

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

Wednesday, March 26, 1969

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

Prayer by the Rev. Mr. Ondon Stairs of Augusta.

The journal of yesterday was read and approved.

Papers from the Senate

From the Senate:

Bill "An Act Creating the Department of Natural Resources" (S. P. 386) (L. D. 1381)

Came from the Senate referred to the Committee on State Government.

In the House, referred to the Committee on State Government in concurrence.

Reports of Committees**Leave to Withdraw**

Report of the Committee on Natural Resources on Bill "An Act relating to the Certification of Operators of Water Treatment Plants, Water Distribution Systems and Waste Water Treatment Plants" (S. P. 316) (L. D. 1030) reporting Leave to Withdraw.

Came from the Senate read and accepted.

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

Ought to Pass

Report of the Committee on Education reporting "Ought to pass" on Bill "An Act relating to Administration of School Lunch Programs" (S. P. 202) (L. D. 611)

Report of same Committee reporting same on Bill "An Act Authorizing the Acceptance of Gifts by School Administrative Districts" (S. P. 247) (L. D. 756)

Report of the Committee on Legal Affairs reporting same on Resolve to Change the Name of Plantation 33, Hancock County, to Great Pond Plantation (S. P. 268) (L. D. 906)

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

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

**Ought to Pass with
Committee Amendment
Amended in Senate**

Report of the Committee on Judiciary on Bill "An Act to Provide for the Expunging of Certain Records of Arrest" (S. P. 223) (L. D. 663) 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" as amended by Senate Amendment "A" thereto.

In the House, the Report was read and accepted in concurrence and the Bill read twice. Committee Amendment "A" (S-33) was read by the Clerk. Senate Amendment "A" to Committee Amendment "A" (S-45) was read by the Clerk and adopted in concurrence. Committee Amendment "A" as amended by Senate Amendment "A" thereto was adopted in concurrence.

Tomorrow was assigned for third reading of the Bill.

**Petitions, Bills and Resolves
Requiring Reference**

The following Bills and Resolve, approved by a majority of the Committee on Reference of Bills for appearance on House Calendar, were received and referred to the following Committees:

Health and Institutional Services

Bill "An Act relating to Licensing of Children Day Care Centers" (H. P. 1089) (Presented by Mr. Marstaller of Freeport)

(Ordered Printed)

Sent up for concurrence.

Inland Fisheries and Game

Bill "An Act relating to Restrictions on Ice Fishing on all Inland Waters" (H. P. 1090) (Presented by Mr. Benson of Southwest Harbor)

(Ordered Printed)

Sent up for concurrence.

Town and Counties

Resolve for Laying of the County Taxes for the Years Nineteen Hundred and Sixty-nine and Nineteen Hundred and Seventy (H. P.

1092) (Presented by Mr. Wight of Presque Isle)

(Ordered Printed)

Sent up for concurrence.

By unanimous consent was ordered sent forthwith to the Senate.

Orders

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

Mr. DONAGHY: Mr. Speaker, I would inquire if the House is in possession of the Report of the Committee on Claims reporting "Ought not to pass" on Resolve in favor of Alfred Sears of Pembroke, House Paper 262, L. D. 338.

The SPEAKER: The Chair would answer in the affirmative.

Thereupon, on motion of the same gentleman, the House reconsidered its action of yesterday whereby the "Ought not to pass" Report was accepted.

On further motion of the same gentleman, recommitted to the Committee on Claims and sent up for concurrence.

House Reports of Committees Ought Not to Pass

Mr. Lebel from the Committee on Transportation reported "Ought not to pass" on Bill "An Act Revising the Laws on School Bus Operators" (H. P. 130) (L. D. 146)

Report was read and accepted and sent up for concurrence.

Ought to Pass in New Draft New Draft Printed

Mr. Williams from the Committee on Public Utilities on Bill "An Act Repealing the Porter's Landing Water District" (H. P. 525) (L. D. 696) reported same in a new draft (H. P. 1091) (L. D. 1383) under same title and that it "Ought to pass"

Report was read and accepted, the New Draft read twice and tomorrow assigned.

Ought to Pass with Committee Amendment

Mr. Carey from the Committee on Transportation on Bill "An Act relating to Length of Certain Motor Vehicles" (H. P. 398) (L. D. 508) 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-120) was read by the Clerk and adopted, and tomorrow assigned for third reading of the Bill.

Passed to Be Engrossed

Bill "An Act relating to Timely Mailing of Tax Reports and Returns" (S. P. 282) (L. D. 915)

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

Third Reader Amended

Bill "An Act relating to Minimum Speed under the Motor Vehicle Laws" (H. P. 696) (L. D. 896)

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

Mrs. Boudreau of Portland offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-118) was read by the Clerk and adopted and the Bill passed to be engrossed as amended and sent to the Senate.

Third Reader Tabled and Assigned

Bill "An Act relating to Annual Review of all Applications for Liquor Licenses" (H. P. 827) (L. D. 1066)

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

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

Resolve to Reimburse Errol Barker of East Stoneham for Well Damage by Highway Maintenance (H. P. 162) (L. D. 201)

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

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

Amended Bill

Bill "An Act relating to Duties of Municipal Clerks" (S. P. 262) (L. D. 866)

Was 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.

Third Reader**Tabled and Assigned**

Bill "An Act relating to Definition of Hotel under Liquor Law" (H. P. 700) (L. D. 900)

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

(On motion of Mr. Thompson of Belfast, tabled pending passage to be engrossed and specially assigned for Friday, March 28.)

Passed to Be Enacted

An Act to Clarify Certain Motor Vehicle Laws (H. P. 246) (L. D. 301)

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 tabled and today assigned matter:

HOUSE MAJORITY REPORT (7)—"Ought not to pass"—Committee on State Government on Bill "An Act to Create the Department of Banking and Insurance", (H. P. 783) (L. D. 1016)—MINORITY REPORT (3)—"Ought to pass"

Tabled—March 19, by Mr. Rideout of Manchester.

Pending—Acceptance of either Report.

On motion of Mr. Rideout of Manchester, tabled pending acceptance of either Report and assigned for later in today's session.

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

HOUSE REPORT—Ought not to pass—Committee on Towns and Counties on Bill "An Act Creating a Second Assistant County Attor-

ney for the County of York" (H. P. 302) (L. D. 378)

Tabled—March 19, by Mr. Dennett of Kittery.

Pending—Motion of Mr. Danton of Old Orchard Beach to Reconsider Acceptance.

On motion of Mr. Tyndale of Kennebunkport, tabled pending the motion of Mr. Danton of Old Orchard Beach to reconsider acceptance and specially assigned for Wednesday, April 2.

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

Bill "An Act relating to Sunday Sale of Liquor" (H. P. 289) (L. D. 365)

Tabled—March 20, by Mr. Hichens of Eliot.

Pending — Passage to be engrossed.

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

Mr. HICHENS: Mr. Speaker, Ladies and Gentlemen of the House: This morning I would like to speak about some of the statements that have been made in favor of the Sunday Liquor Bill. We have been told the tourist business would increase if liquor was sold on Sunday. Yet, without Sunday sales, Maine showed a substantial increase in tourist business last year, while other New England states dropped in tourist trade. Many of the tourists counted in the other New England states were just passing through those states on their way into Maine for vacation.

I would draw your attention to facts and figures included in the report of the Maine-New Hampshire Interstate Bridge Authority's annual report for 1968. On page 4 of this report we read that the vehicular traffic during August 1968 was the heaviest recorded on the bridge since its construction in 1940. On page 8 we have a list of the amounts taken in for revenue from tolls only. In 1966 there was \$686,703.47 realized from tolls. In 1968, \$767,378.68 or an increase of \$80,675 in two years. On page 9 of this report we read our toll revenue is derived mainly from passenger cars and trucks.

The following tabulation shows the number of passenger cars using our facility and the percentage of change from year to year. In 1966 there were 5,409,184 passenger cars went across the Maine-New Hampshire interstate bridge or an increase of three per cent from the previous year. In 1967 this went up four per cent. In 1968 there were 5,966,914 cars went across that bridge, or an increase of six per cent over 1967. All this increased traffic, and yet we are told that people do not come to Maine because they can't get a drink on Sunday.

We have been told that the State needs the increased revenue that will be realized by Sunday sales. Yet figures prove that for every dollar in revenue, five and one-half dollars are spent for enforcement, broken homes and lives and other results of drinking. To add another day of sales adds to the cost and not the revenue. Many members of this House claim that we need more revenue, yet a week ago yesterday you voted against an import bill that would mean over \$200,000 in increased revenue without increasing liquor consumption in our state.

