

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Third  
Legislature*

OF THE

STATE OF MAINE

1967

KENNEBEC JOURNAL  
AUGUSTA, MAINE

**HOUSE**

Friday, April 21, 1967

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

Prayer by the Rev. Mr. Clyde Bailey of South Gardiner.

The journal of yesterday was read and approved.

**Papers from the Senate**

From the Senate: The following Order:

**ORDERED**, the House concurring, that Bill, An Act Appropriating Moneys for Research Study of Pesticides, S. P. 582, L. D. 1546, be recalled from the Legislative Files to the Senate (S. P. 605)

Came from the Senate read and passed.

In the House, the Order was read.

The **SPEAKER**: The Chair recognizes the gentleman from Cumberland, Mr. Richardson.

Mr. **RICHARDSON**: Mr. Speaker, Ladies and Gentlemen of the House: As you know, we passed a spruce budworm control bill which carried with it a requirement for Federal agreement to the proposed program. We also came out later with a bill out of the Appropriations Committee, the unanimous report, suggesting a study. The study as you will recall was defeated here in the House. Now the Federal Government will not go along with this spruce budworm control program unless there is a study.

Now, regardless of which side of this issue you stand on, you are talking about a great deal of money in the form of a great deal of very valuable timber, and you're talking about arresting a spruce budworm epidemic, and I therefore suggest to you that the responsible course of action is to vote in favor of recalling this bill in order that we can review the whole matter. You're not by permitting the recall of this bill agreeing to vote for or against anything, you're simply allowing it to be brought back. And I don't think that re-

fusing to recall the bill would be really in the best interests of sound government. Thank you.

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

Mr. **LEVESQUE**: Mr. Speaker, Ladies and Gentlemen of the House: At this time this morning I find myself in complete concurrence with the Majority Floor Leader, and I hope that this recall will receive the two-thirds passage of this branch this morning.

The **SPEAKER**: Is the House ready for the question? All those in favor of the passage of this Order in concurrence will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

Thereupon, since two-thirds voted in the affirmative, 99 voting in favor of passage and 19 against, the Order received passage in concurrence.

**Senate Reports of Committees  
Leave to Withdraw**

Report of the Committee on Towns and Counties on Bill "An Act Providing Funds for Washington County Development Authority" (S. P. 516) (L. D. 1229) reporting Leave to Withdraw.

Came from the Senate read and accepted.

In the House, the Report was read and accepted in concurrence.

**Covered by Other Legislation**

Report of the Committee on Towns and Counties on Bill "An Act Increasing Payments to Lincoln County Law Library" (S. P. 103) (L. D. 174) reporting Leave to Withdraw, as covered by other legislation.

Report of same Committee reporting same on Bill "An Act Increasing Payments to Knox County Law Library" (S. P. 284) (L. D. 664)

Report of same Committee reporting same on Bill "An Act Increasing Payments to Franklin County Law Library" (S. P. 313) (L. D. 752)

Report of same Committee reporting same on Bill "An Act In-

creasing Payments to Washington County Law Library" (S. P. 414) (L. D. 1043)

Report of same Committee reporting same on Bill "An Act Increasing Payments to the Kennebec County Law Library" (S. P. 486) (L. D. 1207)

Came from the Senate read and accepted.

In the House, Reports were read and accepted in concurrence.

#### **Referred to Committee On Labor**

Report of the Committee on State Government on Bill "An Act Establishing a Grievance Procedure and Appeals Board for State Employees" (S. P. 383) (L. D. 995) reporting that it be referred to the Committee on Labor.

Came from the Senate with the Report read and accepted and the Bill referred to the Committee on Labor.

In the House, the Report was read and accepted and the Bill referred to the Committee on Labor in concurrence.

#### **Ought to Pass with Committee Amendment**

Report of the Committee on Health and Institutional Services on Bill "An Act Authorizing Department of Health and Welfare to Provide Comprehensive Health Services" (S. P. 261) (L. D. 641) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A".

In the House, the Report was read and accepted in concurrence and the Bill read twice. Committee Amendment "A" was read by the Clerk and adopted in concurrence and the Bill assigned for third reading the next legislative day.

#### **Non-Concurrent Matter**

Majority Report of the Committee on State Government reporting "Ought not to pass" on Bill "An Act Increasing Compensation of Members of the Legislature" (S. P. 167) (L. D. 338) and Minority

Report reporting "Ought to pass" as amended by Committee Amendment "A" which Reports and Bill were indefinitely postponed in non-concurrence in the House on April 19.

Came from the Senate with that body voting to insist on its former action whereby the Minority Report was accepted and the Bill passed to be engrossed as amended by Senate Amendment "A", and asking for a Committee of Conference.

In the House: On motion of Mr. Dennett of Kittery, the House voted to insist and join in the Committee of Conference.

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, April 25, at ten o'clock in the morning. (S. P. 610)

Came from the Senate read and passed.

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

#### **Petitions, Bills and Resolves Requiring Reference**

The following Bill, approved by a majority of the Committee on Reference of Bills for appearance on House Calendar, less than one tenth of the members present objecting, was received and referred to the following Committee:

#### **Legal Affairs**

Bill "An Act Clarifying the Location of Town Line Between China and Winslow" (H. P. 1118) (Presented by Mr. Farrington of China) (Ordered Printed)

Sent up for concurrence.

#### **Orders**

On motion of Mr. Carey of Waterville, it was

ORDERED, that Gregory Landry of Waterville be appointed to serve as Honorary Page for today.

#### **House Reports of Committees Leave to Withdraw**

#### **Covered by Other Legislation**

Mr. Birt from the Committee on Appropriations and Financial Affairs on Bill "An Act Providing Funds for Drugs for Medical Care

Programs" (H. P. 125) (L. D. 189) reported Leave to Withdraw, as covered by other legislation.

Report was read and accepted and sent up for concurrence.

#### **Ought Not to Pass**

Mr. Jalbert from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Resolve Appropriating Funds for Regional Airport to Service Augusta, Waterville and Surrounding Areas (H. P. 872) (L. D. 1284)

Mr. Berman from the Committee on Judiciary reported same on Bill "An Act relating to Evidence in Prosecutions for Perjury" (H. P. 1078) (L. D. 1541)

Mr. Danton from same Committee reported same on Bill "An Act to Amend the Administrative Code" (H. P. 844) (L. D. 1252)

Mr. Darey from same Committee reported same on Bill "An Act Creating the State Witness Immunity Act" (H. P. 1079) (L. D. 1542)

Mr. Hewes from same Committee reported same on Bill "An Act Prohibiting the Acceptance of Payment for Materials Supplied when the Title is not Merchantable" (H. P. 842) (L. D. 1250)

Reports were read and accepted and sent up for concurrence.

#### **Covered by Other Legislation**

Mr. Crosby from the Committee on Transportation reported same on Bill "An Act relating to Fines and Costs for Weight Violations of Motor Vehicles" (H. P. 171) (L. D. 234), as covered by other legislation.

Report was read and accepted and sent up for concurrence.

#### **Referred to Next Legislature**

Mr. Berman from the Committee on Judiciary on Bill "An Act Creating the Uniform Preservation of Private Business Records Act" (H. P. 939) (L. D. 1371) reported that it be referred to the 104th Legislature.

Same gentleman from same Committee reported same on Bill "An Act Creating the Uniform De-

ceptive Trade Practices Act" (H. P. 940) (L. D. 1372)

Reports were read and accepted, the Bills referred to the 104th Legislature and sent up for concurrence.

#### **Ought to Pass in New Draft New Drafts Printed**

Mr. Champagne from the Committee on Inland Fisheries and Game on Bill "An Act relating to Closed Season on Bear" (H. P. 188) (L. D. 277) reported same in a new draft (H. P. 1119) (L. D. 1591) under title of "An Act relating to Closed Season on Black Bear" and that it "Ought to pass"

Mr. Gaudreau from same Committee on Bill "An Act Granting Complimentary Fishing Licenses for Certain Maine Residents in Armed Forces" (H. P. 218) (L. D. 308) reported same in a new draft (H. P. 1120) (L. D. 1592) under same title and that it "Ought to pass"

Mr. Buck from the Committee on Retirements and Pensions on Resolve to Permit David Carnevale to Obtain Disability Retirement Allowance (H. P. 544) (L. D. 766) reported same in a new draft (H. P. 1121) (L. D. 1593) under title of "Resolve Providing for a State Pension for David Carnevale of Saco" and that it "Ought to pass"

Reports were read and accepted, the New Drafts of Bill read twice, the New Draft of Resolve read once, and assigned the next legislative day.

#### **Ought to Pass Printed Bills**

Mr. Bragdon from the Committee on Appropriations and Financial Affairs reported "Ought to pass" on Bill "An Act relating to Allocation of Funds for Purchase of Real Estate by State" (H. P. 438) (L. D. 613)

Mr. Scribner from same Committee reported same on Bill "An Act Repealing Bond Issue for Dining Facilities for the Maine Maritime Academy" (H. P. 129) (L. D. 193)

Mr. Dennett from the Committee on State Government reported same on Bill "An Act Re-

vising Names of Bureaus in Department of Agriculture" (H. P. 698) (L. D. 979)

Same gentleman from same Committee reported same on Bill "An Act to Permit the Interchange of Government Employees" (H. P. 724) (L. D. 1048)

Mr. Watts from same Committee reported same on Bill "An Act to Clarify the Organization of the Department of Health and Welfare" (H. P. 918) (L. D. 1327)

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

#### **Ought to Pass with Committee Amendment**

Mr. Humphrey from the Committee on Appropriations and Financial Affairs on Bill "An Act to Make Allocations from Bond Issue for Construction and Equipment of Pollution Abatement Facilities" (H. P. 622) (L. D. 878) 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" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 622, L. D. 878, Bill, "An Act to Make Allocations from Bond Issue for Construction and Equipment of Pollution Abatement Facilities."

Amend said Bill by striking out all of the 3rd line from the end (same in L. D. 878) and inserting in place thereof the following:

'All Other \$3,125,000 \$4,450,000'

Committee Amendment "A" was adopted and the Bill assigned for third reading the next legislative day.

Mr. Champagne from the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in Third Chase Pond, Aroostook County (H. P. 505) (L. D. 718) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 505, L. D. 718, Resolve, Regulating Fishing in Third Chase Pond, Aroostook County.

