

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Third
Legislature*

OF THE

STATE OF MAINE

Volume III

June 16 to July 8, 1967

Index

1st Special Session

October 2 and October 3, 1967

2nd Special Session

January 9 to January 26, 1968

**KENNEBEC JOURNAL
AUGUSTA, MAINE**

N. L.; Pendergast, Philbrook, Porter, Rocheleau, Ross, Scott, C. F.; Scribner, Shute, Starbird, Sullivan, Truman, Wheeler.

A B S E N T—Birt, Bradstreet, Buck, Couture, Crockett, D'Alfonso, Danton, Dudley, Edwards, Foster, Giroux, H e n n e s s e y, Jameson, Jannelle, Jewell, Kyes, Lycette, McNally, Meisner, Minkowsky, Payson, Quimby, Robertson, Roy, Sahagian, Soulas, Tanquay.

Yes, 72; No, 50; Absent, 27.

The **SPEAKER**: The Chair will announce the vote. Seventy-two having voted in the affirmative and fifty having voted in the negative, the motion to indefinitely postpone House Amendment "A" does prevail.

Thereupon, the Bill was assigned for third reading tomorrow.

Order out of Order

Mr. Bragdon of Perham presented the following Order and moved its passage:

ORDERED, the Senate concurring, that the Committee on Appropriations and Financial Affairs report a bill that will provide for a multipurpose building for Fort Kent State College. (H. P. 1229)

The Order received passage and was sent up for concurrence.

The Chair laid before the House item 5 tabled earlier in the day by Mr. Dennett of Kittery pending acceptance of either Report:

SENATE MAJORITY REPORT (8)—Ought to Pass—Committee on State Government on Bill "An Act Increasing Compensation of Court Justices and Certain Department Heads" (S. P. 695) (L. D. 1731)—**MINORITY REPORT** (2)—Ought to Pass on Bill "An Act relating to Pay Increases for Department Heads and Court Justices" (S. P. 696) (L. D. 1732) (In Senate, Majority Report accepted and passed to be engrossed)

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

Mr. **DENNETT**: Mr. Speaker, I move the acceptance of the Majority "Ought to pass" Report of the Committee.

The **SPEAKER**: The gentleman from Kittery, Mr. Dennett, moves that the House accept the Majority "Ought to pass" Report of the Committee.

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

Mr. **PHILBROOK**: Mr. Speaker and Members of the House: As a signer of the minority report I would like to briefly state my position. The requests for large increases in the salaries were presented to the State Government Committee in different ways. In one instance we were given a list of nine state officials and shown that the salaries of these nine were larger than the man named in the bill. This is what I would call a game of leapfrog; not an effort to increase pay because of ability, work load or responsibility, but a pay increase as a status symbol. The only argument advanced was that nine other state officials were paid more than the applicant. Upon inquiring, I found out that this man had thirty-one employees on his staff. I believe that each one of those thirty-one employees are just as much entitled to a pay raise as this one man, and this is my entire position.

I believe that these department heads and others who are before you in L. D. 1731 for increases of fifteen to twenty-five percent are entitled only to the same increase and at the same time as all the other state employees. Another instance is the request of the department head for \$5,000 a year increase. What about the 220 persons in his department? Is this \$5,000 raise because of performance above and beyond the duties of his office? Is it because of increases in the cost of living? Is it because of competition from outside sources? No, gentlemen, it is only the old game of asking for a lot to receive something less. A request for a forty percent increase ought to be good for twenty percent. This man now receives \$12,500 and a five percent increase would give him \$625 or \$12.00 a week more than enough to compensate for any increased cost of living. What about the 220 people in his department, don't

they have children to feed, to clothe, to educate? Aren't they entitled to the same concern as this well paid official?

Another instance is the case of the overworked official who in addition to his state duties has an independent law practice, but asks for a twenty-five percent raise when the State would be better served with an assistant. Anyone who has had a case before the courts would unhesitatingly vote for more judges and quicker disposition of cases but not the judges, they would prefer more money and let the wheels of justice grind slowly.

