

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

**OF THE**

***One Hundred and Fifth  
Legislature***

**OF THE**

**STATE OF MAINE**

**Volume III**

**June 16, 1971 to June 24, 1971**

**Index**

**1st Special Session**

**January 24, 1972 to March 10, 1972**

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**KENNEBEC JOURNAL  
AUGUSTA, MAINE**

**HOUSE**

Thursday, February 10, 1972

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

Prayer by the Rev. Mr. Sam Henderson III of Norway.

The journal of yesterday was read and approved.

**Order Out of Order**

Mr. Whitzell of Gardiner presented the following Order and moved its passage:

ORDERED, that Andrea Cayford of Gardiner be appointed to serve as Honorary Page for today.

The Order was received out of order by unanimous consent, read and passed.

**Papers from the Senate**

From the Senate: The following Order:

WHEREAS, there are questions regarding the federally funded Hospital Improvement Program at Pineland Hospital and Training Center; and

WHEREAS, it is necessary for the effective operation of the State that federal funds be efficiently and effectively utilized; and

WHEREAS, there may be some confusion as to the authority and responsibility related to the grant for the Hospital Improvement Program; and

WHEREAS, the federally funded Hospital Improvement Program and normalization concept involve important rights, privileges and discipline of Pineland residents; now, therefore, be it

ORDERED, the House concurring, that the State Department of Audit be authorized and directed to make a thorough investigation of the funds expended for Hospital Improvement Program at Pineland Hospital and Training Center; and be it further

ORDERED, that said Department of Audit is directed to report its findings and recommendations based on said investigation to the next regular session of the Legislature. (S. P. 756)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

**Report of Committee Ought Not to Pass**

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act to Provide Staff Assistance for Presiding Officers of the Legislature" (S. P. 687) (L. D. 1868)

In accordance with Joint Rule 17-A, was placed in the legislative files.

**Non-Concurrent Matter Tabled and Assigned**

Bill "An Act Providing for a Change in Standard Deductions in Income Tax Law" (H. P. 1547) (L. D. 2003) which was indefinitely postponed in the House on February 2.

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

In the House:

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

Mr. ROSS: Mr. Speaker, I would move that we adhere and would speak to my motion.

The SPEAKER: The gentleman from Bath, Mr. Ross moves that the House adhere to its former action. The gentleman may proceed.

Mr. ROSS: Mr. Speaker and Members of the House: Last week this House voted three to one against this bill. It is not just a minor change to help the low income or the elderly; it is a major revision in our entire tax structure.

Out of 336,000 persons who pay the income tax this would affect 295,000 of them. The individual amounts are very small but so many people are affected that we would lose \$2 million a year.

And let's look carefully at a couple of examples. A couple with two children — now this is low income, making \$4,000 a year, pay no tax now and under this change would pay no tax. Making \$5,000 a year, and under the present law they pay about 75 cents and they pay no tax under this law. If you go up higher, a person making \$7,500 pays \$27.50 now and they would pay \$22 or a saving of \$5.50. Go still higher, \$10,000; they pay \$60 now and they would pay \$50 under this law, a saving of \$10. Go

still higher, a couple making \$20,000 pays \$310 now and they would pay \$280 or a saving of \$30.

Our great selling point for the income tax at the referendum was that our tax was not based on the federal tax, that it was the fairest tax to all, and I do not believe that we should make a major change now because we could not pick up the \$2 million a year unless we had some other tax, which, in my opinion would be much more inequitable to the lower taxpayers.

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

Mr. MORRELL: Mr. Speaker, Members of the House: It seems to me the important thing here this morning is, we are discussing what appears to be a rather substantial in total, but perhaps miniscule if considered individually, discrepancy in the state income tax as it compares to the federal. And I think it would behoove us all to bear in mind the burdens that will be placed for sure in the near future on the income tax as we attempt to give some relief to the personal property tax. And it is this small inequity which I am sure people who prepare tax returns for individuals are going to point out to those individuals in the months and years ahead.

