

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Third  
Legislature*

OF THE

STATE OF MAINE

Volume II

May 10 to June 15, 1967

KENNEBEC JOURNAL  
AUGUSTA, MAINE

**HOUSE**

Monday, June 12, 1967

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

Prayer by the Rev. Mr. Fred B. Holmberg of Kennebunk.

The members stood at attention during the playing of the National Anthem by Sanford Junior High School Band.

The journal of the previous session was read and approved.

**Papers from the Senate**

From the Senate: The following Joint Resolution:

WHEREAS, at the commencement of the ninetieth session of the Maine Legislature there came from Portland and from a famous family of shipping agents a gentleman of courage, vision and determination who was destined by his acts to become the principal founder of maritime education in Maine; and

WHEREAS, through his personal leadership and perseverance he secured a \$15,000 appropriation to provide Maine boys with the opportunity to follow their natural heritage by establishing the "Maine Nautical Training School" which opened its doors October 9, 1941 in a small frame structure called the "Pentagoet Hotel" in the picturesque Town of Castine heading Penobscot Bay; and

WHEREAS, shortly thereafter on June 7, 1942 as president of the board of trustees he seized the opportunity to relocate the school at its present location on the grounds and buildings of the former "Eastern State Normal School" where declining enrollment suggested a better use; and

WHEREAS, under his guiding hand the school, which once offered only a two-year course with no degree to 28 students, was developed into what is now known as the Maine Maritime Academy, the leading institution in the nation for maritime officers training, with an enrollment approaching 500 men, offering an unequalled program leading to a commission license or degree in complete fulfillment in

the rich traditions envisioned by the founder; and

WHEREAS, he has made an invaluable contribution to his State as founder of the Maine Maritime Academy and as a conscientious and competent legislator who served honorably, faithfully and with the deepest sense of dedication during the 90th and 91st Legislatures as a Representative and the 92nd, 93rd, 94th and 95th as a Senator; now, therefore, be it

RESOLVED: That the members of the House of Representatives and the Senate of the 103rd Legislature of the State of Maine by this Joint Resolution wish to make this public tribute in grateful appreciation for the continued and lasting contributions of a true public servant and former colleague, the Honorable Ralph A. Leavitt of Portland; and be it further

RESOLVED: That a copy of this Resolution, signed by the Speaker of the House of Representatives and the President of the Senate and duly attested by the Clerk of the House and Secretary of the Senate, be transmitted forthwith by the Secretary of the Senate to this honorable gentleman in recognition of this event. (S. P. 678)

Came from the Senate read and adopted.

In the House, the Resolution was read and adopted in concurrence.

**Reports of Committees  
Leave to Withdraw**

Report of the Committee on Health and Institutional Services on Bill "An Act relating to Eating, Lodging and Related Places" (S. P. 333) (L. D. 867) reporting Leave to Withdraw.

Came from the Senate read and accepted.

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

**Ought Not to Pass**

Report of the Committee on Taxation reporting "Ought not to pass" on Bill "An Act Repealing Application of Sales Tax to Telephone and Telegraph Service" (S. P. 126) (L. D. 255)

Came from the Senate read and accepted.

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

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

Report of the Committee on State Government on Bill "An Act to Extend the Life of the State Transportation Commission" (S. P. 561) (L. D. 1433) reporting same in a new draft (S. P. 672) (L. D. 1703) under same title and that it "Ought to pass"

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

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

#### **Tabled and Assigned**

Report of the Committee on State Government on Bill "An Act relating to Leases of Right to Take Marine Algae on Submerged Lands" (S. P. 590) (L. D. 1559) reporting same in a new draft (S. P. 673) (L. D. 1704) under title of "An Act Repealing Law Relating to Leases of Right to Take Kelp on Submerged Lands" and that it "Ought to pass"

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

In the House, the Report was read.

(On motion of Mr. Haynes of Camden, tabled pending acceptance and specially assigned for Wednesday, June 14.)

#### **Ought to Pass**

Report of the Committee on Judiciary reporting "Ought to pass" on Bill "An Act relating to Mortgage Insurance Fund under Maine Industrial Building Authority Act" (S. P. 471) (L. D. 1163)

Report of same Committee reporting same on Bill "An Act relating to Certain Expenses in the District Court" (S. P. 474) (L. D. 1166)

Report of the Committee on Towns and Counties reporting same on Bill "An Act relating to Use of County Surplus Funds" (S. P. 457) (L. D. 1134)

Came from the Senate with the Reports read and accepted and the Bills passed to be engrossed.

In the House, the Reports were read and accepted in concurrence, the Bills read twice and tomorrow assigned.

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

Report of the Committee on Education on Bill "An Act to Correct Errors and Inconsistencies in the Education Laws" (S. P. 358) (L. D. 966) 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 tomorrow assigned for third reading of the Bill.

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

Majority Report of the Committee on Education on Bill "An Act Creating The University of the State of Maine" (S. P. 496) (L. D. 1258) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. KATZ of Kennebec  
SNOW of Cumberland  
MacLEOD of Penobscot  
— of the Senate.

Mr. LEVESQUE  
— of Madawaska

Mrs. BAKER of Winthrop  
Messrs. CARROLL of Limerick  
ALLEN of Caribou

— of the House

Minority Report of same Committee on same Bill reporting same in a new draft (S. P. 665) (L. D. 1693) under same title and that it "Ought to pass"

Report was signed by the following members:

Mrs. HANSON of Lebanon

Messrs. RICHARDSON

— of Stonington  
SHUTE of Farmington  
— of the House

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

In the House: Reports were read.  
(On motion of Mrs. Hanson of Lebanon, tabled pending acceptance of either Report and specially assigned for Wednesday, June 14.)

### Divided Report

Majority Report of the Committee on State Government reporting "Ought to pass" on Bill "An Act relating to Salaries of Director of Legislative Research and Legislative Finance Officer" (S. P. 509) (L. D. 1223)

Report was signed by the following members:

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

Messrs. DENNETT of Kittery  
WATTS of Machias  
Mrs. CORNELL of Orono  
Mr. RIDEOUT of Manchester  
— of the House.

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

Report was signed by the following members:

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

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

In the House: Reports were read.  
On motion of Mr. Dennett of Kittery, the Majority "Ought to pass" Report was accepted in concurrence, the Bill read twice and tomorrow assigned.

### Divided Report

Report "A" of the Committee on State Government reporting "Ought to pass" on Bill "An Act relating to Executive Reorganization" (S. P. 384) (L. D. 996)

Report was signed by the following members:

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

Messrs. MARTIN of Eagle Lake  
STARBIRD  
— of Kingman Township  
— of the House.

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

Report was signed by the following members:

Messrs. DENNETT of Kittery  
WATTS of Machias  
RIDEOUT of Manchester  
Mrs. CORNELL of Orono  
Mr. PHILBROOK  
— of South Portland  
— of the House.

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

In the House: Reports were read.  
The SPEAKER: The Chair recognizes the gentleman from Kittery, Mr. Dennett.

Mr. DENNETT: Mr. Speaker and Members of the House: I move the acceptance of Report "B", the "Ought not to pass" Report of the Committee in non-concurrence.

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

Mr. MARTIN: Mr. Speaker and Members of the House: This piece of legislation is known as the "reorganization act" and deals primarily with the orders of the Executive and what and how he could reorganize State government. This is patterned after the Federal Reorganization Act which has, of course, been used by Presidents of both political parties over the years. The Federal Government has been using this quite effectively, and let me try to explain to you very briefly how this would work.

The Governor would present to the Legislature his plan of reorganization in State government and how he would like to have it operate. At that point this would come to the Legislature and the Legislature would decide whether or not they would go along with

the plan. They would have thirty days in which to reject or to accept the plan. This does not mean that the Legislature is giving up any of its prerogatives but it merely means that the Governor would be in a better position to make his plan known in one package, he can have the Legislature act on it at one time; and so I certainly hope that we concur with the other body and that we do not accept the motion as presented by the gentleman from Kittery, Mr. Dennett.

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

Mr. DENNETT: Mr. Speaker and Members of the House: During the course of this current session we have had many pieces of weird legislation come into this body. In my opinion, this is the prize of them all. This would permit the Chief Executive of the State of Maine to legislate and it would put the Legislature in a position of having to veto the Governor's legislation. While I will admit this has been followed somewhat on a Federal scale, this is not the Federal Government and I don't believe we want it to be the Federal Government.

Incidentally, I don't think that at this time we should belabor this issue in any way because this proposition has already been submitted to the Office of the Attorney General and his office has passed the opinion that this is unconstitutional legislation inasmuch as it violates that portion of our Constitution which divides the executive from the legislative and judiciary.

If we should attempt to pass it, we would merely be passing a piece of unconstitutional legislation and I trust that you will go along with my motion to accept the "Ought not to pass" report.

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

Mr. MARTIN: Mr. Speaker and Members of the House: I rise only to make a few comments on the remarks made by the gentleman from Kittery, Mr. Dennett. He seems to say that the Attorney General's opinion would be that this would be unconstitutional.

I am not a lawyer but I do feel that it would not be. He did not indicate that the Attorney General had given this opinion in writing and I would point out that there are many states that presently have this on the books. The third number I am not aware of and in no case, to my knowledge, have any of these been found unconstitutional.

If I remember correctly from what I was taught a number of years ago, there are some thirty states that have some type of reorganization act. The Legislature is not in a position to veto, as the gentleman from Kittery seems to indicate. This piece of legislation strengthens the Governor's position and makes him the true executive of the State of Maine. Clear lines of authority are not dissolved by this legislation. And so I see no reason why we should have to rely on a maybe decision from the Attorney General on whether or not this is constitutional or whether it is not. And if the feeling is that it might be unconstitutional, I certainly would think that we could do one of two things, ask for an opinion in writing, or secondly ask the Supreme Court for its decision.

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

Mr. DENNETT: Mr. Speaker and Members of the House: The Attorney General's Department has given an answer to this question in writing to a member of the other body. I have a facsimile of the letter in my possession. I am not talking through my hat.

The SPEAKER: Is the House ready for the question? The pending question is on the motion of the gentleman from Kittery, Mr. Dennett, that the House accept Report "B" or "Ought not to pass" Report. The Chair will order a vote. All of those in favor of accepting Report "B" or "Ought not to pass" Report will vote yes; those opposed will vote no. The Chair opens the vote.

68 having voted in the affirmative and 41 having voted in the negative, Report "B" was accepted in non-concurrence and sent up for concurrence.

**Non-Concurrent Matter**

An Act Appropriating Funds for Operation of the Governor's Advisory Committee on Education (S. P. 645) (L. D. 1651) which was passed to be enacted in the House on May 19 and passed to be engrossed on May 17.

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

In the House: The House voted to recede and concur with the Senate.

**Non-Concurrent Matter**

Resolve Reimbursing Certain Municipalities on Account of Property Tax Exemptions of Veterans (S. P. 173) (L. D. 365) which was finally passed in the House on April 25 and passed to be engrossed on April 20.

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

In the House: The House voted to recede and concur with the Senate.

**Non-Concurrent Matter  
Tabled and Assigned**

An Act relating to Assistant County Attorneys (H. P. 33) (L. D. 53) which was passed to be enacted in the House on June 6 and passed to be engrossed as amended by Committee Amendment "A" and Senate Amendments "A" and "B" on June 6.

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

In the House:

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

Mr. QUINN: Mr. Speaker, Representative Berman, who has been unable to arrive as yet, is interested in this bill. He would like to have it tabled until the next legislative day, if someone would do that.

Thereupon, on motion of Mr. Benson of Southwest Harbor, tabled pending further consideration and specially assigned for tomorrow.

**Non-Concurrent Matter**

Bill "An Act to Create a Maine State Board of Human Research and Development" (H. P. 75) (L. D. 100) which was indefinitely postponed in the House on June 6.

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

In the House: On motion of Mr. Snowe of Auburn, the House voted to adhere.

**Non-Concurrent Matter**

Bill "An Act Providing Vocational Education Loan Funds" (H. P. 882) (L. D. 1294) which was passed to be engrossed in the House on May 11.

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

In the House: On motion of Mr. Gauthier of Sanford, the House voted to recede and concur with the Senate.

**Non-Concurrent Matter  
Tabled Until Later in Today's Session**

An Act to Authorize Construction of Self-Liquidating Student Housing and Dining Facilities for the State Colleges and Southern Maine Vocational Technical Institute and Eastern Maine Vocational Technical Institute and the Issuance of Not Exceeding \$6,712,000 Bonds of the State of Maine for the Financing Thereof (H. P. 1160) (L. D. 1659) which was passed to be enacted in the House on June 7 and passed to be engrossed as amended by House Amendment "A" as amended by House Amendment "A" thereto, and House Amendment "B" on June 2.

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

In the House:

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

Mr. BRAGDON: Mr. Speaker, I would offer an amendment to this bill but I am in doubt as to whether it has been distributed. If I could be informed I would proceed along those lines, if it has been distributed. It would be House Amendment "C".

The SPEAKER: The Chair would advise the gentleman that it is not in distribution at this time.

Mr. BRAGDON: If someone would table this until later in the day.

Thereupon, on motion of Mr. Benson of Southwest Harbor, tabled until later in today's session.

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

Bill "An Act Revising the Motor Vehicle Dealer Registration Law" (H. P. 1164) (L. D. 1665) which was passed to be engrossed as amended by House Amendments "A", "B" and "C" in the House on June 6.

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

In the House:

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

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

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

Mr. Lebel of Van Buren then asked for a division.

The SPEAKER: A vote has been requested. All those in favor of receding from our former action and concurring with the Senate will vote yes; those opposed will vote no.

A vote of the House was taken.

42 having voted in the affirmative and 75 having voted in the negative, the motion to recede and concur did not prevail.

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

Mr. LEBEL: Mr. Speaker, I now move that we adhere.

The SPEAKER: The gentleman from Van Buren, Mr. Lebel, now moves that the House adhere.

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

Mr. GILL: Mr. Speaker, a parliamentary inquiry. Is the motion to insist and ask for a Committee of Conference in order?

The SPEAKER: The gentleman is correct.

Mr. GILL: I so move.

The SPEAKER: The gentleman from South Portland, Mr. Gill, now moves that the House insist on its former action and request a Committee of Conference.

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

Mr. LEBEL: Mr. Speaker, I ask for a division. I hope you vote no.

The SPEAKER: The gentleman from Van Buren requests a division. The pending question is the motion of the gentleman from South Portland, Mr. Gill that the House insist on its former action and request a Committee of Conference.

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

Mr. GILL: Mr. Speaker and Members of the House: I feel that a legislative document of this type that has received such a great amount of work on it both by the proponents and the opponents, that they should be entitled to a chance to sit down and discuss the differences, and that's the reason why I made the motion to insist and ask for a Committee of Conference.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: At this late date in the Legislative session I'm opposed to any further conversation on this bill which we've had before us all session, had many discussions, and I'd like when the time comes to support a motion to adhere. I've heard enough about it.

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

Mr. LEBEL: Mr. Speaker and Members of the House: We had plenty of chances before to sit down and we did sit down but they didn't



want to discuss the matter. They told me to discuss it on the Floor, and the other day I explained the best I could, and I found out that this bill is not a good bill without the amendment, so I do hope that you will keep with me please. Thank you.

The SPEAKER: All those in favor of insisting and requesting a Committee of Conference will vote yes, and those opposed will vote no, and the Chair opens the vote.

A vote of the House was taken.

39 having voted in the affirmative and 79 having voted in the negative, the motion did not prevail.

Thereupon, on motion of Mr. Lebel of Van Buren, the House voted to adhere.

#### **Non-Concurrent Matter Tabled and Assigned**

Bill "An Act to Make Allocations from the General Highway Fund for the Fiscal Years Ending June 30, 1968 and June 30, 1969" (H. P. 1173) (L. D. 1672) which was passed to be engrossed as amended by House Amendment "A" in the House on June 5.

Came from the Senate with House Amendment "A" indefinitely postponed and the Bill passed to be engrossed without Amendment in non-concurrence.

In the House:

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

Mr. ROSS: Mr. Speaker and Members of the House: After the House the other day voted against a gas tax increase, several persons mentioned on the Floor of the House that perhaps we should have given this a bit more consideration because they felt there were far too many bond issues being offered for worthwhile causes such as bridges, Route 6, and so forth. Now for this reason, an amendment is being prepared which would attach this revenue clause to the General Highway Fund Allocation Act. Now since this amendment will not be ready until tomorrow, I would appreciate it if somebody would table this for one day.

(On motion of Mr. Birt of East Millinocket, tabled pending further

consideration and specially assigned for tomorrow.)

#### **Orders**

The SPEAKER: The Chair recognizes the gentleman from Mechanic Falls, Mr. Foster.

Mr. FOSTER: Mr. Speaker, I'd like to inquire whether or not L. D. 1464 is in possession of the House.

The SPEAKER: The Chair would advise the gentleman in the affirmative.

Thereupon, on motion of the same gentleman, the House voted to reconsider its action on June 9 whereby Bill "An Act to Permit Savings and Loan Associations and Savings Banks to Consolidate," House Paper 1002, L. D. 1464, was passed to be engrossed as amended by House Amendment "A".

On further motion of the same gentleman, the House voted to reconsider its action on June 9 whereby House Amendment "A" was adopted.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. FOSTER: Mr. Speaker, I now move that House Amendment "A" be indefinitely postponed.

The SPEAKER: The gentleman from Mechanic Falls, Mr. Foster, now moves that House Amendment "A" be indefinitely postponed.

The Chair recognizes the gentleman from Brewer, Mr. Robertson.

Mr. ROBERTSON: Mr. Speaker and Members of the House: This House Amendment "A", to which we are referring I believe, is the item which I had put onto this bill last week which would limit the power of the savings banks and the savings and loan associations to merge.

I think I brought out clearly before the House last week that this is granting a power to these two institutions that no other institutions have in the lending field — a right which we denied to credit unions only a short time ago.

The bill which we are considering without this amendment grants the power to these institutions that other lending institutions definitely do not enjoy. Now the commercial banks which you are familiar with do not have this prerogative of

merging. They, like credit unions and loan agencies, have limitations which do not allow them consideration on a statewide, merging level. To pass this bill without this amendment would allow these lending institutions a power that is highly discriminatory. We as a Legislature ought to be wary of the passage of legislation that promotes or delegates this type of power to financial institutions. This legislation to which we are now referring is against the philosophy, is against the best judgment of the people of the State of Maine. I cannot believe that this Legislature desires to pass measures that will allow the loan companies to merge indiscriminately throughout the State; yet ladies and gentlemen, to allow this to banks and not allow the licensed loan sharks to further consolidate their organized campaign of usury and excessive rights would be discriminatory. If we are going to allow one lending institution to merge, we must allow the others. How could we justifiably deny them this right, if we allow this type of consolidation which this bill grants?

I don't think we want to discriminate against banks, against credit unions, against commercial banks, against any type of lending institutions, but I think that we as a Legislature must be consistent in our decisions regarding these bills; not to be influenced by any one group or individuals who attempt to bring in this type of devious legislation.

Members of this Legislature, let's treat each and every lending institution equally. Let's keep the amendment which we have on this bill which in reality is leaning over backwards in allowing these banks more than they should have because actually, if we were to take the proper action, the action which we've taken against one other lending institution, we would defeat the entire measure. But, it's not my desire to defeat this measure. I think the amendment which we have on that bill is very, very fair; it may be somewhat discriminatory in allowing these two operations to merger. However, I think the bill with the

amendment is adequate—there's no reason to grant statewide consolidation which this bill asks for, and ladies and gentlemen, I hope that you will stick with the decision you made last Friday—that you will vote for the bill and the amendment and defeat the motion of the gentleman, Mr. Foster.

I would ask that when the vote is taken that it be taken by the yeas and nays.

The SPEAKER: The Chair recognizes the gentleman from Mechanic Falls, Mr. Foster.

Mr. FOSTER: Mr. Speaker and Members of the House: I want to first of all call your attention to the amendment. The amendment provides that—"Amend said bill by inserting after the underlined word 'association' in the 5th line, same as in L. D. 1464, the underlined words 'located in the same county where the savings bank is located and'."

