# MAINE STATE LEGISLATURE

The following document is provided by the

LAW AND LEGISLATIVE DIGITAL LIBRARY

at the Maine State Law and Legislative Reference Library

http://legislature.maine.gov/lawlib



Reproduced from scanned originals with text recognition applied (searchable text may contain some errors and/or omissions)

## LEGISLATIVE RECORD

OF THE

## One Hundred And Fifteenth Legislature

OF THE

## **State Of Maine**

## **VOLUME VI**

### **SECOND REGULAR SESSION**

House of Representatives March 10, 1992 to March 31, 1992

Senate January 8, 1992 to March 9, 1992 Excused. 1.

108 having voted in the affirmative and 16 in the negative with 24 absent, 2 paired and 1 excused, the Majority "Ought to Pass" Report was accepted, the bill read once.

Committee Amendment "A" (S-640) was read by the

Clerk and adopted.

Senate Amendment "B" (S-657) to Committee Amendment "A" (S-640) was read by the Clerk and adopted.

Committee Amendment "A" (S-640) as amended by Senate Amendment "B" (S-657) thereto was adopted.

Under suspension of the rules, the bill was read a second time, passed to be engrossed as amended by Committee Amendment "A" (S-640) as amended by Senate Amendment "B" (S-657) thereto in concurrence.

At this point, the Speaker resumed the Chair.

The House was called to order by the Speaker.

#### Non-Concurrent Matter

Bill "An Act to Amend the Laws Governing Construction of Utility Lines" (EMERGENCY) (H.P. 1726) (L.D. 2417) which was passed to be engrossed in the House on March 12, 1992.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" (S-668) in non-concurrence.

The House voted to recede and concur.

The following item appearing on Supplement No. 2 was taken up out of order by unanimous consent:

#### REPORTS OF COMMITTEES

### **Divided Report**

Majority Report of the Committee on State and Local Government reporting "Ought Not to Pass" on RESOLUTION, Proposing an Amendment to the Constitution of Maine to Reduce the Size of the House of Representatives (H.P. 1660) (L.D. 2337)

Signed:

Senator:

**BUSTIN** of Kennebec

Representatives:

WATERMAN of Buxton GRAY of Sedgwick LARRIVEE of Gorham JOSEPH of Waterville KILKELLY of Wiscasset HEESCHEN of Wilton

Minority Report of the same Committee reporting \*Ought to Pass\* as amended by Committee Amendment "A" (H-1173) on same Resolution.

Signed:

Senators:

EMERSON of Penobscot BERUBE of Androscoggin

Representatives:

NASH of Camden SAVAGE of Union LOOK of Jonesboro

KERR of Old Orchard Beach

Reports were read.

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Joseph. Representative JOSEPH: Mr. Speaker, I move that the House accept the Majority "Ought Not to Pass" Report.

Mr. Speaker, Members of the Maine House of Representatives: If I were representing the City of Waterville only, I could have voted for this piece of legislation. However, I was trying to look at the broader picture and I felt that it was important for me to look at this and my decision was to vote "Ought Not to Pass" for there were more questions than answers. My questions were, why should we be doing this? If this is based on population, what does that mean to the rural areas of the state? Does this save money? Will this require more staff? What about accessibility of individual Representatives? What about the size and the role of Joint Standing Committees? Looking at the facts and the comparison of other states, what does this mean? I believe that Maine people have a bargain in the Maine House of Representatives and I urge you to accept the Majority "Ought Not to Pass" Report.

The SPEAKER: The Chair recognizes the Representative from Augusta, Representative Lipman.

Representative LIPMAN: Mr. Speaker, Ladies and Gentlemen of the House: The people in the State of Maine want an opportunity to decide how large a House of Representatives they want to have. The cost of the legislature in 1981 was \$4 million. Today it is around \$14 million. The Special Government Commission on Governmental Restructuring met, it was supposedly a nonpartisan or bipartisan commission, they came back and recommended changing the size of the legislature, reducing the size. We have had editorials from the Maine Sunday Telegram and other newspapers recommending that we reduce the size of the legislature. Why are we afraid to give the people the opportunity to decide if they want to reduce the size of the legislature? We are not being asked to reduce the size, we are only asking to give the people the opportunity to vote on it. That is what this bill proposes to do.

I urge you to vote against the Majority "Ought Not to Pass" and vote for the Minority "Ought to Pass" so the people in Maine will have a chance to choose what type and what size legislature they wish to have.

Representative Martin of Eagle Lake 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 more than one-fifth of the members present and voting. Those in favor will vote yes; those opposed will vote no.

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

ordered.

The SPEAKER: The Chair recognizes the Representative from Waldo, Representative Whitcomb. Representative WHITCOMB: Mr. Speaker, Men and

Women of the House: It is not my intention to extend the hour of the day but only to respond to a comment made by the good Representative from Waterville in regard to her personal concern about the rural areas of the state. As one who represents a very rural district, I think it concerns me and I only want to clarify that we do have the ability to communicate to each other, with each other in the rural areas of the state. The size of the Maine Legislature was established when ox carts were the primary means of communications in rural parts of the state but that has improved significantly. We have every means of mass communications and the ability to represent a larger representative district.

I urge the defeat of the pending motion and then

accept the Minority Report.

The SPEAKER: The Chair recognizes the from Frenchville, Representative Representative Paradis.

Representative PARADIS: Mr. Speaker, Men and Women of the House: Living in Augusta, I probably would strongly support this bill but living in the northern most district, 300 miles from here, having to drive many, many miles for many hours from one end of my district to the other, this would be impacting negatively on our rural status. It is not by accident that we have the House size that we have. We are far away, we have large distances and that is why I am opposing this bill.
The SPEAKER: The

The Chair recognizes

Representative from Waterboro, Representative Lord.
Representative LORD: Mr. Speaker, I would like

to pose a question through the Chair.