Ladies and gentlemen of the House, L. D. 1731 will cost the State and the taxpayer \$266,000 for increases for fifty-two people in the next biennium. A five percent raise effective July 1, 1968 will cost \$38,000. Don't throw away a quarter of a million dollars for this select group, and remember, this \$266,000 is only the increases proposed in L. D. 1731 and not their total pay. Thank you.

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

Mr. STARBIRD: Mr. Speaker and Members of the House: I rise in support of the gentleman from South Portland, Mr. Philbrook. He and I were the two who signed the Minority Report. I will state here very plainly and very well and I would in fact urge very strongly again that this House go along with us and I say defeat the Majority Report, for I think that most of these named in the Majority Report received substantial interest—increases in the last session of the Legislature, and their plea of increased cost of living does not hold water with me for they I think have a pretty good buffer already for cost of living increases.

You can see the wide difference in the cost of our moderate proposal and the proposal of the majority of the Committee, and I hope again that you will go along with us and defeat the Majority and adopt the Minority Report.

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

Mr. NADEAU: Mr. Speaker and Members of the House: I too happen to be in the minority, not signing this, but in the minority at the hearing, and those of you in state government — Mr. Dennett will well recall that I stood there and gave my reasons as each department head asked for a pay raise. Mind you, they didn't even have the nerve to go up and ask for it themselves—they sent you know, the second or third-hand boy down the line. That's a fact now, I'm not kidding you, ask Mr. Dennett or members of the Committee, and do you know that there's not one mind you; I'd like to be able to say that just one had the nerve to say "I want a pay raise because I deserve it." Do you know what they said instead? "I want one because the other guy is getting this much, and that guy is getting that much, and we want them all even." Now have you ever heard of anything so ridiculous? Now if you people will look at this—this is nearly \$300,000. It's terrible. So just in case that we're in a spending mood I hope you will look on your desks that was distributed today, my amendment. You know I'm not against all pay raises, but I can't see where these department heads and certain other people are worth five times the man I am. And you people account for your own wishes—if you think they're five times better than you are, then vote for them this pay raise and then go along and vote yourself a thousand dollar raise, because this is what my amendment says.

But the main reason behind this, I was hoping that this amendment of mine would make you people think. Now for instance since these department heads didn't go on record and fight for their pay raises because they could give you a reason why they were worth it. I'll give you a reason why, they weren't worth it, I wouldn't go for a pay raise without giving you a reason, and I've been a department head—I had 81 people, and mind you those that deserved a raise never had to come up and ask me for one. And that's the way it should be. You wouldn't employ them if you were in charge of this

industry—no sir—believe me, there used to be the song of “Show me the Way to go Home.” Well over here in the state department it’s “I’ve found me a home.”

Now for instance—we know we’ve all been here past 22 weeks; that’s \$90.00 a week. When we were here on the 23rd week we earned mind you—with the ability that each of us feel that we have we earned \$86. On the 24th week, we’ve gone past this—we earned \$83.33. On the 25th week—this is it—we’re going to set a new record mind you, and we’ll be setting more—we were earning \$80.00 mind you—can you imagine, we’re not even worth eighty dollars a week. And of course we’re going to be here next week as you know, for the day of reckoning is coming and that’s going to put us down to \$76.00 and God knows how much lower we’re going. The only reason I’m giving you these figures is just for you people to understand, are you worth more than this? The question is here, are they worth \$300,000, or are we going to be fair? So now if we approve this, that means you’re all willing for it, that means you’re going to vote yourself a pay raise too. At least I hope you feel that way; but seriously I’d like to see this gosh darned bill, this amendment and the whole thing knocked down the drain and go on with 1732 and treat them fairly.

Now you’re going to say, they’re all earning about \$10,000 you know. We don’t have any people earning under \$10,000 here. Do you know that people are leaving industry nowadays just to get under the protective umbrella of state and federal government? It used to be the other way around. You don’t see job notices in the paper any more. Just imagine if one little department head died today, do you think they’d close shop? You’d find a man—they’ll all be here next year—and since I continue looking in the balcony, they don’t dare come up here and sit any more. I mean this sincerely. If you think I’m kidding you, you call some department head some morning about eleven o’clock, and don’t use your regular tone of voice—the lovely secretary will say - “well

due to an early appointment he’s taking an early lunch hour.” Now you change your voice like I did, and call at one o’clock - “well due to a late appointment he’s taking a late lunch hour.”

