

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Ninth Legislature

OF THE

STATE OF MAINE

1959

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

tabled and today assigned matter, House Report "Ought to pass" with Committee Amendment of the Committee on Highways on Bill "An Act relating to Permits for Outdoor Advertising," House Paper 84, Legislative Document 131, tabled on April 16 by the gentleman from Bangor, Mr. Cousins, pending acceptance, and the Chair recognizes that gentleman.

Thereupon, on motion of that gentleman, the Report was accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 84, L. D. 131, Bill "An Act Relating to Permits for Outdoor Advertising."

Amend said Bill by striking out the last sentence and inserting in place thereof the following underlined sentence:

"Any person, firm or corporation who shall erect, maintain or display outdoor advertising in a city or town contrary to the zoning ordinances thereof shall be subject to the penalties of section 148 and the commission may require such structure, device or display to be removed."

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

The SPEAKER: The Chair now lays before the House the eighth tabled and today assigned matter, House Divided Report, Majority "Ought not to pass" and Minority "Ought to pass" of the Committee on Legal Affairs on Bill "An Act relating to the Van Buren Hospital District," House Paper 400, Legislative Document 583, tabled on April 16 by the gentleman from Madawaska, Mr. Rowe, pending acceptance of either Report.

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

Thereupon, on motion of that gentleman, the Majority Report was accepted and sent up for concurrence.

The SPEAKER: The Chair now lays before the House item number nine, House Divided Report, Majority "Ought not to pass" and Minority "Ought to pass" of the Committee on State Government on Resolve Proposing an Amendment to the

Constitution to Eliminate the Office of Treasurer of State, House Paper 883, Legislative Document 1257, tabled on April 16 by the gentleman from Gorham, Mr. Sanborn, pending acceptance of either report.

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

Mr. ROWE: Mr. Speaker, I now move the acceptance of the Minority "Ought to pass" Report.

The SPEAKER: The gentleman from Madawaska, Mr. Rowe, moves that the House accept the Minority "Ought to pass" Report.

The Chair recognizes the gentleman from Bridgton, Mr. Haughn.

Mr. ROWE: Mr. Speaker and Members of the House: I now move indefinite postponement of this bill and all its accompanying papers.

The SPEAKER: The question now before the House is the motion of the gentleman from Bridgton, Mr. Haughn, that both reports be indefinitely postponed.

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

Mr. ROWE: Mr. Speaker and Members of the House: I want to say at the outset that there is nothing personal in my sponsoring this bill. I think that the present treasurer is a very fine and outstanding person and one whom I consider to be a friend. Secondly, I would like to say this: That at the beginning of handling this bill and doing some studying on it, I must admit that I was rather indifferent to its passage or non-passage, but as I went around and turning over one stone and looking under it and finding many surprising things, I became very vitally interested, and I would like to turn over to you House members my findings for your consideration and I know it will be your sincere judgment.

The history on the State Treasurer's Office and suggested changes begins away back in the early 1930's under the Republican Governor, William Tudor Gardiner, and a report that was made at that time by the State Administrative Consolidation in Maine was a report on the survey of the State Government conducted for the Governor at that time by the National Institute of Public Administration, New York, 1930.

On Chapter 3, Page 51 the Report had this to say concerning the De-

partment of Finance: "The Department of Finance should be the right hand of the Governor in managing the state's business. Its head, the Commissioner of Finance, should be appointed by the Governor with the advice of the Council and would serve at the pleasure of the Governor. He should be thoroughly qualified by training and experience to direct the financial affairs of the state government, which involve the annual collection and expenditures of moneys amounting to about \$25,000,000. The Department should be organized under the following bureaus:

1. Bureau of Accounts and Control, with a controller in charge;

2. Bureau of Purchases, headed by a purchasing agent;

3. Bureau of Taxation, with a director of taxation at its head;" and this is the important part here: No. 4, within the Department of Finance, the Report recommends: "Bureau of Treasury headed by a treasurer."

The report goes on: "Each bureau head should be thoroughly qualified to carry on the work of the bureau and should be a permanent state employee, not to be changed by each succeeding administration.

"The Department of Finance can be established by statute with all the major functions, except for Treasury, placed under it immediately. To put the Treasury under it will require a constitutional amendment. In the meantime the Treasury can be associated with the department to the extent of working out the proper fiscal procedure and installing a central set of accounts.