Amend said Resolve in the Title by striking out the words "Third Chase Pond" and inserting in place thereof the following: 'Beaver Tail Pond, T. 14, R. 10 and T. 14, R. 9'

Further amend said Resolve by striking out everything after the Title and inserting in place thereof the following:

'**Fishing in Beaver Tail Pond regulated. Resolved:** That the Commissioner of Inland Fisheries and Game is authorized and directed to issue a rule and regulation opening Beaver Tail Pond, T. 14, R. 10 and T. 14, R. 9, Aroostook County, to ice fishing from January 1st to March 31st only for a period of 2 years from the effective date of this resolve and thereafter said commissioner is authorized and directed to regulate all fishing in said Beaver Tail Pond at his discretion.'

Committee Amendment "A" was adopted and the Bill assigned for third reading the next legislative day.

#### **Divided Report Tabled and Assigned**

Majority Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act to Authorize Food Stamp Program in Sagadahoc County" (H. P. 660) (L. D. 915)

Report was signed by the following members:

Messrs. BERRY of Cumberland  
ALBAIR of Aroostook  
DUQUETTE of York  
—of the Senate.

Messrs. BRAGDON of Perham  
BIRT of East Millinocket  
DUNN of Denmark  
HUMPHREY of Augusta  
HINDS of South Portland  
—of the House.

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

Report was signed by the following members:

Messrs. JALBERT of Lewiston

SCRIBNER of Portland  
—of the House.

Reports were read.

(On motion of Mr. Ross of Bath, tabled pending acceptance of either Report and specially assigned for Friday, April 28.)

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**Divided Report  
Tabled and Assigned**

Majority Report of the Committee on State Government reporting "Ought not to pass" on Bill "An Act Providing Additional Funds for Education by Sweepstake Races" (H. P. 384) (L. D. 531)

Report was signed by the following members:

Messrs. WYMAN of Washington  
LUND of Kennebec  
—of the Senate.

Messrs. DENNETT of Kittery  
WATTS of Machias  
Mrs. CORNELL of Orono  
Messrs. RIDEOUT of Manchester  
PHILBROOK

of South Portland  
MARTIN of Eagle Lake  
STARBIRD  
of Kingman Township  
—of the House.

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

Report was signed by the following member:

Mr. STERN of Penobscot  
—of the Senate.

Reports were read.

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

Mr. DENNETT: Mr. Speaker, I move the acceptance of the Majority "Ought not to pass" Report.

Thereupon, on motion of Mr. Binnette of Old Town, tabled pending the motion of Mr. Dennett of Kittery to accept the Majority "Ought not to pass" Report and specially assigned for Wednesday, April 26.

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**Divided Report  
Tabled and Assigned**

Majority Report of the Committee on Transportation on Bill "An Act relating to Penalty for Weight Violations of Trucks" (H. P. 865) (L. D. 1278) reporting same in a

new draft (H. P. 1122) (L. D. 1594) under title of "An Act relating to Weight Violations of Trucks" and that it "Ought to pass"

Report was signed by the following members:

Messrs. RENY of York  
BARNES of Aroostook  
JOHNSON of Somerset  
—of the Senate.

Mr. KEYTE of Dexter  
Mrs. KILROY of Portland  
Messrs. LYCETTE of Houlton  
CROSBY of Kennebunk  
LEBEL of Van Buren  
—of the House.

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

Report was signed by the following members:

Messrs. JEWELL of Monticello  
PENDERGAST of Kennebunkport  
—of the House.

Reports were read.

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

Mr. CROSBY: Mr. Speaker, I move that the Majority "Ought to pass" be accepted.

The SPEAKER: The gentleman from Kennebunk, Mr. Crosby, moves that the Majority "Ought to pass" in New Draft report be accepted. Is this the pleasure of the House?

The Chair recognizes the gentleman from Kennebunkport, Mr. Pendergast.

Mr. PENDERGAST: Mr. Speaker, I respectfully request that this lie on the table until Wednesday, April 26.

The SPEAKER: The gentleman from Kennebunkport, Mr. Pendergast, now moves that item 22 be tabled until Wednesday, April 26, pending the motion of the gentleman from Kennebunk, Mr. Crosby, to accept the Majority "Ought to pass" in New Draft Report.

Mr. Martin of Eagle Lake then asked for a vote on the tabling motion.

Thereupon, a vote of the House was taken.

79 having voted in the affirmative and 40 having voted in the

negative, the motion to table did prevail.

#### Passed to Be Engrossed

Bill "An Act Authorizing Beal Business School to Confer Associate Degrees" (S. P. 154) (L. D. 325)

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

#### Third Reader

##### Tabled and Assigned

Bill "An Act Establishing the Policemen's Arbitration Law" (S. P. 342) (L. D. 926)

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

The SPEAKER: The Chair recognizes the gentleman from Sidney, Mr. Drummond.

Mr. DRUMMOND: Mr. Speaker, Representative Huber couldn't be here this morning and he asked me to request that this be tabled until Thursday, the 27th.

Thereupon, on motion of Mr. Benson of Southwest Harbor, the Bill was tabled pending passage to be engrossed and specially assigned for Thursday, April 27.

Bill "An Act relating to Exporting of Sardines" (S. P. 602) (L. D. 1584)

Bill "An Act relating to Deposit of Ballots in Ballot Box" (S. P. 603) (L. D. 1585)

Bill "An Act relating to Definition of Sporting Camp Under Fish and Game Laws" (H. P. 359) (L. D. 506)

Bill "An Act relating to the Hunting of Muskrat, Mink, Otter and Fisher by Indians" (H. P. 670) (L. D. 942)

Bill "An Act Providing Relocation Assistance by Municipalities" (H. P. 729) (L. D. 1053)

Resolve, Increasing Retirement Benefit of Charles S. Hulbert of Shin Pond (H. P. 914) (L. D. 1323)

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

#### Amended Bills

Bill "An Act relating to Payment of Fees to Secretary of State Resulting in Protest" (H. P. 167) (L. D. 230)

Bill "An Act relating to Charges by Camp Owners Under Fish and Game Laws to Hunters or Fishermen" (H. P. 360) (L. D. 507)

Bill "An Act Amending the Charter of the Town of Falmouth" (H. P. 760) (L. D. 1107)

Bill "An Act relating to Ward Boundaries of the City of Brewer" (H. P. 801) (L. D. 1178)

Bill "An Act Permitting Northern Maine General Hospital of Eagle Lake to Maintain Medical or Social Care Institution" (H. P. 889) (L. D. 1303)

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

#### Passed to Be Enacted Emergency Measure

An Act to Appropriate Moneys for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1968 and June 30, 1969 (S. P. 597) (L. D. 1575)

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. 124 voted in favor of same and 4 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### Emergency Measure

An Act to Revise the Maine Indian Housing Authority Law (H. P. 744) (L. D. 1066)

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. 130 voted in favor of same and 1 against, and accordingly the Bill was



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

#### Emergency Measure

An Act Appropriating Moneys for the Continuing Activities of the Committee on Aging (H. P. 866) (L. D. 1279)

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 8 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### Enactor

##### Tabled and Assigned

An Act relating to Licensing of Premises for Dancing Purposes (S. P. 83) (L. D. 164)

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

(On motion of Mr. Danton of Old Orchard Beach, tabled pending passage to be enacted and specially assigned for Tuesday, April 25.)

##### Passed to Be Enacted

An Act relating to Examination to Determine Sanity of Accused in the District Court (S. P. 191) (L. D. 426)

An Act relating to Unindorsed Checks of Recipients of Aid to the Aged, Blind and Disabled (S. P. 346) (L. D. 930)

An Act Revising Laws on Dealers in Poultry (S. P. 420) (L. D. 1074)

An Act relating to the New England Compact on Radiological Health Protection (S. P. 482) (L. D. 1203)

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.

An Act relating to Conferring Degrees by Bliss College (H. P. 262) (L. D. 383)

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

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

Mr. ALLEN: Mr. Speaker and Ladies and Gentlemen of the House:

There are four bills going through the legislative process which concerns use of the word "College" or granting of college degrees. Two of them were reported out by the Education Committee "Ought not to pass" and the other two received divided reports. The statutes provide that the use of the word "college" and the granting of a degree shall be approved at one time and not until the institution has been in existence two years. The supporters of each of these bills, as you would expect, are not averse to mutual help, a case of jointly leaning against the wind.

Kennedy Institute, with an amendment before the other house is in its first year, has only 13 students and is not making an auspicious start. The other first year school is doing better. Those two schools are asking only to use the word "College" without the degree at this time. Beal Business School wants to grant a degree and comes, in my opinion, nearest to meeting the requirements. Bliss is the oldest, is given the right to use the word "college" by a "Grandfather clause" but has certain shortcomings. The State Board of Education has withheld favorable recommendation on all four bills at this time.

Title 20, Section 2203 of the Maine Revised Statutes provides that any educational institution seeking authority to grant degrees shall make application to the Secretary of State. Then, according to the same section, it becomes the duty of the Commissioner of Education to obtain full information regarding the merit of the institution to confer the degree, which includes the preparation of a report regarding the adequacy of the institution's buildings, instructional facilities and provisions for the safety and well-being of students; qualifications of the faculty; the character of the program of studies and of the requirements of the award of de-

grees; practices in the admission of students; the adequacy of financial resources and the governing policy of the institution; all for presentation to the State Board of Education for its recommendation to the Legislature. That is a sizable order. That was done in the instance of Bliss College at Lewiston. A subcommittee of the State Board visited the school. The subcommittee consisted of Mrs. Jean Sampson of Lewiston, the same community in which Bliss College is located, and Dean Marriner of Colby College, assisted by Mr. Hayden Anderson, Executive Director, Division of Professional Services of the Department of Education. That, I think you will agree, is a highly qualified committee.

The State Board decided that Bliss needed to make some improvements to qualify as a Maine degree - granting institution. It recommended:

1. An enlarged, active and independent Board of Trustees.
2. Substantial and continuing financial support from the communities served by the school.
3. Regulations fixing the duties and authority of the trustees, administration and faculty.
4. A complete annual audit by an outside firm of auditors.
5. Faculty members well prepared for all subjects they teach, with at least three of the teachers to hold masters degrees by 1970.
6. Substantially higher faculty salaries, with tenure, leave, and other personnel policies clearly defined.
7. Better non-technical courses; that is, those in English, social sciences and natural science.
8. A library greatly enlarged and well stocked, including much increased space for study. The library at the present time is in a room 280 sq. ft. and it's manned by a student part time. The heart of a college is said to be its library; the need for quiet and adequate study space with the necessary books at hand, cannot be overemphasized.
9. A science laboratory.
10. More nearly adequate facilities for health, physical education and recreation.

