

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fourth
Legislature*

OF THE

STATE OF MAINE

1969

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Tuesday, March 25, 1969

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

Prayer by the Rev. Mr. Perley Kelley of Lincoln.

The members stood at attention during the playing of the National Anthem by the Nokomis Warrior Band of Newport.

The journal of the previous session was read and approved.

Papers from the Senate

Bills from the Senate requiring reference were disposed of in concurrence.

**Reports of Committees
Ought Not to Pass
Tabled and Assigned**

Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act relating to Operating a Motor Vehicle without a License" (S. P. 336) (L. D. 1134)

Came from the Senate read and accepted.

In the House, the Report was read.

(On motion of Mr. Henley of Norway, tabled pending acceptance in concurrence and specially assigned for Tuesday, April 1.)

Ought to Pass

Report of the Committee on Taxation reporting "Ought to pass" on Bill "An Act relating to Timely Mailing of Tax Reports and Returns" (S. P. 282) (L. D. 915)

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

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

Divided Report

Majority Report of the Committee on Election Laws on Bill "An Act relating to Duties of Municipal Clerks" (S. P. 262) (L. D. 866) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. LETOURNEAU of York
KATZ of Kennebec

— of the Senate.

Messrs. CARTER of Winslow
VINCENT of Portland
MacPHAIL of Owls Head
Mrs. GIROUX of Waterville

— of the House.

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

Report was signed by the following members.

Mr. ANDERSON of Hancock
— of the Senate.

Messrs. PORTER of Lincoln.

HENLEY of Norway

Mrs. BOUDREAU of Portland
— 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 Mr. Carter of Winslow, the Majority "Ought to pass" Report was accepted in concurrence.

The Bill was then given its two readings.

Committee Amendment "A" (S-37) was read by the Clerk and adopted in concurrence and the Bill assigned for third reading tomorrow.

Non-Concurrent Matter

Bill "An Act Concerning the Riding of Bicycles" (H. P. 789) (L. D. 1022) which was indefinitely postponed in the House on March 19.

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

In the House:

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

Mr. CAREY: Mr. Speaker, I move that we insist and ask for a Committee of Conference.

The SPEAKER: The gentleman from Waterville, Mr. Carey, moves that the House insist on its former action and request a Committee of Conference. Is this the pleasure of the House?

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

Mr. FINEMORE: Mr. Speaker, I move that we recede from our former action and concur with the Senate.

The SPEAKER: The pending motion now is the motion of the gentleman from Bridgewater, Mr. Finemore, that the House recede from its former action and concur with the Senate.

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

Mr. CAREY: Mr. Speaker and Members of the House: Currently there are no other states that have bike riders on the left hand side of the road, and I am wondering if this is what we want to use the motto of the State "I lead" for, to lead in this type of legislation. I believe it's wrong. I would certainly ask you to vote against the motion of the gentleman from up north, Mr. Finemore, and I would ask for a division.

The SPEAKER: Is the House ready for the question? The pending question is on the motion of the gentleman from Bridgewater, Mr. Finemore, to recede and concur. All those in favor of receding and concurring will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

31 having voted in the affirmative and 96 having voted in the negative, the motion did not prevail.

Thereupon, the House voted to insist and ask for a Committee of Conference.

Non-Concurrent Matter

Bill "An Act Closing the Military and Naval Children's Home and Disposing of the Property" (H. P. 757) (L. D. 977) which was passed to be engrossed in the House on March 18.

Came from the Senate recommended to the Committee on Health and Institutional Services in non-concurrence.

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

Orders

On motion of Mr. Ross of Bath, it was

ORDERED, that Mr. Sheltra of Biddeford be excused from attendance this week because of business.

On motion of Mrs. Payson of Falmouth, it was

ORDERED, that Rev. Howard O. Hough of Falmouth be invited to officiate as Chaplain of the House on Tuesday, April 1, 1969.

House Reports of Committees

Leave to Withdraw

Mr. Curtis from the Committee on Claims on Resolve Reimbursing Richard Strong of York for Well Damage (H. P. 55) (L. D. 57) reported Leave to Withdraw.

Mr. Donaghy from the Committee on State Government reported same on Bill "An Act relating to Passamaquoddy Trust Funds" (H. P. 784) (L. D. 1017)

Mr. Rideout from same Committee reported same on Bill "An Act relating to Trapping by Penobscot Indians" (H. P. 443) (L. D. 567)

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass

Mrs. Lincoln from The Committee on Claims reported "Ought not to pass" on Resolve in favor of Alfred Sears of Pembroke (H. P. 262) (L. D. 338)

Report was read and accepted and sent up for concurrence.