"The Bureau of Treasury should be set up under Department of Finance as soon as the constitution can be amended. It is necessary that the treasury be an integral part of this department and it cannot be made so without eliminating the treasurer from the constitution. The treasurer should be a permanent, full time employee."

Study No. 2 which was made on Report of the Citizen's State Government Committee to the Ninety-Sixth Legislature, Augusta, Maine, February, 1953, Page 4 and 5 had this to say:

In its summary of recommendations to the 96th Legislature the

Committee goes on and "Recommends favorable consideration for legislation which is being introduced and which would:

1. Expand the Department of Finance to a Department of Finance and Administration, including bureaus of Property and Treasury."

Continuing on Pages 5 and 6, the Committee recommended "To transfer the treasury from its present constitutional position to the status of a Treasury Bureau in the proposed Department of Finance and Administration. The treasurer would become an appointee of the Commissioner of Finance and Administration serving without definite term, instead of being elected every two years by a legislature. This would remove a troublesome duty from the legislature, and at the same time place a fiscal agency with other fiscal units where it logically belongs. As far back as 1930 the Code reports, recommended these changes."

The last study, Study Three, Organization of Administration of the Government of the State of Maine, which is a survey report by the Public Administration Service, Chicago, Illinois; submitted June 12, 1956, on Page 4 says this:

"The State Treasurer in Maine is a constitutional officer. He is elected biennially by joint ballot by the Senate and House of Representatives for a term of two years. His salary is set by law. The State Treasurer receives, maintains custody of and disburses funds of the state. Other functions of the treasurer are the investment of trust and regular funds in excess of immediate cash requirements; the execution of ministerial duties pertaining to bond issues; and the collection of departmental accounts receivable after such accounts remain uncollected for ninety days."

On Pages 59 and 60 they continue in their recommendation and say this: "The State Treasurer" should "be appointed by the Governor with the approval of the Council rather than elected by the Legislature and that his term of office coincide with that of the Governor. The routine functions of the Treasurer pertain essentially to that of a cashier and such being the case the office of the Treasurer might well be made

ultimately a component part of the Department of Finance and Administration."

Now, I had the privilege to spend, among other things that I did, one whole afternoon in the Treasurer's Office. They were very kind to me. We visited different parts of the Department, they showed me their functions and the Treasurer himself turned in to me this one page report here on the statement of his duties, and I would like to read these statements into the record here and then to analyze them.

The duties as listed by the present Treasurer of the State are: No. 1, Receipt and Custody of State Funds; The Custody of all Securities; Control of all State bank deposits; the Investment Officer for all securities; it says the Treasurer has full supervision of all bonds issued by the State covering preparing — sale — interest payments and payments at maturity; the collection of accounts; assessment and collection of Forestry Tax; the distribution of the Bank Stock Tax, Telephone Tax and Railroad Tax to towns; the distribution of money received from activity in the National Forest Areas; the distribution of payroll checks to departments and institutions; the transfer of unemployment benefit funds from the local bank to the trust fund in Washington, D. C.; the assessment of the State Tax.

Now, I have taken those duties and I would like to analyze them one by one, and I wonder if you will not agree with me, at least, in part of my judgment.

Concerning the receipt and custody of State funds, yes, it is true that the Treasurer does this and he does this with minor exceptions. He has also the custody of all securities, and he does this also. He controls all of the State bank accounts, a listed duty here. I would like to point out to the House members that what the Treasurer's office merely does here is he balances out disbursements as against cash in the bank, nothing more, nothing less, it is a simple bookkeeping job. The State Treasurer's Office, for instance, does not know what is disbursed or what is received, he merely handles balances. It is a simple bookkeeper's job.

The next listed duty, investment official of all securities, however, with exception this is not true. He must have the approval from the Governor and the Council and also from the Commissioner of Finance and Administration and/or the State Controller, and in some cases from other state officials as well. I would like to point out that in some instances this is tied up since the Treasurer does not know what money is for any particular department, he does not know what is surplus within any particular department, and he cannot on his own, without getting into very serious difficulties, invest or he could over-invest monies that he assumes that he has. And this has been done, I might point out, for instance, in the Highway Department where some several hundreds of thousands of dollars were tied up by the Treasurer assuming that there were surplus funds in that department which did not exist. The Department of Finance was contacted on this problem there, they bailed him out by borrowing from the General Fund.

