotional. I shall oppose an awful lot of money legislation in the coming months, as I have in the past. I shall still be an ultra conservative. I don't feel that this is out of line. I have been told by young and old when I have discussed it at home that you people definitely should get more pay. There is no getting around it. Now the cost of this bill is really fractional, very minutely fractional compared to the cost of the entire running of state government.

I think that we are rather tossing this thing around and making it emotional when we say, "Well, we can't vote for this raise because we are going to oppose someone else's." We aren't raising our own pay; we are raising the pay of the next legislature, and let us hope there can be enough to interest younger people than I am, for instance, people who can afford to come down here, and we know we have had experience with people that have been asked to run for office. "Oh no, I can't afford to go down there and live six months." That is the way it has been, so I am for this bill.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Whitson.

Mr. WHITSON: Mr. Speaker, Ladies and Gentlemen of the House: I will be very brief and hope that any ensuing speakers will also. It has been admitted on the floor today that legislators are making less than the minimum wage. This is fine for the members who are fortunate enough to have retirement incomes or independent means. But what about the many here who aren't so for-

fortunate? And I would point myself out as an excellent example.

I believe that the wealthy members of this body have spoken eloquently for indefinite postponement. However, I believe that this body should pay enough to allow a man with no independent income to take part in this government body.

The SPEAKER: The Chair recognizes the gentlewoman from Bethel, Mrs. Lincoln.

Mrs. LINCOLN: Mr. Speaker, Ladies and Gentlemen of the House: If I may, I would like to answer my good friend Mr. Vincent. He said no one had contacted him in two months. He lives in a town where they have eleven representatives. And if he had voted for the redistricting, he would find out that he is pestered day and night over the weekend. I definitely don't go for this.

The SPEAKER: The Chair recognizes the gentleman from Freedom, Mr. Evans.

Mr. EVANS: Mr. Speaker, Ladies and Gentlemen of the House: Monday when we receive the Horseblanket, it is possible that you may have a valuable instrument there and make up for some of the salary you are not getting now.

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

Mr. NORRIS: Mr. Speaker, Ladies and Gentlemen of the House: I am very happy to find myself agreeing with my good friend Mr. Henley this morning. Two years ago practically the same faces were making the same arguments. I was arguing for; some were against. I argued for the pay increase and I came back, and I notice that all of these people that are so wholeheartedly opposed, there isn't one of them but what has gone to the post office to pick his check up since we got back here in this session.

So I say that maybe some of our creditors of the people that are down here should be considered as taxpayers, and I would hope that you would go against the indefinite postponement of this bill.

The SPEAKER: The Chair recognizes the gentlewoman from Bangor, Mrs. Doyle.

Mrs. DOYLE: Mr. Speaker, Ladies and Gentlemen of the House: I rise to support Mr. Curtis's bill and his remarks and speak against the motion to indefinitely postpone. I admire the courage of the young gentleman from Orono for introducing this issue. I find, in a city where we have five representatives, that most of my constituents don't have any idea what our salary is. When I tell them \$2,500, they think I have misplaced a comma somewhere.

I am very much interested in public service, I am losing money every day that I am down here. I could make far more in Bangor in my profession than I make down here.

I would also like to point out that because I had the nerve, or perhaps courage, to introduce a controversial piece of legislation, the major source of my family income has disappeared. I have a family of four, and under our present legislative salary or even the proposed increase I would be eligible for AFDC. However, I am not going to apply for AFDC because I am more interested in public service than in being a welfare recipient. But under the current or even proposed standards, low income people cannot serve in this body.

The SPEAKER: The Chair recognizes the gentleman from Biddeford, Mr. Sheltra.

Mr. SHELTRA: Mr. Speaker and Ladies and Gentlemen of the House: I feel that I come from an area that is comparatively poor monetarily, and I know from my experience when I have been running these last two terms, that we do have many creditable candidates that would run from the area. Needless to say this would induce better competition all around, and I can't help but feel that we do have many gentlemen sitting in this House that fear a wage increase in this particular instance here might make it more competitive for them to be able to come around.

I certainly concur with what Mr. Henley had to say this morning, and I will go along with Ted; he has got a lot of courage, not only that, but he has been factual.