Tabled and Assigned

Mr. Sheltra from the Committee on Claims reported "Ought not to pass" on Resolve to Reimburse the Towns of Thomaston and Warren for Fire and Municipal Protection Services for the State (H. P. 718) (L. D. 936)

Report was read.

(On motion of Mr. Erickson of Warren, tabled pending acceptance of the Report and specially assigned for Wednesday, April 2.)

Tabled and Assigned

Mr. Stillings from the Committee on Liquor Control reported "Ought not to pass" on Bill "An Act Abolishing Liquor Enforcement Division and Transferring Duties to Sheriffs' Departments" (H. P. 902) (L. D. 1163)

Report was read.

(On motion of Mr. Emery of Auburn, tabled pending acceptance of the Report and specially assigned for Tuesday, April 1.)

Mr. Hardy from the Committee on Natural Resources reported "Ought not to pass" on Bill "An Act Providing for State Supervision of the Construction and Safety of Dams and Reservoirs" (H. P. 866) (L. D. 1108)

Report was read and accepted and sent up for concurrence.

Referred to Committee on Judiciary

Mr. Bedard from the Committee on Labor on Bill "An Act Broadening the Scope of the Uniform Arbitration Act" (H. P. 937) (L. D. 1198) reported that it be referred to the Committee on Judiciary.

Report was read and accepted, the Bill referred to the Committee on Judiciary and sent up for concurrence.

Ought to Pass Printed Bills

Mr. Curtis from the Committee on Claims reported "Ought to pass" on Resolve to Reimburse Errol Barker of East Stoneham for Well Damage by Highway Maintenance (H. P. 162) (L. D. 201)

Mr. Quimby from same Committee reported same on Resolve to Reimburse Mrs. Magna O. Fielding of Scarborough for Property Damage by Escapees from Boys Training Center (H. P. 211) (L. D. 261)

Reports were read and accepted, the Resolves read once and tomorrow assigned.

Ought to Pass with Committee Amendment

Mr. Chandler from the Committee on Liquor Control on Bill "An Act relating to Definition of Hotel under Liquor Law" (H. P. 700) (L. D. 900) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice. Committee Amendment "A" (H-115) was read by the Clerk and adopted,

and tomorrow assigned for third reading of the Bill.

Divided Report

Majority Report of the Committee on Towns and Counties reporting "Ought not to pass" on Bill "An Act relating to Minimum Salaries for Full-Time Municipal Police Officers" (H. P. 583) (L. D. 768)

Report was signed by the following members:

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

Messrs. DYAR of Strong
WIGHT of Presque Isle
CROMMETT

—of Millinocket
HAWKENS

—of Farmington
HANSON of Vassalboro
LABERGE of Auburn

—of the House.

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

Report was signed by the following members:

Mr. MILLS of Franklin
—of the Senate.

Mr. FORTIER of Waterville
—of the House.

Reports were read.

Mr. Wight of Presque Isle moved acceptance of the Majority "Ought not to pass" Report.

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

Mr. McTEAGUE: Mr. Speaker and Members of the House: This bill is a bill to establish a state-wide minimum salary for full-time municipal police officers. The minimum salary proposed in the bill is \$5,000 per year. The minimum salaries in the various municipalities of the state now range from \$3380 per year to \$6500 a year. So the top minimum salary is almost double the bottom salary.

We have heard much talk, particularly in the last presidential election, regarding the problems of law and order and the need for better law enforcement in this country. I believe that one of the fundamental changes that would enable us to have better law enforcement and a better society

would be to increase the salaries of police officers.

As a state we have an interest in law enforcement to the same extent that we have an interest in education. At this time and for many years the state has required a minimum salary for teachers. We also require a minimum salary for criminal deputy sheriffs. There is a significant problem, at least in some of the municipalities, regarding having their trained and experienced officers seduced away to other places, Washington, D.C. and New York City, by salaries that range to eight or nine thousand dollars.

Law enforcement of course is becoming increasingly more complex. Many court decisions, criminals and crimes, are becoming more sophisticated and as we know in every session of the legislature additional statutes are passed. A police officer of course has tremendous responsibilities and authorities. He has in the ultimate situation the authority to take human life. He has the authority to injure another human being and he has the authority to deprive his fellow citizens of their liberty.

Low pay and the great difference in pay scales which now exist can result in a lower level of competency than is desirable. It does result in a high turn-over and resulting inefficiency and I might say it could be said that low pay could result in more temptation for wrongdoing on the part of police officers. It also very definitely does result in moonlighting and the holding of second jobs by police officers, which is undesirable in that it not only consumes the energies of these officers but on occasion might result in them being placed in a conflict of interest situation. About a month and a half ago we were all given a copy of a report from the University of Maine entitled "Municipal Police in Maine" which is replete with statistics, but the major one is this. Some communities in this state pay almost twice to beginning police officers what other communities do.