You know sometimes I feel like they do, I’ve taken a lot of lunches, but all kidding aside, I feel there comes a time and a day of reckoning and I feel they should be satisfied with five percent increase, and this way you’d really be doing a job. Personally I hope you defeat the whole doggoned thing.

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

Mr. DENNETT: Mr. Speaker and Members of the House: I would be remiss in my duties if I did not rise to defend the Majority Report of the Committee.

Frankly, I cannot hope to match the eloquence of my very good friend, the gentleman from Sanford. I know that he is very sincere; I know he means everything that he says. He did attend every committee hearing, in reference to bills with pay raises, and with one exception he opposed them all; but the unfortunate part is he now wants to kill the bill that contains the raise that he was in favor of, so this of course is rather ambiguous.

I would remind the gentlemen who spoke against the bill that they have already voted themselves a thirty-three and one third percent raise as far as the per diem allowances are concerned, and with one exception I do not believe that anyone in this bill asks for a thirty-three and a third percent raise.

Now who are we dealing with? Let’s get down to being rational and calm. We are dealing with the administrative heads of the various departments in this state. I would go along with the gentleman from Sanford in saying, without a question there is not an irreplaceable man there, but I believe if we replace the men that were there, the type of man that we would seek certainly no doubt would ask for more money than these presently holding these offices are receiving.

Now men who are capable of being administrative heads are not

a dime a dozen — they're not wandering around the streets and they're not on the unemployment rolls. Now we come first to the Judges of the Superior and the Justices of the Supreme Court. These men are all capable of earning far more money in their professions than they are receiving from the State. They, too, to a relative degree are making sacrifices even as you and I are when we come up here for which I will admit is a rather meager sum, but when the amendment, if it is introduced comes, I will hit on that later.

We also deal with various commissioners — we deal with the Secretary of State; we deal with the Attorney General. In the case of the Attorney General, he's presently getting \$12,000 — this raises him to \$13,000 a year. Is there anyone in this House who does not believe that our present Attorney General or even the one that preceded him is not capable of earning more than \$13,000 a year?

As many of us go up and down the turnpike there are truck drivers that are driving these eight and ten wheel jobs over the roads who are making \$10,000 a year, and this doesn't call for too much gray matter at all — it calls for a lot of work and the monotony of a long drive, but you certainly couldn't compare the men who drive the trucks with the department heads in our state.

It increases the State Auditor from \$12,000 to \$13,500 which is slightly over a ten percent increase. The State Personnel Board, it gives them \$25 a day; they don't meet only on occasion and they have no yearly salary, but don't you think it's worth \$25 a day for persons administrating this department in their capacity to have \$25 a day?

The Hearing Commissioner, and this is a gentleman who is over in Lewiston, and I recall some years ago when he asked for a raise I endeavored to cut his salary — it didn't work, and I was somewhat in the same position then as Mr. Nadeau is now, but perhaps I was a little more irrational. I wanted to cut him rather than increase him. But now he is pres-

ently earning \$8,000 a year. He has a very heavy load; he himself came before the Committee and he told the conditions of his office, the hearings he had—he is really a hard-working person. He asked for \$12,000 a year; we cut him to ten. We didn't give all that they asked. Of course you can all argue they probably asked for more than they expected to receive, but we still cut it just as close as we possibly could. We were not in favor of granting these people all that they asked for, but we wanted to be reasonable. We know they're capable people — we know they are deserving of wages that are commensurate with their labors.

Now I don't want to prolong this argument and go in it and eat up too much of the time because time is of the essence and it's growing short, but I trust that you might accept the Majority "Ought to pass" Report of the committee. When the vote is taken I ask for a division.