Sunday is a family day. Families like to go to a restaurant and not have people drinking around them. We have been told that several people go out of state for Sunday dinner because they can't get a drink, yet I have seen people lined up waiting to get into a restaurant in Kittery on a Sunday, while restaurants one mile away in New Hampshire which serve the best of food, plus drinks, have had empty tables. I have watched families returning from a Sunday's outing in Maine as they passed through the toll booth on a Sunday evening. They have had a long, vigorous day. Often the kids are sprawled in the back seat or on the floor sound asleep and Mother drowns with a baby in her arms along side the driver. Dad is tired too. This produces traffic hazards enough without adding a few tipsy drivers to watch out for.

The liquor crowd is just pulling our leg in trying to make us believe that they're satisfied with

Sunday liquor in hotels and Class A restaurants. If we allow this bill to pass this time, in the next session, other licensees will be screaming "discrimination" and we'll have to open taverns and regular restaurants. Then the store owners who sell malt beverages will yell "discrimination" and finally everything will be wide open. 9% of our liquor revenue comes from restaurants and hotels. Sunday sales would mean an increase of not more than 20% of this 9% revenue. Is this so-called increased revenue worth sacrificing the unique status Maine now enjoys? Let's keep true to what people read on the number plates of Maine cars and keep it really vacationland.

We have been told by the liquor sellers and hotel owners that the people of Maine want Sunday sales of liquor, but yet three years ago the people of Maine voted it down. True, it was by a small margin, but when the vote of two cities — Biddeford and Lewiston — were subtracted, the no vote was nearly 13,000 more than the yes vote and I call that a substantial majority. Some of you tell me that you wouldn't get reelected if you ever voted against Sunday liquor. Two years ago a member of this House, representing a large city, voted against Sunday sales because he felt that the minority of the voters in his city should be represented. "I probably will not be reelected a representative because of my vote," he told me afterward. He was right. He was not reelected to the House; instead he is now a member of the other body up the hall. Some of you have received scores of letters from your constituents asking you to vote against Sunday sales, but because a few greedy hotel and restaurant owners, some of whom do not even claim residence in the State of Maine and have no vote, put the pressure on, you will turn your back on the voters for the sake of a few dollars in an individual's pockets. I ask you to think with me a moment. Just whom do we represent?

Ladies and gentlemen of the House, with these thoughts in mind, I now move that L. D. 365 be in-

definitely postponed, and when the vote is taken I ask for a roll call.

The SPEAKER: The gentleman from Eliot, Mr. Hichens, now moves that L. D. 365 be indefinitely postponed.

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

Mr. DENNETT: Mr. Speaker and Members of the House: I rise this morning in opposition to the motion made by the gentleman from Eliot, Mr. Hichens. First, I would make it very clear to all concerned here, and I think most everyone knows that first of all I am not engaged in any manner in the sale of liquor, either directly or indirectly. Neither have I any interest in any hotels, motels or private clubs, nor have I any interest whatsoever in any outlet for malt beverages. Neither do I hold or own any stock in any company manufacturing or selling liquor in any way, shape or manner. So, I have no conflict of interest in any manner in anything that I have to say. I sponsored this bill relating to Sunday sale of liquor for the so-called hotel-motel owners in the State of Maine, the recreation business, the restaurants and those people who were interested greatly in tourism in the State of Maine.

Now I well realize that there are thousands and thousands of people that come into the State of Maine and it would be absurd for me to say that everyone who comes into the State of Maine are looking to buy a drink. Of course they're not. There are thousands of people that come in who have no interest whatsoever in any alcoholic beverages. But we also know on the other hand that many do. These people are not people who come into the State of Maine to become intoxicated. Unfortunately, many people think that if one uses liquor in any form they do it for only one purpose and that is to become stoned. We know this isn't the fact. People who come in and wish to go to a restaurant or a hotel, they might buy a single cocktail before having their dinner.

This is a widespread practice all over the United States, all over the world. These people are not

drunkards nor do they intend to get drunk, nor do they intend to abuse alcoholic beverages; but they like the single drink before the meal and have the meal and be on their way. This thing causes no problems. This thing does not open the State of Maine to any widespread drinking, to orgies or anything of the kind.

Now these people who operate these restaurants, Class A restaurants, which are good restaurants in every respect, they are not honky-tonks, they do not allow anything that is out of the way; neither do they allow drunkenness on their premises. They are well conducted. The law in the State of Maine is well enforced. I cannot see for the life of me why anyone should seek to oppose this.

Now, if it is legal to buy liquor on six days a week, what is wrong with the seventh one? Where is there anything out of line going to take place? I readily agree that there are instances where people have abused liquor and they have since the beginning of time. We know this. We are well aware of it. I feel very strongly that, regardless, we would have increased revenue in the State of Maine from these sales, but that in itself is only a minor point.

The operators of motels, restaurants and so forth where they have to refuse the clients who constantly say, "Cannot we buy a cocktail?" and they say, "No, we do not permit it on Sunday." These clients, these customers become disgruntled. Now all around us in all the states that are within several hundred miles it is permissible to buy a cocktail on Sunday. These states do not have any more problems than the State of Maine. What is wrong with allowing the selfsame thing in the State of Maine so at least it can be in line with all its surrounding states and provinces?

I sincerely hope that when the vote is taken you will vote against the motion by the gentleman from Eliot, Mr. Hichens.

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

Mr. MEISNER: Mr. Speaker, Ladies and Gentlemen of the House:

I rise to support the motion made by Mr. Hichens of Eliot that this bill be indefinitely postponed. I do so for several reasons. The first one is my own reason — I feel very deeply on this subject, the second reason perhaps is because the people in my constituency in my town are expecting me to stand up here today, if I am at all able, and speak against this bill.

You say to me, or somebody will, didn't your town vote wet in November? And I will have to go along with the proposition that we voted for beer in the stores, the state liquor store, and the cocktail lounge. We've had those bases for several years. They've done such a good job that we can't really muster any argument against them, and they are there. But when they voted in November, we did not vote for Sunday liquor.

And many people who have come to me, they've said to me, we take a cocktail, and I know that they do, perhaps more than one. They have said to me that we can get all we need during six days of the week, we do not want the sale of liquor on Sunday. We'd like to have the feeling that somehow, when we go out with our families, that we're not going to pass by or come in contact with people who are drinking in the places where we eat or on the road. Now I will admit that, and they will admit, there's some drinking and some people driving cars who have been drinking, but somehow when they go out with their families they have a feeling that there's not so much drinking on the highway as if they had these places where it could be procured, here, there and everywhere, in the towns.

Now the proponents of this bill would lead us to think that only the good people, the gentlemen, the people that were going to take one cocktail and they were going to leave it there; but I think, ladies and gentlemen, that we all know that it is not as easy as that, that some will take more than one. If that were true universally, perhaps we would not have such an argument against it. But we know that there are many who are going to take more than one drink, more than two, and when they do they

are going to be dangerous on the road.

Now I object to this bill on another reason because I'm against the liberalizing of the present laws that we have in the liquor traffic. And I'm also, we talk about selling liquor one more day. I'd like to call your attention to the day. What day is it? We're selling liquor on Sunday, the Judeo Christian Sabbath Day. You know our Sabbath is one of the oldest institutions on record. If you go into the religious history of the people you'll know that this is one of the first commands given to the Jewish people that they should remember the Sabbath Day, to keep it holy, a holy God, a holy day, and a holy place where they're meant to worship him and to worship together.

This day bound these people together over the years and over the centuries; it still does. I know the day was changed, the Sabbath Day, the seventh day, to the first day in the week, but the content, the sacredness and the seriousness of the day was not changed. And I also know that the burdens laid upon the day became grievous, the pendulum swung, and it swung too far in the other direction until Bishop Sheen said in syndicated column, that the Sabbath Day is not holy any more, it's only a holiday. He's also said that there isn't anything sacred any more. The sacred has been divorced from that which is secular, and what do we have in the world today — what condition do we have? I need not reiterate to you the things that are taking place. I do not know how you feel, but I feel worried about my nation and about the state and the condition of our young people.

I heard a great address the other day at the Governor's breakfast and wish you all could have heard it, from a man that I did not expect to hear such an address, the Professor of Psychology at Harvard University, and he spoke to us about our great advancements in science in every direction, the things that we would do; but he said, after all we had not been able to conquer the spirit, the spirit of man, and we can't if we're going to do away with all these sacred

institutions which are ours, the sacred day. They tell us God is dead, the Bible is a myth, and what do our young people have to lean upon? He told us that after dealing with thousands of young people that they didn't know where they came from, why they were here, and where they were going.