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

Mr. LUND: Mr. Speaker and Members of the House: I would like to join Representative Henley in his position today. And for the benefit of any of those who would be conscience stricken if they were back here another session and had to accept this pay raise, I would like to call your attention to the last section of this bill which provides that all the increases and compensation will be optional with the legislators.

The SPEAKER: The Chair recognizes the gentleman from Oakland, Mr. Brawn.

Mr. BRAWN: Mr. Speaker and Members of the House: I want to go along with Mr. Henley, and I will tell you my reasons for it. The other night I went to a teachers' meeting, and these teachers all were demanding big salaries. They wanted \$6400 a year to start with, and all the extra activities, they wanted pay for that too.

Now a lot of these people are right here in the House. If this figure was known, how much they were getting that you people are paying, which you don't know. I think there would be a different feeling. All they are afraid of, they will know this pay, whereas their pay they are not going to know.

The SPEAKER: The Chair recognizes the gentleman from Ellsworth, Mr. McNally.

Mr. McNALLY: Mr. Speaker and Members of the House: I am going to be consistent. The last time the pay raise came up, I got up and I said that I would gladly vote for a pay raise that was the pay raise that we should get. But rather than to have the amount of money that is even on this bill, which I think is an insult if you are going to accept it, that I am going to vote against it.

The SPEAKER: The Chair recognizes the gentlewoman from Falmouth, Mrs. Payson.

Mrs. PAYSON: Mr. Speaker and Ladies and Gentlemen of the House: I would like to point out to you that if this bill passes, we will have given the legislature a 35 percent increase in pay over a period of four years — from \$2,000 to \$3,500. We should also take into consideration the fact that this is a half-year's pay, not a whole year's pay. We are also receiving housing allowance and food allowance and transportation allowance.

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

Mr. NORRIS: Mr. Speaker and Members of the House: Just briefly, 75 percent of nothing is nothing.

The SPEAKER: The Chair recognizes the gentleman from Fort Kent, Mr. Bourgoin.

Mr. BOURGOIN: Mr. Speaker and Members of the House: I will try to be short. The last four years I have been looking around for young fellows to replace me here. I am supposed to have been retired thirteen years now. When I start explaining the salary we receive and all the gratuities and all the expenses, none of them are interested because they could not live on whatever they receive here.

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

Mr. BERNIER: Mr. Speaker, Ladies and Gentlemen of the House: I assure you I won't be long. As I look around here I see a lot of white heads, and if I was looking in the mirror I would see another one. And I believe honestly that I see too darn many of them. The proper representation should be equally divided in the strata of the society. It is not up to us, wise as we may think we are, to decide what the legislation will be or the legislators will be for the State of Maine. Everyone should be able to be here financially if he is given the chance, and I will vote for this bill.

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

Mr. CAREY: Mr. Speaker and Members of the House: I have

just reviewed the Appropriations table, and I don't find the bill that Mr. Gill mentioned as having been on the table.

The SPEAKER: The Chair recognizes the gentleman from Eastport, Mr. Mills.

Mr. MILLS: Mr. Speaker and Ladies and Gentlemen of the House: After listening to the discussion here this morning on the pros and cons of those who don't want to vote for are afraid of it or something, I stood in this same seat in the last session, I voted for this and I voted for the state income tax. And I went home and I campaigned on the strength of those votes, and I am back again.

This is the only institution in the State of Maine that I know that is run by the inmates. (Laughter)

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Bangor, Mr. Kelleher, that both Reports and Bill "An Act to Increase Housing and Meal Allowances for Members of the Legislature" House Paper 544, L. D. 716 be indefinitely postponed. If you are in favor of indefinite postponement you will call yes; if you are opposed you will vote no.

ROLL CALL

YEA — Ault, Bailey, Barnes, Bartlett, Berry, G. W.; Berube, Binnette, Boudreau, Bragdon, Brown, Bunker, Carrier, Carter, Churchill, Cottrell, Crosby, Cummings, Curran, Dam, Donaghy, Dudley, Emery, E. M.; Evans, Finemore, Gill, Hall, Hawken, Hayes, Herrick, Hewes, Hodgdon, Immonen, Kelleher, Keyte, Lawry, Lee, Lincoln, Littlefield, MacLeod, Mahany, McNally, McTeague, Mosher, Parks, Payson, Pontbriand, Porter, Rocheleau, Ross Shute, Silverman, Trask, Tyndale, Webber, Woodbury.