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

Mr. NADEAU: Mr. Speaker and Members of the House: I also would not remiss if I would answer the answers of the Mr. Dirkson of the House. He stated there was one raise that I didn't oppose. He is correct, and might I state to you, ladies and gentlemen that this man was only earning \$8,000. We don't have department heads in that category. And he was the only one that stated "Here's why I need a raise. I do this, I do that," and he did this and he did that. And I was talking about this, Mr. Robinson incidentally he happens to come from Lewiston and if you people have ever been in a hearing, I haven't been there pertaining to myself but I went there in defense of someone, you would realize he is well worth the money.

But he came up there and talked on a pay raise upon his ability and his skill, not on comparison from one department to another. Point number two, Mr. Dennett also stated that these men were not wandering the streets. I will agree with him, they're not wandering the streets but they are

lobbying, they are wandering in the halls, they are lobbying.

Point number three. He said many of these men could earn more. Don't you think, ladies and gentlemen, that many of us here could earn more also?

Point number four. He only mentioned one department head, this was the Attorney General. I am not saying I am in disagreement with all of these so I will just not mention one, I think they should all be taken into consideration in general. I notice he didn't mention some of the other pets.

Another point, he mentioned about certain raises, don't you think those people are worth \$25 a day. I'd like to return that question and say, "Don't you think we're worth \$25 a day?" And another point says a lot of these people, he mentioned someone about that one time when he was in a position to cut. I say to you, ladies and gentlemen of this House, that if we were to cut every one of these department heads, they'd still be here next year. They've found a home. So it all depends which way you want to look at the question.

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

Mr. RIDEOUT: Mr. Speaker and Members of the House; Very briefly, I would like to back up Mr. Dennett on this. We labored quite long and hard on a very touchy job with these pay raises and I think we have come up with a very satisfactory grouping and I would urge you to support the majority of the Committee.

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

Mr. GILL: Mr. Speaker and Members of the House: I arise to oppose the adoption of the Majority "Ought to pass" report. I feel for the most part the State Government Committee has done a wonderful job during this session. We all realize this was one of the later bills for them to report out and this Committee has been working hard as to what they thought was right. However, with no disrespect to anyone, I'd like to just mention that the Chief

Justice in the State of Maine now gets \$19,000, they propose to give him an increase of \$5,000. Under the Minority Report "Ought to pass" he would get a \$950 raise, which I think is quite good. The five Supreme Court Justices call for a raise of \$4,000 apiece for a year, under the proposal of the Minority Report, it would be \$900. The Superior Court Justices get raises of \$4,000 apiece, Chief in District Court \$3,000, and the members of the District Court \$3,000 a year. I agree, these are all fine men, but we have a great number of state employees who will be lucky if they get an increase of 5 percent and I don't see how we can justify a raise of four or five thousand dollars a year to one man while a large number of state employees will be fortunate to get a few dollars a week.

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

Mr. PHILBROOK: Mr. Speaker and Members of the House: I would like to briefly restate my position. I do not see the necessity for a \$1500 raise for a \$12,500 official, while you do nothing for the 220 persons in his department. Thank you.

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

Mrs. CARSWELL: Mr. Speaker and Members of the House: As I was one who spoke against a pay raise for the legislators, because I felt there were other pressing needs, I don't think these are some of the pressing needs that are in this bill today. I think that we should pass bills to give pay raises to those lower on the totem pole, so I hope that this bill does not pass.

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

Mrs. BAKER: Mr. Speaker and Members of the House: I would just like to add to the remarks of Mr. Gill from South Portland that I do hope tomorrow when you are considering, a lot of you, the big bill, that we will be thinking very honestly of the poor state employees who are going to be

lucky if they get their 5 percent raise starting in July 1968.

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

Mr. CARROLL: Mr. Speaker and Members of the House: I too oppose the department heads salary raises. I oppose it from the point of view that they know that every two years there will be a fifty percent turnover in this House and every two years they will be in here for salary raises. In the past two years I called Augusta many, many times and I asked for the Department Head and he wasn't there. I asked for the Assistant; he wasn't there. Even went five steps down the ladder. Now ladies and gentlemen, I propose we put some time clocks in here and let them sign in and sign out, and get some efficiency. They say that we are operating at sixty percent efficiency. Now if these department heads are so good, why are they telling us to cut it down to forty percent.