I think that in the interest of preserving the credibility of the state income tax, we should give serious consideration to eliminating or taking out this kind of an inequity. And I would hope this morning that you would give serious consideration to doing this in spite of the fact that the short term loss appears to be substantial. You may well consider utilizing those funds gotten that way as an improper use and I would hope this morning that the House would give serious consideration to going along with the Senate.

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

Mr. JALBERT: Mr. Speaker and Members of the House: In concurring with the good gentleman from Bath, Mr. Ross, I might

comment to you that in order to give the revenue sharing program at the next session of the legislature, we are already going to tap the entire revenue of the income, corporate and sales tax, to the tune of 4 per cent. We are returning back, we are absorbing to do it, the \$7 million concerning itself with the telephone problem, but we still need \$3.5 million in spite of that.

It is unfortunate, had I known this was coming back, I would have had my projection for the 106th reproduced, which has been termed — and I say this humbly, which has been termed quite accurate, which amounts to \$54 million. This here has a \$2 million per year tag on it. This is another built-in program, and I feel in my heart that we would be making a very drastic error if we would not go along with the motion as made by the gentleman from Bath, Mr. Ross.

We did not come here to build ourselves into what we are already almost faced to, another major tax plus. I think we came here to do the job properly and rightfully, and certainly, in my humble opinion, this is not the way to approach it.

I certainly hope that the motion of the gentleman from Bath, Mr. Ross, prevails and when the vote is taken I move it be taken by the yeas and nays.

The SPEAKER: The Chair recognizes the gentleman from Madawaska, Mr. Cyr.

Mr. CYR: Mr. Speaker, Ladies and Gentlemen: I concur entirely with the gentleman from Bath, Mr. Ross, in his motion to adhere. I have here a memorandum, which was passed to us, to some of the members of Taxation, and I would like to read you just the last paragraph.

“While the amount of state tax involved in any one instance will be small, it is reasonable to believe that taxpayer reaction to situations such as those described will be out of all proportion to the amount of tax involved. In short, as was explained at the hearing, the problem to a great extent is a psychological problem which we believe will prove to be trouble-

some in the future unless corrective action is taken at this time."

What we are asked to do in regards to this legislation is to ask the State to cut back about \$2.5 million in this revenue for a psychological reason. I don't believe that that is sufficient reason for such a move. I don't believe that it is timely. All of the information that we have had so far seems to project an increase in the major tax for the 106th Legislature and I think that it is at that time that this problem should be taken.

Now certainly there is going to be a psychological reaction also to the taxpayers that are going to be left on the roll and will have to absorb this \$2.5 million. There is going to be a psychological reaction from that group.

The vote of last November, in the referendum of last November, showed a 2 to 1 in favor of keeping the income tax as it is, and I don't believe that it is time to rock the boat at a special session. I don't believe that it is fair, I don't believe that we can afford it. So I will go along with the motion of the gentleman from Bath, Mr. Ross, to adhere to our former action, and let the 106th Legislature, when this is opened up in regards to a possible increase in rate, at that time they can make these adjustments that will take care of the low income people.

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

Mr. MORRELL: Mr. Speaker and Members of the House: I think it perhaps would be an awful lot better to let the boat rock a little bit rather than have it sink. I think that this is an important enough item and affects such a large percentage of Maine taxpayers that I would like to move that we insist and request a Committee of Conference.

The SPEAKER: The pending question now is on the motion of the gentleman from Brunswick, Mr. Morrell, that the House insist on its former action and ask for a Committee of Conference.

The Chair recognizes the

gentleman from Lewiston, Mr. JAlbert.

Mr. JALBERT: Mr. Speaker, I would ask that this motion be defeated so we can vote on the motion to adhere as made by the gentleman from Bath, Mr. Ross. I also move that this item be by roll call.

The SPEAKER: The Chair recognizes the gentleman from Caribou, Mr. Collins.

Mr. COLLINS: Mr. Speaker and Members of the House: I think that those of us that favor this legislation perhaps have not presented our case especially well. I would like to just review briefly some of the background of this particular change.

Now, in the last regular session, this same bill, in substance, was before us with a different title, and it was called a low income housing allowance. But actually it accomplished, in substance, the same thing that this bill does now. And I would remind you that at that time, both this House and the Senate approved that bill and it eventually died on the Appropriations Table.