When the school has met those needs, or most of them, it will have qualities of a college which would lead to recommendation by the State Board that Bliss be permitted to grant college degrees.

I do not believe in so technical a matter we should overrule the State Board of Education and make an exception by giving to Bliss, before it is qualified, the right to grant degrees. If we do, I would expect we then would have degree granting requests from other institutions such as the:

Auburn School of Commerce  
 Augusta Business School  
 (Beal Business School in Bangor)  
 Gray's Portland Business College

John F. Kennedy Institute  
 Northeastern School of Business  
 Plus School of Business

Skowhegan School of Business and new schools being considered in Camden, Mexico and Ogunquit areas. One has already applied.

On what basis can the legislature deny the degree to any of those schools if it grants that privilege to Bliss, in spite of the advice of the State Board of Education that Bliss is not yet quite ready for that privilege?

Thomas College in Waterville, on the other hand, following an examination by the State Board, was notified by the Board that it would not recommend degree granting status until certain standards were raised, including enlarging and improving the school library. The standards were raised and to correct the library deficiency, the school expended \$15,000 for books alone. At the following term of the legislature the Board recommended, and the Legislature approved, authority to Thomas College to grant the degree, and I am glad to say in two months, next June the first degree students will graduate.

To deny the degree granting authority at this time will not be taking anything away from Bliss College which it now has. We simply will be affirming to Bliss and to all Maine citizens that a degree from a Maine college must have the approval of our Board of Education and the guarantee of

our Legislature that the degree stands for completion of quality education.

It is important I feel that we maintain the integrity of our college degrees. There are a few states, but not anywhere in New England, that shelter degree granting diploma mills. We need to be careful that we do nothing at any time that will tend to create the impression that Maine might be heading in that direction, and give encouragement to those institutions that might come into the State. We should encourage our schools to attain a standard rather than lower standards to accommodate a school. We do not suggest that the Legislature forever deny the degree to Bliss. We ask only that the college be ready, beyond a reasonable doubt, for the degree granting privilege it requests. At present, as your divided Education Committee report clearly shows, there is reasonable doubt.

This bill for Bliss College, in our opinion, is premature legislation at this session, but, depending upon the school to fulfill its obligation, may be timely at the next.

I move for indefinite postponement; and when the vote is taken I request a division.

The SPEAKER: The pending question now is the motion of the gentleman from Caribou, Mr. Allen, that Item 9, L. D. 383, "An Act relating to Conferring Degrees by Bliss College" be indefinitely postponed.

Mrs. HANSON of Lebanon: Mr. Speaker, I would vote against indefinite postponement and call to the attention of the House that the Education Committee voted 7 to 3 in favor of "Ought to pass."

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

Mr. MINKOWSKY: Mr. Speaker and Members of the House: It has often been stated, and rightly so, that a new legislator should be observant of procedure, an attentive listener, and to speak only when he knows his subject thoroughly.

Reluctant as I am in standing before this learned body today, due to my lack of legislative experience, but with the sincere belief that what I am doing is right and just, I feel prepared to defend my Bill, L. D. 383, in regards to one of Maine's older and tradition bound, private institutions of higher learning, which has been in continuous operation since the year 1897 — Bliss College in Lewiston, Maine.

I have spent in excess of 150 hours of work on this bill which will allow Bliss College of Lewiston to grant the Associate Degree in science. I have met with its students who represent thirteen of Maine's sixteen counties in attendance. The students fully concur that the curriculum at Bliss is intensive and that they are getting more than their money's worth in personal instruction and teaching know-how. In fact many of the students have gone on to degree granting institutions outside of Maine to attain Dean's honors list. Our own Maine State Teachers Colleges welcome with open arms the caliber of student that is referred to them by Bliss College.

Up until 1962 the University of Maine had accepted Bliss students with full credit. Our State Teachers Colleges still allow full credit. Oftentimes, a student will transfer to a State Teachers College, and then subsequently transfer to the University of Maine for full credit. If these tuition paying students are that good, then there is no need to beat around the bush, but to let them go on directly to the University of Maine or any other college of their choice.

These are our own Maine scholars, our children, that we are denying further education because they cannot afford to pay higher tuition, maybe because they might come from a large family with a moderate income, or otherwise. I often wonder how beneficial all these reports or surveys we receive, prove feasible, or ever are implemented. I'm referring to the sixty thousand dollar report from the Academy of Higher Education.

It's amazing to note that practically all the recommendations made to improve our present degree granting institutions are synonymous to those requested of Bliss College.

I have never met a more loyal or dedicated faculty, whose only desire is to offer their best, first to the scholars and then to the institution. I'm proud to say that this institution is one that does not weigh the degree of teaching ability in dollars and cents remuneration. Bliss College has made a great stride forward in the past five years in leasing and purchasing additional buildings. They have done this primarily because of the ever increasing demand for more competent, qualified, technical personnel in these ever changing times.

The world of tomorrow will make increasingly stringent demands when it comes to the matter of education. Our state must be prepared to meet those demands. We must help Bliss College, not with financial aid, but with faith, trust and loyalty that it will continue to produce our future Maine leaders. Just recently, we demonstrated our interest in Maine scholars when we allocated \$50,000 in state funds as an emergency measure, to release more than half a million dollars in student loans for the current college year. Even Governor Curtis made the following statement and I quote "as long as there are Maine youngsters with the desire and ability to further their education, we should do everything possible to see that they are able to obtain it."

This bill, an act relating to conferring the Associate Degree in Science, is the very lifeblood for the future growth and expansion of this institution. Let us, as legislators, also display trust, confidence and foresight in letting this institution survive instead of hindering its faith in our grand state and its children. Without private higher education institutions in Maine, could you visualize the problem we would be faced with today and what problems we would have in

another decade? Let's not be guilty of holding down this college. Instead, let's help it to prosper and show them we believe in them and are standing behind them for their superb teaching ability of our scholars.

As my good friend, Representative Bill Dennett of Kittery clearly stated recently in his usual eloquent manner, the fable of the scorpion and the frog. Of course the problem here does not have the magnitude of the River Nile. It's more the size of the reclassified River Androscoggin. But the end result is still politics. There is one difference, and that being, as the frog approached the center of the River Androscoggin, it retaliated and stated "I'd rather fight than switch," and that's exactly my sentiments and my position on this great college that has served its state faithfully and loyally for the past seventy years.

As we prayed to God this morning, to guide us in our deliberations, I sincerely feel that I would much rather relinquish my seat in this House, which I have come to love in such a short span of time, than to sell my constituents, the scholars of Maine and this loyal institution down the river by not fighting to the best of my ability for something in which I wholeheartedly believe in.

Mr. Speaker, I would request a division on the motion by Mr. Allen.

The SPEAKER: A vote has been requested. Is the House ready for the question?

The Chair recognizes the gentlewoman from Winthrop, Mrs. Baker.

Mrs. BAKER: Mr. Speaker and Members of the House: I feel I should defend my position on this Committee voting this bill "Ought to pass," bringing out just two or three more statements that we gathered in the committee hearing.

The State Board with some of their members present who made statements in regard to this college said, they believed this college and Beal both would be qualified within the year and, in fact Dean Marriner stated: "I do not see how you can grant this privilege to one college and not

the other." So, this would prove to me that both colleges are very deserving of this Associate Degree granting privilege.

Now the Legislature grants this privilege, and meets only every two years. The Legislature in its wisdom granted this privilege to Husson College a bit ahead of the Board's suggestion, and if you will remember, Husson College has gone ahead very fast and become one of the outstanding colleges in the State, and they feel that it was because of this privilege they were granted that made it possible for them to go ahead with such strides.

To bring you just a personal touch, I want to tell you that there were two students attending Bliss College who lived in my community. They went on to the University of Maine and the years that they attended Bliss College were credited toward their entrance into the University of Maine. This proves to me that Bliss College has something.

I ask you to vote against the indefinite postponement of this bill.

The SPEAKER: Is the House ready for the question? The pending question is the indefinite postponement of House Paper 262, L. D. 383, An Act relating to Confering Degrees by Bliss College. A vote has been requested. All those in favor of indefinite postponement will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

7 having voted in the affirmative and 126 having voted in the negative, the motion did not prevail.

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

An Act Repealing Bounty on Porcupine (H. P. 502) (L. D. 715)

An Act relating to Authorization to Borrow Money by Brunswick Sewer District (H. P. 762) (L. D. 1109)

An Act Increasing Compensation of Trustees of Sanford Water District (H. P. 1020) (L. D. 1484)

An Act to Revise the Election Laws (H. P. 1076) (L. D. 1539)

### Finally Passed

Resolve to Increase Retirement Benefit for Susie H. Yeaton of Harrington (S. P. 278) (L. D. 658)

Resolve relating to Retirement and Pension of Stephen A. Regina of Saco (H. P. 697) (L. D. 978)

Resolve Appropriating Moneys for Improvements at Indian Reservation at Indian Island (H. P. 994) (L. D. 1456)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, Bills passed to be enacted, Resolves finally passed, all signed by the Speaker and sent to the Senate.

### Orders of the Day

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

Mr. LEVESQUE: Mr. Speaker, may I respectfully request a fifteen minute caucus.

The SPEAKER: The gentleman from Madawaska, Mr. Levesque, requests a recess for about fifteen minutes for the purpose of a caucus. Out of deference to the Minority Leader, the Chair so grants him the privilege.

The Chair recognizes the same gentleman.

Mr. LEVESQUE: The Democratic members of this House will meet in Room 228 immediately.

The SPEAKER: And will the Republican members please remain in their seats.

The House is at recess until the sound of the gong.

### After Recess

The House was called to order by the Speaker.

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

Bill "An Act to Relieve Elderly Persons from Increases in the Property Tax" (H. P. 953) (L. D. 1384)

Tabled — April 14, by Mr. Ross of Bath.

Pending — Passage to be engrossed.

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

Mr. ROSS: Mr. Speaker and Members of the House: L. D. 1384 is a bill affecting the property taxes of older citizens in the State of Maine. It is really a very interesting bill. It is not an abatement, it is not an exception, it is not relief per se, but it states that under certain circumstances relative to age, income, value of the property and so forth, property taxes would be frozen for the remainder of the lives of our older friends and neighbors.

