

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Third
Legislature*

OF THE

STATE OF MAINE

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**KENNEBEC JOURNAL
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lished for many years that the police power of the State in such matters is not confined to the professions such as law and medicine, but also to other professions we go into, most every profession in the State of Maine, and certainly the accounting profession should not be excluded. It is a very fine profession and it has people in it who are qualified and competent and they want to keep the continual upgrading of this association.

I certainly must agree that this bill does not make all the members of the Public Accountants' Association happy, nor does it make all the members of the C.P.A.'s happy, but a high majority of each favors its enactment. At least for the first time these two organizations have come to somewheres near a common ground. So, Ladies and Gentlemen of this House, let's get this law regulating accountancy on the books; then it can be amended as may be required. If we do not take some action now, it may be years before there can exist an agreement that is anywheres near mutual as far as the compromise this bill presents.

This is needed state regulation, the culmination of hard work by both these competent organizations. We now have a single bill that is acceptable although not perfect. The report of the Committee is unanimous. Let's follow their respected opinion. Laws have been enacted in thirty-seven jurisdictions regarding accountancy practice. Why should the State of Maine be last? I ask for your support on this measure.

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

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

An Act relating to Guides Under Fish and Game Laws (H. P. 353) (L. D. 500)

Tabled—May 12, by Mr. Jannelle of Scarborough.

Pending — Passage to be enacted.

Thereupon, passed to be en-

acted, signed by the Speaker and sent to the Senate.

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

Resolve to Reimburse Marguerite Spohrer of York for Well Damage Resulting from Use of Salt on Route 1 (H. P. 93) (L. D. 121)

Tabled—May 12, by Mrs. Fuller of York.

Pending—Final Passage.

On motion of Mrs. Fuller of York, retabled pending final passage and specially assigned for Thursday, May 18.

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

HOUSE REPORT—Ought Not to Pass—Committee on Education on Bill "An Act Providing an Education Loan Fund for the Higher Education of Teachers" (H. P. 626) (L. D. 882)

Tabled—May 12, by Mr. Shute of Farmington.

Pending—Motion of Mr. Pendergast of Kennebunkport to substitute Bill for Report.

Thereupon, the Bill was substituted for the "Ought not to pass" Report and given its two several readings and assigned for third reading tomorrow.

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

Bill "An Act Increasing Minimum Wages" (S. P. 48) (L. D. 38) (In Senate, passed to be engrossed as amended by Committee Amendment "A" (S-68))

Tabled—May 12, by Mr. Birt of East Millinocket.

Pending — Passage to be engrossed.

On motion of Mr. Soulas of Bangor, the House voted to suspend the rules and to reconsider its action of May 5 whereby Committee Amendment "A" was adopted.

The same gentleman then offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S. P. 48, L. D. 38, Bill, "An Act Increasing Minimum Wages."

Amend said Amendment by striking out all of the last line and inserting in place thereof the following: "and punctuation **nor to hotels, motels, restaurants and other eating establishments**"

House Amendment "A" to Committee Amendment "A" was adopted.

Thereupon, Committee Amendment "A" as amended by House Amendment "A" thereto was adopted.

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

Mr. EWER: Mr. Speaker, I move that L. D. 38, as amended by House Amendment "A" to Committee Amendment "A" be passed for engrossment.

The SPEAKER: The Chair recognizes the gentleman from Rockland, Mr. Huber.

Mr. HUBER: Mr. Speaker, am I in order to make an amendment to this bill?

The SPEAKER: An amendment is in order.

Mr. HUBER: I offer House Amendment "A" to L. D. 38 and move its adoption and I would like to speak briefly to it.

The SPEAKER: The gentleman from Rockland, Mr. Huber, now offers House Amendment "A" and moves its adoption. The Clerk will read the amendment.

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

HOUSE AMENDMENT "A" to S. P. 48, L. D. 38, Bill, "An Act Increasing Minimum Wages."