Now, I recognize the problem of reduction in funds that this bill presents and I expect that if this were passed that this, sometime before we adjourned, would have to be reckoned with. Nevertheless, what we did at the polls last fall in approving by a substantial majority, the continuance of an income tax, I think makes it essentially important that we keep that tax in good repair and this bill, in essence, is a maintenance type bill. It changes the standard deductions to the level that we have in the federal income tax.

It does provide by this change that certain low income people will no longer have to pay a tax, and I think this is important. And secondly, it provides for a more equitable tax for all of the rest of the taxpayers. And thirdly, I think we ought to know that it does eliminate or could eliminate a substantial amount of clerical work within the Department of Taxation.

So I would hope today that you

would let this bill continue on its way.

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

Mr. SUSI: Mr. Speaker, Ladies and Gentlemen of the House: I rise on this bill, recognizing I believe that perhaps this is a lost cause. I just have a feeling that probably the 106th is going to be dealing with this same topic and that our efforts here this morning are worthwhile if they will lay some groundwork for what probably will have to be done in such session, what has been referred to here this morning as maintenance on this income tax measure that we have in effect here in Maine.

I think that the Maine Legislature did a good job when they put the income tax law into effect. I think it was a very equitable tax. I think that the people in Maine recognize it to be an equitable tax.

Another thing, I think that in the coming biennium and in the bienniums to follow this tax is going to be worked and worked hard because the property tax has become recognized by practically everybody involved as being a very inequitable source of finances for government, where we are going to have to change this.

So it is extremely important in my opinion that our income tax be equitable, that it not get the reputation that the federal tax is getting, where it is loaded with loopholes for the privileged to the point that we are unhappy with our federal income tax because it hasn't been maintained as these inequities have occurred. So if we let it slip a little this time and slip a little the next time, then pretty soon the public begins to point out the inequities and they resist it rather than having the support that it has now.

Now I don't think that it is too serious, what we have here now. To me, this income tax law is like a finely tuned engine that is in perfect balance and its capacity to carry a load is just tremendous so long as it is kept tuned in that shape. But once we let vibrations set up in this engine due to imbalance, and the public recognizes it, then I think that they

are going to back off and say, "Oh oh, they are playing games with us again."

So I don't know if we will get the vote here this morning and I don't know as it is that important, but I hope that we do subscribe to the principle that we are going to have to maintain equity in our taxation. Our public is more and more informed about the impact of the legislation that we put through, and we are going to have to be extremely conscientious to be fair when we consider that we are taking 35-40 per cent of everyone's income in support of government. It becomes very important that we get absolute equity and this is what this bill is about.

I would hope that you would support the bill.

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

Mr. COTTRELL: Mr. Speaker and Members of the House: I think in the regular session I demonstrated that I was very much of a fiscal conservative, not only in our party caucuses but before the Appropriations Committee, the Education Committee and the Health and Institutional Services Committee where I appeared personally.

When I first glanced at this bill I was very very much opposed to it, but then I started to study all the implications and I changed around. You must notice too that this is a non-partisan bill. This is not following party lines.

I think that there has been objection raised by some of the opponents about the timing of this measure. We have a tidal wave approaching us in the matter of this income tax. If it is not changed now voluntarily, because we with our intelligence and discarding our apathy in many instances do not act now, we will be forced to act the first part of the session on this minor matter in our income tax.

Now there have been figures turned up here. This bill does not go into effect until 1973. The biennium net loss this biennium will be \$500,000. The annual net loss in revenue from these low income people will be \$1.8 million. Right

now our income tax is producing \$64 million in the biennium. So the \$1.8 million on a big tax structure like we have is really peanuts. Now I say it would be much better to act with intelligence, with quickness, before we are forced to act. We are going to be forced to act on this.

Now this is a minor matter; this is not a reconstruction of our income tax. I think it is safe to say that I have been closer to an income tax in this House, this legislative hall, in the last ten years more than anyone else. I have introduced three personal graduated income tax, the first one coming in my freshman year. I am not just partial to the income tax, because during that time I also introduced a sales tax.