I signed this out of Taxation "Ought to pass" and I tabled it to permit the sponsor, the gentleman from South Portland, Mr. Philbrook, to present an amendment which I understand is primarily administrative.

Mr. Philbrook of South Portland then offered House Amendment "A" and moved its adoption.

House Amendment "A" was read by the Clerk as follows:

HOUSE AMENDMENT "A" to H. P. 953, L. D. 1384, Bill, "An Act to Relieve Elderly Persons from Increases in the Property Tax."

Amend said Bill by striking out all of subsections 3 and 4 of that part designated "\$658." (same in L. D. 1384) and inserting in place thereof the following:

**3. Ownership, residency.** The person claiming exemption shall have been a resident of the State of Maine for at least 10 years.

**4. Single family dwelling.** A claim for exemption can only be made for a single family dwelling which is occupied as the domicile of the person claiming exemption.'

Further amend said Bill by striking out all of subsection 7 of that part designated "\$658." and inserting in place thereof the following:

**7. Claims filed.** Any person who desires to secure exemption under this section shall make a written application and file notarized written proof of entitlement on or before the first day of April, annually, with the municipal assessors. Refusal to so apply and file shall constitute adequate reason for denial of such exemption. Any person signing a false claim shall

be subject to civil or criminal perjury.'

Further amend said Bill by inserting before the last paragraph (same in L. D. 1384) the following new subsection:

**'9. Fraudulent conveyance.** No real estate conveyed to any person for the purpose of obtaining exemption from taxation under this section shall be so exempt, excepting property conveyed between husband and wife, and the obtaining of such exemption by means of fraudulent conveyance shall be punishable by a fine of not less than \$500 and not more than 10 times the amount of the taxes evaded by such fraudulent conveyance, whichever amount is greater.'

The SPEAKER: The Chair recognizes the gentleman from Winslow, Mr. Roy.

Mr. ROY: Mr. Speaker, I would like to have somebody at this time table this bill so I can add an amendment. I had an amendment made up, I would like to have it printed up and reproduced.

The SPEAKER: The pending question is the adoption of House Amendment "A". Is it the pleasure of the House that House Amendment "A" be adopted?

Thereupon, House Amendment "A" was adopted.

The SPEAKER: The Chair recognizes the gentleman from Winslow, Mr. Roy.

Mr. ROY: Mr. Speaker, I would like to have this bill tabled until next Tuesday.

The SPEAKER: The gentleman from Winslow, Mr. Roy, moves that this matter be tabled until Tuesday, April 25, pending passage to be engrossed.

Mr. Philbrook of South Portland then asked for a division.

The SPEAKER: A vote has been requested on the tabling motion. All those in favor of this matter being tabled until Tuesday, April 25, will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken. 62 having voted in the affirmative and 69 having voted in the negative, the tabling motion did not prevail.

Thereupon, the Bill was passed to be engrossed as amended by House Amendment "A" and sent to the Senate.

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

An Act relating to use of Dealer Registration Plates (H. P. 124) (L. D. 150) (Engrossed in both branches)

Tabled—April 14, by Mr. Scott of Wilton.

Pending—Motion of Mr. Drummond of Sidney to indefinitely postpone (Roll call ordered.)

The SPEAKER: The Chair recognizes the gentleman from Wilton, Mr. Scott.

Mr. SCOTT: Mr. Speaker, Ladies and Gentlemen of the House: There has been considerable debate on this L. D. 150 relating to allowing automobile dealers to make a charge for use of their motor vehicles. I do not wish to belabor this issue, but because there are so many bills on disclosure, truth in lending and so forth before my Committee, I feel this may be good permissive legislation. Instead of a dealer padding his bill for repairing your automobile, he could make a definite charge for use of his vehicle. This appears to me to be in line with the idea of disclosure, and I would urge you members of the House to vote against the motion to indefinitely postpone. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Van Buren, Mr. Lebel.

Mr. LEBEL: Mr. Speaker, Ladies and Gentlemen of the House: This L. D. 150, I don't believe it's a good bill; it is a good bill in one way; it's a good bill for the new and used car dealers, but for the other people it's not so good. I'll tell you why—I'll try to anyway.

By taking the word 'hire' in this 150 they can take their plates and put it on a wrecker, that's one bad thing about it, and they can go and do it for hire with their wrecker, and in the bottom when it says a customer's car can be for repair, it doesn't say that the customer's car has to be repaired in his place.

That's another thing. It can be repaired somewhere else. And the customer—who is a customer, is he the one that bought the car over there or is he a guy that buys the gas? That, I couldn't find out—you can be pretty sure of that. They told me they presumed it was where they had bought the car. Now, we have L. D. 1533 which will be coming out pretty soon and in L. D. 1533 the dealers here, it says if the dealer has a customer's car in his garage and custody, he may allow the customer use of one of his cars and the dealer may charge a nominal fee.

They also have here in another paragraph for loaning as this means—this is a dealer's registration license to a loaner as a substitute—for loaning as a substitute for a customer when the customer's car is in for repair. So—and the dealer also, if this goes through, he can also let his car for teaching a new operator how to operate an automobile or motor truck, if such new operator has secured a learner's permit, so this will allow them to be going into drivers ed, and on this 1533 the dealer's plate could also be used, "For the personal use of such dealer or the members of his family, or when such dealer is a corporation for the personal use of not more than three members of the corporation who are actively engaged in its business, or the immediate members of their families, or for the personal use of regular employees of such dealer or corporation", when operated by such employee and on those dealers plates could all be used for transporter plates if they are needed.

And we have, just to show that we are fair with those that have dealers plates, equipment plates or transporter plates, those who will have equipment plates they cannot use those equipment plates for hire or for pleasure, and those that have transporter plates also may not be used for demonstration and they may not be used in lieu of registration for personal use, personal business or personal pleasure, and if — they say well the other garage that don't sell cars,

they will be able to buy some loaner plates. If they do buy loaner plates, the loaner plates may not be used by the owner of his car or on a car owned by anyone else in lieu of registration for personal use or pleasure, so I don't feel this L. D. 155 is a good bill. I feel that it only helps the new and used car dealers and I do hope that the motion to indefinitely postpone will be accepted.

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

Mr. CROSBY: Mr. Speaker, Ladies and Gentlemen of the House: At this point, I am a little bit confused. When I presented this bill I saw no reference to loaner plates, transporter plates; in fact it only added five or six words to the present law as it stands on the books now, and I had not intended to say anything further on this bill, but as the sponsor, and because of certain allegations which have been made, I now feel that I should in fairness to the Committee, the Attorney General's Office, and to justify my position give just a few brief remarks.

I am not going to debate the merits of the bill any further, but simply remind you that after a good hearing and serious deliberation by the Committee, it was reported out with a majority of nine to one, ought to pass. So much for the merits of the bill.

During the debates on this much travelled bill, it was inferred that the Attorney General's Office had ruled that this was "a bad bill." This came as a shock to me, because I could not believe that this office would rule as to whether a bill was good or bad. For my own satisfaction, I too contacted the Attorney General's Office and I have here a letter stating: "I have examined L. D. 150 and find no constitutional objections to that Legislative Document." I have no further comment except to urge you to have confidence in the judgment of the Committee and uphold their decision. Thank you.

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

Mr. HEALEY: Mr. Speaker,

Ladies and Gentlemen of the House: I don't wish to be rude to interfere with this very enlightening debate here, but I think we have been over this so many times that the previous question might be in order at this time, and I so move.

The SPEAKER: For the Chair to entertain the motion for the previous question, it must have the consent of one-third of the members present. All those in favor of the Chair entertaining the motion for the previous question will vote yes and those opposed will vote no, and the Chair will open the vote.

A vote of the House was taken.

74 having voted in the affirmative and 58 having voted in the affirmative, the previous question was entertained.

The SPEAKER: The question now before the House is, shall the main question be put now. This question is debatable for no more than five minutes by any one member. The Chair recognizes the gentleman from Houlton, Mr. Berman.

Mr. BERMAN: Mr. Speaker and Members of the House: I am not going to get into debate on the merits of the bill.

The SPEAKER: The gentleman cannot do that.

Mr. BERMAN: That's probably why I am not going to do it, Mr. Speaker. I will say this very frankly, I have known a gentleman who signed the Minority Report for many, many years, and he has been a very valuable member of this Legislature, and I think it would be extremely discourteous, extremely discourteous, to refuse the honorable Flave Jewell a chance to explain his position on this bill, so I hope that you will vote to allow further debate so that Mr. Jewell may have a chance.

The SPEAKER: The Chair recognizes the gentleman from Van Buren, Mr. Lebel.

Mr. LEBEL: Mr. Speaker, it has been mentioned a few minutes ago that the report came out nine to one. I did—

The SPEAKER: The gentleman may not debate any aspect of the bill. He must debate whether the main question shall be put now.



Mr. LEBEL: I don't want to debate, I just want to say that I am against the bill now.

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

Mr. SCRIBNER: Under the previous question, may I pose a question through the Chair? I have been trying for several minutes to do this. I have a question which I would like to pose to the Committee or—

The SPEAKER: If it does not relate to the merits of the bill the gentleman may pose his question. The only question the gentleman could ask, is shall the main question be put now.

Mr. SCRIBNER: That's not the question.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: It is my feeling that the members that so desire to speak on this particular bill should be afforded all the opportunities needed and necessary. That was my reason for voting against the previous question, because I have a sincere feeling certainly to uphold the gentleman from Solon, Mr. Hanson's question that we should use the microphone more often; now is the time, and I feel that those people that want to use the microphone that have a reasonable argument to put up that they so use it. That's my reason for wanting this debate to continue.

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

Mr. HEALY: Mr. Speaker, I now move reconsideration of my—

The SPEAKER: This matter is not in a position to reconsider. Shall the main question be put now?

Mr. HEALY: May I withdraw?

The SPEAKER: The House will be in order.

Mr. LEBEL: Mr. Speaker?

The SPEAKER: The gentleman is not in order, he has spoken his time when he was addressing the Chair the prior time that he was on the Floor.

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

Mr. ROSS: Mr. Speaker, I voted for the previous question, but on the matter right before us now, if the gentleman from Monticello, Mr. Jewell has further things to add; if the gentleman from Portland, Mr. Scribner, has a pertinent question, I would change my mind and vote against should the main question be put now.

The SPEAKER: Shall the main question be put now? All those in favor say yes; those opposed, no.