Amend said Bill by inserting after the enacting clause the following:

'Sec. 1. R. S., T. 26, §663, sub-§3, ¶1, **additional**. Subsection 3 of section 663 of Title 26 of the Revised Statutes, as amended, is further amended by adding a new paragraph L to read as follows:

'Any individual employed by any retail or service establishment, except an establishment engaged

in laundering, cleaning or repairing clothing or fabrics or an establishment engaged in the operation of a hospital, institution or school, if such establishment has an annual dollar volume of sales which is less than \$250,000, exclusive of excise taxes at the retail level which are separately stated. A retail or service establishment shall mean an establishment 75% of whose annual dollar volume of sales of goods or services, or of both, is not for resale and is recognized as retail sales or services in the particular industry.'

Further amend said Bill by inserting at the beginning of the first line the underlined abbreviation and figure 'Sec. 2.'

The SPEAKER: Is it now the pleasure of the House that House Amendment "A" be adopted, and the gentleman may proceed.

Mr. HUBER: Mr. Speaker and Members of the House: About a week and a half ago I expressed my opinion on this bill and also indicated there would be two or three amendments offered in an effort to make it a little bit more palatable and this one, House Amendment "A", is in addition to the state law including exemptions. It is taken from the Fair Labor and Standards Act, the Federal law, and it exempts any retail service store doing a gross business of less than \$250,000 a year. This is designed precisely to lend some aid and assistance to the small businessmen in the State of Maine and the exemption as we say, the \$250,000 exemption is part of the Federal law and it would seem very appropriate to the State of Maine with the small population and the small communities and the small businessmen who are active.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. D'Alfonso.

Mr. D'ALFONSO: Mr. Speaker and Members of the House: I would have you consider very seriously this particular amendment in which we would exclude establishments in businesses doing a gross business or thereabouts of less than \$250,000. This is certainly a very broad category to include within the bill whereby a business would be excluded from the mini-

mum wage provisions. I cannot buy it. This would effectively destroy the intent of the legislation to raise minimum wages of all employees that we desire to have come under the minimum wage laws.

The amendment if adopted I think would be a nightmare as far as being administratively put into use. For these two good reasons, I can't see any valid reason why we should adopt an amendment that would effectively destroy our desire to raise the minimum wages of the employees in this state and therefore I urge you to defeat this particular amendment.

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

Mr. HARRIMAN: Mr. Speaker and Members of the House: Before I speak for this amendment I want to make it perfectly clear that this amendment means absolutely nothing to me in my business, as I am covered under the Fair Labor Standards Act and have been since its inception.

I am for legislation that helps the small businessman such as the corner store operator, the small bakery shop, the variety store, the people with a low volume of business, and who in many instances work many hours, and I mean sixty-five and seventy hours a week, to get enough profit to support their family and on an hourly basis many times get less per hour than their employees. You may well ask, why do they go into or stay in this type of business?

There are many answers. If you are young, you hope some day to build your business up big enough for yourself and for your family. If you are older, you want to be able to operate your business at a profit and live out your life with dignity and self-respect. But regardless of your age and the size of your business through it all runs the pride of ownership.

The Minimum Wage Law as it now stands on our books reads as follows: "Employees employing four employees or more in any day of the week are subject to this chapter for that week and in the count of employees there shall

be included all employees including those otherwise exempt under section 663."

Now many people believe, and possibly some of the members in this House believes, that this law means that only those employers who have four or more employees on their weekly payroll are subject to minimum wages. This is not so.

If I as an owner have one regular employee on a weekly basis and I hire because of weekend traffic three extra people for one day, I am covered because I have had more than four employees on one day of the week. If the business is a family corporation, although the owner or the manager may own the majority of the stock he is counted as an employee, and if he hires two extra people besides his regular employee for a busy week, he is under the minimum wages for that week. There is no doubt in my mind but that many small businessmen are breaking the law today, because they do not have a correct interpretation of the same.