And who is to blame for all of these things, because we have put so many temptations in their way? We advertise liquor to them from the cradle to the grave. The first thing a young person sees, as he looks at television, is a western story where liquor is running freely, and in a play the first question is asked when somebody comes in, will you have a drink? And then the beer ads come on and tell us how good it is, to take a certain brand of beer, how good it tastes and how good it will make you feel. These young people want to find out for themselves. They get a little too much, then we arrest them, we punish them.

I submit to you ladies and gentlemen, who should be punished: These young people or the society in which they are brought up and the temptations that are put in their way?

I'm not going to belabor this any more, I've talked for a long time, but great people who have lived in the past have spoken about our Sabbath Day, and how much it means to us. And today I think that we should return to some of these sacred things and take some of the temptations out of the way of our young people. Thank you.

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

Mr. ROSS: Mr. Speaker and Members of the House: I would like to pose a question through the Chair to anyone who could answer it. It was my understanding that an amendment was going to be offered concerning local options on this Sunday liquor subject. This I personally would like to vote for. My question is, will this amendment eventually be offered?

The SPEAKER: The gentleman from Bath, Mr. Ross, poses a question through the Chair to any-

one who may answer if they wish.

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

Mr. DENNETT: In answer to the question by the gentleman from Bath, Mr. Ross, he is correct. That amendment will eventually be offered.

The SPEAKER: The Chair recognizes the gentlewoman from Guilford, Mrs. White.

Mrs. WHITE: Mr. Speaker and Members of the House: I arise this morning to support the remarks of my colleague, the gentleman from Dover-Foxcroft, Mr. Meisner. Further, I find in checking, that the three larger towns in my district voted over sixty percent in opposition to Sunday sales in the 1966 referendum. I feel that is a directive to me. I shall go along with the motion of the gentleman from Eliot, Mr. Hichens.

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

Mr. RIDEOUT: Mr. Speaker and Members of the House: I have nothing but the greatest respect for my colleagues, Mr. Meisner and Mrs. White, but I submit that when they talk about the referendum in 1966, they are talking about a totally different subject than what we're talking about this morning. We're talking about a very restrictive bill this morning, we're talking about a vacationland type of bill.

Now I submit that Sunday, for the people in Maine, is still a drinking day if they want to drink, because the people in Maine are adjusted to — if they want to drink on Sunday, they have it at home. But I also submit that the people who come here on a vacation are not necessarily equipped to understand our archaic-type laws.

When we talk about a restrictive bill, we're talking about Class A restaurants, hotels and clubs. This is absolutely appealing to the vacationland people, to the people who come here to ask for our hospitality, and our hospitality is now restricted to six days of the week. I submit the Sabbath is not a seventh day, the Sabbath is in the heart and not on the calendar.

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

Mr. ALLEN: Mr. Speaker and Members of the House: It seems to me there are two overriding questions, one is for this bill, the other one is against it. On one side we have a group of people engaged in the food business whose revenues will be increased if we have Sunday sale of liquor. On the other side, we know that many of the accidents on the road are due to people who have taken too much. It's a case, it seems to me, of profits versus lives. I know I'm going to vote for lives. I support Mr. Hichens motion.

The SPEAKER: Is the House ready for the question? The pending question is on the motion of the gentleman from Eliot, Mr. Hichens, that L. D. 365 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 on the motion of the gentleman from Eliot, Mr. Hichens, that Bill "An Act relating to Sunday Sale of Liquor," House Paper 289, L. D. 365, be indefinitely postponed. If you are in favor of indefinite postponement you will vote yes; if you are opposed you will vote no. The Chair opens the vote.

ROLL CALL

YEA—Allen, Baker, Barnes, Beraman, Birt, Bragdon, Buckley, Bunker, Carrier, Casey, Chick, Clark, H. G.; Crommett, Curtis, Danton, Donaghy, Erickson, Evans, Farnham, Finemore, Fortier, A. J.; Good, Hall, Hanson, Hardy, Haskell, Hawkens, Henley, Hichens, Hunter, Immonen, Lawry, Lee, Lewin, Lewis, Lincoln, Marstaller, McNally, Meisner, Millett, Mills, Mitchell, Mosher, Porter, Quimby, Richardson, G. A.; Sahagian, Scott,

C. F.; Scott, G. W.; Shaw, Snow, Starbird, Stillings, Susi, Temple, Trask, Tyndale, White, Wight, Williams, Wood.

NAY—Bedard, Benson, Bernier, Binnette, Boudreau, Bourgoin, Brennan, Brown, Burnham, Carey, Carter, Chandler, Clark, C. H.; Coffey, Corson, Cote, Cottrell, Couture, Cox, Crosby, Croteau, Cummings, Cushing, Dam, Dennett, Drigotas, Durgin, Dyar, Emery, Fecteau, Foster, Fraser, Gaudreau, Gilbert, Giroux, Heselton, Hewes, Huber, Jalbert, Jameson, Johnston, Jutras, Kelleher, Kelley, R. P.; Keyte, Kilroy, Laberge, Lebel, Leibowitz, LePage, Levesque, Lund, Marquis, Martin, McKinnon, McTeague, Moreshead, Morgan, Nadeau, Norris, Noyes, Ouellette, Page, Payson, Pratt, Rand, Richardson, H. L.; Rideout, Rocheleau, Ross, Santoro, Soulas, Tanguay, Thompson, Vincent, Watson, Waxman, Wheeler.

ABSENT — Curran, D'Alfonso, Dudley, Eustis, Faucher, Fortier, M.; Gauthier, Harriman, Kelley, K. F.; MacPhail, Sheltra.

Yes, 61; No, 78; Absent, 11.

The SPEAKER: Sixty-one having voted in the affirmative and seventy-eight in the negative, the motion does not prevail.

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

(At this point, Commander Daniel Lambert, the Department Commander of the Maine American Legion, was introduced by Speaker Kennedy and addressed the House—which speech is deleted from the Legislative Record but did appear on the "horseblanket.")

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

SENATE MAJORITY REPORT (6)—"Ought to pass" as amended by Committee Amendment "A" (S-28)—Committee on State Government on Resolve Proposing an Amendment to the Constitution Providing for Annual Legislative Sessions (S. P. 1) (L. D. 15) — MINORITY REPORT (4)—"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. Rideout of Manchester.

Pending — Acceptance of either Report.

On motion of Mr. Carey of Waterville, tabled pending acceptance of either Report and assigned for late in today's session.

Order Out of Order

On motion of Mr. Sahagian of Belgrade, it was

ORDERED, that Barbara Ann Thing of Belgrade and Dan Pierce of Oakland be appointed to serve as Honorary Pages for today.

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

HOUSE MAJORITY REPORT (9)—"Ought not to pass"—Committee on State Government on Resolve Proposing an Amendment to the Constitution to Grant Adult Rights to Persons Eighteen Years of Age and to Reduce the Voting Age to 18 Years" (H. P. 10) (L. D. 10) — MINORITY REPORT (1) — "Ought to pass"

Tabled—March 21, by Mr. Crosby of Kennebunk.

Pending — Acceptance of either Report.

On motion of Mr. Crosby of Kennebunk, tabled pending acceptance of either Report and specially assigned for Tuesday, April 1.

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

HOUSE MAJORITY REPORT (6) — "Ought to pass" — Committee on State Government on Resolve Proposing an Amendment to the Constitution to Reduce the Voting Age to Eighteen Years (H. P. 12) (L. D. 12) — MINORITY REPORT (4) — "Ought not to pass"

Tabled — March 21, by Mr. Jalbert of Lewiston.

Pending — Acceptance of either Report.

On motion of Mr. Jalbert of Lewiston, tabled pending acceptance of either Report and specially assigned for Tuesday, April 1.

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

An Act to Appropriate Moneys for the Expenditure of State Government for the Fiscal Year Ending June 30, 1969 (S. P. 219) (L. D. 660)

Tabled — March 21, by Mr. Bragdon of Perham.

Pending — Passage to be enacted.

On motion of Mr. Jalbert of Lewiston, tabled pending passage to be enacted and specially assigned for Friday, March 28.

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

An Act to Appropriate Moneys for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1970 and June 30, 1971 (S. P. 372) (L. D. 1232)

Tabled—March 21, by Mr. Bragdon of Perham.

Pending—Passage to be enacted.

On motion of Mr. Jalbert of Lewiston, tabled pending passage to be enacted and specially assigned for Friday, March 28.

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

Bill "An Act relating to Certain Disqualifications under the Employment Security Law" (H. P. 565) (L. D. 746)

Tabled—March 21, by Mr. Carter of Winslow.

Pending — Passage to be engrossed.