The Treasurer's supervision of bonds to be issued. This is also another example of people sharing these duties. Approval must be made by the Governor and Council and they must be countersigned by the Commissioner of Finance and Administration. This is simply, I looked over the forms that are made there on issuing any type of a bond issue, it is a simple clerical job. The only problems that are involved in the bond issue is one makes the determination as to length of the bond issue, if it is going to be ten, twenty or twenty-five years and, No. 2 determination whether or not the bond is going to go out for bid or we will set the rate of interest at four or two and a half per cent. The rest of the decisions there that are made is a very type of a clerical nature of job.

Collection of accounts is another listed duty here. I would like to say more on that later, if I may.

The assessment and collection of the Forestry Tax. This is a function that belongs to the State Tax Assessor because this is a job which is already done in his office, and the only thing that the Treasury Depart-

ment gets is merely a statement of work which is already done.

The distribution of the Bank Stock Tax, these distributions again are prorated in the various committees under formula set by law. And the actual payments on this duty here is made by the Bureau of Accounts and Control.

The distribution of money from the National Forest Areas. This is a payment received from the National Parks once a year. The money is split up and payment approved by the Governor and Council and made to ten towns and counties.

The distribution of payroll checks. This is simply a distribution job here. The Treasurer, even his signature is placed there on the checks within the Department of Finance, it is purely a clerical job and it involves merely either different departments calling at his office after these bundles of checks are delivered from the Finance Department up to his office, and it involves merely the departments picking up these checks. The checks which are not picked up by the departments there are merely sealed in an envelope and sent to the person who they belong to.

The transfer of unemployment benefits from the local bank to the trust fund in Washington. This again, is only done with the advice of other people, and in particular, I am referring to the Maine Employment Security Commission.

The Assessment of State Tax. This is a duty, again, which belongs to the State Tax Assessor and the Board of Equalization.

In my own judgment, sincerely, I think that this bill to eliminate the Treasurer's Office really deserves serious consideration on your part. In any event I will trust your judgment as being the best we could make at this time. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Bridgton, Mr. Haughn.

Mr. HAUGHN: Mr. Speaker and Members of the House: First, I want congratulate the gentleman from Madawaska, Mr. Rowe, for his conscientious efforts, his fine presentation of his facts and thinking, but I still have to differ with him.

It is just one more move on the part of the Executive Department to

take over the legislative authority, to take away from us our prerogative to say who shall be treasurer of the State. He also expressed that it should coincide with the term of the office of Governor. The whole thing in itself points out, with the other bills that are pending, to give the Governor authority to appoint, the whole thing jells down to one thing, it is a party measure, at least from the aspects that have been presented by this gentleman, and I think, even though he has put in a lot of work and I admire him for his stand, I still will have to take the stand for indefinite postponement, and when the vote is taken I request a division.

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

Mr. MAYO: Mr. Speaker and Members of the House: I appeared before the Committee in opposition to this bill and I am still opposed to it for many reasons. As the gentleman from Bridgton, Mr. Haughn, has already said, it just takes away some of the privileges of the legislature. It is another one of those steps towards centralizing certain parts of our government. It takes away the check which the State Treasurer now has on certain finances in the State.

Another interesting part that came up in the hearing before the Committee was the question of one of the Committee members as to whether or not this was going to cost more money, and it was found out that this bill would cost the State more money. I think that is a definite thing that we should take into consideration at this time and I sincerely hope the motion of the gentleman from Bridgton, Mr. Haughn, prevails.

The SPEAKER: The Chair recognizes the gentleman from Bowdoinham, Mr. Curtis.

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen of the House: I have a great deal of respect for my good friend, the gentleman from Madawaska, Mr. Rowe. A great many times I vote with him, and I do not believe that he has presented this as a party measure. I believe that he thoroughly believes in it, although I believe he is dead wrong.

One of the things that he has stated is that the Treasurer has little or nothing to do, and the recommendations that he read, they wanted a man appointed by the Governor to do the same thing. Now, why I object to this thing in particular is that it will, as has been stated, just take from the people, and we here in this House and in the other body of this Legislature are the people. We are just their servants, we are here to represent the people.

Why I can't go along with this is that I cannot see why just one man, having been elected by the people, regardless of his party, why he should feel that he is better qualified or why anybody should feel that he is better qualified to pick the servants of the State than all of these 183 members or 184, whatever they are, elected by the people and elected every two years.