We've had situations in my Town of Brunswick where a man who has applied for a job as a be-

ginning patrolman and has been rejected by our town, has gone to a neighboring community, which has substantially lower pay scales, and been hired there as chief. I don't think that is desirable.

Another question that comes up regarding this bill is, does money follow competency or competency money? What comes first, the chicken or the egg? Well it's hard to tell and probably there isn't a definite answer either way, but we are considering in this Legislature bills to require better training and to improve the training of our police officers. This is very important, but unless we have the basic raw material of high quality recruits to our municipal police department, all the training in the world is not going to produce the desired results. Mr. Speaker, at this time I would ask the Members to vote against the acceptance of the Majority Report, and I ask for a division.

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

Mr. WIGHT: Mr. Speaker and Ladies and Gentlemen of the House: I'm sure the committee is all for law enforcement and better law enforcement. I don't think the pay scale sometimes gives them the training that we anticipate in making a minimum salary. The salary on this bill is any municipal full-time police officer shall receive not less than \$5,000. This I think may be a handicap on some of our smaller communities. Also the pay raise doesn't necessarily mean there will be training, which I feel there should be.

I hope that you support the "Ought not to pass" Report.

The SPEAKER: Is the House ready for the question? The pending question is on the motion of the gentleman from Presque Isle, Mr. Wight, that the House accept the Majority "Ought not to pass" Report. A vote has been requested. All in favor of the "Ought not to pass" Report will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

94 having voted in the affirmative and 33 having voted in the negative, the Majority "Ought not

to pass" Report was accepted and sent up for concurrence.

Passed to Be Engrossed

Bill "An Act to Create Hospital Administrative District No. 3 in Aroostook and Penobscot Counties" (H. P. 438) (L. D. 562)

Bill "An Act relating to Education of Indians" (H. P. 531) (L. D. 702)

Bill "An Act relating to Audits of School Revenues and Expenditures" (H. P. 549) (L. D. 728)

Bill "An Act relating to Acts of Cruelty to Animals" (H. P. 564) (L. D. 745)

Bill "An Act to Exempt Seamen from the Payment of Overtime Wages" (H. P. 693) (L. D. 893)

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

**Third Reader
Tabled and Assigned**

Bill "An Act to Increase Workmen's Compensation Payments for Disfigurement" (H. P. 820) (L. D. 1059)

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

(On motion of Mr. Richardson of Cumberland, tabled pending passage to be engrossed and specially assigned for tomorrow.)

Bill "An Act relating to Service and Attendance in State Military and Naval Forces" (H. P. 869) (L. D. 1111)

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

Bill "An Act relating to Delivery of Absentee Ballots" (H. P. 1064) (L. D. 1233)

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

Mr. Ross of Bath offered House Amendment "B" (H-116) and moved its adoption.

House Amendment "B" (H-116) was read by the Clerk.

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

Mr. ROSS: Mr. Speaker and Members of the House: This redefines the three days mentioned in the bill, specifically as three business days. This was done in reference to a question which was posed last Friday as to exactly what three days they were. For instance, if an election came on Tuesday, would it mean that the clerks would have to work Saturday and Sunday? That was not the intent of the sponsor, it was not the intent of the Committee; so this just clarifies that one point.

The SPEAKER: Is the House ready for the question? The question is the adoption of House Amendment "B".

Whereupon, on motion of Mrs. Kilroy of Portland, tabled pending adoption of House Amendment "B" and specially assigned for tomorrow.

**Third Reader
Tabled and Assigned**

Bill "An Act Providing for Transportation of Passengers in Units of Trucking Equipment on a Test Basis" (H. P. 1087) (L. D. 1341)

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

(On motion of Mr. Lund of Augusta, tabled pending passage to be engrossed and specially assigned for tomorrow.)

**Third Reader
Indefinitely Postponed**

Bill "An Act Regarding the Membership of School Committees and Boards of School Directors" (H. P. 1088) (L. D. 1342)

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

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

Mr. BIRT: Mr. Speaker and Ladies and Gentlemen of the House: L. D. 1342 is a redraft of a previous bill L. D. 140. The language of the redraft is a great deal different to what the original bill was — in fact it actually has no real reference to it. But also L. D. 1265, which has just been printed and circulated within the last couple of days, has almost

exactly the same language as what the present L. D. 1342 has.

This bill has been referred to the Committee on Education and I believe the concept in here is one that has been debated in previous sessions of the House. So consequently I believe that it should have a hearing before this Committee.

As a result of these factors, I would move the indefinite postponement of L. D. 1342.

The SPEAKER: The gentleman from East Millinocket, Mr. Birt, now moves the indefinite postponement of L. D. 1342. All those in favor of indefinite postponement will say aye; those opposed no.