Now if you look at your original L. D. 1464 you see that there are two definite and specific parts to it. The part that is to be amended is the first part whereby it say — Any savings bank organized under the laws of the State of Maine may consolidate with a savings and loan association located in the same county where the savings bank is located."

Now that says a savings bank can consolidate with a loan and savings if the loan and savings is in that county — in the savings bank county. Now you go over to paragraph 1872, and this paragraph was not amended. This here says — "Any association under the laws of the State of Maine may consolidate with a savings bank existing under the laws of the State" and so forth and so on — it goes on and tells under what circumstances. Now if there ever was any case of discrimination, any discriminatory action here, it certainly was in the amendment. It says a bank can consolidate with a savings and loan, but the savings and loan has to be in the county, but a savings and loan can consolidate with a bank and it doesn't have to be within the county.

Now that's only one thing that I want to call to your attention.

It isn't consistent, and it's definitely and purely a discriminatory move.

Now on this original bill, I introduced that at the beginning of the session, and it was before the Judiciary Committee of ten members and that came out of that Judiciary Committee unanimously. We could see no harm in a savings and loan and a savings bank consolidating. They both are very similar in their nature — they're a mutual organization, and there are times when it would serve a great need to permit them to do so. Now, under the laws only the associations or savings banks can consolidate with a like institution.

We have, in the State of Maine, and have had for many years small loan and building associations. As a matter of fact, although I didn't have anything to do with the original preparing of the bill and didn't give it a thought until it was read by me and acted upon in the Judiciary Committee, but we have a situation in our own locality whereby for close to a hundred years we've had a loan and building association or savings and loan association—they're synonymous in term, and it's been manned as you might say by people that have not required to be paid for their services — I mean adequately paid. We have the President of our loan association — he gets a hundred dollars a year. He probably works three or four hours a week — that's less than two dollars a week, a hundred dollars a year, and we don't have any office. One of our merchants serves as treasurer and he transacts all the business in his place of business. But there's a day coming — in fact several years ago it was difficult to fill these positions without any compensation, and the older people are retiring or passing on, and we had difficulty in getting a state treasurer, and we wondered then eventually what's going to happen. Well, if we were permitted to consolidate with an association similar in kind, a mutual association, and knew that we could do so why it leads the way — it's a proper fee and it's a beneficial fee. We don't anticipate or contemplate doing it now,

but I can see the day coming when we'll have to do it. But that is only one situation out of probably dozens of them throughout the State of Maine.

Now, as far as limiting it to the county, I'll use my own situation there to make a point. In Mechanic Falls, we're right between the Lewiston-Auburn area and we're right between the South Paris and Norway area, each of which have savings and loans at the savings bank. We do not have any savings bank in our own locality. We would have to if we elected to merge or to consolidate, choose between Auburn-Lewiston and the South Paris and Norway. Now these people that do business with savings banks and particularly these loan associations, elderly people we find, I don't know exactly why, but they would much rather if they voted to consolidate, they would much rather to be with some institution in Norway or South Paris because they don't have to get into the awful traffic that we have to experience in Lewiston-Auburn.

So it's a service, if we permit, or restrict them rather, in our particular case to have to be within the county; it works a hardship on the elderly people if they want to continue to do business with these consolidated associations, and I am sure they would. This bill carries ample protection for the protection of the association members, the corporate members of the bank. It has to be by a two-thirds vote, after a long notice a period is given to them by mail and otherwise; the banking commissioner has to approve. In other words, we heard last Friday that this bill had implications to it and it was referred to as a simple little bill, or innocent I guess was the expression used, but I still think it is an innocent little bill. I still think that it's going to serve a good purpose for the people of the State of Maine if all the little building and loan associations that perhaps are experiencing the same things that we have in the past and want to consolidate. We're not big enough to hire help and we aren't located so that we can expand in order to be in a position

to pay for the officials in our association.

So, it's an innocent little bill as was said by the Representative from Brewer. I still think it is innocent and certainly I haven't seen anything very guilty about it and I urge you to give us that privilege and right for two so similar in nature, two mutual organizations, to merge. It was said Friday that we didn't have to be in financial trouble. Of course not. The banks and the loan and building associations are under the direction of the Banking Commission and it is very unlikely they will get into financial trouble, so that shouldn't be a prerequisite to a consolidation. So again I say I hope you will go along with this permissive legislation. It doesn't ask for any money. It won't cost the State of Maine a nickel. It is permissive. It will allow two organizations to consolidate if it's for their mutual and for their best interests. Thank you.

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

Mr. ROBERTSON: Mr. Speaker and Members of the House: I have listened with a great deal of interest to the discussion from the gentleman, Mr. Foster, who I respect and admire as far as the attorney and judge is concerned. I think he would have made a tremendous argument for my Credit Union Bill which was before this particular delegation; however, I note at that time that he was on the opposition and not voting affirmatively as far as this measure was concerned.

Now this measure stops short to merge only like institutions. It did not seek to merge two separate institutions. If that bill was guilty as a monstrosity, what is this bill which seeks to merge two separate institutions, not merely one institution?

Secondly, this bill does not state that these institutions have to be insolvent. Two successfully operating institutions can merge because they desire to merge, they don't have to have the reason that they are insolvent. The gentleman, Mr. Foster, also states that he is talking about a couple of institutions

that might have to merge eventually because they might become insolvent in a community. Now, this amendment would in no way effect the merging of institutions within a community. This is not the desire of the amendment to stop this sort of thing if they so desire. I think the amendment is a little bit more lenient than we have been to other institutions. It grants the authority that he needs to merge two different organizations of lending in a municipality. I don't think we need the opportunity to merge state-wide savings banks and savings and loan institutions because if the argument that has previously been used that we're trying to create a financial monster by merging only separate units of one organization, how much further that particular logic must apply if you are going to attempt to merge two different types of lending institutions. What reason would you not have for merging the loan institutions under a similar situation? And God knows we don't want them to merge any more than they are already. I have absolutely nothing against savings banks although it appears at times they might be against me, but I think they are a fine, upstanding lending institution and I think they should stay just that way. I don't think we should grant an authority to them that they don't need. Most of our banks are operating very successfully and certainly I can't understand why one in Ellsworth might want to merge outside the county and merge with one in Lewiston. That doesn't sound feasible to me. The bill with this amendment sounds practical. I hope we will leave it alone and vote against this motion. Thank you.

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

Mr. SCOTT: Mr. Speaker and Members of the House: Last Friday the gentleman from Brewer, Mr. Robertson, presented this amendment H-142 to L. D. 1464. In explaining this amendment he spoke as though the banking industry was the one responsible for killing his bill allowing the formation of central credit unions.

The action I took on this matter was entirely on my own as I explained on the Floor of this House. I have checked into this matter of savings banks and savings and loan institutions, although this matter wasn't before my Committee. And I find that these banks and savings and loan institutions are restricted under the present banking laws in both instances to the county in which the main office is located, or to an adjacent county. So, I hope that you will support the motion of the gentleman from Mechanic Falls, Mr. Foster.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: I would also like to rise in support of my worthy colleague, Mr. Foster. I see absolutely no harm in this bill and I can see no necessity for the amendment. Therefore, I do hope that the House will vote to indefinitely postpone the amendment.

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

Mr. HANSON: Mr. Speaker and Members of the House: Both the savings banks and savings and loan associations are mutual institutions, operated solely for the benefit of the depositors in the case of savings banks and the shareholders in the case of savings and loan associations. These people are the owners of these institutions and as such are the only ones who would share in the profit of the operations. Now both types of institutions encourage thrift and savings and both invest the bulk of their savings in the home mortgage market. Certainly I feel that we should do everything possible to encourage the continuation of these institutions since they are operated in the sole interest of their depositors. We certainly want them to continue lending funds in the real estate market, thereby encouraging home ownership and assisting the economy of the State through the home building activity that they generate. Therefore, I feel that House Amendment "A" to L. D. 1464 is not necessary and

is more restrictive than the present law. And, therefore, I support the motion to indefinitely postpone this amendment.

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

Mr. SULLIVAN: Mr. Speaker and Members of the House: You know, I get a little bit amused at some of these statements that are made. I suggest that some of these gentlemen find out how many millions of dollars these so-called mutual savings banks pile up. I suggest they also look into how many millions of dollars so-called mutual insurance companies pile up and that phrase "for the benefit of the depositors" I'm afraid is, shall I say, over exaggerated. Now, I said before that I would have very little to say from now on but I couldn't resist that.

Some of these statements made, they evidently seemingly can't go in and figure these things out, add and subtract. It has got where some of these mutual insurance companies and mutual so-called savings banks, that excuse that they work always for the depositors is a big joke. Now, I hate to be so frank, but I have to.

I'm a little bit disgusted with some of these things that are said here that have no basis in fact. Thank you.

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

Mr. SCRIBNER: Mr. Speaker and Members of the House: I would like to pose a question through the Chair to the gentleman from Mechanic Falls, Mr. Foster. I realize that Mr. Scott pointed out a few moments ago that existing banking institutions are restricted in opening new branches beyond adjacent counties, but I can see nothing in this particular bill regarding the mergers with unlike institutions that would restrict them anywhere. The first paragraph of the bill reads "Any savings bank organized under the laws of this State may consolidate with a savings and loan association existing under the laws of this State." I fail to see anything that the amendment is unnecessary. I believe it should be on there just

to make sure because there is some doubt in my mind. I would like to pose a question to the sponsor of the bill if the existing laws do apply to mergers of unlike institutions.

The SPEAKER: The gentleman from Portland, Mr. Scribner, poses a question through the Chair to the gentleman from Mechanic Falls, Mr. Foster, who may answer if he desires.

The Chair recognizes that gentleman.

Mr. FOSTER: My recollection of the banking law, as it is today and under our general laws, is that the savings and loan associations are limited to the transaction of business within its county where its office or business is located or any adjacent county. Now, there isn't anything that we can do about this consolidation that's going to change that general law. The general law would remain on the books just as it is today.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Mechanic Falls, Mr. Foster, that House Amendment "A" to L. D. 1464, Bill "An Act to Permit Savings and Loan Associations and Savings Banks to Consolidate," be indefinitely postponed. All who are in favor of indefinite postponement of this amendment will vote yes; those opposed will vote no. The Chair opens the vote.

#### Roll Call

YEA—Allen, Baker, E. B.; Baker, R. E.; Benson, Binnette, Bragdon, Brown, Buck, Bunker, Burnham, Carrier, Carswell, Clark, Cornell, Cottrell, Crockett, Crosby, Darey, Dickinson, Drummond, Dudley, Durgin, Edwards, Ewer, Farrington, Foster, Fuller, Gill, Giroux,

Hanson, B. B.; Hanson, P. K.; Harriman, Haynes, Healy, Hewes, Hinds, Hodgkins, Huber, Humphrey, Immonen, Jameson, Keyte, Kyes, Lewis, Lincoln, Lycette, Maddox, McMann, Miliano, Pendergast, Pike, Prince, Rackliff, Richardson, G. A.; Rideout, Ross, Sawyer, Scott, C. F.; Shaw, Shute, Snow, P. J.; Snowe, P.; Tanguay, Townsend, Truman, Waltz, Watts, White, Wight, Williams, Wood.

NAY—Bedard, Belanger, Beliveau, Bernard, Birt, Boudreau, Bourgoin, Bradstreet, Brennan, Carey, Carroll, Champagne, Conley, Cote, Crommett, Curran, Cushing, D'Alfonso, Dennett, Drigotas, Dunn, Eustis, Fecteau, Fortier, Fraser, Gaudreau, Gauthier, Hall, Hanson, H. L.; Harnois, Hawes, Henley, Hennessey, Hichens, Hoover, Hunter, Kilroy, Lebel, Levesque, Littlefield, Martin, McNally, Meisner, Minkowsky, Mosher, Nadeau, J. F. R.; Nadeau, N. L.; Philbrook, Porter, Quimby, Quinn, Robertson, Robinson, Rochelleau, Scribner, Sullivan, Trask, Wheeler.

ABSENT—Berman, Cookson, Couture, Danton, Evans, Harvey, Jalbert, Jannelle, Jewell, Lewin, Noyes, Payson, Richardson, H. L.; Roy, Sahagian, Scott, G. W.; Soulas, Starbird, Susi, Thompson.

Yes, 71; No, 58; Absent, 20.

The SPEAKER: Seventy-one having voted in the affirmative and fifty-eight in the negative, House Amendment "A" is indefinitely postponed.

Thereupon the Bill was passed to be engrossed in concurrence.

Having been 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.

On motion of Mr. Thompson of Belfast, it was

ORDERED, that David M. Carr of Belfast be appointed to serve as Honorary Page for today.

The SPEAKER: The Chair recognizes the gentleman from Rumford, Mr. Beliveau.

Mr. BELIVEAU: Mr. Speaker, may I inquire whether or not the

House is in possession of L. D. 1700?

The SPEAKER: The Chair would advise the gentleman in the affirmative.

Mr. BELIVEAU: Mr. Speaker, I now move that we reconsider our action of June 9 whereby this Bill "An Act relating to Salaries of Jury Commissioners and County Officers in the Several Counties of the State and Court Messenger of Cumberland County," House Paper 1197, L. D. 1700, was passed to be engrossed.

The SPEAKER: The gentleman from Rumford, Mr. Beliveau, moves that the House reconsider its action of the last legislative day whereby this bill was passed to be engrossed. Is this the pleasure of the House?

(Cries of "No")

The gentleman may proceed, he has the Floor.

Mr. BELIVEAU: Mr. Speaker and Members of the House: Needless to say, I anticipated this chorus that we heard here a minute ago and I particularly anticipated the actions on the part of my frugal friend from York County, the very distinguished gentleman from Sanford, Mr. Nadeau. Now, rather than debating this at this point, I do have additional information that I would like to bring to the attention of this body and I don't know whether it is proper for me to discuss it now. I suppose I could do it now and avoid the rush later on. But in any event, as you recall last Friday, I presented House Amendment "B" which would increase the salary of the sheriff of Oxford County from \$4800 to \$5500. There was some objection and I didn't debate this at length because I did not anticipate the opposition that we encountered. However, I wish the members of this House would review with me L. D. 1700 as it proceeds from county to county and consider the increases that the county officials in the various counties realize under this bill. Now, we in Oxford County do not quarrel with the salary increases awarded to county officers in other counties and we certainly hope that members in other counties will not deprive us of our very conservative

request that only one officer of all the county officers receive a salary increase.

Now, we do not object to the sheriff in Androscoggin County receiving an \$800 raise, nor do we quarrel with the Register of Deeds in Aroostook County receiving an additional \$500. For that matter, an increase of \$1,000 to the Sheriff and Treasurer, Judge of Probate and Register of Deeds in Cumberland County is of no concern to us. Franklin County was awarded an \$800 raise to its sheriff; Kennebec County a \$500 raise. Lincoln County, a county of half the population of Oxford County, the sheriff received a raise of \$1200; Judge of Probate a raise of \$1,000. Again, we do not quarrel with these figures.

We do not quarrel with the right of the Board of County Commissioners or the legislative delegation to do what they think is best for their county. We do not quarrel with the County Treasurer's raise in Piscataquis County of \$1300; nor for that matter we do not object to the \$1,000 raise to the Register of Probate in Sagadahoc County. In Somerset County, all the county officers received a \$250 raise; Waldo County the county officers received a \$360 raise across the board; York County, I repeat, in York County the sheriff received a \$1,000 raise. We do not object to that. We do not object to a \$1,000 increase for the Clerk of Courts of York County. Ladies and gentlemen, we are simply requesting that one of the many officers, county officers, receive a \$700 raise.

Now, I would like to remind the members of this body that not too long ago we voted to give the deputy sheriffs a substantial increase in their salaries. Under the bill that was passed by the Governor, the deputy sheriffs receive a \$728 raise. The proposal that we have before you now to increase the sheriff's salary from \$4800 to \$5500 would give him a \$700 raise and he would still be receiving an income substantially less than that of a deputy sheriff and chief deputy.

I would like to again remind the members of this body that this

bill, the amendment has received the unanimous support of our delegation and I would hasten to add that this is probably the only issue in which we have truly and completely agreed upon. In addition, the unanimous vote of the Board of County Commissioners was to give the sheriff a raise.

I would also like to remind you that although I represent the Town of Rumford which pays 42% of the county tax, it would receive very little benefit from the Sheriff's department as we have our own efficient municipal department, we are strongly in support of a pay raise for the sheriff. I do not believe this is an unreasonable request when you consider, in reviewing this document, that every other county, practically all the officers have received some type of a salary increase. We are simply requesting that the sheriff be given a living wage, that of \$5500 per year, and consequently I trust that you will go along with me in my motion to reconsider our action of last Friday.

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

Mr. NADEAU: Mr. Speaker and Members of the House: I would like to answer a couple of the remarks made by the distinguished lawyer from Rumford. First of all, this was done on a scale. The first thing I want to clarify is York County sheriff got a \$1,000 raise but the delegation is the one that gave it to him, not just a few strong-arm people. And I might remind you that York County is 100,000 people and they have two full time sheriffs, not nine of them as they have in Oxford County. They have nine deputies out there besides four part time. And — we can run 100,000; they are only 44.

So, let's take everything in consideration, ladies and gentlemen. Now some of those other counties we did not get hundreds of letters opposing such things as we did concerning Oxford County. Secondly, when your Commissioners come up and when your people from your area oppose things, you have to take them into consideration and not just a few legislators. I would like to answer that.

Now, again, I would like to remind you on this, that this is only the start of things. If you will look on your desk this morning you've got another county that's coming in. Just for one second I want to tell you about that county attorney bill that I brought up last week. Do you realize now that four other counties have thrown in extra men? Remember when I told you that was only the start of it? Four other Counties, look at those Senate Amendments. That is coming up tomorrow, it's been tabled today.

So, like I say, if you go along with this, you want to forget the Committee and I think abolish the Towns and Counties Committee, don't have any more. We try to do the best and we go fairly across the way it was. How he changes his mind in two months, I don't know, but sometimes I wonder about these paid lobbyists, I wonder if the legislators are paid.

The SPEAKER: The Chair recognizes the gentleman from Mexico, Mr. Fraser.

Mr. FRASER: Mr. Speaker and Members of the House: I wish to concur with the good gentleman from Rumford.

As to the remarks of the gentleman from York County, Mr. Nadeau, you just can't compare the two counties at all. They may have only two deputies but they have a good police force in most of their cities and that county is mostly an urban county. Oxford County stretches from the Canadian border down to York County, a distance of well over a hundred miles and you just can't have a couple of deputies covering that area. So, I wish you would go along with the request from Mr. Beliveau.

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

Mr. COTE: Mr. Speaker and Members of the House: I hate to get into this county debate but I am one of those who has felt for a long time that the Towns and Counties Committee should be abolished. I always felt that the county delegations are the ones that should vote on the county budget and in this instance the



County of Oxford, as stated by the gentleman from Rumford, Mr. Beliveau, is unanimous in its decision of giving its sheriff a raise, and I feel that this House would go beyond its duty if it did not support the county delegation of Oxford County. I feel we should support them wholeheartedly; if not, it's like throwing an insult to their delegation who have worked hard for the county, who know their budget needs and so forth, and I feel that we should go along with Mr. Beliveau.

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

Mr. HENLEY: Mr. Speaker and Members of the House: Of course we, as some of my friends have stated, we belabored this pretty much the other day. There's isn't too much I can add to what the other members and my friend, Mr. Cote of Lewiston, has stated. I feel that the fact that this delegation has gone both ways regarding expenses in our county. You will witness, two opposites the other day. We voted strongly to cut down one of our departments in the county. We have had very definite rifts throughout our county on some of the departments. We trimmed the entire budget quite drastically, and some of us were castigated in the news for so doing, especially the Republican contingent. But as Mr. Beliveau states in this one thing we are completely in agreement. We feel that because of the various statements that Mr. Nadeau was saying, if we're going to have a man who has to administer the area—not just the population—but the area which we have to cover with nine full time deputies and a lot of part time deputies, a lot of ground to cover, that he should get somewhere near as much pay as his deputies get.