There are only 24 states in these United States that have statutory rates for minimum wages, and only four states and the District of Columbia as of February were the only ones that had rates higher than our State. Alaska has \$1.75; Massachusetts \$1.40; New York \$1.50 and New Jersey \$1.25, and I guess we all admit the last three have a much greater density of population than the State of Maine. I think the reason the rates are lower in most states is because they realize the problems of the small businessmen and are trying to protect them.

I do not believe there could be many valid objections if we had the same minimum wage rates that are spelled out in the Fair Labor Standards Act or if our present law specified that those employers employing four people or more on a weekly basis were subject to the Minimum Wage Law, provided we had the same exemptions as the Federal law. As our present law is not written on this basis, why should we not make our law compatible with the Fair

Labor Standards Act which exempts those doing less than \$250,000 a year, and in which there is a bill going to be put in the House to exempt them up to \$500,000?

The Federal Government recognizes the problem of the small businessman; why should we in a sparsely-settled state have laws restricting the small businessmen? Why should the small businessman who has troubles galore in his business, have to worry about two different regulations? In a year from now everyone doing over \$250,000 per year will be covered or exempted by the Fair Labor Standards Act.

Now I think this is a good amendment. I think it helps the small independent businessman who gradually through laws and regulations is being forced to close up his shop and go to work for the big fellow.

Let's not make the large larger as we've been doing for the last ten years and enact legislation that will eventually force the small businessman out entirely. It was private enterprise that made this country and made this state great. Let's not kill off initiative, enthusiasm and hard work, or do anything to the hopes and dreams of all the hard-working businessmen that some day they may be known as one of the big fellows. Let's give them at least a fighting chance to succeed, and I hope we pass this amendment.

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

Mr. HINDS: Mr. Speaker and Members of the House: I have always felt since the time I served in the Maine Legislature that all our citizens, or all our working citizens should be covered by a minimum wage. I never found any reason to exempt any classification, and I served on the Labor Committee in the 101st session of the Legislature, and personally I feel that anyone working a 40 hour week should at least be entitled to \$1.50 an hour—that's only \$60 a week. We all know what it costs us to live, and even though many of these people have to live in perhaps a less luxurious manner,

I feel that we owe the people of the State of Maine a decent minimum wage, and I move indefinite postponement of House Amendment "A."

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. D'Alfonso.

Mr. D'ALFONSO: Mr. Speaker and Members of the House: This bill, this amendment, I venture to say has nothing to do with freedom of enterprise, with the ability of a person or persons to engage in a business profitably. I don't know for sure the number of businesses in this state that do less than \$250,000 gross business within the year, but I would hazard a very valid guess that the majority of businesses in this state do less than \$250,000 of gross business, which means that if we were to adopt this particular amendment we would be excluding from the minimum wage provisions the majority of people who work for the majority of establishments doing less than \$250,000 gross business. Do we want to do this?

Are we in favor of applying the minimum wage laws and standards to all the people, or are we to engage in a practice whereby we start to exclude so many people, so many establishments, that we effectively destroy the intent and purpose of the legislation? I do not think that this Legislature or any legislature has in mind at any time to actually make a majority of the people of this state non-recipients of the benefits that this Legislature can pass on to them, and in this particular case, minimum wages.

Think it over very carefully. Are we going to provide for all of the people that which is due them, or are we going to practice something that only benefits just a few? Please do not accept this amendment.

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

Mr. NADEAU: Mr. Speaker and Members of the House: How many of us that do accounting work come across the person, he may be a small businessman, and you see in his books, and I'm not referring

to those that I've done, but things that I have heard, where they've gotten rid of this person and that person because he was just about to be covered by the law—he would have to pay unemployment, he would have to do these things.