A viva voce vote being taken, the motion for the main question was lost.

The SPEAKER: The Chair recognizes the gentleman from Portland Mr. Scribner.

Mr. SCRIBNER: Mr. Speaker, I wish to pose a question through the Chair to the Committee or the sponsor of the bill.

The SPEAKER: The gentleman may pose his question.

Mr. SCRIBNER: I note in the section where it deletes "or for hire" I'm concerned as to whether the fact that some of the new car dealers who operate wreckers in competition with the local garages. Now they presently can use a dealer plate on this. They cannot charge under the existing statute because it says "or for hire" if they've got a dealer plate on their wrecker. They save several hundred dollars per year on a large ten to twelve thousand dollar wrecker. If we delete this, are they going to be able to charge for the use of wrecker services in competition with the small filling station that has to pay several hundred dollars a year on the same wrecker? Is this change being reflected in the law under this bill?

The SPEAKER: The gentleman from Portland, Mr. Scribner, poses a question through the Chair to any member who may answer if they choose.

The Chair recognizes the gentleman from Van Buren, Mr. Lebel.

Mr. LEBEL: Mr. Speaker and Members of the House: Yesterday we did pass a bill to remove the fifteen-mile limit to a thirty-five-mile limit. I did vote to pass that bill which I thought it was very good for the wreckers that buys the license it has to pay for his

regular fee, excise tax and sales tax on his wrecker. That means the guy with the small garage. And the only place he could go was 15 miles. Otherwise, if he wanted to go further, he had to join the PUC and pay a thirty-five dollar license, pay his excise tax and pay his sales tax on equipment which is a piece of equipment that costs about five to seven thousand dollars.

If this bill goes through, this means the new car dealers can use their car plate which it pays only five dollars for it. No excise tax, no sales tax, and he will be able to go thirty-five miles and do anything he wants for hire. And, besides that, he will be able to use his pickup that has a snowplow on it. And, the guy next door, he already bought a pickup, a jeep and put on a snowplow which cost him two or three thousand dollars. He has to pay fifty dollars for a license. He has to pay his excise tax, he has to pay the sales tax, so I don't believe it is right to pass that bill. It is a good bill for the new and used car dealers. As I say, they told me, the new and used car representative told me, the other garage gets the same choice, he can buy a loaner's plate. Yes—he can buy a loaner's plate. They will pay sixty-five dollars for two plates with a certificate which is the same price as the new car dealers, but—and then you pay the other plates five dollars a plate, but it doesn't need two or three wreckers, he needs just one which mean that you have to pay sixty-five dollars for registration you get two plates, and the other plate, he can leave it in his desk because he can't use it.

You look at 1533 here. I hope you all have studied 1533. The loaners plate here says—I'll have to put my glasses on. The loaners plate says here, a loaner plate may not be used by the owner on his car or on the car owned by anyone else, if used on a wrecker in lieu of registration for personal use or pleasure, so that means if he does buy a loaners plate he will have to put it on a car next to his garage and have to have it for

rent to a fellow that goes in to fix his car, so this means by putting this bill in, the guy that wants to have his car fixed next door, he will have to go back to the new and used car dealers to rent the car, so I do hope that the motion to postpone goes through.

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

Mr. HENLEY: Mr. Speaker and Members of the House: I did not intend to address the House on this measure. I feel that we should use the mikes when necessary. I know that this bill has been worked over and over, and I am surprised and a little bit appalled at the viciousness which seems to be evident regarding this bill.

I speak with a little bit of knowledge. I was with a dealership for fifteen years. I had quite a bit to do with the front office, I am surprised that there seems to be so much of an apparent objection to this little bill.

In regard to the use of wreckers and the use of small vehicles that dealers put their dealers' plates on, plowing snow, one thing and another, I feel that if we enact bills which are too complicated to enforce that they themselves are a bad bill. The gentleman from Van Buren mentioning this other bill—I have read it over, perhaps I haven't studied it sufficiently—but it seems to me a bit complicated and a bit difficult to enforce.

As to again reference to the use of dealers' plates, they are, of course, privileges that are perhaps abused and always have been. I have had associations and employment with dealers through the years ever since the '20's and way back then the plates, the privileges were abused; they still are, and they will continue to be. Most privileges, in one sense or another through the years, are abused in some ways, but the passage of this bill as I see it will not increase that abuse. The passage is merely permissive; will not change a lot of rules that are being done right along. Dealers plates are on wreckers that in a good many cases travel more than fifteen miles and

they get away with it. Dealers plates are on vehicles which plow snow in the winter time. Lord knows it is hard enough to find someone to plow your driveway. I have found no objection through the years when dealers have used their wreckers and their little vehicles for plowing jobs, I have never heard any objections.

As far as loaning cars out, that's been done through the years and I think continues to. I know if this bill goes through I put my car in for work into the dealer where I have had it done, I am certain I will have a car and I am certain—just as certain that I will not be charged. I am also certain that this bill will allow the dealer a little bit of a weapon to use in case of the habitual borrower that gets low on gas, wants his carburetor checked and leaves his car in there and borrows a car and drives a hundred miles. In that case it will allow the dealer an out. He can refuse the car or he can say well, you can have a car if we can find you one here and it will cost you five bucks. In that case he will do away with that particular small element.

Now as to the various objections that have been brought into this, and the various discussions, all of these other abuses of privileges, the usage of the dealers plates on the wives cars and their sons and daughters, their nephews and so on, anybody concerned with a dealership, this is not going to change that one iota. Consequently, in studying this bill and in listening to all the debate on it, and from my experience with dealerships, which is quite varied and quite lengthy because I have been attached to the front office, I have had to do with the business end, and I will assure you now that the dealers are not all of them getting rich. There is a good many of them that are going under every week of the year, and like any other business it requires pretty careful planning. So in closing, I will state that in my judgment, this bill is not harmful, it could be a little bit of help, it is not unconsti-

tutional and I will go along with this bill.

The SPEAKER: The Chair recognizes the gentleman from Eliot, Mr. Hichens.

Mr. HICHENS: Mr. Speaker, I would like to pose a question to the House. Are we discussing L. D. 150 or L. D. 1533?

The SPEAKER: The matter before the House is L. D. 150.

Mr. HICHENS: Mr. Speaker, that's what I understood, but there has been a lot of discussion on 1533. I do not think 150 involves all of this argument that has been going on.

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

Mr. CROCKETT: Mr. Speaker and Members of the House: We have hemmed and hawed over this bill several times and I was House Chairman of the Highway Committee, and we came out unanimous that this bill should be passed. Now I don't know why we should hem and haw much longer on it. It's a bill that protects the working man where he can get a little relief by borrowing a car if his car is in the garage being repaired, and the dealer has the right to charge him a minimum charge or none at all if he so desires. I say let's go ahead and put this bill over and see what it will do.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I too was a member of the Highway Committee and this bill wasn't heard before the Highways, it was heard before Transportation I believe, and while I am on my feet, I didn't intend to get up on this jewel of a bill, but seeing as I'm on my feet and have been a dealer and I wasn't affiliated with the front office, I was the front office, and I did get away with a lot of these things that have been mentioned. I do see this bill as further advancing places where they can get away with this or that. I think it is not right, as Mr. Lebel has tried to explain to you, I think he has done a fair job, I can understand him, to further give this—

he tried to mention the man that snowplows and pays a legitimate fee for all kinds of taxes which you are well aware of, and a man buys a five dollar dealer plate and does the same thing, and so why should we, and we continue to do it. I know, over the years, pass legislation for special groups. And starting today I am against this type of legislation and I hope that this bill is indefinitely postponed and I'm not going to take any more of your time. I have been a dealer and I too have done these things that's been mentioned.

The SPEAKER: The Chair recognizes the gentleman from Kennebunkport, Mr. Pendergast.

Mr. PENDERGAST: Mr. Speaker, as you all know, L. D. 150 has been a pretty much tabled and debated bill. It is permissive legislation. The Committee put it out nine to one ought to pass originally. I don't know what more I can say, but to answer Mr. Hichen's question, there is a conflict between 150 we are debating at the moment and 1533 which will be coming out in the next two weeks I hope from our Committee. There is definitely an overlapping. However, I hope you will go along and pass this and vote against the indefinite postponement.

The SPEAKER: The Chair recognizes the gentlemen from Sanford, Mr. Nadeau.

Mr. NADEAU: Mr. Speaker, I feel the most talked about subject we have had in this session is where are we going to get all this money. This morning, this L. D. 150 the bill that we have before us, will allow finagling to evade the payments of such taxes. Now how are we going to raise this money that we are now going to allow the people to get away with now? There are only 387 new car dealers registered as of 1966, and there are 641 used car dealers. This is minute in comparison to the thousands and thousands of garages who make their livelihood by selling gas and car repairs. Now I personally got interested in this because I had approaches to what type of a car I had and the dealer called asking me to vote for this. So I went around and saw all the garages, not just the

new and used car dealers, and I can tell you that we in our area are 33 against 6 for indefinite postponement of this bill, because these same garages which are now paying all of these taxes mind you, they feel that they will now lose some of their business to go to a new car dealer because this in my opinion is not good permissive legislation and I hope you will vote for indefinite postponement. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Monticello, Mr. Jewell.

Mr. JEWELL: Mr. Speaker and Ladies and Gentlemen of the House: I'm going to make the shortest speech on record.

This bill reminds me of a card game where the dealer—the odds are all in favor of the dealer, and the dealer is making the rules of the game, and it smells to high heaven to me, and I hope the motion to indefinitely postpone does prevail.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: This bill has been spoken on from so many areas, that I would be justified to say a few words in regard to it.

I sat in my seat and voted against it every time it's come up. I thought possibly this time I might vote the other way just to get the thing out of the way, but when the proponent of the bill supports it by admitting that there have been tremendous abuses under it and admits that this opens up an area for further abuses, I certainly am going to continue to vote as I have voted and vote for the indefinite postponement.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Sidney, Mr. Drummond, that "An Act relating to Use of Dealer Registration Plates," House Paper 124, L. D. 150, be indefinitely postponed and a roll call has been ordered. All those in favor of indefinite postponement will vote yes; those opposed will vote no. The Chair opens the vote.