Now, there's one other thing I wanted to mention. I do feel and I know that in some counties possibly the sheriff's job is partly a political figurehead. His chief deputy may do the most of his administration. He may not be too much a working police officer. In some cases why we have our comic strip, a "Sheriff Finn," who holds

a political job and draws a reasonable salary and goes to Florida winters and enjoys himself; but it is proverbial with Oxford County that our sheriff is the top man. He does in general as much work and more work as his deputies, and the chief deputy is usually—holds that title as a number two man and is usually the chief investigator. Now he does not run the department; the sheriff runs it.

Now, again I say, I feel that we as Mr. Cote stated, we the delegation should have something to say about this. It is our county, we are in agreement. Now there's one little remark that I would like to make. I didn't notice Mr. Nadeau this morning objecting to a bill 1223, that went through very easily a short time ago, whereby it allows a group within this State government to set salaries. Now I might say that I don't like that bill but I didn't see any objections, and if a small group in State government can set salaries of their leader, I feel that the county delegations should have a little bit to say about the salaries of their chief officers.

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

Mr. SULLIVAN: Mr. Speaker and Members of the House: Now I talked on this last week. I know very little about what goes on in Oxford County. Probably they do need that Assistant County Attorney, but what I saw two years ago on that Municipalities and County Committee, I agree with Mr. Cote—they're just wasting their time. What I don't like is this—the principle of the thing.

Some counties may need those Assistant County Attorneys—some of them don't. It's just as I said last week—the principle of the thing is one does it, and the other doesn't, without any consideration for the taxpayers, and I happen to know that many—I guess I'll change that—a few of those Assistant County Attorneys, they do nothing. It's got where, in my opinion, where our Courts who are supposed to be created as houses of justice, they've gotten in too many instances where instead of

being houses of justice they are simply deals between lawyers and in my opinion in some instances with the judges, for what? Deals for the benefit of their pockets regardless of what the issue involved. In other words we got more protection now through the legal profession for criminals and others, in my opinion, who break the law. How about getting a little protection for the probably eighty-five percent of the people who do right? And, if they mention lobbyists. I think that the lobbyists know what we are paid, maybe it would be a good thing if we had a law so that we would exactly know what all these legal lobbyists get paid.

I made a statement last week that some of them I believe get from forty to fifty thousand dollars. In the last session I got a record of three of them, and one of them had fourteen clients. Well you look at it this way. If he got \$3,000 apiece, that was \$42,000. Now, lobbyists are just like other people. In every group you have good, bad and indifferent, and I'm not talking about the lobbyists who operate on some decent, fair ethical basis. It's got where in this State and in the Nation where the legal profession, in my opinion, have got too much power. They run things too much; they run too much things in this State, they run too much things in the Nation. Most of the things they have too much influence over. Thank you.

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

Mr. GILL: Mr. Speaker and Members of the House: Just a point of inquiry. Are we talking about reconsideration in regard to increase for the sheriff? Am I correct?

The SPEAKER: The gentleman from South Portland, Mr. Gill, poses a question through the Chair to anyone who may answer if they desire.

The Chair recognizes the gentleman from Rumford, Mr. Beliveau.

Mr. BELIVEAU: The answer is in the affirmative, Mr. Speaker.

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

Mr. GILL: Mr. Speaker, I'd like to thank the gentleman for the clarification. I wasn't sure if we were talking about the legal profession or lobbyists, or just what.

I would like to support the motion for reconsideration because I feel that where this has gotten the unanimous consent of the delegation that they are the ones that should determine it. I was also sponsor of the two dollar a day pay increase for the deputy sheriffs which has caused this condition, but I am not — I'm sorry that I introduced it because I believe they deserved the two dollars a day. I would like to point out that I believe that a lot of our trouble in law enforcement is that these people aren't able to live on a par or a level and as they should, and therefore they cannot gain the respect of the community, and I would like to again endorse the reconsideration of this matter.

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

Mr. SNOWE: Mr. Speaker, I would like to point out we're talking about an elected position, the sheriff of Oxford County. This man knew exactly what the job paid when he ran for the office and I believe has had a couple of pay raises since he has been in the office, and I oppose the motion for reconsideration.

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

Mr. WIGHT: Mr. Speaker and Members of the House: As Chairman of the Towns and Counties Committee it disturbs me a little to see this bill come back again this afternoon. There are ten members on our Committee and we reviewed very completely both the budget estimates that were turned in by the county commissioners and listened to most of the delegations as to their requests for salaries. The salaries were considered what we thought on a fair basis for all sixteen counties. Some increases were given where we felt they were out of line and others

were not. Others were provided for in the budget and very few were not. We listened to our delegations and many of them had only one or two meetings. I don't know why after spending two or three months here our delegations do not agree at that time. Now we may be getting rid of county government as the honorable gentleman from Lewiston mentioned. I have not opposed many, many of the increases in salaries — I think many of them are due. But we did consider what the estimates and what the county commissioners and what the delegations recommended, and we did the best we could on this salary and with their budget. We provided for all salary increases given in their budgets.

Many think that they can supply the money for these increases. I feel sometimes that we come in and there are good guys here that like to make increases after the job is done. I don't know whether it is to their advantage or not—I sometimes wonder. I feel that the job on the salary bill which was approved by our ten-member committee unanimously is justified and fair. Now if they want to change it — why didn't they do this before we brought the bill out? Some of these changes have been talked about, but now after the salary bill has been proposed, the bill made up and someone says — let's change another salary, I feel that we can be here many, many days discussing the salary because I feel that if one or two of these get in — there are others that are going to be not just in their thinking. We've increased most all of them — in fact I think Aroostook County was about the only one that we didn't increase. They all had increases and they have some other benefits besides the pay that they receive, and we have to leave this to the discretion of your county estimates that are handed in and to your delegation.

Now these seemed to be all in order and approved; now we're coming up with changes. Whether they're going to benefit from these or not I don't know, but there will be a time when you can change these and if you make as much

effort before this salary bill comes out and with the committee as you have after the bill comes out, why I think these things could be straightened out, but after it gets onto the Floor of the House I feel I've got to support my committee and ask for this not to be reconsidered at this time. Thank you.

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

Mr. HENLEY: Mr. Speaker and Members of the House: I ask your kind indulgence for a few moments. Mr. Wight has been stating a few points which I'd like to answer. I feel that the Towns and Counties Committee had a tremendous job to do. Whether this particular point of making it responsible for setting salaries arbitrarily for all county officers all over the state, might be questionable, that still does not say but what the Towns and Counties Committee does a tremendous job in a good many lines.

Now another thing — the matter of our complaining about this salary before the report came out. Probably the fact that I am new is one of the reasons why I was unable to do anything about it previously. I will maintain that back along when we got together, the delegation, both parties, and set the budget for Oxford County, we did go over the sheriff's detailed budget. We had quite a bit of disagreement on the sheriff's salary, but we finally arrived at the figure of \$6,000 a year for his salary. Now that was eventually what we arrived at. Now inasmuch as we have not a line budget, probably the Towns and Counties Committee were not aware of this, but that was the figure that we set.

Another thing, at the county hearing before the county commissioners and department heads over at the hotel shortly after the first of the year, I went on record as stating that I approved of a substantial raise to the sheriff in spite of the fact that we were on the other side of the political fence and of course still are; and as I stated the other day, I hold no brief for the particular individual

who is holding office, I hold brief for the office itself. If we are going to continue to have abilities and talents and experience to head that department, we just must pay a wage — a salary which will interest them.

Now, as to the other statement as to the gentleman knowing what the office paid when he took office, of course he realized that he could not get a pay raise immediately, and he had not had any raises to speak of, as far as I know, there have been a few extra benefits; but any office like that, there is no particular reason why the cost of government shouldn't go up there as any place else. And again, I will just briefly state that I think that answers a lot of the questions. I did not know what the amount was going to be, coming out of committee, and if I had known a little more about it I might have approached the Committee and tried to change it before it came out. But it came out with only a \$200 raise and consequently I support Mr. Beliveau's motion for reconsideration.

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

Mr. LYCETTE: Mr. Speaker and Members of the House: A few years ago I would be up here hollering for a raise for all the sheriffs but I just want to point out one or two thoughts that, and as to the raise of the deputies and chief deputy, I wasn't at the hearing but don't forget that there are approximately, for a guess, six or seven hundred deputy sheriffs, in the whole state. You've only got sixteen sheriffs to fight for their bills. I don't know how the deputies got this raise but I think it is very inconsistent in relation to the sheriffs' salaries. Don't forget that your chief deputy, for instance, he doesn't have to worry whether the sheriff gets elected particularly or not, I don't think that as a whole a good chief deputy is going to get appointed whoever is in there.

Also, you must remember that the sheriff has got to go out there and expect to donate to the campaign. I know that I never did very much probably as much as I

should have, but they knew that I was too poor to donate very much. But I know that there has been some of the boys over the years have donated quite a lot of money to help the party, and another thing they say, well, the sheriff has a house to live in. It took me six months after I came down here two years ago to get my nerves settled because I lived with just one door between trouble and my home. And I'd set down to get my meals, my wife would say, well, eat your dinner, forget it. But you don't forget it when there is somebody out there and it involves trouble. I just want to pass along those thoughts, that's all. I have no brief to this, it's Oxford County and it's not my county, but I think you should—just want you to know my thinking on it.

The SPEAKER: The Chair recognizes the gentleman from Millinocket, Mr. Crommett.

Mr. CROMMETT: Mr. Speaker and Members of the House: As a member of the Towns and Counties Committee, I want to support the remarks of our Chairman, Mr. Wight. In regards to the remarks from the gentleman from Houlton, indicating that the sheriffs should have increase in salary so that they might campaign. I didn't know that that was part of our function. Sure they can campaign but I think they should campaign on their own. Then, regardless of how anyone says it, or the tone of voice in which it has been said, I will say to you, ladies and gentlemen, the gentleman from Sanford, Mr. Nadeau, is absolutely correct and I support his remarks and I hope you will vote against the motion to reconsider.

The SPEAKER: Is the House ready for the question? The pending question is on the motion of the gentleman from Rumford, Mr. Beliveau, that the House reconsider its action of yesterday whereby L. D. 1700, Bill "An Act relating to Salaries of Jury Commissioners and County Officers in the Several Counties of the State and Court Messenger of Cumberland County," was passed to be engrossed. All those in favor of reconsideration

will vote yes; those opposed will vote no.

Mr. Wight of Presque Isle then requested a division.

The SPEAKER: All those in favor of reconsideration will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

66 having voted in the affirmative and 54 having voted in the negative, the motion to reconsider did prevail.

Whereupon, on further motion of Mr. Beliveau of Rumford, the House voted to reconsider its action on June 9 whereby House Amendment "B" failed of adoption.

The SPEAKER: The pending question is the adoption of House Amendment "B". The Chair will order a vote. All those in favor of the adoption of House Amendment "B" will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

Whereupon, Mr. Snowe of Auburn requested a roll call on the motion.

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

A vote of the House was taken.

The SPEAKER: Obviously an insufficient number having requested a roll call, a roll call is not ordered. The Chair will announce the vote. Seventy-six having voted in the affirmative and thirty-nine in the negative, House Amendment "B" is adopted.

Mr. Gill of South Portland then offered House Amendment "C" and moved its adoption.

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

HOUSE AMENDMENT "C" to H. P. 1197, L. D. 1700, Bill, "An Act Relating to Salaries of Jury Commissioners and County Officers in the Several Counties of the State and Court Messenger of Cumberland County."

Amend said Bill by striking out in that paragraph designated

"Cumberland County:" of that part designated "\$2." of section 1 the following "deputy clerk of courts, \$6,500 ~~\$7,000;~~" and inserting in place thereof the following: 'deputy clerk of courts, \$6,500 ~~\$7,500;~~'

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

Mr. NADEAU: Mr. Speaker and Members of the House: As I said before, it's going to be a long summer and this is just the start of it. Now, let's go on this. This is the second one. Like I told you on County Attorneys before and I don't want to get on the subject, they've already added four. Look at the amendment, it's on your desk today. Two other counties have added an extra one. So here we go on a pay raise bill. Now this concerns Cumberland County. I would like to mention one thing, ladies and gentlemen, just to say that they have gotten their share, without going to the people, they have got over a quarter of a million dollars to spend for improvements. This they didn't take before the people, and of course you're elected by the people so don't consider this. L. D. 416, increasing salary of Clerk of Courts — get this for instance, 75% of the time spent on the job. They wanted \$8500, we gave them \$8000. That's not bad for 75% of your week's time you spend on that job you get a \$8,000 salary.

And I get all kinds of notes, people oppose it, some was for it. All right, here's another one here, I'll get to this other one first. L. D. 467, increasing salary of Superior Court messenger. They got a thousand dollars. The one we are concerned about, this is what this L. D. is referring to. L. D. 415, Mr. Casey, this is the name of the gentleman, I wasn't going to oppose this before. He stated in front of the Committee that he spent 85% of his time on the job, that's all. Well, you know for \$7,500 that's not too bad. It says here, delegation, not delegation, now they must have switched some place, public hearing, all the girls, they have the various duties. They are the ones that actually do the work because this gentleman here

has to do the work of the Deputy Clerk because that other guy has two jobs, he gets \$8500 and \$2,000 for being an assistant to the Judge. So, like I say, if you vote for this one again, gentlemen, it's going to open the door and I hope all of you legislators will come up with amendments and give them all a raise.

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

Mr. GILL: Mr. Speaker and Members of the House: I would like to clarify a few statements by my very good friend and colleague, the gentleman from Sanford, has made, he referred to Mr. Casey as making \$7500. I would point out that if this amendment is adopted he would be making \$7500. His salary is now \$6500. The Committee saw fit to raise it to \$7,000. Actually, this \$500 we are asking for by terms of this amendment, is now in the budget and as the gentleman from Sanford has stated, he works 75% or more, 85%, and we were not aware of just how this bill was coming out. It has, at the time before the bill was reported from the Towns and County Committee we did speak to the House chairman and to the chairman of the other body and we felt it had been taken care of at that time. Our County delegation has been polled but not 100% because of a shortage of time. However, I would contend that if there are any members of the Cumberland County delegation that are opposed to this, they can stand up and speak now.

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

Mr. SULLIVAN: Mr. Speaker and Members of the House: I would like a little information, if I may have it. I would like to ask Mr. Nadeau how much have they got this messenger down for now, under this — the messenger in Cumberland County?

The SPEAKER: The gentleman from Portland, Mr. Sullivan, poses a question through the Chair to the gentleman from Sanford, Mr. Nadeau, who may answer if he chooses.

The Chair recognizes that gentleman.

Mr. NADEAU: Mr. Speaker. The amount is \$6500.

The SPEAKER: Does the gentleman consider his question answered?

Mr. SULLIVAN: Only partially, I would like to make a few comments. It so happens that gentleman, the messenger, came before that Committee, of which I was a member last session, and there were a lot of statements made which had no basis in fact. You would think by the time he got through that he worked sixteen hours a day, which he doesn't. In other words, if you figure out the time he really puts on the job — you see the Courts are not in session all of the time, and usually they are only in session about at the most five hours a day when they are in session. Now, I asked at that time what the gentleman did. It amazed me. They said, well, they give him a telephone number and he calls up people they want. Sure, he runs out for coffee occasionally, somebody wants a cup of coffee. Well, I have a ten year old grandchild, in fact I have one that is seven years old and if you gave him a telephone number, he could call them up too.

Now this is ridiculous. Now, all they are playing here, and these sheriffs departments, these county departments, in my opinion, the whole county government should be eliminated, just like they eliminated it down in Connecticut. We need a county government most of the time just like most of us need a hole in our heads. Now, I realize that I am making myself very popular. Well that doesn't matter. I came up here with the intention of looking out for the majority of the people of Portland, Cumberland County, and as far as I am able the majority of the people in the rest of this State. And most of these county departments, whether they are Democrat or Republican, they are just political machines. And of course, what one gets, the other goes for. The sheriff departments are just political machines whether they are dominated by the Democrats

or the Republicans and the taxpayers are the ones who pay for it.

Now, it's about time we called a halt to this game of you scratch my back and I'll scratch yours, and usually they rely on the fact that the average taxpayer being so busy earning a meager living, and as far as that messenger in Portland is concerned, in the Portland Court, I would say by his name he must be a reasonably close relative of mine because of that so-called Irish name he's got.

Now, I'm frankly disgusted at what I see going on in this Legislature, what I saw going on in the last Legislature. I want to mention some of these things. They refer to what the waste in Washington, well that's right, I agree with them. But the waste in this State in relation to our resources and the relation to what the average taxpayer earns. We haven't the resources they have down in Washington and of course there is tremendous waste in Washington. Now I realize that probably what I am saying in most instances is just or, in some cases I had better change that a little, is just as if I was talking to that wall. And many people have indicated that I have too much to say, but , and that is unquestionably true; but on the other hand, some of us have got to try and represent the taxpayers who are exploited. Now it may be that if they keep on with this, that I'll get up here and I'll name names. But, frankly, I don't care whether they are Republicans or Democrats, and there is too much going on in this Legislature in individuals in both parties that are making these issues when they choose, they make them partisan, some in both parties; and when they don't choose, when they play a game of you scratch my back and I'll scratch yours, why it isn't our money, it's the taxpayers; I don't believe they even consider that.

It's just like, how shall I get more money for the people who are going to work for me? And, how much can I get to overpay certain individuals, and I could go right out, if you give me

twenty-four hours, I'll bet you I can get a hundred people that would be glad to take that messenger's job, not for \$6,500 but for what? A hundred dollars a week, or \$5,000 a year. Now I'm sorry that I have to get up and talk and talk, but I'm not the one that's responsible. The ones that are responsible are those who come in with these extreme ideas; and when this House, when that Committee of municipalities and counties unanimously come in and they don't back them up, maybe what they should do is just like I did, refuse to be on that Committee again and I believe that whole thing is ridiculous because they don't make the decisions anyway. These political organizations in all these counties playing a game of I scratch your back and you scratch mine.

And as far as lawyers are concerned, the average lay person that sees how some of them operate they get a little bit disgusted as I do. I'm not referring to those lawyers who operate on a reasonably ethical and honorable basis. I wonder when they take their oaths they must have a lot of mental reservations. And when I see every morning here, we have a clergyman that gets up there regardless of their religious sect, saying a prayer, and they all with their lips seemingly agree. I would suggest they give a little thought to following what those clergymen say, those who do not, following it in action, and not just giving lip service to something and then doing just the opposite. Thank you.

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

Mr. CONLEY: Mr. Speaker and Members of the House: As I understand it, the question before the House right now is on adoption of House Amendment "C" which has been offered by the gentleman from South Portland, Mr. Gill. I would just like to clarify the air that we are not discussing the bill in relationship to the messenger of Cumberland County and to further clarify that, I would like to tell the members of the House that

the raise or the increase in salary bill which originally was put in was for \$6,500 but that the Towns and Counties Committee adjusted that to \$6,000, not a full thousand dollar increase as stated by the gentleman from Sanford, Mr. Nadeau.

I would just like at this time, ladies and gentlemen of the House, to concur with the gentleman from South Portland, Mr. Gill, and go on record and encourage the members here to vote in favor of the adoption of this House amendment.

The SPEAKER: The Chair recognizes the gentleman from Cape Elizabeth, Mr. Hewes.

Mr. HEWES: Mr. Speaker and Members of the House: I want to concur with the gentleman from Portland, Mr. Conley's remarks. I have the utmost respect for the Towns and Counties Committee and as I read L. D. 1700, there are 108 separate pay raises and I certainly go along with almost all of those.

I would like to lend some support to the Deputy Clerk of Courts of Cumberland County, who is a conscientious, honest, industrious lawyer. He in essence runs the trial of cases in Cumberland County. If you didn't know, Cumberland Superior Court is the only court which sits ten months out of the year. I would hazard a guess that no other county sits more than six months, so he is there keeping the docket moving, keeping the jurors busy, for ten months, ten terms out of the year, and this June term will probably go into July so he will be there virtually eleven months out of the year, and I think that in this particular case an extra \$500 is warranted and I would urge your support in that regard. Thank you.

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

Mr. WIGHT: Mr. Speaker and Members of the House: I would just like to clarify the fact that we have with the Towns and Counties Committee, the original salary of your Deputy Clerk of Courts was \$6500. L. D. 790 brought in the same amount. L. D.