A viva voce vote being taken, the Bill was indefinitely postponed and sent up for concurrence.

Bill "An Act Revising the Bedding and Upholstered Furniture Law" (S. P. 145) (L. D. 426)

Bill "An Act relating to the Protection of Rights of Employees of the Unified University of Maine" (S. P. 260) (L. D. 864)

Bill "An Act relating to Licensing of Ambulance Service, Vehicles and Personnel" (S. P. 263) (L. D. 867)

Bill "An Act to Grant a Council-Manager Charter to the Town of Lincoln" (H. P. 572) (L. D. 759)

Bill "An Act relating to Bond for Excise Tax for Malt Liquor Sold by Wholesalers" (H. P. 874) (L. D. 1117)

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

Passed to Be Enacted Emergency Measure

An Act relating to Transfer of Funds from Maine Sardine Council to Department of Agriculture for Sardine Inspection Activities (S. P. 199) (L. D. 608)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 129 voted in favor of same and none against,

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

Emergency Measure

An Act to Amend the Charter of Unity Utilities District (H. P. 575) (L. D. 757)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 133 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act Permitting the Municipalities of Old Orchard Beach and Saco to Form a School Administrative District and Contract for Part of its Students with Thornton Academy (H. P. 624) (L. D. 812)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 131 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act relating to Weight Tolerance on Building or Construction Materials (S. P. 78) (L. D. 240)

An Act relating to Distribution of Axle Loads on Commercial Vehicles (S. P. 84) (L. D. 531)

An Act Revising Criminal Failure to Support Minor Children (S. P. 102) (L. D. 316)

An Act relating to the Uniform Disposition of Unclaimed Property Act (S. P. 267) (L. D. 905)

An Act relating to Purchase of Parcels of Land by Forest Commissioner (H. P. 45) (L. D. 46)

An Act Increasing Compensation of School Directors of School Administrative Districts (H. P. 318) (L. D. 405)

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

**Enactor
Recommitted**

An Act relating to Incurables at Juvenile Training Centers (H. P. 409) (L. D. 520)

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

On motion of Mr. Soulas of Bangor, under suspension of the rules, the House reconsidered its action of March 18 whereby the Bill was passed to be engrossed.

On further motion of the same gentleman, recommitted to the Committee on Health and Institutional Services in non-concurrence and sent up for concurrence.

An Act relating to Minor Children Committed to Private Custody (H. P. 433) (L. D. 557)

An Act relating to Discharge from Hospitals for the Mentally Ill (H. P. 551) (L. D. 730)

An Act relating to Conferring Degrees by Thomas College (H. P. 682) (L. D. 881)

An Act relating to Penalties for Violations of the For-Hire Carrier Statute (H. P. 780) (L. D. 1013)

An Act to Amend the Charter of Great Northern Paper Company (H. P. 1070) (L. D. 1251)

An Act Reactivating the Governor's Committee on Children and Youth and the Governor's Advisory Council on the Status of Women and Continuing Activities of the Committee on Aging (H. P. 1072) (L. D. 1253)

Finally Passed

Resolve in favor of the City of Augusta (H. P. 3) (L. D. 3)

Resolve Discharging Town of Shapleigh from Part of the Indebtedness to State Board of Education for Preparation of Agreement for Dissolution of School Administrative District No. 57 (H. P. 460) (L. D. 597)

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

Orders of the Day

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

Bill "An Act relating to the Administration of Aid to the Aged, Blind, Disabled and Medically Indigent" (H. P. 462) (L. D. 599)

Tabled — March 18, by Mr. Rideout of Manchester.

Pending — Passage to be engrossed.

Thereupon, Mr. Marstaller of Freeport offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-119) was read by the Clerk and adopted, and the Bill passed to be engrossed as amended and sent to the Senate.

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

HOUSE REPORT — "Ought not to pass" — Committee on Taxation on Bill "An Act relating to Refund for Malt Liquor Excise Taxes" (H. P. 785) (L. D. 1018)

Tabled — March 20, by Mr. Soulas of Bangor.

Pending — Acceptance.

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

Mr. CHANDLER: Mr. Speaker, in deference to the illness of my good friend from Hollis, Mr. Harriman, I would move that this bill be tabled until next Tuesday, April 1.

Thereupon, on motion of Mr. Ross of Bath, tabled pending acceptance of the Report and specially assigned for Tuesday, April 1.

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

HOUSE MAJORITY REPORT (9) — "Ought not to pass" — Committee on Liquor Control on Bill "An Act relating to Annual Review of All Applications for Liquor Licenses" (H. P. 827) (L. D. 1066) — MINORITY REPORT (1) "Ought to pass"

Tabled — March 20, by Mr. Huber of Rockland.