On the desk about two-thirty yesterday afternoon, on the desk of each member of the Taxation Committee was placed a new, almost three-page memorandum from the Bureau of Taxation. I don't think every one of the Taxation Committee members has had a chance to thoroughly understand it.

Now we have an Executive Session this afternoon, and I would hope that someone would table this for one day so that we can thoroughly in Executive Session discuss this new and latest information from the Taxation Bureau. And I hope that the Taxation Committee, where the report was 9 to 3 in favor of this bill, might have another chance to absorb and discuss this latest memorandum.

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

Mr. FINEMORE: Mr. Speaker, I move this bill be tabled for one legislative day.

The SPEAKER: The gentleman from Bridgewater, Mr. Finemore moves that this matter be tabled for one legislative day, pending the motion of the gentleman from Brunswick, Mr. Morrell that the House insist and ask for a Committee of Conference. Is this the pleasure of the House?

(Cries of "No")

The Chair will order a vote. All in favor of the motion to table

until tomorrow will vote yes; those opposed will vote no.

A vote of the House was taken.

92 having voted in the affirmative and 35 having voted in the negative, the motion did prevail.

#### Non-Concurrent Matter

Bill "An Act to Clarify Party Enrollment Requirements for Filing Nomination Petitions under the Election Laws" (H. P. 1567) (L. D. 2022) which was passed to be engrossed in the House on February 7.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

In the House:

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

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

The SPEAKER: The gentleman from Bath, Mr. Ross, moves that the House recede and concur.

The gentleman may proceed.

Mr. ROSS: Mr. Speaker and Members of the House: During the last session we passed a law limiting campaign spending to no more than your salary or ten cents multiplied by the number of votes cast for all legally qualified candidates, with two exceptions; for Governor and United States Senator, they can spend twice that amount.

Now the Attorney General has recently ruled that we must take this literally so that in the larger cities with so many candidates, a candidate for the legislature, just for the House of Representatives, could spend under this law, unless we change it, between fifteen and twenty thousand dollars. This is not logical, and hence this amendment.

Thereupon, the House voted to recede and concur.

#### House Report of Committee Ought to Pass with Committee Amendment

Mr. Marstaller from the Committee on State Government on Bill "An Act Implementing the Reorganization of the Department of Military, Civil Defense and Veterans' Services" (H. P. 1542)

(L. D. 2014) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice. Committee Amendment "A" (H-532) was read by the Clerk and adopted, and tomorrow assigned for third reading of the Bill.

#### Passed to Be Engrossed

Bill "An Act Appropriating Funds to Survey the Boundaries of Passamaquoddy Tribal Lands" (H. P. 1452) (L. D. 1895)

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

Bill "An Act relating to Retail Sale of Wine" (H. P. 1495) (L. D. 1938)

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

The SPEAKER: The Chair recognizes the gentleman from Freeport, Mr. Marsteller.

Mr. MARSTALLER: Mr. Speaker, Ladies and Gentlemen of the House: I never entered into one of these liquor debates before, but the lobbying efforts for the liquor interests on this bill are too much for me.

Let's try to look at the situation and see what is happening. In every session of the legislature proposals are made to extend hours of sales and types of liquor for sale all in the name of convenience of the customer, and we are not looking at the long-range effect.

Some people see only the pleasure derived from drinking; some people see only the pain caused by excess use of alcohol. Most of us see both of these effects, and this is the reason that this state and most states have devised systems to control the sale of this special product.

Our state stores were set up so that those who wanted liquor could have it, but keeping it out of the general markets and promotions which would make it more available to those who shouldn't have it or afford it. This control idea is breaking down and the dollar

signs in the eyes of the liquor manufacturers have blinded them to the wishes and desires of others.

I haven't heard from the wine drinkers or the retail stores that they want this law. In fact, several of my drinking friends have told me that it is common knowledge that wine causes more addiction than other liquors. If we pass this bill and a few more like it, this will be the effective end of our control system and again prove the Bible expression, "wine is a mocker." I believe in the philosophy of live and let live, and I would hope the liquor people would respect those who differ with different ideas. I now move the indefinite postponement of this bill.