415 brought in the highest request of \$7,000. This request was supported by the Commissioners and by the delegation at that time. This amount was approved, raising the salary from \$6500 to \$7,000, a \$500 increase, which seemed justified in comparison with the other salaries. Now, after the bill was being prepared, several individuals wished to have this increased to \$500 without any reason or cause. This, I presume was taken up and approved again by the delegation and by the ones that wanted this increased \$500. This \$500 was not called to our attention until very late and the request in the L. D.s certainly did not give any amount such as we are asking for on this amendment. It's their money they are spending, and we have tried to be fair with all counties. I think probably there are other counties that are going to feel that they are not justified and some of the boys that want to be good guys and perhaps will want to raise those. That is entirely up to the County Committee and the delegation, I presume, has the right to change their mind after they submit their budgets and after the delegation agrees, but there is no way of our controlling what they are going to do next. So, I ask that perhaps this should not be considered in fairness to all concerned.

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

Mr. NADEAU: Mr. Speaker and Members of the House: What Mr. Wight has said, the Chairman of the Committee, is correct. They have a Commissioner out there, Mr. Charles, and he said that the amount that we gave, that extra \$500, was what was in the budget, and had been approved at the public hearing, that had the backing of the Committee. Now, all at once, three months later, or two months later, this certain group who incidentally are being pursued by a member of the third house—and I'll say that again, this delegation is being pursued by a member of the third house who is now standing in the rear, to take this \$500 which originally was not, mind you, ladies and gentlemen,



was not approved by the County Commissioner, was not approved at the public hearing, and it was not wanted by the people. So I ask you, even if the delegation now has changed their minds because of a member of the third house, can't we at least protect the County Commissioners and protect the people back home who had agreed to this original amount?

So, I beg of you, let's not open the door again. We did for Rumford, and please let's not do it for this. It's just the start of it.

Mr. Sullivan of Portland was denied permission to speak a third time, there being objection.

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

Mr. GILL: Mr. Speaker and Members of the House: I have simply brought in an amendment for a \$500 increase for the Deputy Clerk of Courts. In regards to the statements of the gentleman from Sanford, Mr. Nadeau, I don't know how strongly I have been pursued, I generally am pursued to some extent every day. But, I'll tell you the reason why that we brought this in. We felt that Walter Casey was deserving of this money, and this money is already, is in the County budget and I would ask a question of any member of the Towns and Counties Committee. Is it not true that you cut one of the requests that was heard at public hearing and approved by the County Commissioners and approved by the delegation by \$500 in the case of Mr., I think it is, Duffey?

Mr. Sullivan of Portland was denied permission again to speak a third time, there being objection.

Mr. Nadeau of Sanford was denied permission to speak a third time, there being objection.

The SPEAKER: The question before the House is on the adoption of House Amendment "C". The Chair will order a vote. All those in favor of the adoption of House Amendment "C" will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

67 having voted in the affirmative and 34 having voted in the

negative, House Amendment "C" was adopted.

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

Mr. FORTIER: I should have my head examined, for rising in opposition of this bill. This bill is the creature of the Committee on Towns and Counties, a conglomeration of many bills sponsored by many members of this House to appease county officials, who requested they sponsor these bills. At first thought, I was going to propose an amendment to this bill, affecting the portion dealing with Kennebec County, and was going to ask that the raises proposed for my County be denied. But on further examination of this document, I see no reason why I shouldn't ask for the indefinite postponement of this entire document. This would create absolutely no hardship on anyone, it would save the taxpayers thousands of dollars. Any person, or office holder, affected by killing this bill, would either refuse to run for office or resign. I guarantee that neither would be the result, since when these people contested these offices they knew full well what the salaries were.

Ladies and gentlemen of this House, here is one bill you can oppose without criticism from your constituents who I am sure feel exactly as my constituents do, namely that our present system of county government is of doubtful value. I have received no mail from anyone asking me to support this bill and I dare say that not one member of this House has been encouraged by a constituent, other than a county office holder or relative to a county office holder to support this bill. Why then, would any member of this House feel that this bill merits any support? The answer of course is the tremendous sales job that our county office holders do on us, and the tremendous sense of importance they place on their offices. These offices, in my opinion, and that of many constituents are of doubtful service, in fact there are many of us who feel they should be abolished entirely, thereby sav-

ing the taxpayers thousands and thousands of dollars, yes, maybe millions.

As I stated in my original remarks, it was my intention to confine myself to Kennebec County, an area of which I am slightly familiar. However, in generalizing let me state that I dare say that conditions existing in Kennebec County are probably the same in most counties, the budget estimates are inflated, or using a more common term, padded. If you doubt this, please address a question to me asking me to provide you with specific proof of this statement.

Let me address myself at this time specifically to the subject of this document as I see it, which is mostly salaries. Although I doubt the value of county government and I think expenditures for county government are wasted, I would like to say that employees of county government, other than elected officials, are not my target at this time. I am opposed to the county commissioners proposing a salary increase for themselves during their terms of office, and using their influence with the county legislative delegation to force this request upon you. These county commissioners meet twenty-four times at the county courthouse for which they are paid \$1850. They propose that this be increased to \$2250 yearly with the chairman receiving \$2500, or better than \$100 per meeting plus expenses. They have practically no one looking over their shoulder and there is no penalty for missing a meeting, nor is there a deduction from this proposed \$100 per meeting for missing a meeting or for missing them all in fact.

Ladies and gentlemen of this House, these elected officials of the county are more than adequately compensated for the service they render to a constituency that doubts the necessity for county government. At the hearings held by the Towns and Counties Committee, I appeared in opposition to these raises and let me tell you I was the most unpopular witness of the afternoon. The room was filled by proponents of these raises in pay and everyone was

an elected county official or an employee of a county official. These county commissioners are all important businessmen in their communities and I can't understand why they would insist on these raids on the county treasury. When they ran for office they sounded sincere in the desire to serve their fellow man. They talk of governmental service as the noblest of professions and I have never once heard a politician promise to ask for a pay raise for himself, yet this is the one promise he could probably keep. I appeared in opposition to an increase for the Judge of Probate who in appearing for himself recited a long list of duties he must perform for a meager salary. These are the same duties that were performed by the previous Judge of Probate and were fully known to the present Judge as they are one and the same person, and if the salary was too low why did he run for re-election? I am not now speaking of a Judge who desperately needs the office, but a man who is considered to be one of the most successful attorneys in the county. He referred to increases in the cost of living as if the job were his sole source of income and that the County should pick up this entire cost of living increase. I hesitate to sound disrespectful of so learned a Judge, but I feel that his salary increase is also a raid on the county treasury. I opposed an increase for our Sheriff, the County Treasurer and the Clerk of Courts who incidentally is a member of my own party. She is apparently being penalized for allowing me to oppose these increases by having hers denied.

Many of you will probably say I should speak for my County and leave the other counties alone as the officials in the other counties justly deserve these increases. Maybe you are right, but if you examine the conditions, the importance of their positions, their overall necessity to the taxpayers, you will find them much the same as my county.

I don't believe in county government; consequently I don't believe in compounding the problem by increasing salaries for people

who are more than adequately paid for the work they do and their usefulness to the taxpayer. I have no illusions about successfully opposing this measure. I'm swimming against the current. I feel strongly in opposition to these increases; I feel I must justify my occupying seat 137 by displaying what little legislative courage I have by moving for the indefinite postponement of this bill and any accompanying papers and Mr. Speaker I so move.

The SPEAKER: The gentleman from Waterville, Mr. Fortier, now moves the indefinite postponement of L. D. 1700 and its accompanying papers.

The Chair recognizes the gentleman from Hampden, Mr. Littlefield.

Mr. LITTLEFIELD: Mr. Speaker, Ladies and Gentlemen of the House: Now that we have opened the door of a fair bill passed to us from the Towns and Counties Committee and refused to allow further information on the offered amendments by objection and remarks, I wish to support the motion of the gentleman from Waterville, Mr. Fortier to indefinitely postpone this bill and I would request a roll call.

The SPEAKER: A roll call is requested. Is the House ready for the question? For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All those in favor of a roll call will vote in the affirmative and those opposed in the negative and the Chair opens the vote.

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

The SPEAKER: The pending question is on the motion of the gentleman from Waterville, Mr. Fortier, that Bill "An Act relating to Salaries of Jury Commissioners and County Officers in the Several Counties of the State and Court Messenger of Cumberland County," House Paper 1197, L. D. 1700. All those in favor of the indefinite postponement will vote

yes and those opposed will vote no and the Chair opens the vote.

### ROLL CALL

YEA — Allen, Binnette, Bradstreet, Carey, Crommett, Crosby, Dennett, Dudley, Fortier, Gauthier, Giroux, Hanson, H. L.; Hawes, Haynes, Hichens, Huber, Jameson, Keyte, Lewis, Littlefield, Lycette, McNally, Mosher, Nadeau, J. F. R.; Rocheleau, Ross, Snowe, P.; Starbird, Sullivan, Trask, Waltz, Williams.

NAY—Baker, E. B.; Baker, R. E.; Bedard, Belanger, Beliveau, Benson, Bernard, Birt, Boudreau, Bourgoin, Bragdon, Brennan, Buck, Bunker, Burnham, Carrier, Carroll, Carswell, Champagne, Clark, Conley, Cornell, Cote, Cottrell, Crockett, Curran, Cushing, D'Alfonso, Darey, Dickinson, Driegas, Dunn, Durgin, Edwards, Eustis, Evans, Ewer, Farrington, Fecteau, Foster, Fraser, Fuller, Gaudreau, Gill, Hall, Hanson, B. B.; Harnois, Healy, Henley, Hennessey, Hewes, Hinds, Hodgkins, Hoover, Humphrey, Immonen, Jalbert, Kilroy, Kyes, Lebel, Levesque, Lewin, Lincoln, Maddox, Martin, McMann, Meisner, Miliano, Minkowsky, Philbrook, Pike, Porter, Prince, Quimby, Quinn, Rackliff, Richardson, G. A.; Richardson, H. L.; Rideout, Robertson, Robinson, Sawyer, Scott, C. F.; Scribner, Shaw, Shute, Snow, P. J.; Susi, Tanguay, Thompson, Townsend, Watts, Wheeler, White, Wight, Wood.

ABSENT — Berman, Brown, Cookson, Couture, Danton, Drummond, Hanson, P. K.; Harriman, Harvey, Hunter, Jannelle, Jewell, Nadeau, N. L.; Noyes, Payson, Pendergast, Roy, Sahagian, Scott, G. W.; Soulas, Truman.

Yes, 32; No, 96; Absent, 21.

The SPEAKER: The Chair will announce the vote. Thirty-two having voted in the affirmative and ninety-six having voted in the negative, the motion to indefinitely postpone does not prevail.

Thereupon, the Bill was passed to be engrossed as amended by House Amendments "B" and "C" and sent to the Senate.

### House Reports of Committees Ought to Pass with Committee Amendment

Mrs. White from the Committee on Retirements and Pensions on Bill "An Act relating to Pensions for Members of the Police Department and Fire Department of the City of Auburn and Their Beneficiaries" (H. P. 925) (L. D. 1357) 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" being L. D. 1711, was read by the Clerk. Committee Amendment "A" was adopted, the Bill passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

### Divided Report Tabled and Assigned

Majority Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act relating to Period of Real Estate Mortgage Foreclosure" (H. P. 512) (L. D. 725)

Report was signed by the following members:

Messrs. HARDING of Aroostook  
MILLS of Franklin  
— of the Senate.  
Messrs. BRENNAN of Portland  
BERMAN of Houlton  
DAREY of Livermore Falls  
DANTON  
of Old Orchard Beach  
— of the House.

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

Report was signed by the following members:

Mr. HILDRETH of Cumberland  
— of the Senate.  
Messrs. FOSTER of Mechanic Falls  
HEWES of Cape Elizabeth  
QUINN of Bangor  
— of the House

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Cape Elizabeth, Mr. Hewes.

Mr. HEWES: Mr. Speaker, I move we accept the Minority "Ought to pass" Report.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Hewes,

now moves the acceptance of the Minority "Ought to pass" Report.

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

Mr. BRENNAN: Mr. Speaker, since the House Chairman, Mr. Berman of Houlton is not here, I hope someone will table this pending acceptance of the Report for tomorrow.

Thereupon, on motion of Mr. Snowe of Auburn, tabled pending the motion of Mr. Hewes of Cape Elizabeth to accept the Minority Report and tomorrow assigned.

### Divided Report

Majority Report of the Committee on State Government reporting "Ought to pass" on Bill "An Act Increasing Salaries of the Several County Attorneys and Their Assistants" (H. P. 700) (L. D. 981)

Report was signed by the following members:

Messrs. WYMAN of Washington  
LUND of Kennebec  
STERN of Penobscot  
— of the Senate.  
Mr. MARTIN of Eagle Lake  
Mrs. CORNELL of Orono  
Messrs. RIDEOUT of Manchester  
WATTS of Machias  
DENNETT of Kittery  
PHILBROOK  
of South Portland  
— of the House.

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

Report was signed by the following member:

Mr. STARBIRD  
of Kingman Township  
— of the House.

Reports were read.

On motion of Mr. Dennett of Kittery, the Majority "Ought to pass" Report was accepted, the Bill read twice and tomorrow assigned.

### Passed to Be Engrossed

Bill "An Act relating to a Comprehensive Water Resource and Related Land Use Plan" (H. P. 1199) (L. D. 1706)

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

### Amended Bills Tabled and Assigned

Bill "An Act Reducing Maximum Amount and Duration of Small Loans and Establishing Equitable Rates for Small Loan Agencies" (S. P. 373) (L. D. 986)

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

(On motion of Mr. Scott of Wilton, tabled pending passage to be engrossed and tomorrow assigned.)

Bill "An Act to Authorize Bond Issues in the Amount of \$215,000 to Provide Funds for the Construction of Regional Technical and Vocational Centers under the Provisions of Section 2356-B of Title 20, R. S." (H. P. 399) (L. D. 565)

Bill "An Act Decreasing Annual Expenditure for Economic and Recreational Development in Oxford County" (H. P. 559) (L. D. 791)

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.

### Emergency Measure Tabled and Assigned

An Act to Appropriate and Provide 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.

(On motion of Mr. Richardson of Cumberland, tabled pending passage to be enacted and specially assigned for Wednesday, June 14.)

### Passed to Be Enacted

An Act relating to Compensation for Certain Municipal Officers Who Appear in District Court (H. P. 896) (L. D. 1309)

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

### Orders of the Day

The Chair laid before the House the first item of Unfinished Business:

SENATE MAJORITY REPORT (6)—Ought Not to Pass—Committee on Judiciary on Bill "An Act relating to Unjustified and Justified Abortions" (S. P. 215) (L. D. 478) — MINORITY REPORT (4) Ought to Pass in New Draft (S. P. 667) (L. D. 1695) (In Senate Minority Report accepted and passed to be engrossed)

Tabled—June 7, by Mr. Quinn of Bangor.

Pending—Acceptance of either Report.

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

Mr. QUINN: Mr. Speaker, I had a phone call from Mr. Berman to the effect that he wasn't going to be here today and he would like to have this tabled until tomorrow if someone will do that.

Thereupon, on motion of Mr. Farrington of China, retabled pending acceptance of either Report and specially assigned for Tuesday, June 13.

The Chair laid before the House the second item of Unfinished Business:

JOINT ORDER—(H. P. 1193) Recalling S. P. 371, L. D. 984 from legislative files. (In House, passed) (In Senate, indefinitely postponed)

Tabled—June 7, by Mr. Richardson of Cumberland

Pending—Further consideration.

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

Mr. HENNESSEY: Mr. Speaker, I move that we insist and I would speak to that motion.

The SPEAKER: The gentleman from West Bath, Mr. Hennessey, moves that the House insist on its former action and the gentleman may proceed.

Mr. HENNESSEY: Mr. Speaker, Ladies and Gentlemen of the House: As this bill has never been discussed, although on June 5 the House voted 97 to 7 to return it to the Floor, I regret very much the other Body's failure to see the

problem or to realize the problem of keeping this bill separate from others. Everyone I have spoken with has clearly indicated the need for a facility in the Bangor area for the severely retarded persons. These people now would include spokesmen for the Department of Mental Health and Corrections, the Department of Health and Welfare, the Maine Committee on Problems of the Mentally Retarded, and parent organizations for retardation. All of these individuals have agreed and stated that not only is such a facility needed but it is needed primarily for the care and treatment of young children.

The need for a facility for the care and treatment of the young severely retarded children has not been made clearly visible for a number of reasons. These reasons themselves are very distressing and upsetting:

(1) The Department of Health and Welfare has been forced to care for the severely mentally retarded children under 5 years of age in foster homes or in large group homes. When these children are committed to the Department of Health and Welfare, large boarding fees are required to stimulate people to agree to take care of these children. Also, when these children are committed to the Department of Health and Welfare, medical costs are very heavy and these two costs of medical care and boarding care are continually straining the budget of that Department, since they are not funded for this kind of service—which means that we are already spending more than would be needed to take care of these children in this Bangor facility. This means these children have to be legally committed to the Department of Health and Welfare and the parents found guilty of child neglect, when, actually their only crime was giving birth to a retarded child. In other words, we punish parents for giving birth to mentally retarded children.

(2) Parents are forced to keep young children in their homes without proper supervision, counselling or medical care, and instead of the problem of the re-

tarded child coming to light or becoming visible, other problems caused by keeping the child in their home becomes the focus of attention and are made visible. These problems include family break-ups, separation of parents, emotional upset of other children in the home, keeping older children out of school to help care for the retarded child, imposing financial burdens on families forcing them into debt from which many of them can never recover. These problems have not been dreamed up, but are based on actual cases I have heard about and have record of. Again, these problems which often require other kinds of services by State agencies simply increase the cost to the State, but because these are hidden costs they are not always in people's minds directly related to the problem of mental retardation.

I have been assured that the problem of providing care for these young retarded children is becoming more serious every year. It can now be referred to as a major social problem in our State. In a few years, if we don't act now, it will move into an "emergency" status.

At this time in Maine no State agency has a mandated responsibility to provide care and services for this group of unfortunate and pathetic children. This means that no State agency is funded to provide these services, so no formal services have been developed. As we look at the range of services provided for children, we see that children who are in need of money, who are neglected, abused, abandoned or emotionally ill, have services provided for them. Why aren't these services and facilities in existence to serve these severely retarded? Now we can only help them if we can fit them into some other category for which there is an existing service.

Why do we close our eyes to this one group of children when we authorize funds and services for children with other kinds of problems? We know absolutely that these children exist, that there are now no services, facilities or State Departments to serve them. Let's act now.

The creation of this facility at Bangor may influence the Bangor Chamber of Commerce and other influential people of the northern area to take up the idea of the needs of the medical center at Bangor so that the Jackson Memorial Laboratory in Bar Harbor, which has been working on genetics for years, could be in close proximity with this facility for children, and contribute to the efficiency of the project. It will also stimulate the medical professions to get together on this project. The parents of one of the children who walked down the aisle here last week as an Honorary Page had been told as a baby she was a "vegetable". Through the parents' persistence in seeking out additional medical advice and not accepting an original diagnosis they were able to bring this child to her present state.

Mr. Speaker, I have a plan that I would like one of the Pages to hold up here on the proposed facility.

The SPEAKER: The Chair would grant permission to the gentleman from West Bath, Mr. Hennessey, to display a plan. Will the Pages bring it to the front of the Hall of the House.

Mr. HENNESSEY: Mr. Speaker, we have two proposals that have come up; one was for \$660,000 with a capacity of 140 patients, which would bring your patient cost to \$4,700. Using some of the Federal funds, if there is a construction for residential facilities for the mentally retarded, there are available Federal funds under Public Law 88, 164, Title I available for 1967-'68 \$100,000 a year, and by going to that we can increase our patients to 200 which would bring this entire cost of the project to \$770,000 with a patient capacity of 200 patients at a cost of \$3,850. Your National average for patient care is \$6,000. I think we have come down and cut costs here to run against this facility working.