On motion of Mr. Huber of Rockland, tabled pending passage to be engrossed and specially assigned for Friday, March 28.

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

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

Tabled — March 25, by Mr. Richardson of Cumberland.

Pending — Passage to be engrossed.

On motion of Mr. Richardson of Cumberland, tabled pending pas-

sage to be engrossed and assigned for later in today's session.

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

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

Tabled — March 25, by Mrs. Kilroy of Portland.

Pending — Adoption of House Amendment "B". (H-116)

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

Mr. CARTER: Mr. Speaker, I move the indefinite postponement of this bill and all of its accompanying papers.

The SPEAKER: The Chair would advise the gentleman that the only matter now pending before the House is House Amendment "B".

Mr. CARTER: I move for the indefinite postponement of the amendment.

The SPEAKER: The gentleman from Winslow, Mr. Carter, moves that House Amendment "B" be indefinitely postponed.

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

Mr. ROSS: Mr. Speaker and Members of the House: House Amendment "B", as I mentioned yesterday, just clarifies the three days in the bill, making it three business days. Those who want to indefinitely postpone the whole bill, I would think they would do it after we have adopted House Amendment "B".

The SPEAKER: Is the House ready for the question? The pending question is the motion of the gentleman from Winslow, Mr. Carter, that House Amendment "B" be indefinitely postponed. The Chair will order a vote. All those in favor of indefinite postponement of House Amendment "B" will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

33 having voted in the affirmative and 85 having voted in the negative, the motion did not prevail.

Thereupon, House Amendment "B" was adopted.

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

Mr. CARTER: Mr. Speaker, if my motion is now in order, I would move the indefinite postponement of this bill and all its accompanying papers.

The SPEAKER: The gentleman from Winslow, Mr. Carter, now moves the indefinite postponement of L. D. 1233 as amended. Is the House ready for the question?

Mr. CARTER: Mr. Speaker, I would like to speak on my motion.

The SPEAKER: The gentleman may proceed.

Mr. CARTER: Ladies and Gentlemen of the House: I will not repeat my previous argument of several days ago, about the abuses and failures to prosecute charges of infractions under the present law by both political parties. However, I would like to cite to you a possible explanation why such charges are never prosecuted.

Could it be that in our political zeal we sometimes get emotional, much too emotional, and grab at straws for a last shot at our opposition? Such a case has come to my attention, in the very recent past, where a great to-do was had in a community about some individuals voting paupers by absentee ballot. Charges of all types were heard. As a matter of fact, they are still being talked about in that community today; that is when the situation is right.

Some of you will recall that the 102nd Legislature removed the restriction denying paupers the right to vote. Now this revision of the law appeared as a supplement in the condensed election law pamphlet put out by the Secretary of State's Office. Older pamphlets did not have it and many people like myself, not being lawyers, don't even look for it. However, when the dust finally settled in this particular case, the originator of this charge realized that there was no actual violation of the law; but how does a person retract such an allegation? The only way he can — he merely forgets about it. But others who have heard it, this baseless charge, and have not seen the law, would keep on repeating it and keep on adding to it.

I submit to you ladies and gentlemen of the House that we can never never legislate political zeal. Passage of this bill, however, would deny many of our aged, ill and disabled citizens the right to vote; and I would urge you to vote on my motion to indefinitely postpone. Thank you.

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

Mr. ROSS: Mr. Speaker and Members of the House: In opposition to the motion to indefinitely postpone, I will be very brief. This bill last week caused our first tie vote in the House this year. It was 64 to 64. Later a roll call was requested and the vote was 68 in favor of the bill, 63 against. It is not a partisan bill because Democrats and Republicans voted on both sides, for and against. We debated at length last week and there is no sense in my repeating except for two brief statements.

This bill would assure privacy in voting without coercion and in summary I want to reiterate once again, that every person entitled to vote should never ever be denied that right. However, in my opinion, they should vote in privacy according to their conscience and temptation of partisan or individual special persuasion should be discouraged. And that is what this bill attempts to do.

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

Mr. JUTRAS: Mr. Speaker and Members of the House: I happen to be a Notary Public and a Justice of the Peace, and whenever anyone has voted when I have brought a ballot over I can assure you that they have voted in strict privacy, and I am speaking for myself and I know that all the others in the same situation, the other Justices of the Peace in my area, and Notaries Public, perform the same way. I support Mr. Carter's motion.

Mr. Dam of Skowhegan requested the yeas and nays.

The SPEAKER: The Chair recognizes the gentlewoman from York, Mrs. Brown.

Mrs. BROWN: Mr. Speaker, I would like a clarification. It

seems to me, in reading this bill, that we still have five days that we can take a vote or a ballot to people. Is this correct or not?

The SPEAKER: The gentlewoman from York, Mrs. Brown, poses a question through the Chair to any member who may answer if they choose, and the Chair recognizes the gentleman from Bath, Mr. Ross.

Mr. ROSS: Mr. Speaker, that stipulation is in the bill for those persons who become ill shortly before election day and don't have time to get their ballots mailed in; and it says that three working days, which if our election comes on Tuesday is five days, then we do exactly what we are doing now, except two persons would take the ballot — not just one.

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

Mr. LUND: Mr. Speaker and Members of the House: Just to round out the case that was referred to by the gentleman from Winslow, Mr. Carter, I don't know what the facts are, it doesn't happen to be in my community, but the charge that was made was not just that the people who were paupers or recipients of welfare were voted absentee, but that it was the overseer of the poor that voted them. Now this of course is permissible under the present law; it is not against the law, but somehow to me it just doesn't seem right. I think we should put a stop to it if it is being done.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I am not going to belabor the issue very long this morning because I think probably most of the members of this House here have made up their minds either on party lines or outside party lines. Last week when this measure was before us I was hoping to be able to speak as a Member of the House and not necessarily as leader of the opposition party in the House. Somehow or other since then it seems to me that somebody somewhere along the line has been wanting to draw party lines on it. For my

part I want to keep out of the party line issue; but as I pointed out last week and I want to reiterate this morning, a lot of the members that will want to go vote on election day or want to get an absentee ballot the day before the election, if they should become sick or not, are going to receive the standard answer — I haven't got time to parade up and down the street on election day to deliver all kinds of ballots.

So what does the bill say? He will designate one other person or persons to take care of these ballots. Now just how valid is this going to be versus the system that we have got now? That you have got honest people that are Justices of the Peace or Notary Public that are trying to do a service to their community, a service to these unfortunate people that happen to fall sick in a period of time and probably through no fault of their own will find themselves on election day or the day before election because of their sickness are unable to receive an absentee ballot. And that is my only reason why this bill should not receive passage this morning and that we should vote for the indefinite postponement of the bill.

If there is any coercion on the part of any member that is going to serve an absentee ballot, the court procedures are there and they should be prosecuted. In this day and age I haven't heard yet that that kind of coercion is going on in our own State.

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

Mr. SAHAGIAN: Mr. Speaker, I wish to pose a question through the Chair to whoever cares to answer. Our election usually falls on the first week in November, and that is the hunting season. Many of them are out hunting, and how is it going to affect those people, when I have or any other person, any other Justices of the Peace or dedimus justice, have the same privilege of appearing for these people to get their absentee after they have made their own application and request their application to vote? Would I be

able to take the application to them if they say that, deliver this application to me or to Herman D. Sahagian of Belgrade, or whichever the case happens to be?

The SPEAKER: The gentleman from Belgrade, Mr. Sahagian, poses a question through the Chair to any member who may answer if they choose, and the Chair recognizes the gentleman from Bath, Mr. Ross.

Mr. ROSS: Mr. Speaker, in answer to the question of the gentleman from Belgrade, Mr. Sahagian, his question really is in two parts. A person who is going to be absent on business, or going hunting as he suggested, can go to the city or town clerk and vote in person or Mr. Sahagian or anybody else could deliver the application to that person, and then that person would just have to mail back their ballot.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: Exactly what are we going to accomplish by this? Mr. Sahagian or any other person can be designated by the Clerk to deliver a ballot, or deliver ballots. It will be entirely at the discretion of the ballot clerk or the clerk of the municipality as to who he is going to designate if he wants to designate somebody. How much better are we trying to help our system by having this kind of arrangement? The clerk, he might select a certain few depending probably on what political philosophy he enjoys in the town, and if he is not of the right political party he might designate somebody and yet he might not. And this is entirely wrong.

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

Mr. JALBERT: Mr. Speaker and Members of the House: It appears to me that this was quite confusing last week; it is becoming more confusing as it goes on. Now certainly my feeling about my own city clerk has never been one of antagonism, because I put a measure in many years ago that our city clerk would have life tenure,

with the right of course to appeal to the court; and I wanted to take this measure out of the political arena. And since then we have enjoyed a very fine city clerk who retired. We have got a very fine young man now who is serving as our city clerk.

