

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and First Legislature*

OF THE

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DAILY KENNEBEC JOURNAL  
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The SPEAKER: The Chair recognizes the gentleman from Hampden, Mr. Littlefield.

Mr. LITTLEFIELD: Mr. Speaker, this bill is a resolve for development of revenue producing park facilities on Mt. Battie. Some time ago we had a picture of Mt. Battie. You can see that it is solid rock on the top. They have asked for \$150,000 to start to build a highway. Before it is finished it will be a considerably larger amount than this. The view is a beautiful view, but it is not beyond other views that are in that area. I think it is too bad to spend so much money to benefit a few at this time and I would therefore move to indefinitely postpone this bill and all its papers.

The SPEAKER: The gentleman from Hampden, Mr. Littlefield, now moves the indefinite postponement of Resolve for Development of Revenue Producing Park Facilities on Mt. Battie, L. D. 567.

The Chair recognizes the gentleman from Hope, Mr. Hardy.

Mr. HARDY: Mr. Speaker, we grant the gentleman from Hampden, Mr. Littlefield, that Mt. Battie is all rock on that front side, but there is no ledge on the back side and a competent highway survey has indicated that that road may be built for the \$100,000 that this bill has been amended down to. I ask for a division when the vote is taken.

The SPEAKER: The Chair recognizes the gentlewoman from Falmouth, Mrs. Smith.

Mrs. SMITH: Mr. Speaker, I too hope you will go along with passing this bill and allowing this park to become a reality after all the times it has been here. I think we need it in the area and this has been cut to see if we can make it fit the package and I hope you will go along with it.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Hampden, Mr. Littlefield, that item 3 be indefinitely postponed. A division has been requested. All those in favor of the indefinite postponement of this Resolve will rise and

remain standing until the monitors have made and returned the count.

A division of the House was had. Twenty-five having voted in the affirmative and seventy having voted in the negative, the motion did not prevail.

Thereupon, the Resolve was finally passed, signed by the Speaker and sent to the Senate.

Resolve Appropriating Moneys for Additional Faculty Positions at Gorham State Teachers College (H. P. 524) (L. D. 741)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, finally passed, 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 of Unfinished Business.

An Act relating to Investigation of Motor Vehicle Accidents by Highway Safety Committee (S. P. 492) (L. D. 1344)—in House indefinitely postponed—in Senate engrossed with Senate "A" to Senate "B" in non-concurrence. (S-296) and (S-256)

Tabled—June 18, by Mr. Smith of Bar Harbor.

Pending—Motion of Mr. Childs of Portland to insist.

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

Mr. CHILDS: Mr. Speaker, with my motion, I would like to also request a Committee of Conference.

The SPEAKER: The gentleman from Portland, Mr. Childs, moves that the House insist on its former action and ask for a Committee of Conference. Is this the pleasure of the House?

The motion prevailed.

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

An Act Combining the Offices of the Administrative Hearing Officer and the Hearing Examiner for the Liquor Commission and Revising the Administrative Code (H. P. 922) (L. D. 1356)

Tabled—June 18, by Mr. Wellman of Bangor.

Pending—Passage to be Enacted.

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

Mr. WELLMAN: Mr. Speaker, I move the pending question.

The SPEAKER: Is it now the pleasure of the House that this bill be passed to be enacted? This being an emergency measure, under the Constitution it requires for enactment a two-thirds vote of the entire elected membership of the House. All those in favor of its enactment as an emergency measure will rise and remain standing in their places until the monitors have made and returned the count.

A division of the House was had.

One hundred voted in the affirmative and three voted in the negative.

Mr. WELLMAN: Mr. Speaker?

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

Mr. WELLMAN: I request the vote be taken by the yeas and nays.

The SPEAKER: The gentleman from Bangor, Mr. Wellman, now moves that the vote be taken by the yeas and nays. For the Chair to order a roll call it must have the expressed desire of one-fifth of the membership present. All those in favor of a roll call will rise and be counted.

More than one-fifth arose.

The SPEAKER: Obviously, more than one-fifth having expressed a desire for a roll call, a roll call is ordered.

Mr. HARDY of Hope: Mr. Speaker, how many votes are necessary on this?

The SPEAKER: 101 votes are needed.

The Chair recognizes the gentleman from York, Mr. Rust. For what purpose does the gentleman arise?

Mr. RUST: I rise to a point of parliamentary inquiry.

Would it be possible to suspend the rules so that we could reconsider our action whereby this bill failed of enactment so we could take another division?

The SPEAKER: A roll call has been ordered.

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

Mr. DUDLEY: Mr. Speaker, I think there are quite a few members in the House that don't realize what they are voting for. Would someone care to elaborate on the subject before we vote?