If I had a business and operated it in this manner, the F.H.A. would own it by now I am sure. How long do you think you will run the State of Maine by rewarding people and raising their salary every two years, up, up she goes and you want to tax the little fellow, and the little fellow is where the money is going to come from. The arm twisting has been going on for two weeks here. I said two weeks ago you didn't have the votes yesterday, you won't have them today and you won't have them tomorrow, and I would like to know if we are going to have the votes tomorrow at eleven o'clock, because I am one of these small folks; I've got to get home. I don't get a \$5,000 salary raise and I'm not mad at that fellow if he can get in here and get it, but I am mad at the Legislators who come down here every two years consistently and continue to raise Department Head salaries without setting up a proper system of salary pay raises.

Therefore, I have no choice but to go back to my people and say I had to oppose these salary increases because I do not feel they are justified.

The SPEAKER: The Chair recognizes the gentleman from Hollis, Mr. Harriman.

Mr. HARRIMAN: Mr. Speaker and Members of the House: I'm going to vote against this bill. I do not think that all these salary increases are justified. I can see in this bill increases all the way from 10 to 33-one third percent for one individual, jumping from \$9,000 to \$12,000 a year. I think that most of the raises in this bill aren't justified and I'm going to vote against them.

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

Mr. WOOD: Mr. Speaker and Members of the House: Sometime ago in this session, I introduced a bill that would give the state employees that are getting much less than a living wage an increase to \$80 a week for a forty-hour week. The bill never got consideration. There were two reasons given me for it. The first reason was that it was too much to raise them at one time. The second reason was that we didn't have the money, we couldn't find the money to give them that much raise, which I think was ridiculous and for that reason I'm going to vote against this bill.

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

Mr. McMANN: Mr. Speaker and Members of the House: I can't pass up this opportunity to remark that I am tickled to death to see that Representative Gill has a new bedfellow in Nadeau.

The SPEAKER: The Chair recognizes the gentleman from Woolwich, Mr. Harvey.

Mr. HARVEY: Mr. Speaker and Members of the House: I think I'd better get my two cents worth in. In viewing this little document here there's three people in here who I think should be fired and they are asking for a raise, so I'll go along with the bill.

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

Mr. SULLIVAN: Mr. Speaker and Members of the House: When I came down here in the Spring of '65, I went into a certain depart-

ment and asked for certain information. The head of the department wasn't there because he was busy — maybe he was busy fishing or something like that as far as I could find out. The second in command I asked him a few simple questions and he said "It will take some time to get the information." While I was talking to him — he was very nice he offered me cigarettes, and offered me if we wanted to sit down for a cup of coffee. I looked around and there were two of them having a nice conversation gossiping and smoking I should judge, very fine cigars while they were supposed to be looking after the interests of the taxpayers. The gentleman said — "oh" he said "it will take some time to get that information." So I said "some time — about how long?" He says — "ten days or two weeks." I looked at my watch and I said — "if I don't have that information it's going to be too bad for somebody, too embarrassing, and that somebody is going to be you." He immediately called over one of the fellows smoking the cigars and he read off what I asked for in about six minutes.

Now that's the thing you have to put up with. I went to another department and approximately the same thing happened. I asked him for the records of what certain employees in that department were getting. Oh, he told me, that wasn't available. I said "isn't available? But this is the second week in January '65—you should have that information — by the help you've got around here I would say you would have had it about certainly not later than last July 10." He was just giving me the runaround, but when he found I meant business I finally got it. Incidentally, that particular thing, one of them interested me very much so I started to look into his department and how much they really worked. Well, I looked into one of them and I found he only had six relatives on the payroll — that's how good these state jobs are!

Incidentally, I looked into another department and it's not far from where I live, and I've been checking on that now for the last

six years. Brother! And incidentally, I asked a number of people who work in that particular department, and I found out the gentleman who heads it who draws indirectly and directly from the state taxpayers \$20,000—and the gentleman is not available, he's out; in other words he's there about fifteen percent of the time. Now that's what you have going on. And of course the way these departments are set up, they get their jobs generally speaking through patronage; in other words most of these departments in this state they get their jobs like one of the gentlemen I referred to—until he got that job he never earned over \$4,000 in his life, and now he's getting \$20,000.