Now what we have designed here is wings that will be taken up by dormitories and those in the center are for offices and kitchen facilities. Those wings incidentally are 38 by 70, rather 38 feet wide

and 92 feet long. That is the proposed site on state-owned land opposite the State Hospital in Bangor. To your left is what would be the boiler house across the Hogan Road a site which has fifteen acres; we would be using just about four acres of the land available.

Also in the mail this week which came out from the University, another item came up tying this in with a speech clinic. Certainly if there is any question on this I would appreciate the opportunity of bringing it to you. Mr. Speaker, I would move we insist and request a Committee of Conference.

The SPEAKER: The gentleman from West Bath, Mr. Hennessey, now moves the House insist and request a Committee of Conference.

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

Mr. RICHARDSON: Very briefly, Mr. Speaker, I would like to go on record in support of the gentleman from West Bath, Mr. Hennessey in his effort to keep this bill alive. It seems to me that our first order of business in the State institutions should be the care of those who are profoundly retarded or those children suffering from a hopeless neurological deficit. Whether or not something can be worked out in the long run, I don't know, but certainly I commend the gentleman from West Bath for his effort in this area where the State of Maine is falling sadly behind. I hope that every member of the House will vote in favor of his motion.

The SPEAKER: The Chair recognizes the gentlewoman from Portland, Mrs. Carswell.

Mrs. CARSWELL: Mr. Speaker and Members of the House: As you will recall several days ago, I spoke in favor of the facility at Aroostook County, a facility for the retarded children. Now I do not feel that our retarded children are going to get the needed care by foster home placement. Retarded children need to be cared for by those who have professional training and I think that this type of a facility will give the best care.

Now the Committee on Health and Institutional Services of which I am a member, heard the pleas of mothers of retarded children, severely retarded children. We also saw some of the pictures, and if the members of the House had been there at the hearing that day they would realize how very, very important this program is and I do hope that we can get this bill passed. Thank you.

The SPEAKER: The pending question is the motion of the gentleman from West Bath, Mr. Hennessey, that the House insist on its former action and ask for a Committee of Conference. Is this the pleasure of the House?

The motion prevailed.

The Chair appointed the following Conferees on the part of the House:

Mr.	HENNESSEY	
		of West Bath
Mrs.	CARSWELL	of Portland
Mr.	RICHARDSON	
		of Cumberland

The Chair laid before the House the third item of Unfinished Business:

HOUSE MAJORITY REPORT (7) — Ought Not to Pass — Committee on Taxation on Bill "An Act Exempting Gas for Cooking and Heating in Homes from Sales Tax" (H. P. 813) (L. D. 1189) — MINORITY REPORT (3) — Ought to Pass.

Tabled — June 7, by Mr. Susi of Pittsfield.

Pending — Acceptance of either Report.

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

Mr. SUSI: Mr. Speaker, I move that we accept the Minority "Ought to pass" Report and would speak to my motion.

A question that is commonly asked about this bill is what would it cost? This bill would mean a loss of revenue of about \$125,000 per year or \$200,000 for the first biennium. I think we are practically all aware, if not all of us, that there is at the present time a sales tax on gas for cooking and heating purposes and there is not any

such a sales tax on wood, coal and fuel oil.

I have attempted to find out through conversation with some of our senior members just what the circumstances were at the time that the law went into effect as it is today and at the present time I haven't been able to confirm for a certainty what happened then, but I am under the impression that this happened as a result of some political horse trading back at that time. I personally doubt very much that there was much reasoning involved. Through the years this has been recognized to be an inequitable situation. Now we are all aware that there are many inequities in our tax laws particularly. This is certainly not the only one, but I think we will all agree that this is a glaring inequity in our tax laws as they stand now. There are those who would say that this inequity should be corrected by placing a tax on the other fuels, namely, coal, wood and fuel oil. I personally don't agree with that, I believe that in the climate that we have here in Maine where fuel is very much a necessity for survival that it would be an unfair thing to tax fuel, but we do have an opportunity at this time to possibly correct this inequity.

Those who have signed the "Ought not to pass" Report have indicated to me that their objection to this bill lies mainly in the loss of revenue which would be entailed. I am sure that should we in this Legislature go along with this bill, this bill would land on the appropriations table and would be enacted only if the loss of revenue could be absorbed by other revenue measures enacted by us in this session.

Now we are forced to concentrate our efforts particularly at this time of the year toward establishing sufficient revenues to support State Government, but in this case in regard to this bill we have an opportunity to demonstrate to Maine people that we are concerned that our revenues be obtained in an equitable manner. I hope that you can support my motion.



The SPEAKER: The Chair recognizes the gentlewoman from Portland, Mrs. Wheeler.

Mrs. WHEELER: Mr. Speaker, Ladies and Gentlemen of the House: Under the present law the purchase of all fuel except gas and electricity for home heating and cooking is exempt from the sales tax and I feel discrimination against these commodities is grossly inequitable. This bill would cause gas to be exempt like the other fuels. Gas and other fuels, particularly oil, are competing home fuels and they are put to the same use. There is no reason to tax the homeowner who heats his home with gas and not to tax the homeowner who heats with oil. Electricity has not been included in this bill because there are problems of determining what household electricity is used for heat and cooking and what is put to other use.

It should be noted that the burning of gas is the cleanest method of all commodities used in heating and cooking. In this period of emphasis on clean air, discrimination against the use of this method of heating is simply horrendous. I feel the Minority "Ought to pass" Report should be accepted to alleviate the present discrimination against those who heat their homes and cook with gas and I ask for a vote.

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

Mr. HENLEY: Mr. Speaker, I hesitate to get up again, but this time I'm on the other side of the fence. I have been using gas in my home ever since World War II, and the amount of — I use it for cooking and heating water, and it costs roughly 50¢ a month for the sales tax. I feel that we should broaden the base rather than narrow it. I know a while ago I talked against the sales tax on drinking water but nevertheless this body believed that we should have a tax on drinking water, of all things. I feel that in a way we are possibly avoiding one inequity by creating another one. If people want to use in this climate gas as a heating fuel, I have been informed by the

people that produce gas that in this part of the country it is a pretty expensive fuel, and a good many gas people that deal in gas recommend using oil for heating.

Now again I say that the very principle of it in my mind is narrowing down the tax base, and I for one am not for narrowing our tax base any more. I am against this bill.

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

Mr. COTTRELL: Mr. Speaker, Ladies and Gentlemen of the House: I am jumping up here not because I want to make you listen to my voice, but there are other members of the Taxation Committee, for instance the Chairman who signed an ought not to pass report who is not in the House, and I think the thinking of the Taxation Committee ought to be explained.

This bill is a perennial bill, ever since I've been on the Taxation Committee it comes up and it always receives an ought not to pass Report and it is simply because they think that those of us on the Taxation Committee in our little humble way are trying to bring a little more logic and organization and equity to the tax structure of our state. Now electricity is under the sales tax, gas is under the sales tax, fuel oil for all commercial use is under the sales tax. Last year our charming Representative Mrs. Wheeler put in this bill and also put in a bill to put a tax on fuel oil, but fuel oil for domestic cooking and heating is one of the few exemptions in this field. Now to be sure, gas is used for cooking and heating; it is also used for refrigeration; it is also used for air conditioning and there is no doubt as time goes on it will be used in many other uses, so as we discussed this matter this year again we thought of amending this bill and not putting in the gas deal but amending the bill to put on a sales tax on domestic fuel oil for cooking and heating, but we found out that we couldn't do this in time to hold a public hearing and so we had to let the matter drop. As has been mentioned, it does — would mean a loss, in fact I have

heard the estimated loss would be \$150,000 a year for the next two years, not for the first year because it wouldn't go into effect, but that is the thinking of the Taxation Committee, and as you know, we call ourselves the exemption committee because out of seventy bills that we have heard thirty of them were for exemptions. We're petitioned, we're petitioned, we're petitioned to exempt this and exempt that and exempt this, and somebody has got to say no and I think somebody has got to try at least to make our total tax structure a little more consistent, and so that was the reason the Committee reported as it did.

The SPEAKER: The Chair recognizes the gentleman from Harpswell, Mr. Prince.

Mr. PRINCE: Mr. Speaker, I want to go on record as being opposed to the passage of this legislation. Several constituents of mine in the Towns of Harpswell and Yarmouth have been in touch with me and I also have two propane gas dealers who are opposed to it. I want to concur with the Representative from Portland, Mrs. Wheeler.

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

Mr. NADEAU: I also attended the hearing, it was a very small hearing, there was only a few people for this, they were all gas dealers. I didn't hear Mr. Susi say where he was going to replace this loss of revenue. I understand from the good people who are veterans that this has come up year after year and I think those past Legislators were sensible people, I therefore urge you to vote no on the acceptance of the Minority Report.

The SPEAKER: The question before the House is the motion of the gentleman from Pittsfield, Mr. Susi, that the Minority "Ought to pass" Report be accepted on Bill "An Act Exempting Gas for Cooking and Heating in Homes from Sales Tax," House Paper 813, L. D. 1189. All those in favor of accepting the Minority "Ought to pass" Report will vote yes, those opposed will vote no and the Chair opens the vote.

A vote of the House was taken.

63 having voted in the affirmative and 54 having voted in the negative, the motion did prevail, the Bill read twice and tomorrow assigned.

The Chair laid before the House the fourth item of Unfinished Business:

An Act relating to Additional Appeals Under Liquor Laws (H. P. 1185) (L. D. 1685)

Tabled — June 7, by Mr. Hichens of Eliot.

Pending — Passage to be enacted.

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

Mr. HICHENS: Mr. Speaker and Members of the House: I asked for this bill to be tabled because it seemed to be a bill of import, and was sailing through the House so fast that few of us knew what it would do. This is our last chance to look at it.

The law now provides that appeals from decisions of the Administrative Hearing Commissioner can be made to the Liquor Commission and to the Superior Court. However, while the appeal is being made, the decision of the Hearing Commissioner is in full force and effect.

Under this bill, the decision of the Hearing Commissioner is suspended during appeal. I can conceive that if this bill goes into effect, the decisions of the Hearing Examiner will carry no weight at all, and the constant appeals will be another 'Jimmy Hoffa' trick to keep the day of judgment from the offender forever.

Our Hearing Examiner is not noted for harsh sentences. He is known to be fair and honest. He does not suspend licenses without just or reasonable cause. Seldom is there need or desire for appeal. However, under this bill an offender would be foolish if he did not appeal. He might effectively appeal until his license ran out of old age. The offender would still be able to sell.

Those who stand to gain the most under this bill are the lawyers. They handle the appeals, and although I have deep respect for most lawyers in this House I firmly believe that for them, this is a bill of self interest. Our courts are already jammed with work, why add to it just to give the legal trade more work?

Liquor licensees on the whole are not interested in breaking the laws governing them. Sometimes their employed help will do it. Our Hearing Commissioner is trained to detect all this probably better than anyone else in the state. Let's strengthen his hands, not weaken them. Presently, his decisions are working well. There is no need for change.

I therefore move the indefinite postponement of this bill and all its accompanying papers, and when the vote is taken I ask for a division.

The SPEAKER: The gentleman from Eliot, Mr. Hichens, now moves the indefinite postponement of L. D. 1685, "An Act relating to Additional Appeals Under Liquor Laws."

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

Mr. BRENNAN: Mr. Speaker and Members of the House: The gentleman from Eliot, Mr. Hichens, is inaccurate when he says that the suspension does not take effect pending appeal under the present law. Under the present law if you appeal and file your papers timely the suspension does not take effect.

I'd like to point out that this bill received a unanimous "ought to pass" Report from the Committee on Judiciary. This is not a wet-dry issue. If I recall correctly at least four members of the Judiciary Committee consistently vote dry, yet the entire committee voted for this bill. This bill does the following: First, it eliminates one step in the appeals process—that is an appeal to the Liquor Commission. Under this bill the appeal goes directly to the Superior Court. The Commission is usually not composed of lawyers and consequently it is not in a position to rule on complicated

evidentiary matters. This bill would expedite and streamline the appeal process and save the rather useless time - consuming step of going through the Commission.

Also, when there is an appeal heard under this bill, the appeal would be heard in the county court where the alleged violation takes place. This certainly makes sense to me.

One accused of a violation in Aroostook County should not have to travel to Augusta to appeal a decision of the administrative hearing commissioner. Also under this bill it is provided that a trial de novo would be allowed on appeal. This clears up a complication, or something that is somewhat nebulous in the present law.

I urge you to vote against the motion of the gentleman from Eliot, Mr. Hichens.

The SPEAKER: The Chair recognizes the gentleman from Southwest Harbor, Mr. Benson.

Mr. BENSON: Mr. Speaker and Members of the House: I am the sponsor of this bill. How I ever got snarled up with an attorneys' bill is more than I know, and I now know better than to ever do it again.

Maybe I can explain what we were attempting to do when we presented the bill.

As the present law is set up a person who is charged with a violation of the liquor laws has a hearing before the Administrative Hearing Commissioner. At that time the person has a full hearing. If he is aggrieved by the decision he may appeal to the Liquor Commission. Again, he has a full hearing and ample opportunity to present his witnesses and cross examine any state witnesses. If the Commission decides against him he is given a right to appeal to the Superior Court. He has a further right, if not satisfied, of appeal to the Law Court.

As the law presently stands there is some question as to whether he should be given another full hearing in the Superior Court or whether both sides should merely argue from the record. Having already had two full hearings the most sensible course

seems to be to clarify the law and have the case in the Superior Court heard only on the record. That is the written report of all that was said at the hearing before the Administrative Hearing Commissioner and the Liquor Commission. This would not only be speedy, but would also save both sides the expense of another full trial. This was the purpose of the original bill. The original bill as submitted has been changed to a point where it is almost unrecognizable.

The first thing it has done is to by-pass the Commission who are in full charge and responsible for licensing and renewing licenses and should have some say and knowledge regarding violations after the licenses have been issued.

Secondly, it has thrown the appeal into the Superior Court where the dockets are already overcrowded.

Thirdly, it calls for a full trial.

Fourth, it has extended the time a person has to appeal, thereby reducing the effect that any penalty might have.

Fifth, because of the overcrowded dockets it creates a situation whereby the person who violates the liquor laws would possibly not have to serve any penalty because any penalty would be suspended until final determination, which determination might not be reached until after the license had expired.

Sixth, the bill as presented here has eliminated the appeal to the Law Court.

Although I think the original intent of this bill was honorable, and would have saved the individuals involved in these cases some money, I think that the redrafted bill that is before us now for enactment is not what we had intended originally. I therefore would support the motion of the gentleman from Eliot, Mr. Hichens, for indefinite postponement.

The SPEAKER: The Chair recognizes the gentleman from Old Orchard Beach, Mr. Danton.

Mr. DANTON: Mr. Speaker and Members of the House: I had not intended to speak on this matter, but since my good friend from

Southwest Harbor, Mr. Benson, made some remarks I want to call to the attention of this House that if we do indefinitely postpone this measure we go right back to the three hearings that must be had, whereas his original intent was that two hearings be had, and this bill also requires that two hearings be had.

I think that we have all agreed that there should be a two process hearing somewhere along the line here and this is why the Judiciary Committee provided for the Superior Court aspect of this bill.

The indefinite postponement of this measure, I would remind the members of this body, will bring us right back to the present law which requires three hearings—one before the Administrative Hearing Commissioner and the other one before the Liquor Commission and of course the appeal to the Superior Court. Thank you.

I would urge the motion to indefinitely postpone be defeated.

The SPEAKER: The pending question is the motion of the gentleman from Eliot, Mr. Hichens, that L. D. 1685, "An Act relating to Additional Appeals Under Liquor Laws," be indefinitely postponed. All of those in favor of indefinite postponement will vote yes, those opposed will vote no, and the Chair opens the vote.

A vote of the House was taken.

71 having voted in the affirmative and 54 having voted in the negative, the motion prevailed. Sent up for concurrence.

The Chair laid before the House the fifth item of Unfinished Business:

Resolve Proposing an Amendment to the Constitution Pledging Credit of the State and Providing for the Issuance of Bonds Not Exceeding One Million Dollars for Loans for Maine Students in Higher Education (S. P. 618) (L. D. 1616)

Tabled—June 7, by Mr. Shute of Farmington.

Pending—Final Passage.

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being a Constitutional Amendment and a

two-thirds vote of the House being necessary, a total was taken. 113 voted in favor of same and 2 against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

The Chair laid before the House the sixth item of Unfinished Business:

HOUSE JOINT ORDER—Recalling from legislative files "An Act Providing for a State Income Tax" (H. P. 290) (L. D. 410)

Tabled—June 8, by Mr. Jalbert of Lewiston.

Pending—Passage.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: I move that this Order be indefinitely postponed and I would speak briefly to that motion.

The SPEAKER: The gentleman from Cumberland, Mr. Richardson, now moves that this Joint Order be indefinitely postponed.

Mr. RICHARDSON: Mr. Speaker and Members of the House: An Act providing for a state income tax was overwhelmingly defeated in this House just a few days ago, and there does not seem to be any legitimate reason for resurrecting it for debate and further consideration at this time.

I request that you vote in favor of indefinite postponement of this measure and when the vote is taken, Mr. Speaker, I request a division.

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

Mr. LEVESQUE: Mr. Speaker and Members of the House: For one of the very few times in this legislative session that I have been in complete agreement with the gentleman from Cumberland, Mr. Richardson; because of this Order being a little premature I will join the gentleman from Cumberland, Mr. Richardson in postponing it.

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

Mr. JALBERT: Mr. Speaker and Members of the House: The re-

mark that this Order was premature gets me on my feet, and the motion for a division gets me on my feet. I just feel, and that is the reason that I presented these orders, I feel that any tax measure in the position that we find ourselves in now should be kept alive, just like any spending bill is kept alive. I request a roll call.

The SPEAKER: 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. All of those desiring a roll call will vote yes, and those opposed will vote no, and the Chair opens the vote.

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

The SPEAKER: The pending question is the motion of the gentleman from Cumberland, Mr. Richardson, that House Joint Order recalling from the legislative files "An Act Providing for a State Income Tax," L. D. 410 be indefinitely postponed. All those in favor of indefinite postponement will vote yes, those opposed will vote no, and the Chair opens the vote.

### ROLL CALL

YEA — Allen, Baker, E. B.; Baker, R. E.; Belanger, Benson, Berman, Birt, Boudreau, Bourgoin, Bragdon, Brennan, Brown, Buck, Bunker, Burnham, Carrier, Carroll, Carswell, Champagne, Clark, Conley, Cornell, Cote, Crockett, Crosby, Curran, Cushing, D'Alfonso, Danton, Darey, Dickinson, Drigo-tas, Drummond, Dudley, Dunn, Durgin, Edwards, Eustis, Evans, Foster, Fuller, Giroux, Hall, Han-son, B. B.; Hanson, H. L.; Harnois, Hawes, Haynes, Healy, Henley, Hennessey, Hewes, Hichens, Hinds, Hodgkins, Hoover, Huber, Hum-phrey, Immonen, Jameson, Keyte, Kilroy, Kyes, Lebel, Levesque, Lewin, Lewis, Lincoln, Littlefield, Lycette, Maddox, Martin, McMann, McNally, Meisner, Miliano, Min-kowsky, Mosher, Pendergast, Phil-brook, Pike, Porter, Prince, Quim-by, Rackliff, Richardson, G. A.; Richardson, H. L.; Rideout, Rob-ertson, Rocheleau, Ross, Sawyer,

Scott, C. F.; Scott, G. W.; Scribner, Shaw, Shute, Snowe, P. J.; Snowe, P.; Sullivan, Susi, Tanguay, Thompson, Townsend, Trask, Truman, Waltz, Watts, Wheeler, White, Wight, Williams, Wheel.

NAY — Bedard, Beliveau, Bernard, Binnette, Bradstreet, Carey, Cottrell, Fecteau, Fortier, Fraser, Gauthier, Gill, Harriman, Hunter, Jalbert, Nadeau, J. F. R.; Nadeau, N. L.

ABSENT — Cookson, Couture, Crommett, Dennett, Ewer, Farrington, Gaudreau, Hanson, P. K.; Harvey, Jannelle, Jewell, Noyes, Payson, Quinn, Robinson, Roy, Sahagian, Soulas, Starbird.

Yes, 113; No, 17; Absent, 19.