I rise in support of Mr. D'Alfonso in hoping that you people will not accept this amendment, and hope that you will realize also that there are many abuses and it is done in this wonderful State of Maine. Must we forget that this low per capita amount that is said so in Maine is under \$2800, and if this per capita tax is this low, which is stated that this is a true figure, this amendment certainly is going to keep it lower. Now these same people that will not be covered, they are raising a family, they are trying to send their children to school, they're trying to buy all the necessary things of life, and I feel they should earn a decent living wage, and be able to feed and upkeep their family, and I hope you will defeat this amendment.

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

Mr. HARRIMAN: Mr. Speaker and Members of the House: I would just like to make these comments—comments of reply to the gentleman from Portland and the gentleman from Sanford.

There is such a thing in this world as supply and demand. In the labor market right now it's got more demand than it has supply. If this bill was passed, there would not be very many businesses make it, because if a man has a profitable business of any size he wants the best help that he can get and he expects to pay them an adequate wage.

In reply to — I might cite an experience in my own business. I started out in 1959—1954, it was 1959 before I made any money in the business, but in 1956 when prices were a lot lower than they are today I did over \$249,000, my employees all ate and got a fair wage, but I got 49 cents for my salary. Now there isn't many people that go in business and live on 49 cents—I happen to have a little left.

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

Mr. JALBERT: Mr. Speaker and Members of the House: In supporting the action of the gentleman from South Portland, Mr. Hinds, supported by the gentleman from Portland, Mr. D'Alfonso, it might be noted that the 103rd a few weeks ago adopted the philosophy as brought forward by the Legislative Research Committee of \$1.60 an hour for all state employees. I should think on that basis that we'd go along with killing this amendment and go with the philosophy of \$1.40 and \$1.50 an hour. This vote was unanimous in its recommendation by the Research Committee — there was not one voice raised in opposition to it.

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

Mr. ROSS: Mr. Speaker and Members of the House: A few years ago, as a member of the other body, I sponsored the first Minimum Wage Law. Today I feel just exactly like the gentleman from South Portland, Mr. Hinds.

Basically I think that all persons should be covered. Already we have too many exemptions in the law, and this one would cut the teeth right out of the minimum wage law and I also favor the indefinite postponement.

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

Mr. JALBERT: Mr. Speaker, I ask for a roll call.

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

Mr. EWER: Mr. Speaker and Members of the House: The previous speakers in opposition to this amendment have covered everything that I was going to say except one point. And that is this—here in Maine we have two kinds of labor, labor with a capital "L" and labor with a small "L". Labor with a capital "L" is represented by the Unions; while they're not as strong as they might like to be, yet they are able to exert some economic force on behalf of their membership. But the men with the

small "L", unrepresented by any group or anybody but themselves, is up against quite a proposition. He is the one that this minimum wage bill is designed to help.

We're only referring to section 664, not to 663 or any other section of the bill when we consider this. Thank you.

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

Mr. BIRT: Mr. Speaker and Members of the House: In the last Legislature, the 102nd, I was one of the sponsors of the present Minimum Wage Law. At that time it was written into the law a minimum factor of four employees, anybody employing more than that was covered by the minimum wage law. It would be my belief that this would be a much more satisfactory approach than attempting to do it on the volume of business; it is much more easily able to police, and I would hope that this amendment would be indefinitely postponed.

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

Mr. LEVESQUE: Mr. Speaker and Members of the House: I think probably that this amendment here this morning that we have is something that is quite questionable by all factors. You will find that in some business if they are doing a \$250,000 business a year the percentage of return is one thing. You find in another business and if they make a \$4,000,000 a year business, their margin of return is slightly different. So I don't see where this \$250,000 a business comes into the picture as a business that is either going to survive or going to die. Certainly it's just a matter, a question of whether it's a profitable business or not a profitable business, and certainly they should not be eliminated under the minimum wage of our state that these employees that are on it have to work in these establishments will certainly receive a fair amount of return for their labors. So I am in support of the motion to indefinitely postpone this amendment.