NAY — Albert, Baker, Bernier, Berry, P. P.; Birt, Bither, Bourgoin, Brawn, Bustin, Call Carey, Clark, Clemente, Collins, Conley, Cooney, Cote, Curtis, A. P.; Curtis, T. S. Jr.; Cyr, Dow, Doyle, Drigotas, Dyar, Emery, D. F.; Farrington, Faucher, Fraser, Gagnon, Genest, Good, Goodwin, Hancock, Haskell, Henley, Jutras, Kelley, P. S.; Kelley, R. P.; Kilroy, Lebel, Lessard, Lewin, Lund, Lynch, Manchester, Marsh, Marstaller, Martin, McCormick, McKinnon, Millett, Mills, Morrell, Murray, Norris, Orestis, Pratt, Rollins, Scott, Shaw, Sheltra, Simpson, L. E.; Slane, Smith, D. M.; Smith, E. H.; Starbird, Stillings, Susi, Tanguay, Theriault, Vincent, Wheeler, White, Whitson, Wight, Wood, M. W.; Wood, M. E.

ABSENT — Bedard, Fecteau, Gauthier, Hanson, Hardy, Kelley, K. F.; Jalbert, Lewis, Lizotte, Lucas, Maddox, McCloskey, O'Brien, Page, Rand, Santoro, Simpson, T. R.; Williams.

Yes, 55; No, 77; Absent, 18.

The SPEAKER: Fifty-five having voted in the affirmative, seventy-seven in the negative, with eighteen being absent the motion does not prevail.

Thereupon, the Majority "Ought to pass" Report was accepted, the New Draft read twice and tomorrow assigned.

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

Bill "An Act to Incorporate the Town of Carrabassett Valley" (S. P. 448) (L. D. 1294) — In Senate, passed to be engrossed.

Tabled — May 5, by Mr. Dyar of Strong.

Pending — Passage to be engrossed.

On motion of Mrs. Cummings of Newport, retabled pending passage to be engrossed and specially assigned for Tuesday, May 11.

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

Bill "An Act Creating the Cobossee Watershed District" (S. P. 202) (L. D. 587) — In Senate, passed to be engrossed as amended by

Committee Amendment "A" (S-124).

Tabled — May 5, by Mr. Dow of West Gardiner.

Pending — Passage to be engrossed.

On motion of Mr. Dow of West Gardiner, the Bill was passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

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

Bill "An Act relating to the Regulation of Private Detectives" (S. P. 344) (L. D. 984) — In Senate, passed to be engrossed as amended by Committee Amendment "A" (S-125).

Tabled — May 5, by Mr. Martin of Eagle Lake.

Pending — Passage to be engrossed.

On motion of Mr. Martin of Eagle Lake, retabled pending passage to be engrossed and specially assigned for Tuesday, May 11.

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

An Act to Create the Bangor Parking Authority (H. P. 890) (L. D. 1229)

Tabled — May 5, by Mr. Norris of Brewer.

Pending — Passage to be enacted. (Emergency)

On motion of Mr. Kelleher of Bangor, retabled pending passage to be enacted and specially assigned for Tuesday, May 11.

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

SENATE DIVIDED REPORT — Report "A" (5) "Ought to pass" — "Report "B" (5) "Ought not to pass" — Committee on Legal Affairs on Bill "An Act Creating the Maine Litter Control Act" (S. P. 262) (L. D. 768) — In Senate, Report "A" accepted and Bill passed to be engrossed as amended by Senate Amendment "B" (S-140)

Tabled — May 6, by Mr. McTeague of Brunswick.

Pending — Motion of Mr. Emery of Rockland to indefinitely postpone Reports and Bill.

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

Mr. NORRIS: Mr. Speaker and Ladies and Gentlemen of the House: I will be very brief. I would hope that you would oppose the motion of the gentleman from Rockland, Mr. Emery, to indefinitely postpone this bill.