Pending — Acceptance of either Report.

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

Mr. HUBER: Mr. Speaker and Members of the House: The municipal officers shall hold public hearings annually for the consideration of all applications for liquor licenses. This will add malt beverage licenses to all the other liquor licenses which now receive annual preliminary judgment at home in your community. This will add another small measure of local concern to the license granting process.

The people of Rockland, through some of their elected and appointed municipal officials, have expressed a direct, positive interest in this legislation. Rockland is concerned — and I am sure that other Maine communities are also concerned — concerned over what many frustrated parents of today's teenagers consider violations, almost flagrant violations of state law.

The law says that no licensee shall sell to any minor under the age of 21. Now the violating licensee is often the small grocery store, the neighborhood store. Surely the licensee, the seller, the storekeeper, must know many of the teenagers, the under 21's, they are selling alcoholic beverages to. So we have little choice but to assume that in many cases this is done as a defiant act.

With the change in the law, I think the violator, aware of the possibility of public discussion in his own home town, will think twice before he succumbs to the temptation of the illegal sale, and the law-abiding licensee should appreciate the silent testimony to his community responsibility.

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

Thereupon, the Minority "Ought to pass" Report was accepted, the Bill read twice and assigned for third reading tomorrow.

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

Bill "An Act Repealing Certain Procedure for Registration of Voters" (H. P. 628) (L. D. 816)

Tabled—March 20, by Mr. Dam of Skowhegan.

Pending — Passage to be engrossed.

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

Mr. DAM: Mr. Speaker, I move that this bill and all its accompanying papers be indefinitely postponed, and I ask for a division.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: This was debated at length a week ago, and I will not repeat what I said then, but I did mention at that time that within the last two months a survey has been made by the Secretary of State of boards of registration and city and town clerks to see how they felt about this matter. Sixty-nine towns replied, and 75% of them were in favor of returning to the former method of registration.

Let me read to you three sample comments. From Livermore Falls: "I feel that voter registrations by a notary or justice of the peace result in confusion and a most unhappy situation. There was a great deal of duplication; the cards were sent to the wrong legal residence because of the mailing address. I am strongly in favor of a return to the law requiring the applicant to appear in person before the registrar."

In Augusta, the Chairman concludes: "It is the opinion of this Board, in the interest of future registrants, that we return to the law that would make it a requirement for the applicant to appear in person before the Board of Registration or the City Clerk."

In Auburn, they say: "We have experienced many difficulties with this method and would like to have it revert to the law that required the applicant to appear before either the board of registration or the city clerk. Many times we do not get the information we need. Often they do not state how long the applicant has been a resident of our city. This is information we have to have before we put their name on our list. I asked one man who brought in quite a few registrations if he had asked the applicant to read. He said, 'Oh, they all know how to read.' At the last election, a woman came

in to vote, and we could not find a card for her. We asked her where she had registered and she told us that she had registered at the Mart in Lewiston. Her registration had not been sent to us, so she could not vote."

Now, out of the 52 towns that favored this, let me read the names of just 23 specifically who favored a return to the former method: Westbrook, South Paris, Norway, Portland, Belfast, Waterville, Presque Isle, Saco, Baileyville, Bangor, Fort Kent, Lisbon, Hallowell, Waldoboro, Millinocket, Caribou, Wilton, Bar Harbor, Rumford, Fort Fairfield, Dexter, Farmington, Brewer, and all of those others.

I certainly oppose this motion for indefinite postponement. When the vote is taken, I request that it be taken by the yeas and nays.

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

Mr. STARBIRD: Mr. Speaker and Members of the House: I listened through the debate the other day on this matter, and I still fail to be convinced that this matter ought to be repealed.

I am a justice of the peace, and I have registered many voters in my time since this went into effect. In my little locality, Kingman is an unorganized township, and I am sure that it would have been very, very difficult for each and every voter to have gone the fifteen or twenty miles to Prentiss to register to vote. This was a convenience for them.

There are approximately 130 voters in Kingman. The town clerk, or plantation clerk of Prentiss, myself, and one other notary in Kingman, have all got along very well in this matter of registrations and there have been times, when I first tried to register under this law, when I first became a justice, that I made mistakes. This is only natural, it was a new thing, and you can bet your boots she corrected me. I have a phone and she has one, and she has known me all her life; so that there was no difficulty whatsoever. Where she had the—knew the law down pat, and as a newcomer I didn't exactly, I was corrected. I don't think, in the recent cases of registrations. I

have made any mistakes, and I think that as time goes on there will be less and less of these mix-ups and less and less of these mistakes if we allow this thing to continue, and I really hope we do.