So, while I am very sorry to go against my good friend, the gentleman from Madawaska, Mr. Rowe, because I know he has put a lot of work in this, I believe he is interested, I know he is interested and I know he is sincere and I hope that the motion to indefinitely postpone does prevail.

The SPEAKER: The Chair recognizes the gentleman from Gorham, Mr. Sanborn.

Mr. SANBORN: Mr. Speaker and Ladies and Gentlemen of the House: The gentleman from Madawaska, Mr. Rowe, has given you a brief summary of the many, many duties that the Office of Treasurer performs. From the many, many duties that he performs you can see that it is a very important office. There is, however, a few items that he did not mention.

He did not mention that the Treasurer was able to turn in to the State last year an income of \$860,124 through investments of idle cash, which is rather a unique income as it does not come from taxation.

He mentioned about the Treasurer charged with the issuance of all State Bonds. He did not say that all of these, the preparation, printing, sales, delivery and payment of interest and principal was done without hiring any outside legal or other help.

State business has increased very materially. As an example, in 1947,

\$160,000,000 was handled through the Treasurer's cash book. Last year \$383,000,000 was handled. Yet the Office of the Treasurer has only one more clerk than he did in 1947. We are getting all of these services with only eight employees and at a cost of less than \$60,000.

Any good accounting officer will tell you that internal control in any business is a must. If you will pardon me, I would like to refer to my own personal business. My officer has set up an internal control system for me. The person that receives the money makes a record in duplicate of money received and then deposits the money in the bank. That person keeps a copy and gives a copy to the bookkeeper, who posts the credit to the accounts. The auditor states that under no circumstances should a person receiving money be allowed to post to the account currents.

The Treasurer's Office serves as a part of our system of checks and balances. I believe it should be continued as a separate department and not merged with any other department.

The SPEAKER: The Chair recognizes the gentleman from Bethel, Mr. Saunders.

Mr. SAUNDERS: Mr. Speaker and Members of the House: I think you have heard from a previous speaker that the State of Maine is certainly a big business. Most big businesses today, once in a while, have to have a point of reckoning. They need experts to come in and look their situation over and say look, aren't you getting just a little too big and a little too unwieldy.

The State of Maine today has over a hundred separate agencies, and in the past few decades you have seen this administrative sprawl grow and grow. The State of Maine is not alone in its possession of a governmental structure unfitted for present day management needs and objectives, or in its recognition of the fact that some revision of this structure is necessary. This bill is only one more bill which is intended for consolidation, which would help streamline our government and save the taxpayers a considerable amount of money.

According to the law one of the duties of our Treasurer is to collect

accounts receivable over ninety days old. Now, in the fiscal year ending June, 1955 the accounts receivable in the amount of \$108,000 were written off our books, they were not collected. The Treasurer has no field force for this sort of thing. His alternative is to place them in the hands of the Attorney General, and in that year only two accounts, just two, were turned over to the Attorney General for collection, and \$108,000 were written off the books.

Here then, very definitely, is a good indication where the duties of that office might well be taken up by another department in the State which has available office force to perform such duties and save the State many thousands of dollars. Thank you very much and I hope the motion of the gentleman from Bridgton, Mr. Haughn, does not prevail.

The SPEAKER: The Chair recognizes the gentlewoman from Rumford, Miss Cormier.

Miss CORMIER: Mr. Speaker, when the vote is taken I move that it be taken by roll call.

The SPEAKER: Is the House ready for the question?

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

Mr. ROWE: Mr. Speaker and Members of the House: I think there have been two points that have been brought up which I would like to speak on very, very briefly, if I may.

The number one point that was made was that elimination of the State Treasurer's Office would cost the State money. It would not cost the State money because in most cases, I think the logical recommendation would be to put these duties just where they belong so that in most cases they could be easily absorbed by the people that are already carrying on the work.

The second point that was brought up is that the State Treasurer's Office may be justified because since he is the controller he is part of our system of checks and balances in protecting the taxpayers' money. This is not true. And the most flagrant example brought to my knowledge that happened one time here in the State of Maine was the so-called "Runnells Case." It always has been purported by those

people who have argued against the elimination of the State Treasurer's Office that if it had not been for the State Treasurer's Office and his records existing at that time, that Mr. Runnells would not have been convicted for his crime of stealing from the State of Maine.