But that doesn't mean to say that we should put a halo around our town clerks and city clerks. All we are doing with this measure here, and no matter what anybody says that's exactly what we're doing. We're saying we are not competent enough, we may be dishonest, but the town and city clerks are not. And really and truly I am surprised. I know that the gentleman from Bath can come up with plenty of wrinkles as to how to win elections, but I have always found that it is on the issues and the candidates that you bring forward.

Now we have plenty of areas to toy around with but this is a new one, that I have seen now. I have got faith in the town and city clerks, but they're not saints. I have got some faith in myself; I'm not a saint. I don't vote a man's absenteeism, but I don't think I should be clubbed if I did. Now in direct answer as far as Mr. Sahagian is concerned, further confusing the issue, I would like to ask the gentleman from Bath, Mr. Ross, a question. Mr. Sahagian filed his application by mail. He goes hunting in the Allagash. How do you find him?

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, poses a question through the Chair to anyone who may answer if they choose.

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

Mr. ROSS: Mr. Speaker and Members of the House: Although I have a guide's license I don't intend to go to the Allagash today, but to answer that question the gentleman knows he is going hunting. Mr. Sahagian takes the application to him. Then immediately the town clerk mails the ballot and he mails it back before he goes to the Allagash.

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

Mr. JALBERT: Mr. Speaker, I would like to toss this one to the gentleman from Bath, Mr. Ross. He knows that he's going hunting, but his wife just gave him permission the day before. What does he do then?

The SPEAKER: The gentleman poses another question through the Chair to any member who may answer if they choose, and the Chair recognizes the gentleman from Bath, Mr. Ross.

Mr. ROSS: I am delighted that the fellow finally got permission from his wife, but what he should do before he left the next day is go to the town clerk and vote in person.

The SPEAKER: Is the House ready for the question? The pending question is on the motion of the gentleman from Winslow, Mr. Carter, that this Bill be indefinitely postponed. The yeas and nays have been requested. All those in favor of a roll call vote will vote yes and 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 on the motion of the gentleman from Winslow, Mr. Carter, that Bill "An Act relating to Delivery of Absentee Ballots," House Paper 1064, L. D. 1233, be indefinitely postponed. All in favor of indefinite postponement will vote yes; those opposed will vote no. The Chair opens the vote.

ROLL CALL

YEA — Baker, Bedard, Bernier, Binnette, Boudreau, Bourgoin, Brennan, Buckley, Burnham, Carey, Carrier, Carter, Casey, Coffey, Cote, Cottrell, Couture, Cox, Crommett, Croteau, Cummings, Curtis, D'Alfonso, Dam, Danton, Dudley, Dyar, Emery, Erickson, Faucher, Fecteau, Fortier, A. J.; Fraser, Gaudreau, Gilbert, Giroux, Hewes, Hunter, Jalbert, Jutras, Kellecher, Kelley, K. F.; Keyte, Kilroy, Laberge, Lawry, Lebel, Leibowitz, LePage, Levesque, Lewin, MacPhail, Marquis, Marsteller, Martin, McKinnon, McTeague, Mills, Mitchell, Moreshead, Morgan, Nadeau, Ouellette, Rocheleau,

Sahagian, Santoro, Shaw, Starbird, Tanguay, Temple, Thompson, Vincent, Waxman, Wheeler.

NAY — Allen, Barnes, Benson, Berman, Birt, Bragdon, Brown, Bunker, Chandler, Chick, Clark, C. H.; Clark, H. G.; Corson, Crosby, Cushing, Dennett, Donaghy, Drigotas, Durgin, Evans, Farnham, Finemore, Foster, Good, Hall, Hanson, Hardy, Haskell, Hawkens, Henley, Heselton, Hichens, Huber, Immonen, Jameson, Johnston, Kelley, R. P.; Lee, Lewis, Lincoln, Lund, McNally, Meisner, Millett, Mosher, Norris, Noyes, Page, Payson, Porter, Pratt, Quimby, Rand, Richardson, G. A.; Richardson, H. L.; Rideout, Ross, Scott, C. F.; Scott, G. W.; Snow, Soulas, Stillings, Susi, Tyndale, Watson, White, Wight, Williams, Wood.

ABSENT — Curran, Eustis, Fortier, M.; Gauthier, Harriman, Sheltra, Trask.

Yes, 74; No, 69; Absent, 7.

The SPEAKER: Seventy-four having voted in the affirmative and sixty-nine in the negative, the motion to indefinitely postpone does prevail.

Sent up for concurrence.

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

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

Tabled—March 25, by Mr. Lund of Augusta.

Pending — Passage to be engrossed.

On motion of Mr. Lund of Augusta, passed to be engrossed and sent to the Senate.

The Chair laid before the House the thirteenth 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 25, by Mr. Binnette of Old Town.

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

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

Mr. LEBEL: Mr. Speaker, I move that this item lie on the table until Friday, March 28.

The SPEAKER: The gentleman from Van Buren, Mr. Lebel, now moves that item thirteen be tabled until Friday, March 28, pending the motion of the gentleman from Bangor, Mr. Soulas, that the House accept the Minority Report in non-concurrence.

Mr. Soulas of Bangor asked for a division.

The SPEAKER: A vote has been requested on the tabling motion. All those in favor of this matter being tabled until Friday, March 28 will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken. 54 having voted in the affirmative and 78 having voted in the negative, the motion to table did not prevail.

The SPEAKER: The pending question is on the motion of the gentleman from Bangor, Mr. Soulas, that the House accept the Minority Report, and the Chair recognizes that gentleman.

Mr. SOULAS: Mr. Speaker and Ladies and Gentlemen of the House: I move that we accept the Minority Report "Ought not to pass" and I would like to speak briefly on this motion. During the 103rd Legislature this same bill received a unanimous report "Ought not to pass." Now it comes before this body again essentially the same, with a new schedule of increases. However, for the businesses concerned, as you are all aware, this bill basically deals with the health certificate given restaurants, lodging establishments, motels, hotels, and campsites.

For the record, Mr. Speaker, let me point out that at the public hearing there appeared only one proponent for the bill, the Com-

missioner of Health and Welfare. The opponents, appearing in a very positive position, were representatives of the hotel, motel, and restaurant association and the vending machine industry. Rather than to take up your valuable time, just let me say that all this bill does is to increase the cost of the health certificate issued by the State of Maine from fifteen, and to in so many cases, to fifty dollars.

What bothers me is that this does not mean improved methods will be included in the conduct of inspection; all it really guarantees, as a matter of fact, is an increase in the cost of the certificate. The increase, however, is to be used to increase salaries for a few state employees—and just to mention two of the salaries, a full time sanitarian receives approximately \$263 a week and a part-time 16-hour per week employee receives \$91—\$45 a day isn't too bad. This I feel is unfair.

Now we should take note of the fact, of the industries involved is the second sometimes considered the largest industry in the State of Maine. In the course of a year this industry serves millions of people, both residents and friendly visitors to our State. Right now this industry pays the highest return in taxes to the State for a single industry; yet today we are asked to increase their financial burden, rather than rewarding them for a job we all know is difficult but well done.

With these few remarks I sincerely urge you to vote for my motion and accept the Minority Report.

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

Mr. BENSON: Mr. Speaker and Members of the House: I was a member of the Health and Institutional Services Committee in the 103rd Legislature. We heard virtually the same bill at that time, and if my memory serves me correct the report at the time was a unanimous "Ought not to pass" report. It was not demonstrated to us at that time that there was any need for such a

drastic increase in the license fees, and I would appreciate very much hearing the views of some of the majority signers of this bill.

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

Mr. BINNETTE: Mr. Speaker and Ladies and Gentlemen of the House: I too sat on that Committee in the 103rd and also the 104th, but at the present time I am willing to agree with my colleague from Bangor, Mr. Soulas, that there is a great deal of money being spent in the area of sanitation but by that same token I also believe that some of these places, which chart I have before me, are not going to be materially affected; that is the little fellow who has up to ten seats will pay \$10 for a license fee; those that are up to 50 seats will pay \$15; those who have a hundred seats will pay a fee of \$20; and those who have a hundred and fifty seats will pay \$30; over a hundred and fifty they will pay \$40.

Now, I believe that these people who have a large establishment which requires a longer time to inspect that premise should pay a little bit more for their license. That is my way of thinking. I think that the little fellow should have some protection against the large corporations, and that is why that I support the Majority Report.