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

Mr. JUTRAS: In defense of the elderly people, I would invite your attention to yesterday's Bangor Daily News editorial, whereby it is stated, "Maybe You Can Help An Elderly Person. There are about 200,000 people who will not have the social security benefits for people 65 years of age who have not registered for Medicare." Now, many of these 200,000 people undoubtedly are living in Maine. Because of feebleness or other disability, some elderly people are unable to keep up with the times. They need the help of others to assure they receive all the benefits to which they are entitled.

In this case, if a justice of the peace can assist them to vote, then that right should not be denied. So I move for indefinite postponement of this bill along with Mr. Starbird's motion.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I will not repeat the remarks that I made last week because you already know what my feelings are on this document, and instead of trying to take away something from the general public who are interested in going to the polls, why don't we give them further chances to be able to register and vote?

It is quite evident in my mind that if any of the board members have got any questions regarding the cards that are filled in, when they come before the voter registration board, that they have a perfect right to ask that person to appear before the board or to appear both to the one that is being registered and the one that signed the registration card. So I don't see any relative problem there as far as the board running into a difficult problem. I can remember in the days when they had two or three big black books in the

town office. Many people had questions to ask them, but who did they go to? They had nobody to go to because the one who had filled in the application was probably not available for the next six months. So how much better are we making it for the general people that should have a right to vote, and if we only try to make it a little bit easier.

Now the gentleman from Bath, Mr. Ross, pointed out that the question was asked if a person could read, and the answer was that he assumed that they could all read. Well, how many of the registered voters in our State, and throughout the fifty states, that were they asked to read something before they signed their name on a card, versus asking the justice of the peace if one person could read. The Board of Voter Registration could ask the same questions of any one of these applicants that they have reservations. But the method is still there, and I think it is still good that we should make it easier for people to register and vote of either political party, or if they do not choose to be in a political party, to register as Independents. I don't think that we should at this stage of the game take away something that has proved beneficial to both political parties. So I am definitely in favor of the motion to indefinitely postpone this document.

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

Mr. HENLEY: Mr. Speaker and Ladies and Gentlemen of the House: I am not going to repeat what I stated the other day because I think there is no sense in repeating myself. I think that my friend Mr. Ross of Bath has presented the question which we should consider very carefully. Are we going to make an emotional thing out of this, or are we going to take the facts of the case which has apparently shown a gross misuse of this change in the law? I think possibly that a bit of a misunderstanding.

My friend from Kingman Township, Mr. Starbird, speaks about all of the people in an unorganized territory getting to a place

to vote. All of the people are not going there. This isn't the purpose of this bill. This is merely for new registrants. Also, I don't feel that it applies too strongly to the elderly, because most people when they get up to the Social Security stage are either registered or else they are not going to, unless they are from some other area. So that this percentage of people is still small that we're talking about. We're not talking about depriving anybody of the right to vote or even to registration.

This merely is a change back to the old custom of appearing before a board of registration or the town or municipal registrar to register as a voter, and that's all it does, and does not deprive anybody of voting, it does not change anything in that respect; and consequently, in order to either give a time to properly instruct some of the justice of the peace and some of the notary public because some of them did make errors, and again I say that my friend Mr. Starbird probably did a wonderful job as a J. P. I, as a Notary, did register some voters, but I am afraid that in the hurry some of us did possibly hurry the process more so than the registrars would have done. Consequently, unless they do these things, prepare your J. P.'s or your notaries public for this, I say that we should go back to the way it was and I would support my friend Mr. Ross' motion that we vote against indefinite postponement.

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

Mr. LEVESQUE: Mr. Speaker, just one question this morning. There's been so many gross violations of this part of our election laws, how many have been brought to court for these violations, and how many have been prosecuted so that we could have something to go by if there are so many gross violations of these laws now?

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

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

Mr. HENLEY: Mr. Speaker and Ladies and Gentlemen of the House: I don't know as I am a legal authority. I will say, and possibly repeat something that one of our members stated the other day, that a lot of these things are talked about years afterwards, possibly when statute of limitations would affect against prosecution. But like a good many things, you hear them talked about by the principals involved, and it's only two people—one could say no, the other one could say yes, so it would be deeply hard to prove these things in a court of law. And I think that a lot of us can quote many places in our law where that is evident, that you cannot bring them out very much, and in the Committee we asked some of the town and city clerks the same question, and they said that they knew after these things had happened, after an election year, about some of these things that could, if they were enforced, bring about a law suit. But they felt that they were in a rather precarious situation that only happens every few years, and they said they didn't feel that they wanted to create a scene or that sort of thing by bringing those things to the courts. That's the reason that nothing was done; it does not say that they weren't committed.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I would pose a question also after a very brief comment. The good gentleman from Norway, Mr. Henley, makes comment that this would be hard to prove in a court of law because one said yes, and one said no. Now how are we to vote? We are not a court of law, we are a legislative body. If one says yes and the other says no, then who are we to believe?