**ROLL CALL**

**YEA** — Allen, Baker, R. E.; Belanger, Benson, Berman, Bernard, Boudreau, Bourgoin, Bradstreet, Bragdon, Brennan, Buck, Bunker, Carrier, Carroll, Champagne, Clark, Cottrell, Crommett, Cushing, Darey, Dennett, Drummond, Dudley, Dunn, Durgin, Eustis, Ewer, Fecteau, Gauthier, Giroux, Hall, Hanson, H. L.; Harnois, Harriman, Harvey, Hawes, Healy, Hewes, Hichens, Hodgkins, Hunter, Jewell, Lebel, Levesque, Lewin, Lewis, Littlefield, Lowery, Martin, McNally, Meisner, Mosher, Nadeau, J. F. R.; Pike, Porter, Quimby, Rackliff, Rocheleau, Sawyer, Scott, G. W.; Scribner, Starbird, Susi, Thompson, Waltz, Watts, White, Wight, Williams.

**NAY** — Baker, E. B.; Bedard, Beliveau, Binnette, Birt, Brown, Burnham, Carey, Carswell, Cookson, Cornell, Cote, Couture, Crockett, Crosby, Curran, Danton, Edwards, Evans, Farrington, Fortier, Foster, Fraser, Fuller, Gill, Hanson B. B.; Hanson, P. K.; Haynes, Henley, Hinds, Hoover, Humphrey Immonen, Jalbert, Janelle, Keyte, Kilroy, Kyes, Lincoln, Lycette, Maddox, McMann, Miliano, Minkowsky, Nadeau, N. L.; Noyes, Pendergast, Philbrook, Prince, Quinn, Richardson, G. A.; Richardson, H. L.; Rideout, Robertson, Robinson, Ross, Roy, Sahagian, Scott, C. F.; Shaw, Shute, Snow, P. J.; Soulas, Tanguay, Trask, Truman, Wheeler, Wood.

**ABSENT** — Conley, D'Alfonso, Dickinson, Drigotas, Gaudreau, Hennessey, Huber, Jameson, Payson, Snowe, P.; Sullivan, Townsend.

Yes, 70; No, 68; Absent, 12.

70 having voted in the affirmative and 68 having voted in the negative, the motion to indefinitely postpone prevailed.

The **SPEAKER**: The Chair recognizes the gentleman from Sidney, Mr. Drummond.

Mr. **DRUMMOND**: Mr. Speaker and Members of the House: I make the motion we reconsider L. D. 150, and I hope you won't support me.

The **SPEAKER**: The gentleman from Sidney, Mr. Drummond, now

moves the House reconsider its action whereby it indefinitely postponed this bill. All those in favor of reconsideration will say yes; those opposed say no.

A viva voce vote being taken, the motion did not prevail.

Sent up for concurrence.

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

An Act relating to State Aid for School Construction (S. P. 63) (L. D. 107)

Tabled—April 14 by Mr. Levesque of Madawaska.

Pending—Passage to be enacted.

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

Mr. **LEVESQUE**: Mr. Speaker and Ladies and Gentlemen of the House: I shall be very brief as this matter has also been before us for a good many times. I feel certainly this morning that our point has been made very clear, and with the attachment of the amendment on this document at this time we find ourselves in a position of not being able to support it in its present form. And the reasons are quite obvious, we have had numerous meetings and it's still our position that what we have proposed in 107 as was originally proposed would completely give our commitments to these communities that we had made commitments to, and that certainly this fund was provided for in the Governor's message, and the means of paying for this was also provided for, and with the proposed amendment we have been unable to arrive at a fair compromise this day, so that it is certainly my feeling that unless we come up with a fair compromise to both it is almost impossible with all the ramifications and implications of the bond companies in this document as to the financing part of it, I find myself in the position this morning of being unable to support this document for final passage.

The **SPEAKER**: The Chair recognizes the gentleman from Cumberland, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker, in support of the enactment of this vital measure I will be very brief, but I do feel that there are certain things that should be covered. I believe that the people of the State of Maine are entitled to an explanation of the present status of this L. D.

During the Special Session of the 102nd Maine Legislature our method of financing school construction was changed. I bear the responsibility for that as a member of the 102nd Legislature, along with every other person who is now serving in this House who was in the 102nd. At the time we went to the lump-sum system, at the same time a companion L. D. was proposed which would have provided a bond issue in the amount of ten million dollars to pay for this change. This bond issue was referred to us — that is in polite language — it was killed.

We are now confronted with a financial crisis involving 22 S.A.D.s, involving some 80 towns.

I have in my file on this bill—the file is now a couple of inches thick—a very interesting newspaper article which appeared some time ago. It starts out—Skowhegan, “James Fitzgerald, Boston, Massachusetts architect, stated here recently — ‘I think it is going to be the finest school in the State’” and here is a picture of this very fine school facility.

This school and twenty-one others S.A.D.s are waiting for word to come from Augusta whether or not we’re going to honor the commitment that we made.

107, as amended, is an effort to provide flexibility and it is not a financing bill. It has nothing to do with the means of raising the money. So, then the question is—why should we delay?

Last week we were told that unless we agreed to a public hearing we would not have Democrat support for this bill, and therefore, we could not pass it because we lacked the necessary 101.

The public hearing was held yesterday, I believe it is fair to

say—and the public hearing was recorded on a tape recorder in case there’s any doubt about it—that Commissioner Logan appeared and stated unequivocally that the Department endorses L. D. 107 as amended as is presently before you. He also talked about the question of lump-sum financing as compared with deferred payments financing. He very cheerfully admitted, and we are all pleased to see that, that he personally happens to prefer the lump-sum method. He prefers it because, as he said, it makes a neater package for the District; that he too admits that it’s a pretty chancy proposition, whether the State really saves any money by lump-sum, and in any event it doesn’t make a nickel’s worth of difference in the long run to the S.A.D.s.

After this hearing I had anticipated, I had hoped, that the political wrangling was over — that we would pass L. D. 107 in its amended form. Now the problem is—and now the real problem comes out for the first time—the Democratic leadership apparently wants the Republican leadership to agree on the method of financing school construction. Now, where this insistence is coming from I have no idea, but I can assure you that it would be a significant departure from all legislative experience that I have seen for the Majority Party at this point to start trying to finance things and start trying to make decisions on how things were going to be paid for. This bill has nothing to do with financing, in the sense that it has nothing to do with how we actually raise the money.

Everybody in this room is pledged to back up these schools, or at least we ought to be. Now if the Democratic Party doesn’t like any financing proposal that we come up with to finance this or any other project, ladies and gentlemen, I remind you of the fact that we have to have the 101 votes two months from now, or one month from now, or whenever we get into this aspect of this ses-

sion. We've got to have Democratic support for that, and we know it and we will certainly be bound to a certain extent to abide by their wishes as to some of these matters. But in the area of political compromise in the closing days, and all that, many of these good school districts are still going to be standing around wondering what happened to their new schools that we said we were going to guarantee.

107 doesn't have anything to do with bonds or deferred payments at all. 107 is a good law. We can debate and fight and scratch about financing later, but we shouldn't be doing it now.

L. D. 107 strengthens the power of law in several important respects, which was brought out at the committee and with which I will not argue.

The last time this bill was debated it was suggested that the Majority Floor Leader had gotten involved in another one of his irresponsible partisan debates. "Irresponsible" is a word that's used much too much it seems to me with reference to one's political opponents. I'm not going to use that term in reference to any person who votes against L. D. 107 as amended, but I know that as the elected Representative from the Towns of Cumberland and Gray, and living in the Town of Cumberland which along with North Yarmouth makes up S.A.D. 51 and which has a school construction project going—they don't know how they're going to pay for it—the cafeteria and its classrooms, all of which are very badly needed, and two of my three children are attending them, and the other one will in two or three years—I'm going to be able to face them with the roll call vote that I'm going to ask for, and I'm going to be able to say I voted correctly on this. And the responsibility rests on every person in this Legislature to make an independent decision based on what he knows the facts to be, and I hope not to be swayed by someone's getting a little cold feet about financing. Today is not the day to talk about financing;

we will have our moment of truth on that.

Mr. Speaker, when the vote is taken I request that we take it by the yeas and nays, and I urge every member of this House to vote "yes" in favor of enactment of this vital legislative document.

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

Mr. BRENNAN: Mr. Speaker and Members of the House: The Democratic Party is on record in support of L. D. 107 in its original draft, so the commitment of the 102nd Legislature will be honored.

I submit that it is the Republican Party that must bear the responsibility of not honoring that commitment to education made by the last Legislature, because of the Republican Party's refusal to permit the passage of L. D. 107 as originally proposed.

The SPEAKER: The Chair recognizes the gentleman from Cumberland, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker and Members of the House: I want the record to be absolutely clear. The price last week was that we hold a public hearing, and we've held a public hearing, and the chief officer of the Executive Department responsible for education, Commissioner William T. Logan, appeared and endorsed the passage of this L. D.

Now, this week the price is that we've got to make a commitment on financing or the Democratic leadership won't go along. That's the only thing that's involved, and I would be very surprised to hear anyone in the Democratic leadership deny that.

The SPEAKER: For the Chair to order a roll call it must have the expressed desire of one-fifth of the members present. All those who desire a roll call will vote yes—

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

Mr. LEVESQUE: Mr. Speaker and Members of the House: Again I repeat to you ladies and gentlemen that we have passed and voted for this Legislative Document 107 previously, and we were all for it. We want, and we have signified

our intentions of making good our previous commitment to these School Administrative Districts. To tell you all the ramifications and the implications of financing which is absolutely a part of this bill, you cannot divorce the financing part of this bill, for the simple reason that in December the Education Department said that in order to finance school construction under the S.A.D. they would need fourteen million dollars. As late as a month and a half ago or possibly two months ago, this had been increased to 17.5 million dollars. As late as yesterday afternoon the Department of Education came out with the possibility of this being 19.4 to 20 million dollars. If this has nothing to do with financing, I would like to know what has. That is why this morning that we feel that certainly there is an area that we should be able to compromise as to the method of this financing and to make sure that this financing problem that we are having now will be agreeable to all; it will be agreeable with the finance companies, the bonding companies and at the least possible cost to the State of Maine. This is our aim and also to make sure that these school districts will be covered when their construction comes about.

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

Mr. BRAGDON: Mr. Speaker, I have read over the original 107. I probably have missed the reference to the method of financing which the gentleman from Madawaska refers to. I would feel greatly enlightened if he would quote the section that clarifies the method of financing under the original 107.

The SPEAKER: The gentleman from Perham, Mr. Bragdon, poses a question through the Chair to the gentleman from Madawaska, Mr. Levesque, who may answer if he so chooses. The Chair recognizes that gentleman.