I have in my hands here a document called the "Report of Examination, State of Maine, June 30, 1939," a report from Ernst & Ernst, who was an auditing company. Now, I would like to read into the record here, if I may, some of the preliminary letters that were made by Ernst & Ernst to Governor Lewis O. Barrows at that time, and frankly I was floored, really, literally when I ran across this information here. The same situation exists today. My contention at this point is that the State Treasurer's Office is not a point of control.

To begin here, the letter is dated April 11, 1940.

"Hon. Lewis O. Barrows, Governor of the State of Maine.

Dear Sir:

"In our letter of April 9, 1940, we reported to you that checks issued in payment for inter-departmental charges had been cashed at the State Treasurer's office by William A. Runnells, former Controller. Several additional instances of these irregular transactions have been disclosed by our investigation since our previous letter to you. In every instance the checks were made payable to 'Treas. of State,' and underneath is designated the department to whose credit the check should be applied. A number of these checks are for substantial amounts, as one example of which we have a check dated April 24, 1939, for \$3,680.00. This check was cashed at the Treasurer's office by the former Controller, and the proceeds thereof are not accounted for. No satisfactory explanation has been made to us why the office of the Treasurer of State should cash checks made payable to the Treasurer of State and which should have been known to his office as transfers of funds between departments.

"We believe that we should at this time bring to your attention the fact that the principal active bank account which the State carries

in a local bank was not reconciled for the period from May 31, 1932, to December 31, 1938." A passage of six years. "There is an unreconciled difference, substantial in amount, in this account as of the latter date, which has not been adjusted on the books. A somewhat similar situation exists with respect to another account. We are informed that these facts were known in the Treasurer of State's office, to the State Auditor and to the Former Controller.

"This information is submitted in advance of our full report.

Very truly yours,

ERNST & ERNST"

That is letter No. 1.

Letter No. 2 goes on, April 17, 1940.

"Hon. Lewis O. Barrows
Governor of the State of Maine
Augusta, Maine

Dear Sir:

"In connection with our examination we are submitting herewith a partial list of checks drawn to the order of the Treasurer of the State, care Bureau of Accounts and Control, during the period from July 1, 1937, to March 31, 1940, which do not appear in the cash records maintained in the Treasurer of State's office as credits to the Bureau of Accounts and Control. We are informed that this type of Treasurer's check was customarily issued to cover inter-departmental charges. We have indicated on the attached schedule those checks which bear upon their face evidence of having been cashed. We have satisfied ourselves that the proceeds from none of these checks have been credited to the Bureau of Accounts and Control." They go on and they sign off again, Ernst & Ernst.

Just one or two other things, I am not going to read the whole report, but I think it is very, very pertinent to the point that is made here that the Treasurer's office is a point of control. My contention at this point is, and the evidence bears out, and the operations of the department here shows today that the Treasurer's office is not a point of control.

On Page 4 of the report they go on: "We were unfavorably impressed with the records in the Treasurer's office pertaining to tax accounts receivable committed for collection. It was apparent that trial balances had not been proved for several years and the State could have lost substantial amounts through irregularities or failure to follow and enforce collections."

I think it is a very simple matter of facing up to the data.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Bridgton, Mr. Haughn.

Mr. HAUGHN: Mr. Speaker, once again I want to compliment my friend, the gentleman from Madawaska, Mr. Rowe, on a fine presentation, but I still maintain the issue at stake is another thing to take the legislative halls away. You have got five or six bills here pertaining to the same subject, if they can't gain their objective through one method of a bill they will approach it with another.

As you gentlemen of the House know, and the Ladies as well, that we have heard this pro and con on all these political issues, and I think it is about time for a show-down and I think today should be one to prove a point, and I am glad to see the gentlewoman from Rumford, Miss Cormier, call for a roll call because I certainly approve of it, but I hope that the party members will consider this bill very well when they vote.

The SPEAKER: Is the House ready for the question?

The question before the House is the motion of the gentleman from Bridgton, Mr. Haughn, that both reports be indefinitely postponed on Resolve Proposing an Amendment to the Constitution to Eliminate the Office of Treasurer of State, House Paper 883, Legislative Document 1257.

The gentlewoman from Rumford, Miss Cormier, has requested a roll call. For the Chair to order a roll call the Chair must have an expression of the desire for a roll call from at least one-fifth of the members.