The SPEAKER: The Chair will announce the vote. One hundred thirteen having voted in the affirmative and seventeen having voted in the negative, the motion to indefinitely postpone does prevail.

The Chair laid before the House the seventh item of Unfinished Business:

HOUSE JOINT ORDER—Recalling from legislative files "An Act to Remove Sales Tax Exemptions on Rentals, Repairs, Installation and Servicing of Tangible Personal Property" (H. P. 123) (L. D. 149)

Tabled—June 8, by Mr. Jalbert of Lewiston.

Pending—Passage.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: In opposition to the passage of this House Joint Order, I would remind the House that, again with reference to the preceding item, that we have already been all through this, that it is the position of the Republican Party in this Legislature that this patchwork tax provision will not provide sufficient funds even together with the other proposals, in order to soundly finance State Government for this State.

I would, therefore, urge every member of the House to vote against the adoption of this Order and when the vote is taken, I request a division.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Besides wanting to keep measures alive, I have another reason for having presented this order. It is because the record indicates that nearly fifty members were either not voting or not present, including myself incidentally, when the vote was taken on this measure. Therefore, this is another added reason as to why I presented this Joint Order. When the vote is taken I move it be taken by roll call.

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

Mr. LEVESQUE: Mr. Speaker and Members of the House: For the same reasons as I have stated on the previous Joint Order that these are premature, I will join the Majority Floor Leader.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I am not going to take issue, it disturbs me to take issue with the gentleman from Madawaska, Mr. Levesque, the Floor Leader, but I must after he makes comment concerning the prematurity of this Order. I must state that I discussed this with him and asked him the question, "Do you want me to put these in today, or not?" last week and his answer was, "Go ahead."

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

Mr. LEVESQUE: Mr. Speaker and Members of the House: In answer to the remarks of the gentleman from Lewiston, Mr. Jalbert, I think last week when the orders were before us it posed a different problem than it is today.

The SPEAKER: For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All of 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, and more than one fifth of the members present having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is the passage of House Joint Order, item 7 of House Unfinished Business, which requires a two-thirds vote for passage. All those in favor of the passage of this order will vote yes, those opposed will vote no and the Chair opens the vote.

### ROLL CALL

YEA—Beliveau, Bernard, Burnham, Carey, Cottrell, Dennett, Eustis, Fortier, Fraser, Hunter, Jalbert, Littlefield, Pendergast.

NAY — Allen, Baker, E. B.; Bedard, Belanger, Benson, Berman, Binnette, Birt, Boudreau, Bourgoin, Bradstreet, Bragdon, Brennan, Brown, Buck, Bunker, Carrier, Carroll, Carswell, Champagne, Clark, Conley, Cornell, Cote, Crockett, Crosby, Curran, Cushing, D'Alfonso, Danton, Darey, Dickinson, Drigotas, Drummond, Dudley, Dunn, Durgin, Edwards, Evans, Farrington, Fecteau, Foster, Fuller, Gauthier, Gill, Giroux, Hall, Hanson, B. B.; Hanson, H. L.; Harnois, Harriman, Hawes, Haynes, Healy, Henley, Hennessey, Hewes, Hichens, Hinds, Hodgkins, Hoover, Huber, Humphrey, Immonen, Jameson, Keyte, Kilroy, Kyes, Lebel, Levesque, Lewin, Lewis, Lincoln, Lycette, Maddox, Martin, McMann, McNally, Meisner, Miliano, Minkowsky, Mosher, Nadeau, J. F. R.; Nadeau, N. L.; Philbrook, Pike, Porter, Prince, Quimby, Rackliff, Richardson, G. A.; Richardson, H. L.; Rideout, Robertson, Robinson, Rocheleau, Ross, Sawyer, Scott, C. F.; Scott, G. W.; Scribner, Shaw, Shute, Snow, P. J.; Snowe, P.; Starbird, Sullivan, Susi, Tanguay, Thompson, Townsend, Trask, Truman, Waltz, Watts, Wheeler, Wight, Williams, Wood.

ABSENT—Baker, R. E.; Cookson, Couture, Crommett, Ewer, Gaudreau, Hanson, P. K.; Harvey, Jannelle, Jewell, Noyes, Payson, Quinn, Roy, Sahagian, Soulas, White.

Yes, 13; No, 119; Absent, 17.

The SPEAKER: The Chair will announce the vote. Thirteen having voted in the affirmative and one hundred and nineteen having voted in the negative, thirteen being less than two-thirds, the order fails of passage.

The Chair laid before the House the eighth item of Unfinished Business:

HOUSE JOINT ORDER — Recalling from legislative files "An Act Repealing Trade-in Credit for Motor Vehicles under Sales Tax Law" (H. P. 121) (L. D. 147)

Tabled—June 8, by Mr. Jalbert of Lewiston.

Pending—Passage.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: I should like the record to be clear that when this L. D. repealing the trade-in credit for motor vehicles was before this House, I voted in favor of the L. D. and I still feel that the present law represents an unjustified loophole in our tax law. But, I would remind the members of the House, that with respect to this item as with reference to the other two that preceded that we have already been through all this and that my statement as to the preceding item I would say would bear on this one, that is that this L. D., if it were to be recalled and passed, it still wouldn't go anywhere near meeting the needs of the State of Maine just to meet our built-in costs.

I, therefore, would urge the members of the House to vote against the adoption of this Order and when the vote is taken, Mr. Speaker, I request a division.

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

Mr. LEVESQUE: Mr. Speaker and Members of the House: For the two previous reasons that I have stated, this also being premature.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I ask for a roll call.

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

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

The SPEAKER: The pending question is on the passage of this Joint Order, item 8 of Unfinished Business, recalling from legislative files "An Act Repealing Trade-in Credit for Motor Vehicles under Sales Tax Law". All those in favor of the passage of this order will vote yes, those opposed will vote no and the Chair opens the vote.

### ROLL CALL

YEA — Belanger, Bernard, Boudreau, Bradstreet, Burnham, Carey, Cottrell, Dennett, Dudley, Dunn, Eustis, Fecteau, Fortier, Fraser, Harnois, Hawes, Haynes, Hunter, Jalbert, Littlefield, Lyette, McNally, Nadeau, N. L.; Tanguay, Wight.

NAY — Allen, Baker, E. B.; Beard, Beliveau, Benson, Berman, Binnette, Birt, Bourgoin, Bragdon, Brennan, Brown, Buck, Bunker, Carrier, Carswell, Champagne, Clark, Conley, Cornell, Cote, Crockett, Crosby, Curran, Cushing, D'Alfonso, Danton, Darey, Dickinson, Drigotas, Drummond, Durgin, Edwards, Evans, Farrington, Foster, Fuller, Gauthier, Giroux, Hall, Hanson, B. B.; Hanson, H. L.; Hariman, Healy, Henley, Hennessey, Hewes, Hichens, Hinds, Hodgkins, Hoover, Huber, Humphrey, Immonen, Jameson, Keyte, Kilroy, Keyes, Lebel, Levesque, Lewin, Lewis, Lincoln, Maddox, Martin, McMann, Meisner, Miliano, Minikowsky, Mosher, Nadeau, J. F. R.; Pendergast, Philbrook, Pike, Porter, Prince, Quimby, Rackliff, Richardson, G. A.; Richardson, H. L.; Rideout, Robertson, Robinson, Rocheleau, Ross, Sawyer, Scott, C. F.; Scott, G. W.; Scribner, Shaw, Shute, Snow, P. J.; Snowe,

P.; Starbird, Sullivan, Susi, Thompson, Townsend, Trask, Truman, Waltz, Watts, Wheeler, Williams, Wood.

ABSENT — Baker, R. E.; Carroll, Cookson, Couture, Crommett, Ewer, Gaudreau, Gill, Hanson, P. K.; Harvey, Jannelle, Jewell, Noyes, Payson, Quinn, Roy, Sahagian, Soulas, White.

Yes, 25; No, 105; Absent, 19.

The SPEAKER: The Chair will announce the vote. Twenty-five having voted in the affirmative and one hundred and five having voted in the negative, twenty-five being less than two-thirds, the order fails of passage.

The Chair laid before the House the ninth item of Unfinished Business:

Bill "An Act relating to Use of Dealer Registration Plates" (H. P. 124) (L. D. 150) (In House, indefinitely postponed on passage to be enacted)

(In Senate, passed to be engrossed as amended by House Amendment "A" (H-75) and Senate Amendment "A" (S-228) in non-concurrence)

Tabled — June 8, by Mr. Crosby of Kennebunk.

Pending — Further consideration.

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

Mr. PENDERGAST: Mr. Speaker and Members of the House: I move we recede and concur.

The SPEAKER: The Chair recognizes the gentleman from Manchester, Mr. Rideout.

Mr. RIDEOUT: Mr. Speaker and Members of the House: This is the L. D. 150, the parent vehicle of L. D. 1665 which we have discussed earlier today, and since it is still in the works I would request that somebody table it for further consideration later on.

The SPEAKER: The Chair recognizes the gentleman from Southwest Harbor, Mr. Benson.

Mr. BENSON: Mr. Speaker, I move this be tabled to June 14.

The SPEAKER: The gentleman from Southwest Harbor, Mr. Benson, moves this matter be tabled until June 14.



Mr. Lebel of Van Buren requested a division.

The SPEAKER: A vote has been requested. All those in favor of this matter being tabled until June 14 pending the motion of Mr. Pendergast of Kennebunkport to recede and concur will vote yes, those opposed will vote no and the Chair opens the vote.

A vote of the House was taken.

62 having voted in the affirmative and 61 having voted in the negative, the tabling motion did prevail.

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The Chair laid before the House the tenth item of Unfinished Business:

Bill "An Act Revising Laws Relating to Licensed Small Loan Agencies" (H. P. 468) (L. D. 681) (In House, passed to be engrossed as amended by Committee Amendment "A" (H-318) (In Senate, passed to be engrossed as amended by Committee Amendment "A" as amended by Senate Amendment "B" (S-246) thereto and as amended by Senate Amendment "C" (S-247)

Tabled — June 9, by Mr. Scott of Wilton.

Pending — Further consideration.

On motion of Mr. Scott of Wilton, retabled pending further consideration and specially assigned for tomorrow.

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The Chair laid before the House the eleventh item of Unfinished Business:

An Act relating to Form and Arrangement of Ballots in General Elections (H. P. 216) (L. D. 306) (Vetoed by the Governor)

Tabled — June 9, by Mr. Ross of Bath.

Pending — Further consideration.

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

Mr. ROSS: Mr. Speaker and Members of the House: I rather expected a veto message on this, consequently, I am neither surprised nor dumfounded, but I am concerned with the lack of vision of our Chief Executive.

Now I say lack of vision because many of us are convinced that this would lead to better government because we feel very strongly that this would make more responsible voting.

In paragraph one of the veto message in the last sentence, he says that it would be far poorer legislation than L. D. 4 which was just the elimination of the big box. Now I find that a strange pronouncement from a man who once favored this principle, because as far as the theory of it goes, this is a much stronger and better bill. It is only considered poorer by those who fear individual selection at the polls and favor blind party loyalty. Certainly in Massachusetts, a strong Democrat stronghold, the election of U. S. Senator Brooke was considered thoughtful, responsible voting and not an irresponsible act which would tend to weaken government.

But for those who are really concerned with party philosophies it is easy enough under this bill to go down the ballot and make a check mark either beside an "R" or a "D" without regard to the names. This applies to paragraph 2 and 3 of the communication. The Governor claims that he is worried about doing away with the party columns. Now we will admit that this does do away with the party columns, but we still contend that is a much fairer way of voting.

Now on certain issues, of course these issues do apply to top office seekers, but our electorate is well enough informed of the issues of these persons to select the persons of their choice no matter what kind of a ballot we used. But how about the fairness to other candidates? And in saying that let's even forget the legislative. Is it fair in any way for a person of no training or experience to slide in as an example as Judge of Probate or Sheriff just because of his Party affiliation or because persons at the top of the ticket were popular, or made vote-getting pronouncements and platitudes during the campaign?

Now his reason, number four, is the first time that he mentioned

our referendum provision, and he adds that if we present the same situation on certain constitutional reforms he would find an acceptable way of disposing of these controversial matters.

Now one meaning of "dispose" of course is to get rid of. Now I wonder if in this one sentence he means that he thinks the voters would turn down all of the reforms along with ours today, or one that they term a so-called reform? Now would this include all of their old perennials, ones that we term so-called reforms? Now these are found listed in paragraph four of the communication, but I notice that left out of those reforms was one dealing with Lieutenant-Governor and one dealing with Item Veto. When these went through this House these two items did have some Republican support, and perhaps the Governor was fearful that we might accept these terms.

Now the last paragraph to me is strangest of all, because he says there that he would be willing to send to the voters, although he did not approve, this plan of ours.

Now I doubt if the people of the State of Maine really favor such action from a Chief Executive who would go against a firm conviction of his in order to secure his way on others. We certainly would not force him to take this unwise course. No — we defeated these other old gems on what we believed to be the merits. Now if the veto stands it will be on what he believes the merits of this bill are. We call it truly progressive, but we have no desire to have our new, young, honest, hopeful Governor compromise himself in any way on our behalf and I want you to vote on the merits of this bill without any strings attached.

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

Mr. LEVESQUE: Mr. Speaker and Members of the House: I shall be very brief this afternoon because I think that the message sent in by the Governor very well explains his position and the position of the Minority Party. It should indeed be no surprise to

the Republicans that this came before them; it only leads me to worry or wonder that if the first party square bill that was presented and vetoed if that would have passed and become law, if this bill would have also passed and become law, or is it all in the game of politics?

I think probably if the Majority Party would be as sincere as proposed by the gentleman from Bath, Mr. Ross, as Massachusetts having done such a wonderful job in the last election, that he would also propose that we have the Constitutional Amendments that Massachusetts has had for a good many years as governmental reforms. So therefore, I hope this afternoon that the House will truly vote its conviction as to whether we eliminate the party square or whether we send it to the people in a referendum to hide the party square behind an alphabetical sheet.

The SPEAKER: The pending question is shall this bill become a law notwithstanding the objections of the Governor, and pursuant to Article IV, Section 2 of the Maine Constitution, the yeas and nays are ordered.

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

Mr. JALBERT: Mr. Speaker, does this measure necessitate two-thirds of those present and voting or two-thirds of those elected?

The SPEAKER: The Chair will rule under the circumstances that it will be two-thirds of the House present, those present and voting.

All of those in favor of this bill becoming law notwithstanding the objections of the Governor will vote yes, those opposed will vote no, and the Chair opens the vote.

### ROLL CALL

YEA — Allen, Baker, E. B.; Benson, Berman, Birt, Bragdon, Brown, Clark, Cornell, Crockett, Crosby, Cushing, Darey, Dennett, Dickinson, Drummond, Dunn, Durgin, Edwards, Evans, Ewer, Farrington, Foster, Fuller, Gill, Hall, Hanson, B. B.; Hanson, H. L.; Harriman, Hawes, Haynes, Henley, Hewes, Hichens, Hinds, Hodgkins, Hoover, Huber, Humphrey,

Immonen, Kyes, Lewin, Lewis, Lincoln, Littlefield, Lycette, Maddox, McMann, Meisner, Miliano, Mosher, Pendergast, Philbrook, Porter, Prince, Quimby, Richardson, G. A.; Richardson, H. L.; Rideout, Robinson, Ross, Scott, C. F.; Scott, G. W.; Shaw, Shute, Snow, P. J.; Snowe, P.; Susi, Thompson, Townsend, Trask, Waltz, Watts, Wight, Wood.

**NAY** — Bedard, Belanger, Beliveau, Bernard, Binnette, Boudreau, Bourgoin, Bradstreet, Brennan, Buck, Burnham, Carey, Carrier, Carroll, Carswell, Champagne, Conley, Cote, Cottrell, Crommett, Curran, D'Alfonso, Danton, Drigotas, Dudley, Eustis, Fecteau, Fortier, Fraser, Gaudreau, Gauthier, Giroux, Harnois, Healy, Hennessey, Hunter, Jalbert, Jameson, Keyte, Kilroy, Lebel, Levesque, Martin, McNally, Minkowsky, Nadeau, J. F. R.; Nadeau, N. L.; Pike, Rackliff, Rocheleau, Sawyer, Scribner, Starbird, Sullivan, Tanguay, Truman, Wheeler.

**ABSENT**—Baker, R. E.; Bunker, Cookson, Couture, Hanson, P. K.; Harvey, Jannelle, Jewell, Lowery, Noyes, Payson, Quinn, Robertson, Roy, Sahagian, Soulas, White, Williams.

Yes, 75; No, 57; Absent, 18.

The **SPEAKER**: Seventy-five having voted in the affirmative and fifty-seven in the negative, and seventy-five being less than two-thirds, the veto of the Governor is sustained.

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

**HOUSE REPORT**—Ought Not to Pass—Committee on Judiciary on Bill "An Act Regulating Secondary Mortgage Loans" (H. P. 92) (L. D. 187)

Tabled—June 8, by Mr. Ross of Bath.

Pending—Acceptance.

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

Mr. **COTE**: Mr. Speaker and Members of the House: First we shall talk about the birth of this bill and why it is before this House.

The last session of the Legislature ordered—at the special session that this be studied. A committee was set up, a sub-committee of the Legislative Research comprising of myself as Chairman, Senator Romeo Boisvert as Vice Chairman, Joseph E. Binnette, Kenneth R. Gifford, Roger V. Snow, Senator Johnson and Representative Louis Jalbert, ex officio.

Now Legislative Order having this particular section of the sub-committee report on secondary mortgage loans is an outgrowth of Legislative Document No. 1789, "An Act Establishing the Home Repair Financing Act and Defining and Regulating Secondary Mortgage Loans." Since the first part of L. D. 1789 pertaining to a home repair financing act has been adequately covered on page one of this report we will now concern ourselves with that part of L. D. 1789, relating to secondary mortgage loans.

The sub-committee directed its course of study through seven public hearings all held in the Legislative Research Committee Room 228 of the State House here in Augusta, on the following dates: April 28, 1966, May 19, 1966, June 29, 1966, September 22, 1966, October 26, 1966, and November 22, 1966.

Perhaps it should be pointed out that a great deal of valuable information on interest, notes, rebates and so forth on secondary mortgage loans was gathered during the public hearings listed in phase one of this study.

As in the first phase of this study the original proposal was based on a secondary mortgage loan of the State of New Jersey and was then joined with the Home Repair Financing Act and Legislative Document 1789. It was later found that the State of Ohio had a similar act relating to secondary mortgage loans which was more adaptable to the needs of the State of Maine. Using the Ohio law as a base a new draft was prepared taking into consideration the absence of the usury statute in Maine. Another section consisted of other areas.

Upon completion of this draft copies were distributed during the public hearings which incidentally were heavily attended by persons representing the interests of banks and other financial institutions of this state, and at each public hearing the draft was reviewed in great detail by members of this sub-committee, the State Department of Banks and Banking and particularly attorneys representing the many financial institutions operating within the State. At the conclusion of each hearing redrafts were prepared to comply with the various comments and suggestions offered by those present. As a result of this cooperative effort, complete agreement was eventually reached and the sub-committee is pleased to present the attached draft of a secondary mortgage loan Act, with a strong recommendation that the members of the 103rd Legislature give due consideration towards its enactment. When we came before the Judiciary Committee when this bill was presented, several people appeared in favor of this bill and some appeared against it. What amazed me most was that a Federal employee, lobbying against this bill, who I understand does pretty well financially without a bill of this nature. Now, it will be pointed out probably, by some of the opposition about insurance rates, and so forth and so on, that there other bills in the House that take care of some of those insurance rates against loan companies.

The only reason we came up with this bill was to protect the citizens of the State of Maine who, under the present statutes are not protected as far as second mortgage loans are concerned of \$2500 and above. And this was the only reason that the Legislative Research Committee, and myself as Chairman of the sub-committee presented this bill to this Legislature.