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: In 107 it is not specific the amount of financing, but it authorizes, it gives the permission of the communities, of the School

Administrative Districts to borrow in anticipation thereof, and that's financing.

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

Mr. BRAGDON: Mr. Speaker, if I might, I would pose a further question to the gentleman from Madawaska, if he would point out to me where in the revised version of this bill which we are supporting where it makes any reference to not doing these things that he refers to? Have we eliminated any of these things which you desire?

The SPEAKER: The gentleman from Perham, Mr. Bragdon, poses another question through the Chair to the gentleman from Madawaska, Mr. Levesque, who may answer if he so chooses.

Mr. LEVESQUE: Mr. Speaker, in the amended bill as it is, we find there is a provision there for financing school construction. By the same token, by the bonding companies and other people that are much better than I am with the pencil, have told us with the new method of financing, that this could possibly lead to paying interest on interest on borrowed money, so this would be a double interest in certain areas.

The SPEAKER: The Chair recognizes the gentlewoman from Lebanon, Mrs. Hanson.

Mrs. HANSON: Mr. Speaker and Members of the House: With all this talk of finance, perhaps I am a little bit confused, but we had this L. D. 107 to the enactment stage. It was the bonding company who said they wouldn't go along with the bill, the original bill as it was. They approve of the amendment and will give these towns the right to borrow and cover these things, so what are we fighting about, why don't we pass the thing with the amendment and let everybody get about their business?

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

Mr. JALBERT: Mr. Speaker, I hesitate to take issue with the gentle lady from Lebanon, Mrs. Hanson, but where the rub came was on the two million dollars that we were committed to on last



year's money, and so for that reason the bonding companies were hesitant in going along. We have corrected that, if it is an evil, we have corrected that situation by putting two million dollars in the operating budget.

Furthermore, that would have been corrected had it not been in the operating budget, were it to be in the bonding program and should it come before referendum and be defeated by our assurance from the Chief Executive that immediately a special session would be called; but back to my original comment, the objection of the bonding company was the two million dollars of last year's which we have corrected and not L. D. 107.

Mr. Richardson of Cumberland was granted permission to speak a third time.

Mr. RICHARDSON: Mr. Speaker, I would like to pose a question to the gentleman from Madawaska, Mr. Levesque, and I would like to know whether or not as he reads L. D. 107 as amended, there is any commitment in Section 11 of Senate Amendment "A", is there any commitment under this law which we are asking for passage of, to either form, is it not true that this L. D. permits us to either go the lump sum route or the deferred payment route?

The SPEAKER: The gentleman from Cumberland, Mr. Richardson, poses a question through the Chair to the gentleman from Madawaska, Mr. Levesque, who may answer if he chooses. The Chair recognizes that gentleman.

Mr. LEVESQUE: Mr. Speaker, theoretically, yes, but there is some question as to whether in some areas the bonding company would go along with it.

Mr. Bragdon of Perham was granted permission to speak a third time.

Mr. BRAGDON: Mr. Speaker, I am somewhat at a loss to understand the remarks of the gentleman from Lewiston, Mr. Jalbert, with regard to the two million dollars which we put into the current services budget. I just somehow or other, his explanation didn't click with me where it had

anything to do with this matter of borrowing. Certainly, it reduced the amount by two million dollars that has to be borrowed. If he would be so inclined, I would like to have him explain it further because I would really like to understand what bearing it does have on this matter. I failed to get it before.

The SPEAKER: The gentleman from Perham, Mr. Bragdon, poses a question through the Chair to the gentleman from Lewiston, Mr. Jalbert, who may answer if he so chooses, and the Chair recognizes that gentleman.

Mr. JALBERT: Mr. Speaker and Members of the House: If the gentleman and the House members understood me correctly, it has no bearing on 107. I don't think the good lady from Lebanon, Mrs. Hanson meant her point to be that way. It is my understanding that the bonding companies in the way that L. D. 107 was or possibly as amended this way, would not go along with loans to the communities until such time as they were assured of payments from the State, and we contended, and I mean we, some of us in our Party, contended that this could be corrected in ample time if the program would go to bonds. Because of the fear of this, however, I was one of those, as a matter of fact I was the prime mover in having—and the gentleman from Perham, Mr. Bragdon, serving on the Committee with me knows this, I was the prime mover in my party in having two million dollars put into the current services budget that would correct this situation. So much for that answer.

I have not gotten into this conflict. I can appreciate the remarks of the gentleman from Cumberland, Mr. Richardson; I can appreciate the remarks of the gentleman from Madawaska, Mr. Levesque. We are faced with a problem that is not impossible to solve. Both sides can discuss their versions. In my opinion, I stated so after the decision was made to have a public meeting without a bill that I didn't think much of it. I told that to my leadership; I

told that to the leadership of the Republican Party. The fact, however, that we did have this hearing or not in no way committed me or anybody else to my knowledge, and one thing I know for certain, that meeting didn't commit me, I'll tell you that right now I made that very clear to the leadership of both parties.

The problem here now is three-fold. Regardless of 107 in its present form, regardless of 107 in its amended form, and regardless of the fact that two years ago we were remiss in our duties; and we were! And I'm one of those that was remiss in my duties. Somewhere along the line I was fast asleep, and I plead guilty to that, and I assure you that I will not get out of the Halls of this House before I make amends for that situation, and it doesn't have necessarily to be today; it doesn't have to be within three or four days from now, it can be within a week; it could even be within ten days.

The three problems are these: We could have passed L. D. 107, we could stay with the new law which is a one lump payment, which would mean that we would go to bonds, whether we would float a bond the next biennium or for two or three bienniums is problematical, but we would go to bonds.

The second thing in my opinion that we could do would be to go back to the part payment installment program which would cost us six million dollars at the present time. Two million of this six million—to meet our commitments—two million of this six million dollars is now in the operational budget, so we would need four million dollars. Do we do this by putting that four million in the operational budget; do we do it by bonding? That is also the second problem which is in the air. Now these problems here are not insurmountable, and frankly, as is stated by the gentleman himself, from Cumberland, Mr. Richardson, somewhere along the line somebody is willing to give, and it resolves itself to financing. In my opinion, it resolves itself to the fact that

we in my Party apparently to date do not want to go along with it until we are assured as to how it will be financed. Obviously, the opposition is not yet ready to do so at this time, to state a position as to what the financing is at this time. I think it should be solved, and possibly within a minute or two I might make a motion that would allow to give us further time to solve.

I want to straighten out the situation as well as I can, and I will say, however, that when remarks were made sometime last week that we should not involve education or a bill like this in politics, unfortunately, education is in government and government is in politics, but I think we can straighten the thing out. I have seen us in worse quandaries and we have always stayed and straightened it out. I would commend the leadership of both parties for their coolness, because inside somewhere along the line I can almost feel a simmering.

The SPEAKER: Is the House ready for the question? The pending question is the enactment of L. D. 107, An Act relating to State Aid for School Construction. A roll call has 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.

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

Mr. JALBERT: Mr. Speaker, I move this item lie on the table until a week from today.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, now moves that this matter be retabled until a week from today, April 28.

Mr. Richardson of Cumberland requested a vote.

The SPEAKER: A vote has been requested on the tabling motion. All those in favor of the tabling motion will vote yes and those opposed will vote no, and the Chair will open the vote.

A vote of the House was taken. 51 having voted in the affirmative and 87 having voted in the negative, the tabling motion did not prevail.

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

A vote of the House was taken.

133 voted in the affirmative and one voted in the negative.

The SPEAKER: Obviously, more than one fifth having expressed the desire for a roll call, a roll call is ordered. The pending question is the passage of this bill to be enacted. This being an emergency measure, under the Constitution it requires for its enactment the affirmative vote of two thirds of the entire elected membership of the House. All those in favor of its enactment as an emergency measure will vote yes and those opposed will vote no, and the Chair will open the vote.

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

Mr. LEVESQUE: Mr. Speaker, I now move that this lie upon the table for one week.

The SPEAKER: The motion cannot be entertained, a roll call has been ordered, and it is not in the rules. Does any member desire to change their vote?

### ROLL CALL

YEA — Allen, Baker, E. B.; Baker, R. E.; Benson, Berman, Birt, Bragdon, Brown, Buck, Bunker, Carey, Clark, Cookson, Cornell, Crockett, Crosby, Cushing, Darey, Dennett, Drummond, Dunn, Durgin, Edwards, Evans, Ewer, Farrington, Foster, Fuller, Gill, Hall, Hanson, B. B.; Hanson, H. L.; Hanson P. K.; Harriman, Hawes, Haynes, Henley, Hewes, Hichers, Hinds, Hodgkins, Hoover, Humphrey, Immonen, Jannelle, Jewell, Kyes, Lewin, Lewis, Lincoln, Littlefield, Lycette, Maddox, McMann, McNally, Meisner, Miliano, Mosher, Noyes, Pendergast, Philbrook, Pike, Porter, Prince, Quimby, Quinn, Rackliff, Richardson G. A.; Richardson H. L.; Rideout, Robertson, Robinson, Ross, Sahagian, Scott, C. F.; Scott, G. W.; Shaw, Shute, Snow, P. J.; Soulas, Susi, Thompson, Trask, Waltz,

Watts, White, Wight, Williams, Wood, The Speaker.

NAY — Bedard, Belanger, Beliveau, Bernard, Binnette, Boudreau, Bourgoin, Bradstreet, Brennan, Burnham, Carrier, Carroil, Carswell, Champagne, Cote, Cottrell, Couture, Crommett, Curran, Danton, Dudley, Eustis, Fecteau, Fortier, Fraser, Gauthier, Giroux, Harnois, Harvey, Healy, Hennessey, Hunter, Jalbert, Keyte, Kilroy, Lebel, Levesque, Lowery, Martin, Minkowsky, Nadeau, J. F. R.; Nadeau, N. L.; Rocheleau, Roy, Sawyer, Scribner, Starbird, Tanguay, Truman, Wheeler.

ABSENT — Conley, D'Alfonso, Huber, Jameson, Payson, Snowe, Dickinson, Drigotas, Gaudreau, P.; Sullivan, Townsend.

Yes, 90; No, 50; Absent, 11.

The SPEAKER: The Chair will announce the vote. 90 having voted in the affirmative and 50 in the negative, the measure fails of enactment as an emergency measure.

The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker, I now move that we reconsider our action: whereby this document failed of enactment.