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

Mr. KELLEHER: Mr. Speaker and Ladies and Gentlemen of the House: I rise and oppose the motion of the good gentleman from Freeport. I don't think this is going to be the end of the world if this bill passes in here, as he is trying to depict here this morning. As I stated yesterday, it is a house-keeping bill; it is a convenience bill for the consumer. I cannot see any problems with it. I just hope that you people here this morning support my request of defeating his motion.

I can't say any more on the bill; I think enough was said yesterday. It only surprises me somewhat when the gentleman from Freeport says that the liquor interests or the wine interests are out here lobbying this morning. All I can say is, if they are, that could be a possibility, but in the same light, the drys, the so-called drys are working equally hard, and they always do and I commend them for their efforts. I think that this is just a good housekeeping bill, and I hope that we defeat the gentleman's motion here this morning.

The SPEAKER: The Chair recognizes the gentleman from Scarborough, Mr. Gagnon.

Mr. GAGNON: Mr. Speaker, Ladies and Gentlemen: I hate to get up on this again. I just want to state first that I am not a dry,



probably far from it. I think this thing has gotten out of context.

We have had endless hours between last spring and this session on this particular bill in our committee. We had the usual dries there, which is true, and we appreciate their opinions. But this is not the matter at all.

As the gentleman from Freeport stated, we have a Liquor Commission in this state that is put there solely for the control of this liquor industry. I don't think anyone is going to argue that the liquor industry is a volatile one. There has been a lot of problems with it in the past. And my feeling on the matter of fortified wines is simply that I think this is going to make it much more available to younger people.

I have two sons that are teenagers and a young daughter coming up, and when they are old enough to drink and make up their own minds, to have the maturity and responsibility to make their own decisions, I am all for it. But I don't believe it is a good idea to make it that much more available to them, to make it easier for them to take the step that might be injurious to them.

In the six years that I was with the department, I certainly saw enough of this business to know a little bit about it. As I say, I am not a dry, and I am not a wet I guess; I would just like to see the controls maintained the way they were set up to be.

Now, I think I stated this last spring. They talk about the relative mildness of wines. This may be so on the table wines which are normally in the area of 14 per cent alcohol. But I think it also should be known that the fortified wine of 20 per cent, taken straight, is about the same alcohol content as an 86 proof whiskey in a mixed drink. Now down in our area it has been reported to me that a few wine bottles have started to show up in the high school where previously, once in a while, they would find a beer can. This was given to me by the superintendent of schools and it indicates to me that when we relaxed our controls on the table wines, this made

it more available because they do not have the supervisory control in a grocery store that they have in a liquor store.

Now if you put the fortified wines in the grocery stores, I am going to say right here that you are going to expose these younger people to a drink which is just as toxic as your harsher whiskeys, and for myself, I don't feel that I want to make it easier for them to get onto this; we certainly have enough areas to watch for as it is.

So I would hope that we could go along with the gentleman from Freeport and put this matter away.

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

Mr. JALBERT: Mr. Speaker, this is about the second time in twenty years that I get up on a liquor bill. As I stated when I got up this week, I do not imbibe; however, I have. And I can assure you of one thing, I happen to be one of those who voted against the wine bill because I felt that the other wines should be thrown in with it. I have had a little of this wine that we are trying to pass now; I have also had a little champagne once in a while. And I can recall once, in the very few times that I have had champagne, waking up the next morning and drinking a glass of ice cold water and being right back to where I was about three o'clock the previous morning. So anybody that tells you that there is a difference, I can attest that there is, only a difference the other way from what the previous speaker says.

The previous speaker also mentions in all maturity and how to bring about maturity, and I was taught maturity by my mother. My father was a soft touch, and maturity with me was brought about this way. My mother said to me, don't do it again, and if I did it again, whack! I learned from that experience. So I decided the best way for me to do was to compromise with my mother and do it her way. Now that is how you bring about maturity.