And incidentally, that particular gentleman—and I looked into it, is looking after a certain number of people—in order to look after about 189 people he only had 125 at home. Now that's what you've got going on in this state.

Frankly I'm sick and disgusted and most of these heads of departments that I have looked into, they're all overpaid now, and most of them—if I remember correctly—they all got about a ten percent raise the last time. Now ten percent raise, when you're getting twelve or fourteen or sixteen thousand dollars amounts to quite considerable sums of money, but it goes on and on and on. Now it's about time we stopped it; it's about time we had a little consideration for the taxpayers—and they always say—oh state money, state money, the state hasn't any money until they've taken it away from the taxpayers, and who do they take it away from mainly? The people with small incomes!

Fifty-five percent of the people of this state, and if you want to look into it get the reports of the last census—fifty-five percent of the people of this state; people with families and the average family is five, two adults and three children. Fifty-five percent get take-home pay of eighty dollars a week or less. Now come on—use your heads. Now I know that a lot of you don't like a spade being called a spade. Many of you don't

like the facts—you'd like in effect put your heads down and pretend this doesn't go on. My God—I'd be glad to take some of the jobs, of some of them that are getting \$20,000 for—or 16 or 18, and a lot of them have a lot of fringe benefits that you don't know about — because why? Because when they give out this, the salaries and the record book of what they get, you find they have a tremendous amount of fringe benefits.

Now it's about time this thing stopped. If most of you run your own affairs the way that the state taxpayers' money is handled, in my opinion you'd all be bankrupt. Sometimes I wonder the way you vote the taxpayers' money, I wonder if you think it grows on trees! Brother! I could on and on here for a couple of hours and tell you some of the facts that I've spent a lot of time in gathering. Now, come on—use your heads. These individuals all getting big salaries, the most that any of them deserve anywhere is five percent and frankly most of them don't deserve that. As I said before—God, I'll take some of those jobs for half of what they get and I think I'd do the job of about three or four of them—I'd be glad to take the job of certain departments I'd be glad to name—three of them I know about. I'd be glad to do the job of what half of the lowest one is paid and take the job of all three and save the taxpayers a little money. Thank you.

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

Mr. CROMMETT: Mr. Speaker and Members of the House: I rise in support of the department heads. This is my third term with the Legislature and I think I have visited all the departments. I was treated with courtesy and furnished with the information which I asked, but at the same time, ladies and gentlemen, I will support the Minority Report.

The SPEAKER: Is the House ready for the question? The pending question is the motion of the gentleman from Kittery, Mr. Dennett, that the House accept the Majority "Ought to Pass" Report.

A vote has been requested. All those in favor of accepting the Majority "Ought to pass" Report will vote yes, and those opposed will vote no, and the Chair opens the vote.

A vote of the House was taken. 31 voted in the affirmative and 75 in the negative.

Mr. McMann requested a roll call vote.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Kittery, Mr. Dennett, that the House accept the Majority "Ought to pass" Report on Bill "An Act Increasing Compensation of Court Justices and Certain Departments Heads," Senate Paper 695, L. D. 1731.

All those in favor of accepting the Majority "Ought to pass" Report will vote yes, those opposed will vote no, and the Chair opens the vote.

ROLL CALL

YEA—Beliveau, Benson, Ber- man, Birt, Bragdon, Brennan, Brown, Clark, Cornell, Cote, Cott- rell, Darey, Dennett, Durgin, Farrington, Fuller, Hanson, B. B.; Hanson, P. K.; Hewes, Hu ber, Humphrey, Jalbert, Lewin, Martin, McMann, Pendergast, Pike, Richardson, G. A.; Richardson, H. L.; Rideout, Ross, Sahagian, Scott, C. F.; Shute, Snow, P. J.; Thomp- son, Watts, Wheeler, White.