There were some things about it that the committee didn't like, but we did come out with a Majority Report. Those have been taken care of, most of them by the Senate Amendment, as pertaining to your operator's license. The other major objection to the bill was 2272 section, which takes away the local regulation. And if we can pass this bill and bring it up to third reader I will present an amendment to do away with this section, so that it won't affect the home rule question on the bill.

I would simply say that this is not a cure-all measure by any manner of means. We are going to have a study of the whole thing, but this will just tighten up our litter laws to some extent to help protect the citizens of the State of Maine.

I would hope that you would go along against the indefinite postponement, and then accept the Majority Report of the committee.

The SPEAKER: The Chair recognizes the gentleman from Rockland, Mr. Emery.

Mr. EMERY: Mr. Speaker and Members of the House: As Mr. Norris pointed out, the pending motion is indefinite postponement. I would like to make a few points in reference to this bill.

First of all, I believe that the bill is aimed in the wrong place. The bill intends to set penalties which I think in some cases are out of line. Now I don't feel that the cure for our litter problem is going to be setting penalties high or low, but is rather going to be to take some of the litter out of circulation, such as by banning nonreturnable bottles, and containers that don't degrade as they are left to lay.

Now the thing we must remember is that only a very very small percentage of the violations of any littering is going to be seen by a

law enforcement official. I don't have any definite figures, but I would say that out of every 200 or 300 violations, maybe only one or two are going to be witnessed by anyone with the authority to arrest.

Now if you look at Section 2264 of L. D. 768 you will notice that there is a provision that the judge may require a person convicted of littering to pick up a couple miles of highway. Now there was some question in the committee as to whether or not this was constitutional; and there still seems to be some doubt. Now this may be interesting, but I think this is a little bit unusual, and I am not sure that this type of punishment is desirable at all.

In 2265 there is a provision that a conviction for littering would count on your point system on your motor vehicle license. This is a consideration that may be desirable. But I don't see any direct relationship between littering and one's ability to operate a motor vehicle safely.

In Section 2267, if you are caught littering or losing any paper or anything from your watercraft your registration could be lifted for three months — no less than three months as the bill states. I think this is a little bit harsh, because as you all know, out on the water when the wind blows, papers can scatter. And I think you might find several cases, many cases where the conviction might not result from intentionally littering.

Now my biggest objection is to 2272, which was mentioned a few minutes ago by the gentleman from Brewer, relating to the local regulation prohibited, as the title states. And this is, in my opinion anyway, a direct violation of home rule. And even if this bill is not indefinitely postponed I would certainly hope that we would all agree to remove this particular paragraph from this legislation.

But I think the most important point that I can make this afternoon in relation to this bill is that yesterday the gentleman from Lewiston, Mr. Cote, presented an order which passed both branches sending the whole question of lit-

ter control to the Legislative Research Committee for a report to the next session of the Legislature. Now this is a very complicated problem. Evidently it is more than legislation. It requires the individuals of the state, the people, to be concerned about the problem of pollution and littering. And until we can gain the public support any legislation that we pass is probably not going to have much effect.

But I would hope that you will go along with indefinite postponement so that we may pass all the bills that we have heard on litter control along to Legislative Research, so that they may come out with legislation that is acceptable to both bodies and that will really attempt to solve the problem that we have.

I would also point out that in the public hearings that we had on the two bottle bills, and the litter control act, the bottle industries were very strongly in favor of litter control act. In fact, they helped draft it. The bottle industries were not in favor of the two bottle bills. So you have got another complicating problem. There are some industries, predictably, that are not sensitive to the question of litter.

But as I say, I would hope that when this matter goes to Legislative Research, that it could go without having to refer to a law that we passed hastily without the full study that it certainly deserves. I hope you will go along with indefinite postponement this afternoon.

The SPEAKER: The Chair will order a vote. All in favor of indefinite postponement of both Reports and Bill "An Act Creating the Maine Litter Control Act," Senate Paper 262, L. D. 768, in non-concurrence will vote yes; those opposed will vote no.

A vote of the House was taken. 62 voted in the affirmative and 42 voted in the negative.