Now, opposition has come up, I don't know why, and this bill was studied by lawyers, lawyers representing the banks, lawyers that represented the loan companies and it was found out at that time before we started studying this bill

that they were charging interest rates of 24 to 30% interest on some of these second mortgage loans, and that some of the banks were discounting this paper, or buying it up. Now, in several cases during the first phase of this study, we found where people had been dispossessed of their homes, especially a lady about 77 years of age from Bethel, Maine lost her home. She got in debt for \$17,000 against before we got this second mortgage loan on the books and I don't see the reason and I can't figure out yet how come the Committee on Judiciary voted against such a bill. I imagine that they are going to put some arguments up on this thing and that's up to them. But I feel that what we tried to do was something for the people of the State of Maine and I feel that this is a good bill, the Banking Commissioner approves of this bill. It was approved by many, many good lawyers that you all know that are members of the lobby in this House, lobbying on something else, probably, but good lawyers and I fail to see how we happen to get a ten "Ought not to pass" report on this bill.

I shall make a motion at this time and God help the bill from then on. I move that we substitute the bill for the report.

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

Mr. BERMAN: Mr. Speaker and Members of the House: I hesitate, somewhat, on this dark and dreary afternoon, to bore the members of the House with all the details involved in this eight page document, L. D. 187. I am not sure, to be very candid about it, that I understand what L. D. 187 is all about. This year the Committee on Judiciary, in addition to having this bill, "An Act Regulating Secondary Mortgage Loans" has had the old chestnut of reducing the foreclosure period from one year to six months, which could be very detrimental to the agricultural interests and to the maritime interests in the State. It has another bill which will shortly be coming before you with regard to corporate mortgages, and while I pro-

fess not to be an expert in the field of mortgages, I do say to the members of the House, that there are several members of the Committee who are far more learned in financial matters regarding secondary mortgage loans, than myself.

Now, I am not going to ask you to take the Committee report on face, but I will say to you members of House, from what I have listened from one of the co-sponsors of the bill, Mr. Cote, we have heard nothing concerning the actual merits of the bill. If he would be able to convince the House that this is a good piece of legislation, that its need is apparent, other than citing hearings before the Legislative Research Committee, which did take place but which evidence in and of itself did not go to the merits of the bill, I would hope that you would go along with the unanimous "Ought not to pass" report of the Committee and not substitute the bill for the report.

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

Mr. COTE: Mr. Speaker and Members of the House: I believe that the merits of this bill are such that it has cut down the interest rates of some of these loan companies from 24 to 30% it has cut it down to a rate of 17%. Now I feel that it's a pretty good reason in the first place of going along with such a bill. We are putting them under control and under the Banking Commissioner where they are not under control today. They are not under the Banking Commissioner and they may on those second mortgages charge any amount of rate of loan that they want. If they want to charge 40% they could and if the individual wants to sign the papers and so forth and so on. And again they must make certain types of disclosures to the Banking Commissioner as they are. I don't want to at this late date, myself, belabor this bill any longer this afternoon, but if you substitute the bill for the report, it is going to come back again for some more debate and I can present to you at that time a little bit more concrete evidence

of what this bill is going to do for the people of the State of Maine.

The SPEAKER: The Chair recognizes the gentleman from Old Orchard Beach, Mr. Danton.

Mr. DANTON: Mr. Speaker and Members of the House: As a member of the Judiciary Committee, I signed the "Ought not to pass" on this bill and the main reason why I signed "Ought not to pass" was because of the manner in which this bill was drafted. Although, from outward appearances, it indicates that interest rates were reduced, such was not the case. They only appeared to be reduced because the bill would allow the so-called "loading the camel" practice. Sometimes, lenders charge extra and often exorbitant fees for credit life insurance and for credit investigations, processing and handling. These charges should rightfully be figured in with the finance charges. By including them in a separate list the rate is artificially reduced. Also when these charges are separated from the interest a comparison of the cost of the credit with other rates becomes impossible, and for that reason I voted against the bill.

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

Mr. SCRIBNER: Mr. Speaker and Members of the House: With all due respect to the many fine persons we have had on the Research Committee in the past, particularly their Chairman of this past session, I believe their intentions, they were well motivated, but I believe this is a case in which the elephant gave birth to a mouse. In one point, this bill was considered that possibly it could be amended. It would require extensive amendments, and require at the very least a new draft to accomplish any of its objectives. All the way through it there are many inconsistencies, many dangers that would exist for consumers in the State of Maine if this bill becomes law, and I believe that the best thing we can do is to accept the Committee report and put this bill at least somewhere—I believe it is a problem that needs to be studied, we need to have good legislation on

this matter, but this bill does not even take the first step in that direction. We are going to have to take the first step sometime but I don't believe that we need a bill to pass this House today that will legalize loan sharks in the second mortgage business.

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

Mr. JALBERT: Mr. Speaker and Members of the House: The gentleman from Portland, in thanking him for his remarks concerning the Research Committee, the gentleman from Portland, Mr. Scribner has put his finger exactly on what this bill intends to do. This bill would outlaw loan sharks in the second mortgage field.

This is exactly what the measure would do. And certainly with due deference to the members of the Judiciary Committee, this bill did not belong before that committee. On two separate occasions, this House voted to have this bill sent to another Committee where it rightfully belonged, where the meat to this bill went. I speak about the home improvement bill. I think all of you in this House and living in all the areas of the State can well remember the work that the Research Committee did on Home Improvements which was a joint issue with this measure here. It is well to be remembered that up until a year and a half ago that all Chambers of Commerce throughout the State were beside themselves trying to trace down and chain down the gougers in storm windows, electrical heat activating alarm programs and believe me I know about those programs, and other methods of these fast hit-and-run salesmen. We did make a study of this end of it. We did report back to the Legislature and we did pass the legislation to a point now that my own self, knowing personally through hearings of a great many of these people who are selling these products to our people throughout the state at five, six, seven times their value have now gone into what they term, more fertile fields in the States of New Hampshire and Vermont. These are the absolute facts. This has now been eliminated. That is what this measure

would do. Let us put a bill on the books of law. Let us start and then at the end any measure, this measure or any measure needs to be improved upon. Let us study it again and better the legislation. This is not my measure, it is a measure that stems, however, from the Legislative Research Committee. Hearings were held, long and loud on this measure and believe you me, the banking and loan industry spent thousands of dollars bringing themselves and sending representatives wherein it concerns this measure.

If you do not pass this measure, you are allowing these people to keep on doing their work without any supervision whatever, let alone legal supervision. I am certainly aware of the fact that measures can be defeated in this study. I say this is one that should be passed, then if need be, be studied. This is a sound, solid piece of legislation and I am positive that had this bill gone to its proper committee that the decision would have been different. I don't hear the members of the Judiciary Committee going too deeply into the technicalities of this measure because no more than I they can't because they are not in the banking business, they are not in the loan business any more than I am in the banking business or the loan business. I beseech the members of this body for the protection of the people they represent, to go along with the motion of the gentleman from Lewiston, Mr. Cote and substitute the bill for the report.

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

Mr. SULLIVAN: Mr. Speaker and Members of the House: I agree with Representative Jalbert, 100% Thank you.

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

Mr. ROSS: Mr. Speaker and Members of the House: Just very briefly it has been stated that this was so complicated there were going to have to be all sorts of amendments. This was researched very carefully by the Director of Personnel and Consumer Finance

in the Banking Department. I am sure that he knows more about banking than most of us who are here on the Floor of this House. It was then referred, the completed bill, to the Attorney General's Department to okay the final draft and he said it would cause no complications. It is only our desire to cut down the exorbitant interest rates that are now being charged on second mortgages which are over \$2500 and this cuts it down to \$10 per hundred which is called add-on interest which means simple interest on a five year basis of 17.27% instead of the unlimited interest that they are charging now. It was our intention to do something for the people in the State of Maine who need second mortgages and this is a workable vehicle.

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

Mr. SCRIBNER: Mr. Speaker and Members of the House: I would like to call the attention of all the members of the House that there is another bill in the Legislature this year, which is proceeding towards passage to set a usury statute which would control the interest rates on loans over — on these loans that are above the limits of the small loan act. If that is what we intend to do, it can be accomplished through the passage of this measure.

As far as the rest of this bill goes, there are eight pages of very complicated and technical items regarding the loan industry, the second mortgage loan industry, and anyone who is familiar or even has a basic familiarity with that problem, if they will examine this, then I think they will find that there is very little that this would do that is constructive and would provide any real benefit to the consumers.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I want to totally disagree with the remarks of the gentleman from Portland, Mr. Scribner, not as an authority on this measure, but as one who

has sat in on hearings on this thing. As you all know, the Research Committee had sub-committees that the Chairman delegates sub-committees. And being especially friendly with my friend from Lewiston, Mr. Cote, on one occasion I was wondering what the resistance was to this measure. And so I spoke not only to a gentleman on the Committee from the other branch, but I spoke to a member of the friendly opposition who is close to me now wherein it concerns this bill, and I went to a hearing of the sub-committee of Mr. Cote's sub-committee, and we spent four hours, that was the very first hearing that I attended, we spent four hours that day discussing the pros and cons of this bill adding and deleting words and sections after, as Chairman of the full committee, I informed the members of the Banking Commission and the Loan Commission that the free ride was over, that they may as well get together, we were going to put something on the books. And we have had from that day on, we had at least six subsequent meetings. We chased the Banking Commissioner, the Attorney General, and certainly there is a lot of wording in the bill. It necessitates that there is a lot of wording in the measure.

This is a very, very thorough piece of legislation and outside of saying that we should study this further, and with very due respect to the remarks of the House Chairman of the Judiciary Committee, Mr. Berman, and certainly the remarks of my dear friend from Old Orchard, Mr. Danton, both learned people in their fields, I have not heard one single argument here today against the passage of this bill based on the fact that this was not good legislation. This is one of the finest and best pieces of legislation to protect the people that we've had stroll through the corridors of this House. We are going to holler here and talk day in and day out, let's protect the people, the taxpayers, let's do it by going along with this measure. This is an A-1 piece of legislation and I hope you go along with the motion of the gentleman from Lewis-

ton, Mr. Cote, to substitute the bill for the report and when the vote is taken, I ask for a roll call.

Mr. Scribner of Portland was granted permission to speak a third time.

Mr. SCRIBNER: Mr. Speaker and Members of the House: The gentleman from Lewiston, Mr. Jalbert, has mentioned the technical aspects of the bill. I know that a good many of you in this House are not acquainted with this, but you've certainly all seen their advertising and I am sure you are familiar with what it refers to the various corporations such as Avco Delta and many of the other large ones that are selling secondary mortgage loans. I would like to read to you the section which tells what they have to do regarding advertising. The very first sentence says here, sounds very good, "Advertising for secondary mortgage loans subject to this chapter shall not be false, misleading or deceptive. Any reference in advertising to the amount of a loan shall refer to the original principal amount. Any statement of the amount of an installment or the rate or amount of interest charge required for any loan shall indicate the original principal amount of such loan, the number of installments required to pay such loan and the interval between each installment." I would like to say to you all this does is legalize what they are doing now. You see these little charts. You don't know how much interest you're going to pay. It says 5 years \$50 a month. That's all these little charts say, they don't tell you anything. Ladies and Gentlemen of the House, we are all familiar with this. Many people have objected to this form of advertising. If this is typical of the contents of this bill as to what we are trying to put on the books is to make it legal what they are doing now and it's legalized loan sharking.

The SPEAKER: The Chair recognizes the gentleman from Old Orchard Beach, Mr. Danton.

Mr. DANTON: Mr. Speaker and Members of the House: I agree with the gentleman from Lewiston, Mr. Jalbert, that we should get a

law on the books that gives the truth. This bill does not give the truth in financing. It does not give the real story about how much the consumer is going to be charged on interest rates. And this is the reason I am against it and I hope that the House will support the unanimous "Ought not to pass" Report of the Committee.

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

Mr. SULLIVAN: Mr. Speaker and Members of the House: At last, I would like to ask my good friend from Portland, as an accountant, he refers to a bill I believe that went through the Senate this afternoon to limit these loans to 16%. Will that cover this second mortgage business too?

The SPEAKER: The gentleman from Portland, Mr. Sullivan, poses a question through the Chair to the gentleman from Portland, Mr. Scribner who may answer if he desires.

The Chair recognizes that gentleman.

Mr. SCRIBNER: Mr. Speaker, Yes, it will.

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

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

The SPEAKER: The pending question is on the motion of the the gentleman from Lewiston, Mr. Cote, that the House substitute Bill "An Act Regulating Secondary Mortgage Loans," L. D. 187, for the "Ought not to pass" Report. If you are in favor of substituting the Bill for the Report you will vote yes, those opposed will vote no and the Chair opens the vote.

#### ROLL CALL

Y E A — B e d a r d , Belanger, Beliveau, Benson, Bernard, Binnette, Birt, Brown, Carey, Champagne, Clark, Cote, Cottrell, Drummond, Fecteau, Fuller,



Gaudreau, Gill, Healy, Hewes, Hoover, Hunter, Jalbert, Lincoln, Maddox, Martin, Miliano, Nadeau, N. L.; Pendergast, Pike, Porter, Rackliff, Richardson, H. L.; Robinson, Ross, Sawyer, Scott, C. F.; Shaw, Snow, P. J.; Susi, Tanguay, Thompson, Watts, Wheeler.

NAY — Allen, Baker, E. B.; Berman, Boudreau, Bourgoin, Bradstreet, Bragdon, Brennan, Buck, Burnham, Carroll, Carswell, Conley, Cornell, Crockett, Crommett, Crosby, Curran, D'Alfonso, Danton, Darey, Dennett, Dickinson, Drigotas, Dudley, Dunn, Durgin, Edwards, Eustis, Evans, Ewer, Farrington, Foster, Fraser, Gauthier, Giroux, Hall, Hanson, B. B.; Hanson, H. L.; Harriman, Harvey, Haynes, Henley, Hennessey, Hichens, Hinds, Hodgkins, Huber, Humphrey, Immonen, Jameson, Keyte, Kilroy, Kyes, Lebel, Levesque, Lewin, Littlefield, McMann, McNally, Meisner, Minkowsky, Mosher, Nadeau, J. F. R.; Philbrook, Prince, Quimby, Quinn, Richardson, G. A.; Rideout, Robertson, Rocheleau, Scott, G. W.; Scribner, Shute, Snowe, P.; Starbird, Sullivan, Townsend, Trask, Truman, Waltz, Wight, Wood.

ABSENT—Baker, R. E.; Bunker, Carrier, Cookson, Couture, Cushing, Fortier, Hanson, R. K.; Harnois, Hawes, Jannelle, Jewell, Lewis, Lycette, Noyes, Payson, Roy, Sahagian, Soulas, White, Williams.

Yes, 44; No, 84; Absent, 21.

The SPEAKER: The Chair will announce the vote. Forty-four having voted in the affirmative and eighty-four having voted in the negative, the motion to substitute the Bill for the Report does not prevail.

Thereupon, the "Ought not to pass" Report was accepted and sent up for concurrence.

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

**HOUSE MAJORITY REPORT** (6) — Ought Not to Pass—Committee on State Government on Bill "An Act to Create a Department

of Motor Vehicles" (H. P. 116) (L. D. 143)—MINORITY REPORT (4) —Ought to Pass.

Tabled—June 8, by Mrs. Cornell of Orono.

Pending—Acceptance of either Report.

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

Mr. DENNETT: Mr. Speaker and Members of the House: I move that we accept the Majority "Ought not to pass" Report of the Committee.

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

Mr. MARTIN: Mr. Speaker and Members of the House: I am not stupid enough not to realize what is going to happen and so the only thing I will request is a vote on the motion.

The SPEAKER: A vote has been requested on the motion. All those in favor of accepting the Majority "Ought not to pass" Report will vote yes, those opposed will vote no and the Chair opens the vote.

A vote of the House was taken.

76 having voted in the affirmative and 48 having voted in the negative, the motion did prevail. Sent up for concurrence.

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

Bill "An Act relating to Election of School Board of City of Old Town" (S. P. 352) (L. D. 936) (In Senate, passed to be engrossed)

Tabled—June 8, by Mr. Levesque of Madawaska.

Pending — Passage to be engrossed.

Mr. Binnette of Old Town offered House Amendment "A" and moved its adoption.

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

**HOUSE AMENDMENT "A"** to S. P. 352, L. D. 936, Bill "An Act Relating to Election of School Board of City of Old Town."

Amend said Bill by adding at the end thereof the following:

**'Referendum; certificate to Secretary of State.** This Act shall take effect 90 days after adjournment of the Legislature, only for

the purpose of permitting its submission to the legal voters of the City of Old Town at the next regular city election.

The city clerk shall prepare the required ballots on which he shall reduce the subject matter of this Act to the following question: "Shall the Act Relating to Election of School Board of City of Old Town, passed by the 103rd Legislature, be accepted?" The voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same.

This Act shall take effect for all the purposes hereof immediately upon its acceptance by a majority vote of the legal voters voting at said election; provided that the total number of votes cast for and against the acceptance of this Act at said election equaled or exceeded 20 per cent of the total vote for all candidates for Governor in said city at the next preceding gubernatorial election.

The result of such election shall be declared by the municipal officers of the City of Old Town and due certificate thereof shall be filed by the city clerk with the Secretary of State.

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

Mr. ROSS: Mr. Speaker and Members of the House: This amendment has a referendum amendment for the City of Old Town School Board Bill. If we were proposing a major change, or if we were taking away from the rights of the people, I would definitely favor anything going to referendum. Now, two years ago, we passed a bill affecting the school board in the City of Old Town and we let the people there decide how their school board was to be chosen. Now, they indicated that they approved the philosophy of letting the voters choose the school board rather than have it appointed by any group. The only thing is, that bill was restrictive, it limited it by wards. Now as those of you who come from the cities realize, this is a most unusual way to elect a school board. Now, this bill is giving the voters more freedom of choice than they

had last year even. It allows each voter to choose the entire school board rather than just only one member from that ward, and since it's only expanding on the procedure that they approved in referendum I don't believe that another vote is necessary, and I move the indefinite postponement of this.

The SPEAKER: The gentleman from Bath, Mr. Ross, moves the indefinite postponement of House Amendment "A".

The Chair recognizes the gentleman from Rumford, Mr. Beliveau.

Mr. BELIVEAU: Mr. Speaker, I rise very briefly to support the motion of the gentleman from Old Town, Mr. Binnette.

This motion provides for a referendum to permit the voters of Old Town to determine whether they want to retain this present system of election of members of the School Board. We have passed similar bills involving other cities and towns in the past. We have permitted them to — we have permitted similar amendments which would with this referendum provision, I think it's a courtesy that we owe to Mr. Binnette and to the citizens of Old Town and I trust that you will not support the motion for indefinite postponement.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: In support of the motion of the gentleman from Bath, Mr. Ross, to indefinitely postpone House Amendment "A", I would remind the members of the House that one of the three reports in this Committee involved a referendum and that report was rejected by this House by a rather substantial vote. Now House Amendment "A" would take us back to one of the reports that we have already rejected. I would hope that everyone would vote in favor of indefinite postponement, and I would request a division when the vote is taken, Mr. Speaker.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I would just like to impress upon the House a few facts relating to this, one being that Mr. Binnette has represented the Town of Old Town in this House for quite a while, and before that he served on the City Council in the City of Old Town; prior to that he was the Postmaster of the City of Old Town. I would like to say that I know that he knows the wishes of these people and he's sure that this is what they want; otherwise he never would have presented it.

I would also like to point out that Mr. Binnette when he was elected to this office — the smallest amount he ever carried in that town was probably last election — he carried it by a 900 vote margin. One of the sponsors of the bill lost the town by a 900 vote margin. This makes a difference in their vote of about 1800 votes. This would seem to prove to me that Mr. Binnette is truly representing these people and for that reason he must be right, and I know the people of Old Town if you change their school board would like to have a chance to vote on it, and I hope you give them a chance to by accepting this amendment. Thank you.

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

Mr. CONLEY: Mr. Speaker and Members of the House: I would like to clear the air more or less on this bill that we are now discussing, particularly in relationship to the amendment that the gentleman from Old Town, Mr. Binnette, has offered.

When the committee report came before this body, as the Majority Floor Leader, Mr. Richardson, has stated, it came out with Report "A" Majority "Ought to pass" and Report "B" "Ought to pass with referendum" and Report "C" "Ought not to pass." And if my memory, if I recall correctly the House overwhelmingly accepted the Report "C" "Ought not to pass." Now I understand the troops got together and they did a little lobbying there down in that closed room and they brought it back and reversed the House's stand on it

so that now it's reported out, we've receded and concurred with that other body.