Now, insofar as this measure is concerned, I can see absolutely no difference between having a bottle of champagne or a bottle of

cheaper wine on the shelf. Besides that, this would relieve a considerable release in cost, 20 per cent of warehouse space, also nearly as much in the stores, which we eventually are going to need for our higher priced items which, incidentally, a great many of are bought by our tourists, let alone us, which helps to pay for our programs for the elderly, our programs that we have for the needy, our programs for education and so on.

I think this bill has been debated fairly and squarely; there have been several motions made on it. I think the line has been drawn and I think, frankly, it is about time we move on it. And I certainly hope the motion from the good gentleman from Freeport, Mr. Marstaller, will not prevail.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I certainly did not intend to speak on this matter either. However, the good gentleman from Lewiston, Mr. Jalbert, brought out one point which causes me to respond.

I don't think we should look upon this, number one, as any joking matter. The gentleman sort of passed the seriousness of this question off pretty much by the assumption of proper bringing up. I would point out to him that not every child has the privilege of having the good bringing up which he evidently had in his family. And I think that we should think of those children in making our decision this morning on this matter. I think this is very serious, continuing to put stronger alcoholic beverages easily in the reach of children in their developing age, which this certainly does.

I certainly go along with the remarks of the gentleman from Freeport, Mr. Marstaller. I think they were very well put and very appropriate to the occasion, and I hope you will go along this morning and defeat this bill.

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

Mr. TANGUAY: Mr. Speaker, Ladies and Gentlemen of the

House: I had no intention whatsoever of speaking on this bill, and I am not lying through my teeth on this particular one because I think this is the first time I got up at this special session and I am not the big talker.

For one thing, I can talk for myself as being a dry. I do not drink beer, nor indulge in liquor, and I also do not indulge in wine. I voted against the unfortified wine and I spoke against it. Now we have unfortified wines in the stores I believe that the fortified wines should go along with the unfortified. It is good merchandising and there hasn't been any enforcement difficulty, as far as the unfortified wines. I doubt very much that the fortified wine will bring any enforcement difficulties on our grocers.

The SPEAKER: The Chair recognizes the gentleman from Gardiner, Mr. Whitzell.

Mr. WHITZELL: Mr. Speaker and Members of the House: I did not actually intend to address the House on this, I went through my roll call book and found that the last four roll calls were done on this one issue.

I feel there is a lot of emotion that seems to be taking place here. It isn't emotion that we are dealing with; we are dealing with a procedure which I see it as a problem of housekeeping and I have to agree with Mr. Kelleher, and we have not discussed it previously. But the minute we start talking about what our desires are, we seem to be representing ourselves here. The individuals who are speaking, I am positive, are not speaking for the majority of their constituents who are voters. I will speak for the majority of my constituents and go on the record for doing so. I would like to see this thing voted on today by the yeas and nays.

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 those 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 Freeport, Mr. Marsteller, that Bill "An Act relating to Retail Sale of Wine," House Paper 1495, L. D. 1938, be indefinitely postponed. If you are in favor of that motion you will vote yes; if you are opposed you will vote no.

**ROLL CALL**

**YEA** — Bailey, Baker, Barnes, Bartlett, Bernier, Berry, G. W.; Birt, Bither, Bragdon, Brawn, Bunker, Churchill, Clark, Cottrell, Curtis, A. P.; Donaghy, Emery, D. F.; Evans, Finemore, Gagnon, Gauthier, Good, Goodwin, Hall, Hardy, Haskell, Hawkens, Hayes, Henley, Herrick, Hewes, Immonen, Kelley, K. F.; Lawry, Lewin, Lincoln, Littlefield, Lucas, Lynch, Maddox, Marsteller, M c N a l l y, McTeague, Millett, M o r r e l l, Mosher, Murchison, Page, Parks, Porter, Rand, Rollins, Ross, Scott, Shaw, Shute, Silverman, Simpson, T. R.; Stillings, Susi, Trask, Webber, White, Wight, Williams, Wood, M. W.; Wood, M. E.; Woodbury.