NAY—Allen, Baker, E. B.; Baker, R. E.; Bedard, Belanger, Bernard, Binnette, Boudreau, Bo u r g o i n, Bunker, Burnham, Carey, Carroll, Carswell, Champagne, Co n l e y, Crommett, Crosby, Curran, Cush- ing, Drigotas, Drummond, Dunn, Eustis, Evans, Ewer, Fecteau, Fortier, Fraser, Gauthier, Gill, Hall, Hanson, H. L.; Harriman, Harvey, Hawes, Haynes, Healy,

Henley, Hennessey, Hichens, Hinds, Hodgkins, Hoover, Hunter, Immonen, Keyte, Kilroy, Lebel, Levesque, Lewis, Lincoln, Littlefield, Lycette, Maddox, M i n k o w s k y, Mosher, Nadeau, J. F. R.; Nadeau, N. L.; Philbrook, Porter, Prince, Quinn, Rackliff, Robertson, Robinson, Rocheleau, Roy, S a w y e r, Scott, G. W., Scribner, Shaw, Snowe, P.; Starbird, Sullivan, Susi, Townsend, Waltz, Wight, Williams, Wood.

ABSENT—Bradstreet, B u c k, Carrier, Cookson, Couture, Crockett, D'Alfonso, Danton, Dickinson, Dudley, Edwards, Foster, Gaudreau, Giroux, Harnois, Jameson, Jannelle, Jewell, Kyes, McNally, Meisner, Milliano, Noyes, Payson, Quimby, Soulas, Tanguay, Trask, Truman.

Yes, 39; No, 81; Absent 29.

The SPEAKER: Thirty-nine having voted in the affirmative and eighty-one in the negative, the motion to accept the Majority Report does not prevail.

Thereupon, upon motion of Mr. Philbrook of South Portland, the Minority "Ought to pass" Report was accepted in non-concurrence, the Bill read twice, and assigned for third reading tomorrow.

The Chair laid before the House Item 6 tabled earlier in the day by Mr. Richardson of Cumberland pending further consideration:

Bill "An Act to Correct Errors and Inconsistencies in the Education Laws" (S. P. 358) (L. D. 966) (In Senate, passed to be engrossed as amended by Committee Amendment "A" (S-176), House Amendments "A" (H-430) and "B" (H-438) and Senate Amendment "A" (S-281) (In House, passed to be engrossed as amended by Committee Amendment "A" and House Amendments "A" and "B"))

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

Senate Amendment "A" was then read by the Clerk and adopted in concurrence.

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

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

HOUSE AMENDMENT "C" to S. P. 358, L. D. 966, Bill, "An Act to Correct Errors and Inconsistencies in the Education Laws."

Amend said Bill by adding at the end the following:

'Sec. 18. P. & S. L., 1965, c. 42, amended. Chapter 42 of the private and special laws of 1965 is amended by adding at the end the following new paragraphs:

The school directors of School Administrative District No. 34 are authorized and empowered to borrow the sum of \$212,500 in the aggregate and to issue said district bonds or notes in payment thereof, for the purposes of completing the capital construction program adopted by said school directors by their resolution dated February 8, 1967, notwithstanding the limitations contained in the Revised Statutes of 1964, Title 20, section 304, as amended, and without the necessity of further proceedings required by said section 304 and also notwithstanding any limitations contained in said resolution of the school directors dated February 8, 1967.

The said School Administrative District No. 34 is also entitled to all the provisions of chapter 224 of the public laws of 1967 as though expressly included therein.

All proceedings taken by the school directors or officers of School Administrative District No. 34 in connection with the authorization, issuance, sale, execution and delivery of said bonds or notes for capital outlay purposes or notes in anticipation of state aid for school construction pursuant to the Revised Statutes then in effect and all such bonds or notes heretofore or hereafter issued thereunder by School Administrative District No. 34 are hereby validated, confirmed, approved and declared legal in all respects notwithstanding any defect or irregularity therein.'

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: Very briefly, S.A.D. 34 is asking us to validate proceedings taken by them in accordance with this Private and Special Law. We feel that this amendment to the basic omnibus