Now I don't know whether this bill would go back now to the citizens of Old Town, it will be very possible for the entire school board to be elected from one public building or from one residence in that town. I think this is quite ridiculous and I think that under the ward setup it may not be the best thing as far as we're all concerned but I certainly think that the residents of Old Town should have the option of deciding whether it's good for them or whether it isn't. So I would certainly hope that the House here today would accept the amendment offered by the gentleman from Old Town, Mr. Binnette.

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

Mr. LEVESQUE: Mr. Speaker and Members of the House: I would like to pose a question through the Chair to the majority floor leader if he wishes to answer. Is this bill of such importance where the people of Old Town voted on this just short of a year ago that this should be made a party issue just because it's Old Town, Maine?

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

The Chair recognizes that gentleman.

Mr. RICHARDSON: Mr. Speaker and Members of the House: The House has already considered and rejected the very proposition that is before you, and it is for this reason that I again ask the House to defeat the proposed House Amendment calling for referendum. Certainly I detect in the Minority Leader's tone the implication that I have some unconcern for the people in Old Town. I can assure you that this is not the case. Having lived the first ten years of my life in Orono I am very familiar with the people in Old Town; I have many good friends there. I think this business of a referendum is pure sham. I

don't see any reason why the House should reconsider action that it's already taken in order to placate any member of the House. I would hope that we would defeat this amendment and proceed with our business. Thank you.

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

Mr. CONLEY: Mr. Speaker and Members of the House: I would like at this time to remind the Majority Floor Leader that we did reconsider—that this bill was overwhelmingly defeated on the Floor of this House one day before they reconsidered and accepted Report "A" of the Committee.

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

Mr. LEVESQUE: Mr. Speaker and Members of the House: This was my exact reason why I asked the Majority Leader if this was going to be made a party issue is because the House had already made its decision of accepting the "Ought not to pass" Report.

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

Mr. BINNETTE: Mr. Speaker, I would like to pose a question to the gentleman from Cumberland, Mr. Richardson. I would like to know if he is speaking here this afternoon as the Majority Floor Leader or is he speaking personally for his own convictions?

The SPEAKER: The gentleman from Old Town, Mr. Binnette, poses a question through the Chair to the gentleman from Cumberland, Mr. Richardson, who may answer if he desires.

The Chair recognizes that gentleman.

Mr. RICHARDSON: The answer is both, Mr. Speaker.

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

Mr. BINNETTE: Mr. Speaker and Members of this House: I hate to think that we as members of this Legislature are against letting the people exercise home rule and to decide for themselves what they so desire. From what I can see, the Majority Leader believes in deception, denial, and deprivation of

the right of people of every community, when he denies them the right of exercising their voting privileges to decide whether they want to have this type of election or have the type that they voted on just one year ago. So, ladies and gentlemen, I hope that you will go along with the motion to accept this amendment; that's only asking the right to let the people decide for themselves. Thank you.

The SPEAKER: Is the House ready for the question? The pending question is the motion of the gentleman from Bath, Mr. Ross, that House Amendment "A" be indefinitely postponed. The Chair will order a vote. All those in favor of indefinite postponement of House—

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

Mr. LEVESQUE: Mr. Speaker, I request that when the vote is taken, it be taken by the yeas and nays.

The SPEAKER: The yeas and nays have been requested. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All of 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 and more than one fifth of the members present having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is the motion of the gentleman from Bath, Mr. Ross, that House Amendment "A" be indefinitely postponed. House Amendment "A" to L. D. 936, Bill "An Act relating to Election to School Board of the City of Old Town." All of those in favor of indefinite postponement of House Amendment "A" will vote yes, those opposed will vote no, and the Chair opens the vote.

#### ROLL CALL

YEA—Allen, Baker, E. B.; Benson, Birt, Bragdon, Brown, Buck, Cornell, Crockett, Crosby, Darey, Dickinson, Drummond, Dunn, Durgin, Edwards, Evans, Ewer, Farrington, Foster, Fuller, Gill,

Hall, Hanson, B. B.; Hanson, H. L.; Harriman, Haynes, Henley, Hichens, Hinds, Hoover, Huber, Humphrey, Immonen, Lewin, Lincoln, Littlefield, Maddox, M c M a n n, Meisner, Mosher, Pendergast, Philbrook, Pike, Porter, R a c k l i f f, Richardson, H. L.; Rideout, Robinson, Ross, Scott, C. F.; Scott, G. W.; Shaw, Shute, Snow, P. J.; Snowe, P.; Sullivan, Susi, Thompson, Townsend, Trask, Watts.

NAY—Bedard, Belanger, Beliveau, Berman, Bernard, Binnette, Boudreau, Bourgoin, Bradstreet, Brennan, Burnham, Carey, Carroll, Carswell, Champagne, C o n l e y, Cote, Cottrell, Crommett, Curran, D'Alfonso, Danton, Dennett, Drigo-tas, Dudley, Eustis, Fecteau, Fortier, Fraser, Gaudreau, Gauthier, Giroux, Harvey, Healy, Hennessey, Hewes, Hodgkins, Hunter, Jalbert, Jameson, Keyte, Kilroy, Kyes, Lebel, Levesque, Lycette, Martin, McNally, Miliano, Minkowsky, Nadeau, J. F. R.; Nadeau, N. L.; Prince, Quimby, Robertson, Roche-leau, Sawyer, Scribner, Starbird, Tanguay, Waltz, Wheeler, Wight, Wood.

ABSENT—Baker, R. E.; Bunker, Carrier, Clark, Cookson, Couture, Cushing, Hanson, R. K.; Harnois, Hawes, Jannelle, Jewell, Lewis, Noyes, Payson, Quinn, Richardson, G. A.; Roy, Sahagian, Soulas, Truman, White, Williams.

Yes, 62; No, 64; Absent, 23.

The SPEAKER: Sixty-two having voted in the affirmative and sixty-four in the negative, the motion to indefinitely postpone does not prevail.

Thereupon, House Amendment "A" was adopted and the Bill passed to be engrossed as amended in non-concurrence and sent up for concurrence.

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

Bill "An Act relating to Exemption of Property from Attachment and Execution" (S. P. 538) (L. D. 1389) (In Senate, passed to be engrossed as amended by Committee Amendment "A" (S-222))

Tabled — June 8, by Mr. Berman of Houlton.

Pending — Passage to be engrossed.

Thereupon, on motion of Mr. Berman of Houlton, retabled pending passage to be engrossed and specially assigned for tomorrow.

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

An Act relating to the Appointment of Clerks of the Judicial Courts (H. P. 246) (L. D. 354)

Tabled — June 8, by Mr. Jalbert of Lewiston.

Pending — Motion of Mr. Shaw of Chelsea to indefinitely postpone.

On motion of Mr. Ross of Bath, the House voted to suspend the rules and to reconsider its action of May 31 whereby the Bill was passed to be engrossed.

Whereupon, the same gentleman offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 246, L. D. 354, Bill, "An Act Relating to the Appointment of Clerks of the Judicial Courts."

Amend said Bill by inserting at the beginning of the first line the underlined abbreviation and figure 'Sec. 1.'

Further amend said Bill by adding at the end the following:

'Sec. 2. Intent. It is the intent of the Legislature that clerks of the judicial courts shall continue in office until the expiration of their present terms.'

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

Mr. ROSS: Mr. Speaker and Members of the House: We debated this bill at some length last week and I will not repeat myself, but I believe it is imperative for the efficiency of our Superior Court system that the most competent Clerks possible are appointed. Now this method before us today was recommended by the Intergovernmental Relations Commission. It has the approval of all of the Clerks in the State. It has the approval of all of the Judges. It had a unanimous "Ought to pass" Report from the State Government Committee. I believe that this job is far too important to risk

an inferior candidate beating a qualified candidate only because of popularity and personality. Now, the amendment today only says that the present Clerks shall continue in office until the expiration of their terms.

Thereupon, House Amendment "A" was adopted.

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

Mr. SHAW: Mr. Speaker and Members of the House: I would still like a vote on the matter, and I move indefinite postponement of the bill and all its accompanying papers.

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

Mr. DENNETT: Mr. Speaker and Members of the House: I rise in opposition to the motion made by the gentleman from Chelsea, Mr. Shaw. This bill had an exceptionally good hearing before the Committee on State Government. As I can recall at the time, there was no opposition. It was supported very strongly by the Clerks of the Courts who are presently in office and all spoke in favor of this bill and this would be a tremendous stride forward in the Court system in the State of Maine. We saw no reason to put this bill out otherwise than "Ought to pass."

I have before me, at the present time, a letter that is addressed to the Clerk of the Courts of the County of Cumberland and it is signed by the Chief Justice of the Supreme Court of the State of Maine and it says, in the letter directed to Mr. Rodway, "You have inquired about my views with reference to the appointment of the clerks of courts.

Until four years ago, or it may have been six, I would not favor the appointment of clerks. I was influenced somewhat probably by the administrative and personnel problems which would arise from the appointment of sixteen clerks.

Since then, however, I have had no objection whatsoever to the appointment of clerks by the Chief Justice and I would cheerfully undertake any responsibilities

which the legislature might choose to place upon me.

The Office of the Clerk of Courts is of the utmost importance in the safe-keeping of the business of the Court in an orderly manner."

Now, I, like the gentleman from Bath, Mr. Ross, feel that this bill is really of great importance and would go far to create a situation which would be very favorable to the conduct of the courts in our several counties. The haphazard, perhaps, election of Clerks of Courts could be very, very detrimental. I believe they need trained and responsible personnel and this bill would certainly accomplish this. Again, I would urge you to vote against any motion to indefinitely postpone.

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

Mr. NADEAU: Mr. Speaker and Members of the House: I would just like to correct the bill. There were seven of us who spoke against this. I know this is late in the season and it happened to be one of the first bills heard, so I just wanted to make the record straight. The reason I opposed it was again, it was taking away a right of the people and this is one thing I will always oppose.

The SPEAKER: The Chair recognizes the gentleman from Brooks, Mr. Wood.

Mr. WOOD: Mr. Speaker and Members of the House: I would like to ask a question. Will these Clerks be appointed, one from each county, or will they be appointed from any place in the State where the Chief Justice happens to pick them from?

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

Mr. QUINN: Mr. Speaker and Members of the House: After this amendment has been accepted, these Clerks now, as their offices expire having been elected by the electorate in their county, will be appointed by the Chief Justice of the Supreme Judicial Court.

There is a Clerk of Court in each of the sixteen counties. Does that answer the gentleman's question?

The SPEAKER: The Chair recognizes the gentleman from Solon, Mr. Hanson.

Mr. HANSON: Mr. Speaker and Members of the House: I rise with somewhat trepidation in opposing the gentleman from Kittery, Mr. Dennett and the gentleman from Bath, Mr. Ross. I would feel, however, that this office, it may be important, I would concede that it is very important to the running of the Courts. However, I would submit to you members that the Office of the Governor of this State is an important office. The Office—the various offices of the various County Attorneys, in fact almost any elective office, our own offices here as representatives of the people, these are very important offices and certainly well-qualified people should fill them.

I would have to go along with the gentleman from Chelsea, Mr. Shaw, however, in voting to indefinitely postpone this bill because I do feel that this is a prerogative of the people to elect these people. I think you can in good conscience use this same argument for almost any office that you can appoint better qualified people than you might get by electing them, but I still feel that the election of our public officials is in the best tradition of this country and I, for one, would like to see it maintained. Thank you.

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

Mr. COTE: Mr. Speaker and Members of the House: I would like to ask a question, through the Chair, to anyone who may answer. Do we have a bad Clerk of Courts now in any county?

The SPEAKER: The gentleman from Lewiston, Mr. Cote, poses a question through the Chair to any member who may answer if they desire.

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

Mr. ROSS: Mr. Speaker and Members of the House: As I mentioned last week, our present Clerks have all stood for office and they all won and I am sure that

they are all competent, but this is to assure competency in the future.

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

Mr. SHAW: Mr. Speaker and Members of the House: I agree this is a technical job but it's no more technical, in my opinion, than many of the other county jobs including that of Sheriff, Probate Judge, Registry of Deeds or County Commissioners for that matter and I don't believe we should start in eliminating these jobs one at a time until eventually all county government is appointive. Thank you.

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

Mr. NADEAU: Mr. Speaker and Members of the House: I would just like to remind the ladies and gentlemen of the House that earlier this afternoon we voted, several of you people voted altogether in allowing pay raises which meant that you went along with county government. This is part of county government. You also, when the good Mayor, who is trying to do an honest job, from Waterville, got up and wanted to indefinitely postpone the whole bill which indirectly would have meant get rid of county government, you defeated that. So then again you want to defeat this and keep county government. Or are you going to just vote on two out of three?

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

Mr. JALBERT: Mr. Speaker and Members of the House: It takes but very little to get me on my feet, I assure you, and very, very, very rarely do I ever say I had no intentions of getting up on this bill and this is one time when I had no intention of getting up on this bill. But, my very dear friend from Bath, Mr. Ross got me up on my feet, and I would suggest to him when he makes the comment in answer to the question of my friend from Lewiston, Representative from Lewiston, Mr. Cote, are the present Clerks competent and answer in the affirmative, the present Clerks are

competent and he turns around and says they are competent now but by the appointment by the Supreme Court Justice we would assure ourselves of further competency or further people who would be competent.

It behooves me that my very dear friend from Bath, Mr. Ross, does not have too much faith in the electorate.

The SPEAKER: The Chair recognizes the gentleman from Limerick, Mr. Carroll.

Mr. CARROLL: Mr. Speaker and Members of the House: I would like to pose a question to anyone who desires to answer. On the forecast what the future salaries will be in these positions once they are appointed?

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

Mr. JALBERT: Mr. Speaker I would like to answer this question in this manner. When a few days ago, you know that for many years, I asked to speak on the question today when we voted on the veto bill does this take a two-thirds of those elected or two-thirds of those present and voting. As you know, many of you, that this has been a long time not battle, but question, for over the years as far as I am concerned. And a short time ago the Supreme Court Justice would have been asked — were asked to rule on this question and about ten days ago the answer was that it was not a solemn occasion or words to the effect and to a certain degree apologetically not giving us the ruling. And so it prompted me to talk, unofficially of course, with a member of the Court, who happens to be a very dear friend of mine, and I reminded him of the words of Chief Justice Pattangall many years ago and this word seeped out of the council room of the Judiciary when a problem such as I had placed before the Court arose and one of the younger, more inexperienced, members of the bench allowed that was this or was this not a solemn occasion to which the good Judge said, "This may not be a solemn occasion, but I guarantee you that there is a bill for a pay raise for us in another measure and to me,

that is a solemn occasion." So on that basis, this is a solemn occasion. The answer to the question is this, when this becomes a fact that we would elect or these people would be appointed by the bench I would suggest that possibly later on that the salaries of the Clerks of Courts would become solemn occasions and solemn occasions start at \$12,000 and up.

The SPEAKER: The pending question is the motion of the gentleman from Chelsea, Mr. Shaw, that L. D. 354, "An Act relating to the Appointment of Clerks of the Judicial Courts" be indefinitely postponed. The Chair will order a vote. All of those in favor of indefinite postponement will vote yes, those opposed will vote no and the Chair opens the vote.

A vote of the House was taken.

70 having voted in the affirmative and 44 having voted in the negative, the motion to indefinitely postpone did prevail.

Sent up for concurrence.

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

HOUSE MAJORITY REPORT (8)—Ought Not to Pass—Committee on State Government on Bill "An Act relating to Increasing Revenue of the Liquor Commission" (H. P. 1031) (L. D. 1497) — MINORITY REPORT (2)—Ought to Pass.

Tabled — June 8, by Mr. Levesque of Madawaska.

Pending — Motion of Mr. Watts of Machias to accept Majority Report.

On motion of Mr. Scribner of Portland, retabled pending the motion of Mr. Watts of Machias to accept Majority Report and specially assigned for Wednesday, June 14.

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

Bill "An Act relating to the Financing of the State Liquor Commission" (H. P. 1147) (L. D. 1638) (In House, passed to be engrossed)

In Senate, passed to be engrossed as amended by Senate



Amendment "A" (S-218) in non-concurrence)

Tabled — June 8, by Mr. Starbird of Kingman Township.

Pending — Further consideration.

The SPEAKER: The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Meisner.

Mr. MEISNER: Mr. Speaker, I would like to have this tabled until the next legislative day, the 13th.

Thereupon, on motion of Mr. Jalbert of Lewiston, tabled pending further consideration and specially assigned for Wednesday, June 14.

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

An Act Providing a Bond Issue in the Amount of Fifty-nine Thousand Dollars for Constructing a Day School in Central Maine for the Mentally Retarded (S. P. 466) (L. D. 1158)

Tabled — June 9, by Mr. Benson of Southwest Harbor.

Pending — Passage to be enacted. (Roll call ordered)

The SPEAKER: Is the House ready for the question? The pending question is the enactment of Item 8. Pursuant to Section 14 Article IX of the Constitution the yeas and nays are ordered. All those in favor of this Bill being passed to be enacted will vote yes, those opposed will vote no, and the Chair opens the vote.

### ROLL CALL

YEA—Allen, Bedard, Belanger, Beliveau, Benson, Berman, Bernard, Binnette, Boudreau, Bourgoin, Bragdon, Brennan, Brown, Burnham, Carey, Carroll, Carswell, Champagne, Clark, Conley, Cornell, Cottrell, Crockett, Crommett, Curran, D'Alfonso, Darey, Dennett, Drigotas, Drummond, Durgin, Edwards, Eustis, Evans, Ewer, Farrington, Fecteau, Fortier, Foster, Fuller, Gaudreau, Gauthier, Giroux, Hall, Hanson, B. B.; Hanson, H. L.; Harvey, Healy, Hennessey, Hewes, Hichens, Hodgkins, Hoover, Humphrey, Hunter, Jalbert, Jameson, Keyte, Kilroy, Kyes, Lebel, Le-

vesque Lewin, Lycette, Maddox, Martin, McMann, Meisner, Minikowsky, Mosher, Nadeau, N. L.; Pike, Prince, Quimby, Quinn, Rackliff, Richardson, G. A.; Richardson, H. L.; Rideout, Robertson, Robinson, Rocheleau, Ross, Sawyer, Scott, C. F.; Scott, G. W.; Shaw, Shute, Snow, P. J.; Snowe, P.; Susi, Tanguay, Townsend, Waltz, Watts, Wheeler.

NAY—Baker, E. B.; Birt, Buck, Cote, Crosby, Danton, Dunn, Gill, Harriman, Henley, Hinds, Huber, Immonen, Lincoln, Littlefield, McNally, Nadeau, J. F. R.; Philbrook, Porter, Scribner, Thompson, Trask, Wight, Wood

ABSENT — Baker, R. E.; Bradstreet, Bunker, Carrier, Cookson, Couture, Cushing, Dickinson, Dudley, Fraser, Hanson, P. K.; Harnois, Hawes, Haynes, Jannelle, Jewell, Lewis, Miliano, Noyes, Payson, Pendergast, Roy, Sahagian, Soulas, Starbird, Sullivan, Truman, White, Williams.

Yes, 96; No, 24, Absent, 29.

The SPEAKER: Ninety-six having voted in the affirmative and twenty-four having voted in the negative and ninety-six being more than two-thirds, the Bill is passed to be enacted, it will be signed by the Speaker and sent to the Senate.

The Chair laid before the House item 17 on page 5, Non-Concurrent Matter, tabled earlier in the day for later in today's session:

An Act to Authorize Construction of Self-Liquidating Student Housing and Dining Facilities for the State Colleges and Southern Maine Vocational Technical Institute and Eastern Maine Vocational Technical Institute and the Issuance of Not Exceeding \$6,712,000 Bonds of the State of Maine for the Financing Thereof (H. P. 1160) (L. D. 1659)

On motion of Mr. Birt of East Millinocket, retabled pending further consideration and specially assigned for tomorrow.

On motion of Mr. Benson of Southwest Harbor,

Adjourned until nine-thirty o'clock tomorrow morning.