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

96 having voted in the affirmative and 38 having voted in the negative, the Minority "Ought not to pass" Report was accepted in non-concurrence and sent up for concurrence.

The Chair laid before the House item one, on the Calendar, which was tabled earlier and later today assigned:

HOUSE MAJORITY REPORT (7)—“Ought not to pass”—Committee on State Government on Bill “An Act to Create the Department of Banking and Insurance” (H. P. 783) (L. D. 1016)—MINORITY REPORT (3)—“Ought to pass”

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

Mr. RIDEOUT: I would move that we accept the Majority “Ought not to pass” Report.

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

Mr. DENNETT: I rise in opposition to the motion made by my very, very good friend from Manchester, Mr. Rideout.

First of all, may I tell you that I stand here this morning practically friendless and alone. I have committed the unpardonable sin. I have spitten the sacred cow of Maine politics—namely, the Banking Department. The consternation that this has raised throughout the State of Maine with the bankers practically has no parallel.

Now, this in itself is a simple bill. It seeks to accomplish but one thing, to combine the Department of Insurance and the Department of Banking under a common head. Now, there have been all sorts of rumors as to where this bill originated. Some have said that it was the Governor’s bill. The Governor of the State of Maine has no more part of this bill than nothing at all. This bill is solely my own responsibility and it is based on observations of many years relative to the operation of State Government.

Now, again, what will this bill do? As I say, it will have simply a common head; the two departments for all purposes remain separate and distinct under their own deputy commissioner. I cannot foresee any dire calamity in this arrangement. It is an economy measure. It will eliminate one department head. I will state that we have not had a Commissioner of Banking for over a year and a half, and apparently, this department has gone under its deputy commissioner without any

pain or strain. What is all this hullabaloo about now?

All right, one more point: to combine these departments, where they are really quite compatible—they do similar work—would be further economy. Now, the banks today deal heavily in credit life insurance. Credit life insurance has to be examined by the Insurance Commissioner; so consequently he has to send an insurance examiner to the banks. Well, this could be accomplished if these departments were combined, in one operation rather than the bank examiner going and an insurance examiner going; either the bank examiner can do it along with the insurance examiner, or vice versa. There is no calamity. Yet the voice that the bankers have raised in the State of Maine is resounding: “Gee, you don’t know what’s going to happen; this is awful.”

For years the Banking Department, I feel has not been an independent department. It has not served the people of the State of Maine in the manner in which it should. Frankly, it does serve the banks. It serves them to quite some extent.

Now over a period of years they would come in before the Committee on State Government asking for a raise for the salary of the Commissioner of Banks, and we would say, “Well, we are a little reluctant to give any further raises,” and those who represented the banks would rise in holy horror: “Why? What is the idea? We pay the Banking Commissioner. Why should you hesitate to give him a raise? It isn’t coming out of the State, it’s coming out of us; we pay a tax to pay the Banking Commissioner.”

I think, ladies and gentlemen of the House, that this, in itself, is a very, very sad commentary. I do not believe that any department of state in the State of Maine—the head of it—his salary or any portion of it, should be paid by a private interest. I believe the Banking Department is there to serve not the banks but the people of the State of Maine. The money paid the Banking Commissioner should be

paid out of the general fund, not from private sources.

If I, as an individual—and I know all of you—if we were working for any individual, for any corporation, who paid our salaries, we wouldn't be apt to be biting the hand that is feeding us. This bill would eliminate this. I feel very strongly that despite all the pleas of the banks and of the bankers that this is a good bill and in the interests of the people of the State of Maine. I certainly hope that you will vote against the motion made by the gentleman from Manchester, Mr. Rideout, to accept the Majority "Ought to pass" Report.

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

Mr. JUTRAS: There is not a kitchen large enough to suffer two women in it at the same time. This is the day that I predict that the great voice of the Demosthenes of Kittery will have fallen on deaf ears in this House. I support Mr. Rideout's motion.

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

Mr. RIDEOUT: When I first came to this august body, Mr. Speaker, I was instructed by the gentleman from Lewiston, Mr. Jalbert, that if you refer to a colleague as my friend, you really thought quite a lot of him; if you referred to him as my dear friend, that was about standard and par for the course; if you referred to him as my dear, dear friend, then you were really after each other; if you really said my dear, dear, dear friend, then look out, the knife is out.

So, with reference to my friend Mr. Dennett, I know full well through bitter experience that in opposing a bill that he supports, particularly one of his bills, it's just like walking into an airplane propeller. Even if you make it, it smarts.

At the hearing there was only the sponsor and one proponent, the Commissioner of Insurance, supporting it. Now, without any malice toward the Commissioner, I feel that if I were the Commissioner of Insurance and there was no

Banking Commissioner on the horizon, and there was a proposal to unite the departments under one head, then I probably could support it in my heart to combine them.

However, Mr. Dennett makes a point out of the economy of this measure. I deny this. I think that if you create another position as the head of the combined department, he automatically is going to have an assistant. Then you going to have a deputy in charge of banking who will also have an assistant. Then you will have a deputy in charge of insurance who will also have an assistant, and the assistant will have an assistant and ad infinitum, and like Parkinson's Law, we will make work.

I have a letter here that puts it more succinctly than I possibly could do it, and I'd like to read it to you. It comes from an ex-member of this body, an ex-Governor's Councillor, and he says this:

"I believe I can speak with some knowledge, as I operate an insurance company and I also am trustee of a savings bank of Maine. I have to use entirely different thinking when considering policy made by the bank than when I am considering items of the insurance company. I do not believe that it would be possible to find a person who would be well enough qualified to supervise and regulate both. Insurance and banking are both specialized types of businesses, and specialists in insurance should have the separate insurance department and specialists in banking should have the banking department. I see no reason why two entirely separate state departments should not cooperate when they have a common problem. I believe it is much better to have each specialist present his thoughts without having to think for both at the same time. To me a much better solution to the common problems would be obtained in this way."

I cannot match my friend from Kittery in stories, but I would like to leave with him an old gypsy saying: You cannot ride two horses with one behind. (laughter)

The SPEAKER: The Chair rec-

ognizes the gentleman from Bath, Mr. Ross.

Mr. ROSS: This morning I am amazed to hear the very august gentleman from Kittery, Mr. Dennett, even suggest that insurance companies and banks get together. I say this because I remember back to the 102nd Legislature when I sponsored what I thought was an excellent bill called the Savings Bank Life Insurance Bill. This would have permitted savings banks to sell life insurance.

I will never forget the day of the public hearing. I believe that every insurance salesman in the state was there opposing me and stating simply that they certainly wanted no part of banking institutions. I support the indefinite postponement.

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

Mr. DENNETT: Mr. Speaker and Members of the House: I would merely mention in passing that in 1955 under the then Governor Muskie a public services report was made to the State of Maine wherein the recommendation was contained in that report that these two departments be merged. This is nothing that is actually new. I do not intend to beat this thing to death, but I will merely ask that when the vote is taken that it be taken by division.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: This morning my best of dear friends, Mr. Rideout of Manchester — he had left that one out — probably assumes that the two horses cannot be ridden with one behind; true in the sense of the word. But I feel that there is a definite area that we need to venture into in combining these two areas that are trying to do something for the general public, and I find that they are in a position that they are able to do so, but until such time as you eliminate the line of thinking that you can't touch the Banking Commissioner because the banking interests are paying his salary, or the Insurance Commissioner, because somebody else

is paying his salary, I think there needs to be an understanding between these two departments that the State of Maine is paying their salary, and no private interests should be paying their salary; and I say "Amen" to the debate of the gentleman from Kittery, Mr. Dennett.

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

Mr. HENLEY: Mr. Speaker and Members of the House: I have no great knowledge of either. I would like to pose a question. If this move is an economy move, I'd like it explained to me wherein, because if the banking interests pay the Commissioner of Banking, how do we effect an economy by just doing away with the Banking Commissioner and having one commissioner over both bodies, which the state would pay?

The SPEAKER: The gentleman from Norway, Mr. Henley, poses a question through the Chair to any member who may wish to answer if they choose. The Chair recognizes the gentleman from Kittery, Mr. Dennett.

Mr. DENNETT: Mr. Speaker and Members of the House: In answer to the question through the Chair made by the gentleman from Norway, Mr. Henley, I would say there would be many economies that could be effected in the department because, particularly of some degree a repetition of work and where it conflicts, but furthermore the banks pay a tax which they claim goes to pay the Banking Commissioner. As near as I can see, the banks would still pay a tax and perhaps it would go into the General Fund.

The SPEAKER: The pending question is the motion of the gentleman from Manchester, Mr. Rideout, that the House accept the Majority "Ought not to pass" Report. All in favor of accepting 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.