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

Mr. NORRIS: Mr. Speaker, just to keep the record straight with our ecology, and those who are in favor of protecting it, and those

who are not, I would ask for a roll call.

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

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

The SPEAKER: The Chair recognizes the gentleman from Kennebunk, Mr. Crosby.

Mr. CROSBY: Mr. Speaker and Members of the House: In some of my previous remarks on a companion bill I stated that litter was a people problem. And in order to bear out my thoughts and to prove them, I tore a clipping out of the Christian Science Monitor last week, May 4, I think will prove a point, and I would hope that Maine might adopt the same attitude. It is entitled "Greening of Vermont". It says, "The largest cleanup operation in the nation, Vermont's Second Annual Cleanup Day, attracted 75,000 over the weekend who scoured the state's highways and streets collecting an estimated 36,000 cubic yards of roadside rubbish. By noon the cry went up in many parts of the state, 'We are out of trash.'"

Now this is a horrible situation, I can assure you. Also to remark on Mr. Emery's penalty objection, Vermont also says that "out-of-staters should beware. Vermonters intend to keep their state Green too. Litterers can be fined up to \$500. And as happened recently, one offender found himself clearing debris until his sentence had been worked off."

Now perhaps this is sort of a chain gang law, but I think perhaps it would be effective.

It is also stated that "this is the greatest state-wide education program in environmental matters." This comes from Joseph T. Newland. "Hopefully we won't have to do this every year. The object is to educate the people not to throw things away." And I think that is the main point of this; the people

have to be educated. Instead of all this breast beating about litter, we are the ones that are causing the problem, and I think that perhaps we could work together and straighten the matter out. Mr. Newland also said that "more than 200 state highway trucks, National Guard vehicles, numerous private vehicles helped pick up the litter bags. The use of 100 trucks and 20 trailers were donated by the state's malt and beverage dealers. The entire promotion, including advertising and plastic bags, cost \$17,000." But he attributed Cleanup Day as a major factor in reducing the annual \$200,000 cost for Highway Department cleanup. It was also stated that 90% of the highways in Vermont were clean after the end of this program.

Now I think if Maine would get busy on this sort of a program, and get everybody involved, that is the way we are going to handle the problem that exists.

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

Mr. LUND: Mr. Speaker and Members of the House: I regret to say that I disagree with almost everything that the gentleman from Rockland said. And I had a personal incident myself that bears at least one of the points out. I would like to share with you, to my embarrassment.

I was driving south from Farmington coming back from a ski trip, and I pulled out to pass a car. I got out in the passing lane, and I looked ahead and there was something in the road that looked like a piece of metal, and it was pyramid shaped. I couldn't decide whether to pull in around it or to try to pull inside of the piece of metal. There was an oncoming car which had to get off the road. And, of course, to my embarrassment, the second oncoming car had a bubblegum dispenser on the top. And I just mention this to you, and I did have to go to court.

And this very honestly was because I felt I had difficulty pulling in because of some junk in the road. And so if it is suggested that littering does not have a relationship to safety on the high-

ways, I would disagree with the gentleman from Rockland.

I would say that to suspend somebody's outboard motor boat license for throwing junk onto the lake is an appropriate remedy, and there may be some problems with this bill that can be worked out. But I certainly see nothing terrible about the bill as it has been described so far.

I therefore would hope the House would not vote to kill the bill at this point.

The SPEAKER: The question before the House is on the motion of the gentleman from Rockland, Mr. Emery, that both Reports and Bill "An Act Creating the Maine Litter Control Act," Senate Paper 262, L. D. 768, be indefinitely postponed in non-concurrence. The yeas and nays have been ordered. If you are in favor of indefinite postponement you will vote yes; if you are opposed you will vote no.

ROLL CALL

YEA — Bailey, Bartlett, Berry, G. W.; Berry, P. P.; Boudreau, Bragdon, Bustin, Carrier, Clemente, Collins, Cote, Cottrell, Curran, Curtis, A. P.; Cyr, Donaghy, Dudley, Emery, D. F.; Evans, Fraser, Hall, Hawkens, Immonen, Lawry, Lebel, Lee, Manchester, Marstaller, McCormick, McNally, Mills, Parks, Porter, Pratt, Rocheleau, Scott, Shaw, Slane, Tanguay, Theriault, Wheeler, Wight, Wood, M. W.