**NAY** — Albert, Ault, Bedard, Berube, Binnette, Boudreau, Bourgoin, Brown, Bustin, Call, Carey, Carter, Clemente, Cooney, Cote, Cummings, Curran, Curtis, T. S., Jr.; Cyr, Dam, Dow, D o y l e, Dudley, Dyar, Emery, E. M.; Farrington, Faucher, F e c t e a u, Fraser, Genest, Gill, Hancock, Hodgdon, Jalbert, Jutras, Kelleher, Kelley, P. S.; Kelley, R. P.; Keyte, Kilroy, Lebel, Lee, Lessard, Lewis, Lizotte, M a c L e o d, Manchester, Marsh, Martin, M c C l o s k e y, McKinnon, Mills, Murray, Norris, Orestis, Payson, Pratt, Rocheleau, Santoro, Simpson, L. E.; Slane, Smith, D. M.; Smith, E. H.; Tanguay, Theriault, Vincent, Wheeler, Whitson, Whitzell.

**ABSENT** — Berry, P. P.; Carrier, Collins, Conley, Crosby, D r i g o t a s, Lund, Mahany, McCormick, O'Brien, Pontbriand, Sheltra, Tyndale.

Yes, 68; No, 69; Absent, 13.

The **SPEAKER**: Sixty-eight having voted in the affirmative and sixty-nine in the negative, with

thirteen being absent, the motion does not prevail.

Thereupon, the Bill was passed to be engrossed and sent to the Senate.

Resolve in Favor of Town of Limestone for Apportionment of Telephone Tax (H. P. 1454) (L. D. 1897)

Resolve Providing for Purchase of Copies of Cyr Plantation Centennial (H. P. 1456) (L. D. 1899)

Resolve Discharging Plantation of Baring from Indebtedness to the State for Use of School Bus in 1961-62 Prior to Incorporation as a Plantation (H. P. 1457) (L. D. 1900)

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

**Passed to Be Enacted  
Emergency Measure**

An Act Appropriating Funds to Carry out Duties of the Director of Legislative Research (S. P. 689) (L. D. 1870)

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. 127 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Emergency Measure  
Tabled and Assigned**

An Act Providing Funds to Carry out Duties of the Criminal Division of the Department of the Attorney General (S. P. 690) (L. D. 1871)

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

(On motion of Mr. Martin of Eagle Lake, tabled pending passage to be enacted and tomorrow assigned.)

**Emergency Measure**

An Act to Revise Certain Laws Relating to Banks (H. P. 1559) (L. D. 2019)

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. 121 voted in favor of same and one 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 Speed of Motor Vehicles on Divided Controlled-access Highways and to Clarify the Definition of Motorcycle to Exclude Certain Traffic Control Vehicles (H. P. 1513) (L. D. 1955)

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

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

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: For the information of the students from Bath in the gallery, I would just point out that one of the provisions in this bill will be to increase the speed limit between Bath and Brunswick from 60 to 70 miles an hour.

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

An Act Providing Funds for County Access Road to Katahdin Iron Works (H. P. 1514) (L. D. 1956)

**Finally Passed**

Resolve in Favor of Robert D. Lust for Automobile Damage (H. P. 1492) (L. D. 1935)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, Bill passed to be enacted, Resolve finally passed, both 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:

House Report — Ought to pass in New Draft — Committee on Labor on Bill “An Act to Promote Vocational Education” (H. P. 1483) (L. D. 1926) — New Draft (H. P. 1570) (L. D. 2026)

Tabled — February 9, by Mr. Good of Westfield.

Pending — Acceptance.

On motion of Mr. Good of Westfield, retabled pending acceptance of the Report and tomorrow assigned.

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

Bill “An Act Authorizing the Supreme Judicial Court to Provide for Juries of Fewer than 12” (H. P. 1478) (L. D. 1921) — Committee Amendment “A” (H-522) adopted. (Passage to be engrossed reconsidered.)

Tabled — February 9, by Mr. Hewes of Cape Elizabeth.

Pending — Passage to be engrossed.

On motion of Mr. McTeague of Brunswick, retabled pending passage to be engrossed and tomorrow assigned.

By unanimous consent, the foregoing matters were ordered sent forthwith to the Senate.

On motion of Mr. Porter of Lincoln,

Adjourned until nine o'clock tomorrow morning.