93 having voted in the affirmative and 43 having voted in the negative, the motion prevailed.

Sent up for concurrence.

The Chair laid before the House item four on the Calendar, which was tabled earlier and later today assigned:

SENATE MAJORITY REPORT (6)—“Ought to pass” as amended by Committee Amendment “A” (S-28)—Committee on State Government on Resolve Proposing an Amendment to the Constitution Providing for Annual Legislative Sessions (S. P. 1) (L. D. 15) — MINORITY REPORT (4)—“Ought not to pass” (In Senate Majority Report accepted and Bill passed to be engrossed as amended by Committee Amendment “A”)

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

Mr. JALBERT: Mr. Speaker, I move the acceptance of the Majority “Ought to pass” Report.

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

Mr. DENNETT: Mr. Speaker and Ladies and Gentlemen of the House: Reluctantly I must rise this morning to oppose my good friend from Lewiston, Mr. Jalbert. Annual sessions have been discussed for many, many years in this House. I feel that here several weeks ago that this House turned down the basis for legislative reform, which was a reduction in the membership of the House. I do not intend to chide the members of this House in any manner for their vote because I feel—in fact I know — they voted their conscience, and I am willing in all cases to accept the opinions of this body.

However, with that in mind, and feeling that they should be consistent in their actions, again, they should turn down any bill for annual sessions. Annual sessions would increase under the present circumstances the cost of government in the State of Maine to a great degree. I could go on at great length giving you my feelings against annual sessions. It would consist, for instance, of a repetition year after year of the same old bills. It would be hashing and rehashing. Actually every two years is bad enough. But I think that mainly the point that

I first made, that this could only be accomplished at a great expense and perhaps a great hardship under the present circumstances, would alone be enough for you to turn down this bill. When the vote is taken I ask for the yeas and nays.

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

Mr. RIDEOUT: Mr. Speaker and Members of the House: I feel much more at home being on the side of Mr. Dennett than I do being against him, so I feel much better being back home.

I was on the Research Committee and held the Chair on the subcommittee that studied the question of annual sessions. The only real cogent argument given for annual sessions was because of budgetary questions. I submit to this House that we do in fact now have annual sessions when it comes to the budget. Whenever the Chief Executive feels that we are in a budgetary quandry, he can call us into session, and has time and time again; so that the question of annual sessions is a moot point. We do in fact now have annual sessions, and I in all due deference to Mr. Crommett am sick and tired of Millimagasset Lake, and I would rather not have—the only reason I can think of of having annual sessions is because I will miss you all when you go home.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I find myself in a position of some great rarity today by opposing my good friend from Kittery, Mr. Dennett, and I don't say “my good friend” lightly either.

I am jumping around. I'm taking a little bit of an issue with my also good friend from Manchester, Mr. Rideout. I have presented the annual sessions measure twice. One of the times that I have presented it, about eight years ago, the measure failed of enactment by the necessary two thirds by about seven or eight votes. The reasons could be many either way.

I would like to take friendly issue with the gentleman from Manchester, Mr. Rideout, in his comment this morning that we do have annual sessions. He and I were both on the same side of the aisle warning at the last regular session that we were going to have another session, because he and I stood fast in saying that we should fund our program. We didn't. We came back seven months later to do so.

Now, I say that things are moving so fast in our day that no one can project for two years. I think that one of the major reasons why we have found ourselves in this dilemma of finances is because of the fact that we come here every two years. I would also have to admit that we do have more than annual sessions, because since I have been here in 1945 I have come in at thirty some odd special sessions. I think the time has come now for us to finally open ourselves to allowing the public to vote. We are not deciding here whether we are going to have annual sessions. This is a Constitutional Amendment. This motion, this measure, merely calls for us to ask the people whether they agree after thrashing out the issues back and forth, should we or should we not have annual sessions.

I think it is a question now that we either want to serve to the very best of our ability or we do not. I am certainly aware of the fact that some will say, "Well, I can't come here if we have annual sessions," and I am sure that there are areas where possibly we might lose some valuable men because of this fact; and it is as I say there are arguments on both sides; but I think, number one, the arguments for the annual session now, we have reached the point certainly where the arguments for an annual session, in my humble opinion, supersede those reasons why we should not have them. And for that reason I think we should allow this measure to finally go to the people for a vote.

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

Mr. RICHARDSON: Mr. Speaker and Ladies and Gentlemen of the House: In my individual capacity and not as the Majority Leader, I would like to make some comments about annual sessions.

First of all, in response to the statements made by the gentleman from Lewiston, Mr. Jalbert, it seems abundantly clear to me that we and we alone are the best qualified people to determine whether or not there should be annual sessions. We are more familiar than anyone else really with the problems of legislative service and the problems of processing the tremendous amount of legislation that we have introduced.

Now because I was and am concerned about this, I have reviewed the law in every other state in the Union which has annual sessions, and a great many of these states have attempted to limit the off-year session to budgetary matters, or to limit the off-year session to a certain number of days — 30, 60, or 90 days— and without exception, my investigation has revealed that a limitation on the off-year session just doesn't work.

I say to you that unrestricted annual sessions are going to lead to the reintroduction year after year of the same old chestnuts, occupying the same amount of legislative time, and not in the long run upgrade the quality of our legislative product.

We have a biennial budget, a two-year budget. I see no good reason to abandon that. In fact our biennial budget is the only gesture that we make toward long-term planning for state expenditure in the funding of state programs, and I think we should keep the biennial budget. I think we should also recognize the fact that, as has been pointed out, we do in fact have annual sessions now, and in our off-year session, when we come in to special session, the legislation which is introduced is limited by the Reference of Bills Committee to those matters which represent truly emergency matters and beyond that the matters included within the Governor's call; and as has been pointed out, I think that by

pursuing the course that we now have, to which I would add the authority of this Legislature to call itself into session, we can avoid the bugaboo of first of all trying to place an artificial limitation on the off-year session, which I say does not work and I believe the experience in other states proves that, or following the other course, going to an unrestricted annual session.

This has become for some reason a political issue. I don't discuss it in those terms. I simply say to you that our system bears objective analysis; we need to make improvements, but I don't think it would be an improvement to have ourselves in session virtually constantly year after year. Thank you.

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

Mr. JALBERT: Mr. Speaker and Members of the House: The gentleman from Cumberland, Mr. Richardson, also a very good friend, makes comment that we, and no one else, knows better and should decide. The Constitution forbids us to decide, and I'm sure that the gentleman from Cumberland, Mr. Richardson, who is a very astute student of the law, would recognize that.

Now I would pose this question to him, knowing fully well that we can't decide, this is Constitution, there's no way at all that we can pass this bill. Then if the gentleman means that we and we alone should decide, would he then be willing to sponsor a piece of legislation, even though the cloture is on, that would allow the people to decide whether they want this in the Constitution or out of the Constitution? Because otherwise than that, this measure here could never go to the people.

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

Mr. RICHARDSON: Mr. Speaker, again in my individual capacity, the initial decision with respect to a Constitutional change is ours, and there are many changes that

we make and we send out to the people, sometimes with a feeling that we are going to give to the people a right to decide an issue which they have the qualifications and the experience to decide. In this case, we are talking about the nuts and bolts of everyday legislative activity, and my point is that I think we are best equipped to make the judgment as to whether or not we need to go to unrestricted annual sessions; and I submit to you that we should not duck that responsibility by putting it out to referendum for decision by the people, who do not really have the basic fundamental knowledge about this operation that every member of this House has.

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

Mr. ROSS: Mr. Speaker and Members of the House: My friend from Lewiston, Mr. Jalbert, touched on one of the most important reasons, and that is the quality of the individual legislators. I am, and have always been, very proud of this body. We have very many capable persons in the Legislature, and many persons join and come down here at great personal sacrifice to themselves. They are willing to take time off from their business for six months every two years, but if we met every year they just would not be able to do this. Salaries would go up. We would then have full-time professional legislators rather than the very dedicated citizens group that we have now.

Mr. Jalbert of Lewiston was granted permission to speak a third time.

Mr. JALBERT: Mr. Speaker and Members of the House: Thank you Mr. Speaker. I'm really facing the guns today. In answer to the gentleman from Bath, Mr. Ross, if by passing this measure we would lose the services of good legislators, then on that basis, would he please sometimes, when he has a caucus of his party, bring up the question of eliminating the idea of one fellow taking a turn here and one fellow taking a turn there.

Now, you know it's a funny thing that sometime somewhere along

the line, it's only bringing out these arguments when the time is propitious to bring it out. But we never come up with a remedy later on if it might not befit us.