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

Mr. JALBERT: This is the supplemental budget that was engrossed in this House a few days ago. I'm sorry, I didn't know it was item 2, I thought it was item 3. I beg your pardon.

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

Mr. WELLMAN: Mr. Speaker, this Act as it indicates in the title combines the two offices of the Administrative Hearing Officer and the Hearing Examiner for the Liquor Commission, makes it one position.

The SPEAKER: The pending question is on the enactment of item 2 on page 3 of your House Advance Journal and Calendar on Unfinished Business, "An Act Combining the Offices of the Administrative Hearing Officer and the Hearing Examiner for the Liquor Commission and Revising the Administrative Code," Legislative Document 1356. It requires 101 votes for enactment.

The Chair recognizes the gentleman from York, Mr. Rust.

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: I would like to inform you that this bill received the unanimous report of the Committee on Judiciary. It is one of our very important bills since it relates to the administrative hearings of all of our various departments, and I certainly hope that everyone will see fit to go along with this and support it one hundred percent.

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

Mr. JALBERT: Mr. Speaker, now that I am back in gear, I would like to pose a question to any member of the Committee, does this bill save \$10,000?

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

The Chair recognizes the gentleman from Wiscasset, Mr. Pease.

Mr. PEASE: Mr. Speaker, the estimated saving in this bill or with this piece of legislation is somewhere between \$7,000 and \$10,000 to the state, by combining two offices into one office, that of the Administrative Hearing Commissioner which replaces the Administrative Hearing Officer and the Liquor Hearing Officer.

The SPEAKER: Is the House ready for the question? The pending question is the enactment of this bill, 101 votes being required. All those in favor of the enactment of this bill as an emergency measure will answer "yes" when their name is called. All those opposed will answer "no" when their name is called. The Clerk will call the roll.

### ROLL CALL

YEA — Anderson, Ellsworth; Anderson, Orono; Ayoob, Baldic, Bedard, Benson, Berman, Berry, Binnette, Birt, Blouin, Boissonneau, Boothby, Bourgoin, Bragdon, Brewer, Brown, Fairfield; Brown, So. Portland; Carter, Cartier, Chapman, Childs, Choate, Cote, Cottrell, Coulthard, Crockett, Crommett, Curtis, Davis, Denbow, Dennett, Dostie, Drake, Dudley, Dunn, Easton, Edwards, Ewer, Finley, Foster, Gallant, Gifford, Gill, Gustafson, Hanson, Hardy, Harrington, Hawkes, Hendricks, Hendsbee, Henry, Humphrey, Hutchins, Jalbert, Jameson, Jewell, Jobin, Jones, Karkos, Kent, Kilroy, Laughton, Lebel, Levesque, Libby, Lincoln, Linnekin, Littlefield, MacGregor, MacLeod, MacPhail, Maddox, Mathieson, McGee, Meisner, Mendes, Mower, Nadeau, Norton, Oakes, Oberg, O'Leary, Osborn, Osgood, Pease, Philbrick, Pierce, Pitts, Poirier, Prince, Harpswell; Prince, Oakfield; Rand, Rankin, Reynolds, Richardson, Ricker, Roberts, Roy, Rust, Sahagian, Scott, Shaw, Smith, Falmouth; Smith, Strong, Snow, Susi, Thaanum, Thornton, Town-

send, Treworgy, Turner, Tyndale, Wade, Waltz, Watkins, Welch, Wellman, White, Guilford; Whitney, Williams, Wood, Young.

NAY — Bussiere.

ABSENT — Albair, Bernard, Braeden, Burns, Cookson, Cope, Cresssey, Gilbert, Hammond, Hobbs, Knight, Lowery, Minsky, Noel, Plante, Ross, Augusta; Ross, Brownville; Smith, Bar Harbor; Tardiff, Taylor, Vaughn, Viles, Ward, Waterman, Wight, Presque Isle.

Yes, 123; No. 1; Absent, 25.

The SPEAKER: The Chair will announce the vote. 123 having voted in the affirmative, one having voted in the negative, with 25 being absent, the bill is passed to be enacted.

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

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

AN ACT Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1964 and June 30, 1965. (H. P. 1105) (L. D. 1586)

Tabled—June 18, by Mr. Wellman of Bangor.

Pending—Passage to be Enacted.

On motion of Mr. Wellman of Bangor, retabled pending passage to be enacted and assigned for later in today's session.

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

HOUSE MAJORITY REPORT (7)—Ought not to pass—MINORITY REPORT (3)—Ought to pass—Committee on Taxation on Bill "An Act Increasing the State Liquor Tax." (H. P. 825) (L. D. 1212)—Acceptance of Majority ONTP Reconsidered.

Tabled—June 18, by Mr. Berry of Cape Elizabeth.

Pending—Acceptance of Majority Report.