

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

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

Orders of the Day

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

SENATE REPORT — Ought to pass — Committee on Highways on Bill "An Act relating to Weight Tolerance on Building or Construction Materials" (S. P. 78) (L. D. 240) (In Senate, Report and Bill Recommended to Committee on Highways)

Tabled — February 12, by Mr. Shaw of Chelsea.

Pending — Acceptance in non-concurrence.

Thereupon, Report and Bill re-committed to the Committee on Highways in concurrence.

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

HOUSE MAJORITY REPORT (7)—Ought to pass—Committee on State Government on Resolve Proposing an Amendment to the Constitution Repealing the Provisions Which Establish the Treasurer of State as a Constitutional Officer (H. P. 14) (L. D. 14)—MINORITY REPORT (3)—Ought not to pass.

Tabled — February 13, by Mr. Rideout of Manchester.

Pending — Acceptance of either Report.

Mr. Rideout of Manchester moved the acceptance of the Majority "Ought to pass" Report.

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

Mr. DONAGHY: Mr. Speaker, I would like to speak in opposition to this motion.

The SPEAKER: The gentleman may proceed.

Mr. DONAGHY: Mr. Speaker and Ladies and Gentlemen of the House: I am opposed to L. D. 14 and I ask you to join me for two basic reasons. The first is that I formed certain judgments from the great publicity given the im-

portance of this office, the Treasurer, by the opposition party when the taxpayers were told that one Mr. Eben Elwell, was in effect the saviour of the treasury of the State of Maine. They said that he was not only saving money but was actually making money for the State. We all know that state funds are currently at an all time low, so I just don't see how I could be a party to doing away with a job that can make some money for the State.

Since being elected to this body and appointed to the State Government Committee, I have listened diligently in hearings and in my humble way done my homework, and so after hearing the arguments on this bill I have come to the conclusion that L. D. 14 would eliminate two checks and balances. It may be an over simplification, but as I see it, the Treasurer takes in the money and the Controller pays it out. Without collusion under the present system we have an accounting check. Finally, but in my opinion far from the least, the Treasurer is an appointee of the Legislature. If this bill passes, the Executive will be taking over another constitutional office, and when the Governor's Commissioner of Finance or one of his employees handles the duties of the Treasurer, what has happened to our check and balance between the Legislature and the Executive Department? Again I ask you to reject the Majority Report. Thank you.

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

Mr. SAHAGIAN: Mr. Speaker, I rise today to comment briefly on the bill now before you to abolish the State Treasurer office. The State Treasurer's Office, my comments are only this, that the office of State Treasurer is simply a bookkeeping department which should be incorporated into the Department of Accounting and Control. Ladies and Gentlemen, my purpose in introducing this bill is to help in some small way to build economy into State Government. This we can do if you will join me in supporting the motion made by the gentleman from Man-

chester, Mr. Rideout, in accepting the Majority "Ought to pass" Report. Thank you.

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

Mr. MARSTALLER: Mr. Speaker and Ladies and Gentlemen of the House: This being my first speech before this body, I am reminded of the advice the Deacon gave to a new Minister. He said: "Stand up so they can see you, speak up so they can hear you, and sit down so they can love you."

I've listened to the pros and cons on this issue in the State Government Committee, and I tried to do some homework on the outside. I visited the Treasurer's Office, I have talked to the Auditor, I have talked to a number of people about this bill. It seems obvious that the Treasurer does have a function. Now this function could be taken over by the Department of Finance. We are told that it would save some money, but in my inquiry, I haven't really come up with this saving. It would seem that if the personnel in the Treasurer's Office and the function of the Treasurer was taken over by the Department of Finance, this would probably mean an addition to the Department of Finance, and therefore any alleged saving would go down the drain. It probably would mean that we might even add a couple of people to the Department of Finance. It wouldn't be the first time that we exchanged one job for two or two jobs for one.

The State Auditor seems to feel that we need to have a check and balance in this department, and I agree with Mr. Donaghy that we need to do this and, by just abolishing the Treasurer's Office, we will lose this check and balance.