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert poses a question indirectly to any member who may answer if they choose.

Is the House ready for the question? The pending question is the motion of the gentleman from

Skowhegan, Mr. Dam, that L. D. 816 be indefinitely postponed. 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. The Chair opens the vote.

A vote of the House was taken. 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 Skowhegan, Mr. Dam, that House Paper 628, L. D. 816, Bill "An Act Repealing Certain Procedure for Registration of Voters" be indefinitely postponed. All of those in favor of indefinite postponement will vote yes; those opposed will vote no. The Chair opens the vote.

ROLL CALL

YEA — Bedard, Berman, Binnette, Boudreau, Bourgoin, Brennan, Burnham, Carey, Carrier, Carter, Coffey, Cote, Cottrell, Couture, Cox, Crommett, Croteau, Dam, Danton, Drigotas, Dudley, Emery, Faucher, Fecteau, Fortier, A. J.; Fortier, M.; Fraser, Gaudreau, Gauthier, Gilbert, Giroux, Hunter, Jalbert, Jutras, Kelleher, Keyte, Kilroy, Laberge, Lawry, Lebel, Leibowitz, LePage, Levesque, MacPhail, Marquis, Marstaller, Martin, McTeague, Mills, Mitchell Moreshead, Morgan, Nadeau, Ouellette, Rocheleau, Santoro, Starbird, Tanguay, Temple, Vincent, Watson, Waxman, Wheeler.

NAY — Allen, Baker, Barnes, Benson, Birt, Bragdon, Brown, Buckley, Bunker, Chandler, Chick, Clark, C. H.; Clark, H. G.; Corson, Crosby, Cummings, Curtis, Cushing, Dennett, Donaghy, Durgin, Dyar, Erickson, Evans, Farnham, Finemore, Foster, Good, Hall, Hanson, Hardy, Haskell, Hawkens, Henley, Heselton, Hewes, Hichens, Huber, Immonen, Jameson, Johnston, Kelley, K. F.; Kelley, R. P.; Lee, Lewin, Lewis, Lincoln, Lund, McKinnon, McNally, Meisner, Millett, Mosher, Norris, Noyes, Page, Payson, Porter,

Pratt, Quimby, Rand, Richardson, G. A.; Richardson, H. L.; Rideout, Ross, Sahagian, Scott, G. W.; Shaw, Snow, Soulas, Stillings, Susi, Thompson, Trask, Tyndale, White, Wight, Williams, Wynd.

ABSENT — Bernier, Casey, Curran, D'Alfonso, Eustis, Harriman, Scott, C. F.; Sheltra.

Yes, 63; No, 79; Absent, 8.

The **SPEAKER**: Sixty-three having voted in the affirmative and seventy-nine in the negative, the motion does not prevail.

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

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

SENATE MAJORITY REPORT (9)—“Ought to pass” as amended by Committee Amendment “A” (S-39)—Committee on Health and Institutional Services on Bill “An Act to Amend the Eating Place Licensing Law” (S. P. 220) (L. D. 668)—**MINORITY REPORT** (1)—“Ought not to pass” (In Senate Majority Report accepted and Bill passed to be engrossed as amended by Committee Amendment “A”)

Tabled—March 21, by Mr. Binnette of Old Town.

Pending—Motion of Mr. Soulas of Bangor to accept Minority Report in non-concurrence.

On motion of Mr. Binnette of Old Town, tabled pending the motion of Mr. Soulas of Bangor that the House accept the Minority Report in non-concurrence and specially assigned for tomorrow.

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

Bill “An Act Providing for Full-Time District Attorneys” (S. P. 384) (L. D. 1291) (In House referred to Committee on State Government in non-concurrence) (In Senate, insisted on reference to Committee on Judiciary and asked for Committee of Conference)

Tabled—March 21, by Mr. Benson of Southwest Harbor.

Pending—Further consideration.

On motion of Mr. Richardson of Cumberland, the House voted

to insist and join in the Committee of Conference.

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

Messrs. **RIDEOUT** of Manchester
DENNETT of Kittery
JALBERT of Lewiston

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

Bill “An Act relating to Expenditures from Aeronautical Fund” (H. P. 72) (L. D. 72) (In House, passed to be engrossed) (In Senate, recommitted to Committee on State Government)

Tabled—March 21, by Mr. Ross of Bath.

Pending—Further consideration. On motion of Mr. Rideout of Manchester, the House voted to recede and concur with the Senate.

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

Bill “An Act Concerning the Liquor Laws” (H. P. 702) (L. D. 902)

Tabled — March 21, by Mr. Starbird of Kingman Township.

Pending — Passage to be engrossed.