NAY — Albert, Ault, Barnes, Bernier, Berube, Binnette, Birt, Bither, Bourgoin, Brawn, Brown, Bunker, Call, Carey, Carter, Churchill, Clark, Conley, Cooney, Crosby, Cummings, Curtis, T. S. Jr.; Dam, Dow, Doyle, Drigotas, Dyar, Faucher, Finemore, Gagnon, Genest, Gill, Good, Goodwin, Hancock, Haskell, Hayes, Henley, Herrick, Hewes, Hodgdon, Jutras, Kelleher, Kelley, P. S.; Kelley, R. P.; Kilroy, Lessard, Lewin, Littlefield, Lund, Lynch, MacLeod, Mahany, Marsh, Martin, McTeague, Millett, Morrell, Mosher, Murray, Norris, Orestis, Payson, Pontbriand, Rollins, Ross, Shute, Silverman, Simpson, L. E.; Smith, D. M.; Stillings, Susi, Trask, Tyndale, Vincent, Webber, White, Whitson, Wood, M. E.; Woodbury.

ABSENT — Baker, Bedard, Emery, E. M.; Farrington, Fecteau, Gauthier, Hanson, Hardy, Jalbert, Kelley, K. F.; Keyte, Lewis, Lincoln, Lizotte, Lucas, Maddox, McCloskey, McKinnon, O'Brien, Page, Rand, Santoro, Sheltra, Simpson, T. R.; Smith, E. H.; Starbird, Williams.

Yes, 43; No, 80; Absent, 27.

The **SPEAKER**: Forty-three having voted in the affirmative, eighty in the negative, with twenty-seven being absent, the motion does not prevail.

Thereupon, Report "A" "Ought to pass" was accepted in concurrence and the Bill read twice.

Senate Amendment "B" (S-140) was read by the Clerk and adopted in concurrence and the Bill assigned for third reading the next legislative day.

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

An Act relating to Suspension of Motor Vehicle Operator's License and Registration (S. P. 192) (L. D. 553)

Tabled — May 6, by Mr. Ross of Bath.

Pending — Passage to be enacted.

On motion of Mr. Hewes of Cape Elizabeth, passed to be enacted, signed by the Speaker and sent to the Senate.

On the disagreeing action of the two branches of the Legislature on:

Bill "An Act relating to Comparative Negligence in Civil Actions" (S. P. 227) (L. D. 673) the Speaker appointed the following Conferees on the part of the House:

Mr. LUND of Augusta
Mrs. WHITE of Guilford
Mr. CARRIER of Westbrook

On the disagreeing action of the two branches of the Legislature on Bill "An Act Establishing an Open Season on Moose" (H. P. 1287) (L. D. 1686) the Speaker appointed the following Conferees on the part of the House:

Messrs. PARKS of Presque Isle
FINEMORE
of Bridgewater
BOURGAIN of Fort Kent

On the disagreeing action of the two branches of the Legislature on Bill "An Act Providing Professional Immunity to Nurses in Emergency Cases" (H. P. 149) (L. D. 204) the Speaker appointed the following Conferees on the part of the House:

Messrs. HASKELL of Houlton
PAGE of Fryeburg
McTEAGUE of Brunswick

On the disagreeing action of the two branches of the Legislature on Bill "An Act Providing for Records of Sales of Used Merchandise" (H. P. 490) (L. D. 631) the Speaker appointed the following Conferees on the part of the House:

Messrs. CARTER of Winslow
LUND of Augusta
HENLEY of Norway

On the disagreeing action of the two branches of the Legislature on Bill "An Act to Provide Transportation for Blind Adults Attending Educational Facilities" (S. P. 472) (L. D. 1493) the Speaker appointed the following Conferees on the part of the House:

Messrs. MILLETT of Dixmont
HASKELL of Houlton
MURRAY of Bangor

On motion of Mr. Porter of Lincoln,

Adjourned until Monday, May 10, at one o'clock in the afternoon.