Also, if we follow this thinking to its conclusion and say that we do not need a check over a department, we have many other departments in this state that are quite self-sufficient and they would say, well, we don't need the check of the Legislature or we do not need some other check, and they would say that they could handle both their incoming and outgoing funds as well as the Department of Fi-

nance. I hope you will vote no on this motion, and I ask a division of the House.

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

Mr. DENNETT: Mr. Speaker and Members of the House: I rise in support of the motion made by the gentleman from Manchester, Mr. Rideout.

When the rain falls, it falls on both the just and the unjust. If we seek economies in State Government, unfortunately many times the rain must fall upon our friends. For many, many years the position of the constitutional office of State Treasurer has long been regarded as a superfluity of Government. I do not under any circumstances wish to go into any personalities. I think in every instance we have had fine men as Treasurer of the State of Maine.

However, I still regard this office as superfluous. It involves a number of thousands of dollars which eventually by dispensing with this office could be saved for the people of the State of Maine. I believe very strongly the hour has come when we must consider some degree of economy. I firmly believe that this can be effected without impairing the operation of State Government in the least.

Unfortunately, I am forced to reject the argument of my colleague on the Committee of State Government, Mr. Marsteller. I no doubt feel that he feels very strongly toward the retention of this office, and I feel opposite. I feel that now the time has come for the Legislature to speak and to attempt to effect some economies. I do not think that we are impairing in the least our system of checks and balances. I would remind everyone that this is a Constitutional Amendment and it must be further acted upon, and I would ask you this morning to go along with the motion made by the gentleman from Manchester, Mr. Rideout, in accepting the Majority Report.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Manchester, Mr. Rideout, that the House accept

the Majority "Ought to pass" Report on Resolve Proposing an Amendment to the Constitution Repealing the Provisions Which Establish the Treasurer of State as a Constitutional Officer, House Paper 14, L. D. 14. The Chair will order a vote. All of 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.

98 having voted in the affirmative and 31 having voted in the negative, the motion did prevail, and the Resolve was read once and tomorrow assigned for second reading.

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

HOUSE JOINT ORDER reissuing in a Corporate or Company Name Specially Designed Number Plates (H. P. 714)

Tabled—February 18, by Mr. Ross of Bath

Pending—Passage.

The Joint Order received passage and was sent up for concurrence.

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

HOUSE REPORT—"Ought not to pass"—Committee on Education on Bill "An Act Permitting John F. Kennedy College to Award Degrees" (H. P. 114) (L. D. 130)

Tabled—February 18, by Mr. Richardson of Stonington.

Pending—Acceptance.

The SPEAKER: The Chair recognizes the gentleman from Fort Kent, Mr. Bourgoïn.

Mr. BOURGOÏN: Mr. Speaker and Members of the House: I wish to call to your attention that there is a need for this small college on the St. John River. The State College does not have a course in liberal arts. This small college does not cost the State one cent, where we are asked for a very high budget for the University of the State of Maine. It is very discouraging to the people that start those small colleges that they cannot get even a small moral support from the State at no expense. Thank you.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: This morning I will be brief speaking as a Representative in the area on the John F. Kennedy College and I am not going to try to circumvent the action taken by the Committee which is a unanimous "Ought not to pass" Report, but only to remind the members of the House that there was distributed on your desks this morning a resume provided by the college for your reading if you so desire.

Another comment that I would like to make, as Mr. Bourgoïn, the Representative from Fort Kent stated, this type of college is very much needed in our State, although the time is not now to try to grant a degree by the college because of the hardship that they are having financially and otherwise. As Mr. Bourgoïn has pointed out, this type of school is costing the State of Maine no dollars and cents, and the students that have attended the college, whether day students or night students, have reported to me that the amount of education that they have received from the John F. Kennedy College was absolutely outstanding for that type of school.

Now granted, the time may not be right for the State to grant degrees or authorize John F. Kennedy College to grant degrees, and I will buy that Committee Report which is unanimous, the time may not be just right, but only to point out the fact that there is a need for this type of college, and I think we should encourage this type of college and help them to prosper for years to come, and then maybe we can see by their progress and their financial well standing that they can provide this type of service to students that will attend these colleges. Thank you.

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

Mr. ROSS: Mr. Speaker, I would just like to pose one question through the Chair to the gentleman from Madawaska, Mr. Levesque. Who was it that actually prepared the statement that he mentioned?