Now I've seen in my tenure in office here, over the many years, some very very important men and some very good legislators that have gone by the road because of it's your turn to do it, but I've never seen anything brought forward. Now as far as this idea of bringing in professional politicians, or professional office holders, or this and that, I never knew that it was a sin to have time, I never knew that you were going to be called to prove if you had time. I've got time for several things, and one of the things that I have time for is to sit here and serve here. And if I say that I can't come here only every two years, then there's only one thing for me to do, stay home.

The SPEAKER: The Chair recognizes the gentlewoman from York, Mrs. Brown.

Mrs. BROWN: Mr. Speaker and Members of this House: Two years ago I was appointed to serve on a task force study group for revising State Constitutions. We met for a solid year. I looked at many other states. My constant question was if they had a different form of government, what problems do you still have? I could see that even with annual sessions in many states, that this was no panacea for the answer to all of our problems. They still had many of the same problems we are faced with now. I also point out to you that it occurs to me that your most successful businessmen have a budget and a plan for five to ten years. They're not running their business on a two-year schedule.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I think probably several good points have been brought out here this morning, the reasons why we should and the reasons why we shouldn't.

I would like to throw this out for your consideration, that any

corporation that operates with the amount of money that the State of Maine or the Legislature is operating every year or biennially, would any serious corporation consider calling their board of directors' meeting only once every other year? Or would they consider calling their board of directors only periodically, only to discuss such matters that a small group of people would decide that they will discuss, things that are classified, so-called, as emergency measures?

Now you and I know, and I assume that a great many of the general public know, that some of the legislation that is brought into a special session is no more of an emergency nature than trying to flood the entire State of Maine in one week. But be that as it may, this is the system that we have, that people are asked to budget on a biennial basis, not knowing necessarily what's going to happen two years from now, but in any case they have to budget because this is what the law tells them that they're going to do.

I think we in a body here this morning should take a serious look at this kind of businesslike atmosphere in our state, and have the general public voice an opinion. We might have our own opinions here in the legislature as to which is best, the one year, or biennially, but I think that a lot of the people in the State of Maine, we are not giving them enough credit for thinking that they know nothing and we know it all. So let's try to change the philosophy that the State of Maine, the Legislature in the State of Maine, in all its wisdom, is always doing right and the people will have to buy it whether they like it or not. I see nothing wrong in giving them the opportunity of voicing an opinion, and if they think that once every other year is good enough, then maybe a lot of them think that once every five or ten years might be more than enough. But let's hear their voices and find out what their reactions are. Thank you.

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

Mr. BINNETTE: Mr. Speaker, Ladies and Gentlemen of the House: This being a Constitutional amendment, I do not see any harm to pass this measure to let the people decide what they want. I have enough faith in our people because I do not believe that there is any community in the State of Maine that tries to run their community on a two-year budget. If so, I'd like to pose a question to any member who cares to answer, where is there a community in the State of Maine who holds their meetings just once every two years?

The SPEAKER: Is the House ready for the question? The pending question is on the motion of the gentleman from Lewiston, Mr. Jalbert, that the House accept the Majority "Ought to pass" Report. The yeas and nays have been requested, and the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. As many as desire a roll call will vote yes; and 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 on the motion of the gentleman from Lewiston, Mr. Jalbert, that the House accept the Majority "Ought to pass" Report on Resolve Proposing an Amendment to the Constitution Providing for Annual Legislative Sessions, Senate Paper 1, L. D. 15. All those in favor of accepting the Majority "Ought to pass" Report will vote yes; those opposed will vote no. The Chair opens the vote.

ROLL CALL

YEA — Allen, Bedard, Bernier, Binnette, Boudreau, Bourgoin, Brennan, Burnham, Carey, Carter, Casey, Chandler, Corson, Cote, Cottrell, Couture, Cox, Crommett, D'Alfonso, Dam, Danton, Drigotas, Emery, Faucher, Fecteau, Fortier, A. J.; Foster, Fraser, Gaudreau, Giroux, Good, Hawkens, Henley, Hewes, Huber, Hunter, Jalbert, Jutras, Kelleher, Keyte, Kilroy, Laberge, Lawry, Lebel, Leibowitz,

LePage, Levesque, Lund, Marquis, Martin, McKinnon, McTeague, Mills, Mitchell, Moreshead, Morgan, Nadeau, Norris, Ouellette, Rocheleau, Santoro, Shaw, Starbird, Temple, Thompson, Tyndale, Vincent, Watson, Waxman, Wheeler, Wood.

NAY — Baker, Barnes, Benson, Berman, Birt, Bragdon, Brown, Buckley, Bunker, Carrier, Chick, Clark, C. H.; Clark, H. G.; Crosby, Croteau, Cummings, Curtis, Cushing, Dennett, Donaghy, Dudley, Durgin, Erickson, Farnham, Finemore, Gilbert, Hall, Hanson, Hardy, Haskell, Heselton, Hichens, Immonen, Jameson, Johnston, Kelley, K. F.; Kelley, R. P.; Lee, Lewin, Lewis, Lincoln, MacPhail, Marsteller, McNally, Meisner, Millett, Mosher, Noyes, Page, Payson, Porter, Pratt, Rand, Richardson, G. A.; Richardson, H. L.; Rideout, Ross, Sahagian, Scott, C. F.; Scott, G. W.; Snow, Soulas, Stillings, Susi, Trask, White, Wight, Williams.

ABSENT — Coffey, Curran, Dyar, Eustis, Evans, Fortier, M.; Gauthier, Harriman, Quimby, Sheltra, Tanguay.

Yes, 71; No, 68; Absent, 11.

The SPEAKER: The Chair will announce the vote. Seventy-one having voted in the affirmative and sixty-eight in the negative, the motion does prevail.

Thereupon, the Resolve was given its first reading.

Committee Amendment "A" (S-28) was read by the Clerk and adopted in concurrence and the Resolve assigned for second reading tomorrow.

The Chair laid before the House item ten on the Calendar which was tabled earlier and later today assigned:

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

Mr. Richardson of Cumberland offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-121) was read by the Clerk.

The SPEAKER: The gentleman may proceed.

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

House: L. D. 1059, introduced by the gentleman from Brunswick, Mr. McTeague, would permit the Industrial Accident Commission to make an award up to \$5,000 for disfigurement. I take exception to his bill because the basic reason we have industrial accident compensation is to compensate the loss of earning capacity, and our present law provides a maximum of \$1500 for facial disfigurement or neck disfigurement. And the reason for this is that a person who is a salesman, who is called upon every day to meet the general public in his work, who suffers for example severe burns, which leaves him with cosmetic disfigurement in his face, has had, in the truer sense of the word, his capacity to work to earn money diminished.

Now I am in favor of liberalizing the present law and my amendment raises the maximum amount that can be granted for facial or neck disfigurement from \$1500 to \$5,000. I believe that we should liberalize the law. I believe that the limitation of \$1500 in many cases works a real hardship; but I suggest to you that a carpenter for example who has a scar on his upper arm which doesn't affect his ability whatever to carry out his daily work should not be compensated for that under the Industrial Accident Commission law. I think we should keep the fabric of our law intact and compensate for the loss of income or loss of earning capacity that arises from disfigurement. Therefore I hope that you will vote in favor of the amendment. Thank you.

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

Mr. BERMAN: I would like to pose a question through the Chair to anyone who may care to answer with respect to House Amendment 121. If a lady is working in any one of our industries in the State of Maine today and she receives a scar seven inches long on her face, which scar does not extend to the

neck region, does this amendment mean that she would not be able to receive a disfigurement caused by her work-incurred injury?

The SPEAKER: The gentleman from Houlton, Mr. Berman poses a question through the Chair to any member who may answer if they choose. The Chair recognizes the gentleman from Cumberland, Mr. Richardson.

Mr. RICHARDSON: As I understand the present law, there is no requirement that the disfigurement extend into the neck area. The first sentence of the amendment is the present law: "The Commission may award proper and equitable compensation for serious facial or head disfigurement not to exceed five thousand dollars," including, that is in addition to the head or facial disfigurement, a disfigurement continuous in length, that is beginning in the area of the face, extending into the neck region. So I think that the answer to the gentleman's question is that the situation he described would be compensable under our present law, and my purpose in offering this amendment is to maintain the continuity of our law to compensate injured workmen for the loss of the thing that they prize, the right to work, the ability to work, and I think that the \$1500 limitation is artificial and unfair, and that is the reason I am suggesting that we raise it to five.

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

The motion prevailed.

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

(Off Record Remarks)

On motion of Mr. Cushing of Bucksport,

Adjourned until nine o'clock tomorrow morning.