Will those who desire a roll call please rise and remain standing un-

til the monitors have made and returned the count.

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

Without objection, Mrs. Knapp of Yarmouth, who would have voted "yes", paired her vote with that of Mr. Stanley of Bangor, who would have voted "no" were he present and, therefore, was excused from voting.

The SPEAKER: The Chair will state the question. The question before the House is the motion of the gentleman from Bridgton, Mr. Haughn, that both reports be indefinitely postponed. If you favor indefinitely postponing both reports you will answer "yes", if you oppose the motion to indefinitely postpone you will answer "no". The Clerk will call the roll.

ROLL CALL

YEA — Baker, Baxter, Berman, Bragdon, Brockway, Brown, Bangor; Brown, Cape Elizabeth; Brown, Ellsworth; Call, Carville, Caswell, Chapman, Gardiner; Chapman, Norway; Choate, Christie, Clark, Cousins, Cox, Crockett, Curtis, Danes, Davis, Calais; Dean, Dennett, Dennison, Dodge, Dumaine, Dunn, Edgerly, Edwards, Stockton Springs; Emmons, Ervin, Frazier, Good, Hancock, Hanson, Bradford; Hanson, Lebanon; Harrington, Haughn, Hobbs, Hodgkins, Hughes, Hutchinson, Jewell, Jewett, Jones, Kennedy, Knight, Lindsay, Linnell, Maddox, Mathews, Mathieson, Mayo, Monroe, Moore, Morse, Parsons, Perry, Easton; Perry, Hampden; Philbrick, Pike, Rankin, Rollins, Rowe, Limerick; Sanborn, Shepard, Smith, Exeter; Smith, Falmouth; Storm, Treworgy, Trumbull, Turner, Wade, Walsh, Walter, Weston, Wheaton, Whiting, Whitman, Winchenpaw, Young.

NAY — Aliberti, Barnett, Boone, Briggs, Cahill, Cormier, Cote, Couture, Coyne, Cyr, Augusta; Cyr, Fort Kent; Davis, Westbrook; Desmarais, Dostie, Doyle, Dudley, Dufour, Dumais, Edwards, Raymond; Gallant, Harris, Healy, Hendricks, Hilton, Jacques, Jalbert, Johnson, Karkos, Kellam, Kilroy, Kinch, Lancaster, Lantagne, Lebel, Lemelin, Letourneau, Lowery, Maxwell, Miller, Nadeau, Pert, Plante, Porell,

Prue, Reed, Rowe, Madawaska; Russell, Saunders, Tardiff, Walls.

ABSENT — Bacon, Beane, Caron, Carter, Dow, Earles, Edmunds, Graves, Hardy, Heald, Hendsbee, Lacharite, Lane, Pitts, Stanley, Warren, Williams.

Yes 82, No 50, Absent 17.

The SPEAKER: Eighty-two having voted in the affirmative, fifty having voted in the negative, with seventeen absentees and one excused, the motion to indefinitely postpone does prevail.

Sent up for concurrence.

The SPEAKER: At this time the Chair would recognize the presence in the gallery of the House of a group of twelve girl scouts from Troop 5 of Thomaston, accompanied by their leaders, Mrs. Joseph Richards, Mrs. Clayton Staples and Mrs. Leroy Whitten. On behalf of the House, the Chair extends to you young ladies a most hearty and cordial welcome, and we hope you will enjoy and profit by your visit here today. (Applause)

The SPEAKER: The Chair now lays before the House the tenth tabled and today assigned matter, Bill "An Act Providing Mandatory Jail Sentence for Second Offense of Driving Under the Influence," Senate Paper 329, Legislative Document 905, tabled on April 16 by the gentleman from Bangor, Mr. Cousins, pending passage to be engrossed, and the Chair recognizes that gentleman.

Mr. COUSINS: Mr. Speaker and Ladies and Gentlemen of the House: The amendment which I have under preparation has to do with making certain that the effects of this bill will apply only after the effective date of the act. There is some question as to whether or not this is needed, and the Judiciary Committee has a copy of the proposed amendment as does the Deputy Secretary of State. I have not cleared it either way with those gentlemen, and I have no desire to do anything to harm this bill because I think the intent of it is fine. Therefore, I respectfully request permission to table this bill again until Thursday, April 23 of this week.