The SPEAKER: The pending question is the motion of the gentleman from South Portland, Mr. Hinds, that House Amendment "A" be indefinitely postponed. 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 of those desiring a roll call will vote yes, 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 the motion of the gentleman from South Portland, Mr. Hinds, that House Amendment "A" be indefinitely postponed, to L. D. 38. All of those in favor of indefinite postponement of House Amendment "A" will vote yes, those opposed will vote no, and the Chair opens the vote.

ROLL CALL

YEA — Allen, Baker, E. B.; Baker, R. E.; Bedard, Beliveau, Benson, Berman, Binnette, Birt, Boudreau, Bourgoïn, Bragdon, Brennan, Buck, Bunker, Burnham, Carey, Carrier, Carroll, Carswell, Champagne, Conley, Cornell, Cote, Cottrell, Crockett, Crommett, Curran, Cushing, D'Alfonso, Danton, Darey, Dennett, Dickinson, Driogtas, Dudley, Dunn, Eustis, Evans, Farrington, Fecteau, Fortier, Foster, Fraser, Fuller, Gaudreau, Gauthier, Gill, Giroux, Harnois, Harvey, Hawes, Healy, Henley, Hennessy, Hinds, Hodgkins, Humphrey, Hunter, Immonen, Jalbert, Keyte, Kilroy, Lebel, Levesque, Lewin, Littlefield, Lowery, Maddox, Martin, McMann, McNally, Minkowsky, Mosher, Nadeau, J. F. R.; Nadeau, N. L.; Pendergast, Philbrook, Pike, Porter, Prince, Quinn, Richardson, G. A.; Richardson, H. L.; Rideout, Robertson, Robinson, Rocheleau, Ross, Roy, Sawyer, Scott, C. F.; Scribner, Shute, Starbird, Sullivan, Susi, Tanguay, Thompson, Townsend, Watts, Wheeler, White, Wood.

NAY — Belanger, Brown, Clark, Crosby, Drummond, Durgin, Ed-

wards, Hall, Hanson, B. B.; Hanson, H. L.; Hanson, P. K.; Hariman, Haynes, Hewes, Hichens, Hoover, Huber, Jameson, Jannelle, Jewell, Kyes, Lewis, Lincoln, Lycette, Meisner, Quimby, Rackliff, Scott, G. W.; Shaw, Snow, P. J.; Snowe, P.; Soulas, Trask, Waltz, Wight, Williams.

ABSENT — Bernard, Bradstreet, Cookson, Couture, Ewer, Miliano, Noyes, Payson, Sahagian, Truman.

Yes, 104; No, 36; Absent, 10.

The SPEAKER: One hundred and four having voted in the affirmative and thirty-six in the negative, the motion to indefinitely postpone House Amendment "A" does prevail.

It is now the pleasure of the House that this bill be passed to be engrossed as amended?

Mr. Huber of Rockland 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. 48, L. D. 38, Bill, "An Act Increasing Minimum Wages."

Amend said Bill by striking out everything after the amending clause and inserting in place thereof the following:

§ 664. Compliance required

By reason of the declaration of policy set forth in section 661 and in the protection of the industry or business and in the enhancement of public interest, health, safety and welfare, it is declared unlawful for any employer to employ any employee except as otherwise provided in this subchapter at the rate of less than \$1.15 \$1.40 per hour for one year starting October 15, 1965 January 1, 1968 and thereafter \$1.25 \$1.50 per hour; nor work more than 48 hours in any one week, unless 1½ times the regular hourly rate is paid for all work done over 48 hours in any one week. Except that on October 15, 1965 1967 to October 15, 1966 January 1, 1969, those employees in a nursing home or employees in a hospital shall be paid at a rate of no less than \$1 \$1.25 per hour. From October 15, 1966 January 1, 1969 to October 15, 1967 January 1, 1970 they shall be paid at a rate

of no less than \$1.15 \$1.40 per hour and thereafter at a rate no less than \$1.25 \$1.50 per hour. The overtime provision of this section shall not apply to the canning, processing, preserving, freezing, Rackliff, marketing, storing, packing for shipment or distribution of herring as sardines, of perishable foods, of agricultural produce, and meat and fish products, nor to the canning of perishable goods, nor to nursing homes and hospitals.'