On motion of Mr. Ross of Bath, retabled pending passage to be engrossed and specially assigned for Friday, March 28.

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

HOUSE MAJORITY REPORT (9) — “Ought not to pass” — Committee on Legal Affairs on Bill “An Act relating to Minimum Speed under the Motor Vehicle Laws” (H. P. 696) (L. D. 896)

MINORITY REPORT (1) “Ought to pass”

Tabled — March 21, by Mr. Levesque of Madawaska.

Pending — Acceptance of either Report.

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

Mrs. **BODREAU**: Mr. Speaker and Ladies and Gentlemen of the House: This bill, in its original form, was objectionable to some

people. But considerable work has been done on it, and therefore I would like to keep it alive so that I could add an amendment on the third reading. Therefore, I move that we accept the Minority "Ought to pass" Report.

Thereupon, the Minority "Ought to pass" Report was accepted, the Bill read twice and assigned for third reading tomorrow.

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

Resolve Proposing an Amendment to the Constitution Repealing the Provisions which Establish the Treasurer of State as a Constitutional Officer (H. P. 14) (L. D. 14)

Tabled — March 21, by Mr. Marsteller of Freeport.

Pending — Motion of Mr. Donaghy of Lubec to indefinitely postpone.

Mr. Donaghy of Lubec withdrew his motion to indefinitely postpone.

The SPEAKER: The Chair recognizes the gentleman from Belgrade, Mr. Sahagian.

Mr. SAHAGIAN: Mr. Speaker and Ladies and Gentlemen of the House: I rise in support of this L. D. 14, and I move for its adoption, and I would like to speak on it if I may.

The SPEAKER: The gentleman from Belgrade moves for its final passage, and the gentleman may proceed.

Mr. SAHAGIAN: Ladies and Gentlemen of the House: I sponsored this bill, and I offer my reasoning for sponsoring L. D. 14, Resolve Proposing an Amendment to the Constitution Repealing the Provisions which Establish the Treasurer of the State as a Constitutional Officer.

This bill proposes to abolish the State Treasurer's office and with enabling legislation the responsibility would be transferred to the bookkeeping department, so-called, or Accounts and Control.

Throughout all my years that I have served as a State Legislator, I have noted that we are always willing to create new departments, programs, new state employees,

issue bonds, build new buildings, and generally to allow the programs to grow beyond our citizens ability to pay; however, seldom, if ever, have I seen us willing to abolish or substantially change any of these programs or departments.

As I view the State Treasury Department, I cannot help but feel that in this day and age it has become a record keeping department, and if I am right in my assumption then I feel the responsibility should be incorporated in our records and bookkeeping department, mainly Accounts and Control, where it seems to me it more properly belongs.

Let me make it clear, here and now, that I hold our present State Treasurer in very high esteem and I feel that he has served us well. My idea of sponsoring this bill came long before the present term of our State Treasurer started.

In conclusion, all I am saying, is that I believe the present function of the State Treasurer's office could be combined with that of the Accounts and Control Department and this would result in greater efficiency and money saving.

My purpose in introducing this bill is to help in some small way to build economy into state government. This we can do if you will join me in supporting this bill.

It seems to me that we should at least give the people of Maine a chance to decide by allowing this bill passage and thereby letting the issue go out to referendum vote. We can then abide by the people's decision.

Now, I move for the acceptance of the Majority Report "Ought to pass."

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

Mr. MARSTALLER: I would like to ask the gentleman from Belgrade, Mr. Sahagian, if he can tell us if there is any legislation before this Legislature which will transfer the duties that the Treasurer now does to the other department. I am not aware that there is any such legislation, but I would be glad to have an answer to that question.

The SPEAKER: The gentleman from Freeport, Mr. Marstaller, poses a question through the Chair to the gentleman from Belgrade, Mr. Sahagian, who may answer if he chooses. The Chair recognizes that gentleman.

Mr. SAHAGIAN: In answer to the question of my colleague the answer is no, but this will be done in the next session, in the 105th Legislature, and it will be enacted then—after the referendum.

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

Mr. RICHARDSON: In support of the bill introduced by Representative Sahagian, and in partial answer to the question that has been raised, we cannot by legislation assume that a certain set of circumstances will come to pass at a later time. The customary, normal method of handling this is to

put the Constitutional Amendment before the people. If they approve it, as I hope they will, then we can pass in response to that any legislation which may be made necessary. This is the standard legislative process, and I thought for the benefit of the gentleman from Freeport and others I might point that out.

This being a Constitutional Amendment and a two-thirds vote of the House being necessary, a total was taken. 103 voted in favor of same and 29 against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

(Off Record Remarks)

On motion of Mr. Curtis of Bowdoinham,

Adjourned until nine o'clock tomorrow morning.