The SPEAKER: The gentleman from Madawaska, Mr. Levesque, now moves that the House reconsider its action whereby this Bill failed to be enacted.

The Chair recognizes the gentleman from Cumberland, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker, and I would urge every member of this House to vote in favor of reconsideration whereby we failed to pass this to be enacted.

The SPEAKER: The Chair will order a vote on reconsideration. All those in favor of reconsideration will vote yes; those opposed will vote no.

The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker, I now move that this vote be tabled pending reconsideration for one week.

The SPEAKER: The gentleman from Madawaska, Mr. Levesque,

now moves that this matter be tabled until Friday, April 23, pending the motion to reconsider.

The Chair recognizes the gentleman from Cumberland, Mr. Richardson.

Mr. RICHARDSON: I request a vote on the gentleman's motion.

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

A vote of the House was taken.

49 having voted in the affirmative and 91 having voted in the negative, the tabling motion did not prevail.

The SPEAKER: The pending question is the motion of the gentleman from Madawaska, Mr. Levesque, to reconsider our action whereby this bill failed of enactment. The Chair will order a vote. All those in favor of reconsideration will vote yes —

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

Mr. JALBERT: Mr. Speaker, I would ask for a two-minute recess.

Thereupon, the House recessed for two minutes.

#### After Recess

Call to order by the Speaker.

The SPEAKER: The pending question is the motion to reconsider. All those in favor of reconsidering will vote yes; those opposed will vote no.

A vote of the House was taken.

127 having voted in the affirmative and 3 having voted in the negative, the motion to reconsider did prevail.

The SPEAKER: Now the pending question is the enactment of L. D. 107. A roll call has been ordered. As many as are in favor of this bill being passed to be enacted will vote yes and those opposed will vote no.

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

Mr. JALBERT: Mr. Speaker, I move that this item lie on the table until a week from today.

The SPEAKER: The Chair would advise the gentleman that motion just failed.

Mr. JALBERT: We have voted on the bill since then, Mr. Speaker. We took a vote before that on the bill itself. That was done after my motion.

The SPEAKER: Will the gentleman defer for a moment. The Chair was under the impression that we voted to table the reconsideration motion. He may be in error.

Mr. JALBERT: Mr. Speaker, I'm not questioning —

The SPEAKER: The Chair is in order.

Mr. JALBERT: Mr. Speaker, I'm not questioning you, I mean I think that I voted, my motion to table was made and then that was denied, then the vote on the bill was taken, and then after that—

The SPEAKER: The Chair will inform the gentleman that the record proves that he is misunderstanding the situation. The motion was to table the reconsideration motion which lost, according to the record.

Mr. JALBERT: My move to—I—I made no motion to table the reconsideration motion, Mr. Speaker.

The SPEAKER: Will the gentleman defer for just a moment and the House defer.

(Conference with House Reporter)

The SPEAKER: The House will be in order. The Chair would advise the gentleman from Lewiston, Mr. Jalbert, that he did not make the motion, but the motion was made and lost.

Mr. JALBERT: Mr. Speaker, since the motion—

The SPEAKER: The Chair would advise the gentleman that he would have to change the date of tabling if he wishes to make another motion.

Mr. JALBERT: Mr. Speaker, I would like to pose a parliamentary question.

The SPEAKER: The gentleman may pose his question.

Mr. JALBERT: After the motion was made by, I believe, Mr. Levesque to table the reconsideration motion, then the vote was taken to reconsider. After that, Mr. Speaker, I then make a motion that we—then the motion then is to enact the bill again, and I move that this item lie on the table. I didn't say any motion, I say I move

this item lie on the table. And on that basis the time of—if it were the other way around, the changing of the time would be the procedure. But upon this basis I did not speak or make a tabling motion on the motion; I made a tabling motion on the item which is before us, and the reconsideration motion was voted almost unanimously.

The SPEAKER: The Chair would advise the gentleman that when he makes a tabling motion on a reconsideration motion it takes the bill along with it.

Mr. JALBERT: Mr. Speaker, we made the—I am confused. After the motion was made to reconsider, after the motion—then the motion to reconsider was entertained. We did make the motion to reconsider. My question then is this. Does that then place the bill before us?

The SPEAKER: The bill is now before the House for enactment.

Mr. JALBERT: Mr. Speaker, I then move that this item lie on the table until a week from Friday.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, now moves that L. D. 107 be tabled until Friday, April 28, pending enactment.

Mr. Richardson of Cumberland requested a vote on the tabling motion.

The SPEAKER: A vote has been requested. All those in favor of tabling this bill L. D. 107 until Friday, April 28, pending enactment will vote yes; those opposed will vote no. And the Chair will open the vote.

A vote of the House was taken.

51 having voted in the affirmative and 86 having voted in the negative, the tabling motion did not prevail.

The SPEAKER: The pending question now is the enactment of L. D. 107.

The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker, I now move that we adjourn until Tuesday morning at ten o'clock.

The SPEAKER: The gentleman from Madawaska, Mr. Levesque, now moves that the House adjourn until Tuesday morning at ten o'clock.

Mr. Richardson of Cumberland requested a vote on the adjournment motion.

The SPEAKER: A division on the adjournment motion is in order. All those in favor of adjourning will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

52 having voted in the affirmative and 87 having voted in the negative, the motion to adjourn did not prevail.

The SPEAKER: The pending question is the enactment of L. D. 107. A roll call has been ordered. Is the House ready for the question? All those in favor of this bill being passed to be enacted will vote yes; those opposed will vote no. This is an emergency measure and requires a two thirds vote of the entire elected membership of the House.

The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker, I request a division on that motion.

The SPEAKER: The Chair didn't understand the gentleman.

Mr. LEVESQUE: Mr. Speaker, I request a division on the motion.

The SPEAKER: The gentleman is out of order. A roll call has been ordered. All those in favor of the enactment of this bill will vote yes; those opposed will vote no. And the Chair opens the vote.

### ROLL CALL

YEA—Allen, Baker, E. B.; Baker, R. E.; Benson, Berman, Birt, Bragdon, Brown, Buck, Bunker, Carey, Clark, Cookson, Cornell, Crockett, Crosby, Cushing, Darey, Dennett, Drummond, Dunn, Durgin, Edwards, Evans, Ewer, Farrington, Foster, Fuller, Gill, Hall, Hanson, B. B.; Hanson, H. L.; Hanson, P. K.; Harriman, Hawes, Haynes, Henley, Hewes, Hichens, Hinds, Hodgkins, Hoover, Humphrey, Immonen, Jannelle, Jewell, Kyes, Lewin, Lewis, Lincoln, Littlefield, Lycette, Maddox, McMann, McNally, Meisner, Miliano, Mosher, Noyes, Pendergast, Philbrook, Pike, Porter, Prince, Quimby, Quinn, Rackliff, Richardson, G. A.; Richardson, H. L.; Rideout, Robertson, Robinson,

Ross, Sahagian, Scott, C. F.; Scott, G. W.; Shaw, Shute, Snow, P. J.; Soulas, Susi, Thompson, Trask, Waltz, Watts, White, Wight, Wood, The Speaker.

NAY—Bedard, Belanger, Beliveau, Bernard, Binnette, Boudreau, Bourgoin, Bradstreet, Brennan, Burnham, Carrier, Carroll, Carswell, Champagne, Cote, Cottrell, Couture, Crommett, Curran, Danton, Dudley, Eustis, Fecteau, Fortier, Fraser, Gauthier, Giroux, Harnois, Harvey, Healy, Hennessey, Hunter, Jalbert, Keyte, Kilroy, Lebel, Levesque, Lowery, Martin, Minkowsky, Nadeau, J. F. R.; Nadeau, N. L.; Rocheleau, Roy, Sawyer, Scribner, Starbird, Tanguay, Truman, Wheeler.

ABSENT — Conley, D'Alfonso, Dickinson, Drigotas, Gaudreau, Huber, Jameson, Payson, Snowe, P.; Sullivan, Townsend, Williams.

Yes, 89; No, 50; Absent, 12.

The SPEAKER: The Chair will announce the vote. 89 having voted in the affirmative and 50 having voted in the negative, this bill fails of enactment.

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

Resolve Proposing an Amendment to the Constitution Pledging Credit of State and Providing for the Issuance of Bonds Not Exceeding, at Any One Time Issued and Outstanding, Twenty-Five Million Dollars for Loans to Private Colleges for Construction and Expansion of Facilities (S. P. 60) (L. D. 73)

Tabled—April 18, by Mrs. Han-son of Lebanon.

Pending—Final passage.

On motion of Mr. Birt of East Millinocket, retabled pending final passage and specially assigned for Wednesday, April 26.

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

An Act Creating the Maine Higher Education Loan Authority Act (S. P. 59) (L. D. 72)

Tabled—April 18, by Mrs. Han-son of Lebanon.

Pending—Passage to be enacted.

On motion of Mr. Birt of East Millinocket, retabled pending pas-sage to be enacted and specially assigned for Wednesday, April 26.

The Chair laid before the House the sixth tabled and today as-signed matter:

Bill "An Act Authorizing One to Two-Year Sentences to Certain County Jails (S. P. 265) (L. D. 646) (In Senate, Committee Amendment "A" (S-36) Indefinitely Postponed; Passed to be En-grossed as Amended by Senate Amendment "A") (In House, Committee Amendment "A" and Senate Amendment "A" adopted)

Tabled—April 20, by Mr. Bren-nan of Portland.

Pending—Passage to be en-grossed.

On motion of Mr. Beliveau of Rumford, retabled pending pas-sage to be engrossed and specially assigned for Wednesday, April 26.

The Chair laid before the House the seventh tabled and today as-signed matter:

HOUSE MAJORITY REPORT (9)—Ought to Pass—Committee on Sea and Shore Fisheries on Bill "An Act Prohibiting Hauling Lobster Pots on Sundays" (H. P. 240) (L. D. 348)—MINORITY RE-PORT (1)—Ought Not to Pass.

Tabled—April 20, by Mr. Hen-nessey of West Bath.

Pending—Motion of Mr. Prince of Harpswell to accept Majority Report.

On motion of Mr. Quinn of Bangor, retabled pending the mo-tion of Mr. Prince of Harpswell to accept Majority Report and spe-cially assigned for Thursday, April 27.

On motion of Mr. Richardson of Cumberland,

Adjourned until Tuesday, April 25, at ten o'clock in the morning.