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

Mr. LITTLEFIELD: Mr. Speaker and Members of the House: This bill came out of committee without amendments, passed without amendments in the other branch, and I believe the Department of Labor and Industry is against the change of time and the change of dates. I would move to indefinitely postpone House Amendment "C".

The SPEAKER: The question now before the House is the motion of the gentleman from Hampden, Mr. Littlefield, that House Amendment "C" be indefinitely postponed.

The Chair recognizes the gentleman from Rockland, Mr. Huber.

Mr. HUBER: Mr. Speaker and Members of the House: House Amendment "C" changes the effective date, the change date for your minimum wage to January first rather than October 15. As I pointed out the other day, the date of October 15 begins now to affect your municipal employees and your municipal budget. I don't know that this makes an awful lot of difference at the present moment, but as we continue more and more to add municipal employees under the Minimum Wage you're going to find your budgets up some considerably on the home front because this is the date that goes into the law book.

Now how it started that way I don't know, but I certainly think that now is the perfect time to change to January first rather than October fifteenth. Of course when you're talking municipal wages, I think the only ones you have professionally under the Minimum Wage municipalities are

the firemen. However, this of course when you raise anybody's minimum wage you are affected by the other employees also who are asking for percentage increases along the same way. And I don't know about the Department of Labor and Industry, but I do think that we make the decisions here and if the effective date January the first appeals to the majority of us why that's what it ought to be.

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

Mr. NADEAU: Mr. Speaker, for those who do not have the amendment in front of you, I would just like to point out a couple of things. He has crossed out in one area here where they are supposed to start October 15, '65 and he has in it January 1, 1968; and another spot in this amendment he goes on from October 15, 1966 and he puts in January 1, 1969. Mind you, how are these people going to live in that period of time when everything else goes up? Please defeat this amendment.

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

A vote of the House was taken.

94 having voted in the affirmative and 40 having voted in the negative, the motion prevailed.

Thereupon, the Bill was passed to be engrossed as amended by Committee Amendment "A" as amended by House Amendment "A" thereto in non-concurrence and sent up for concurrence.

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

Resolve Permitting R. Dean Seguin of South Paris to Take the Examination for Admission to Practice Law (H. P. 514) (L. D. 727) (In House, passed to be en-

grossed) (In Senate, indefinitely postponed in non-concurrence)

Tabled—May 12, by Mr. Hewes of Cape Elizabeth.

Pending—Further consideration.

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

Mr. BERMAN: Mr. Speaker, I move that the House recede for the purpose of considering an amendment which has been some time in preparation.

The SPEAKER: The gentleman from Houlton, Mr. Berman, moves that the House recede from its action whereby this bill was passed to be engrossed. Is this the pleasure of the House?

The motion prevailed.

Mr. Berman of Houlton then offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 514, L. D. 727, Resolve, Permitting R. Dean Seguin of South Paris to Take the Examination for Admission to Practice Law.

Amend said Resolve by striking out all of the Title and inserting in place thereof the following:

'An Act Relating to Qualifications of Applicants for Examination for Admission to Practice Law.'

Further amend said Resolve by striking out everything after the Title and inserting in place thereof the following:

'Be it enacted by the People of the State of Maine, as follows:

R. S., T. 4, §804, amended. The 2nd paragraph of section 804 of Title 4 of the Revised Statutes is amended by adding after the first sentence, a new sentence, as follows:

Notwithstanding the foregoing educational and study requirements, an applicant who is a permanently physically handicapped individual as generally defined in Title 20, section 2053, subsection 3, or who suffers from polio or other similarly disabling disease and who has a high school education or possesses a certificate of equivalency of a high school education and who has studied law diligently and in good faith for at least 4