I understand that Massachusetts reduced the size of their House from 240 down to 160. By doing this, I would like to know how much expense did they save or did it cost them more?

The SPEAKER: Representative Lord of Waterboro has posed a question through the Chair to any member

who may respond if they so desire.

The Chair recognizes the Representative from Gorham, Representative Larrivee.

Representative LARRIVEE: Mr. Speaker, Men and Women of the House: I don't know the answer Women of the House: I don't know the answer specifically to your question, Representative Lord, but I would add that the Restructuring Commission, when they made the recommendation about looking at reducing the size of the House, added two other suggestions to that and that is first the understanding that there would not be a savings. There would be a need for additional staff people in order to handle the needs and additional money to order to handle the needs and additional money to Representatives to take care of the size of their constituency. So, as a matter of cost savings, the Commission did not recommend this issue as a way to cut down on cost.

I think it is important for us to think about whether the people in the State of Maine want to be represented by an elected official or whether they want that work and that representation done by additional staff.

The SPEAKER: The Chair recognizes Representative from Lisbon, Representative Jalbert.

Representative JALBERT: Mr. Speaker, I would like to pose a question. We were given a sheet here with some sizes of the national legislatures - does

anyone have the salaries that go with the states that have smaller numbers, what each member of the legislature gets?

Representative Jalbert of Lisbon The SPEAKER: has posed a question through the Chair to any member

who may respond if they so desire.

The Chair recognizes the Representative from

Waterville, Representative Joseph.

Representative JOSEPH: Mr. Speaker, Members of the House: I don't have a salary scale but I can tell you that in one of the smaller legislatures in the country, the salary in New York State is \$57,500. If you are a Chair of a Joint Standing Committee, then you are paid \$3,500 more. If you are Committee, then you are paid \$3,500 more. If you are a member of a committee, you are paid \$3,000 more. Also in the State of New York, \$100,000 is paid to their members for staffing allowances. So, in many cases, there are smaller legislatures for larger states but in all cases, the salaries are greater.

The SPEAKER: The Chair recognizes the

Representative from Portland, Representative Adams.

Representative ADAMS: Mr. Speaker, Men and Women of the House: Referring to the query posed by Representative Lord of Waterboro, I would point out that having just returned from a conference with several Representatives from the State of Massachusetts, this is how that state's representation breaks down. Each state legislator in Massachusetts, who is the equivalent of our Representative, each State Representative represents 38,000 constituents. Each State Representative receives \$30,000 a year and each State Representative has one personal aide who works only for that Representative who is paid \$28,000 a year. I did not deal with many state Senators because they don't come to conferences from Massachusetts, they represent about 138,000 constituents apiece and receive weekly about \$500 constituent account.

The SPEAKER: The Chair recognizes Representative from Madawaska, Representative McHenry. Representative MCHENRY: Mr. Speaker, Ladies and Gentlemen of the House: Those people who advocate reducing the number of Representatives in the House of Representatives are the very same people who wish to influence the legislators. The lobbyists would love to see a reduction of the House. They would love to see a real, real reduction where they wouldn't have to lobby so many people. That is why I would be for a unicameral body because then we would give those lobbyists a heck of a hard time earning their money, they would pull their hair out.

Just driving my district at the speed I am supposed to be driving, it takes me a whole day just driving my district. So, ask my people that I represent if they are over-represented. I assure you the answer is no. If anything, we should be adding

more representation for our people, not less.

It is like I said, those people who wish to influence this body who are not elected would love to see us be reduced.

The SPEAKER: The Chair recognizes the Representative from Wiscasset, Representative

Kilkelly.

Representative KILKELLY: Mr. Speaker, Ladies and Gentlemen of the House: To respond to some of the issues that were raised earlier about communications - as one who represents a semi-rural part of the state, I certainly do believe that our communication systems has gone beyond ox carts but I don't think that the main issue behind this is communication, it has to do with policy. The concern is that if the rural areas are not represented by a significant number of people, then many of the policy decisions we made with an urban intent, and that may be all well and good, but what we found a lot of times with rural areas is that our problems need to fit into urban solutions and that has been a real problem both for the state as well as rural areas.

I was talking to a friend of mine who serves in the North Dakota House a few days ago and he was saying that North Dakota had recently reduced the size of their House by ten seats. Nine of those seats, as it turned out, ended up being rural seats so there was an absolute condensing of power within

the urban areas away from the rural areas.

I have five towns in my district. To increase my district by a third wouldn't be that significant, it might be a couple of towns. I am really concerned about the folks that do have 17 or 18 or more towns in their district and increasing that as the previous speaker said would mean having difficulty in a whole day of getting around the district. I would also be concerned that if someone wants to call their legislator now, they can call us at home or call us here and generally catch up with people. But, to have folks try to call a person in the Maine House of Representatives and to have to first work through a staff person and a secretary and several other folks, I think would be distancing ourselves very much away from our constituents.

I would certainly urge you to accept the Majority

"Ought Not to Pass" Report.

The SPEAKER: The Chair recognizes Representative from Houlton, Representative Graham.

Representative GRAHAM: Mr. Speaker, Men and Women of the House: I would just like to make one point. It has been brought up that we ought to let the people of Maine decide about this issue. I would remind you of the remarks of Professor Charlie Colgan at the State/Municipal Summit when he was discussing the need for regional approaches to economic development in the state. He made the observation that Maine consists of about 500 municipalities which is one of the highest ratios of the number of communities to the population in the entire country. I think the fact that the people like it that way in the State of Maine, that they are comfortable with it, that they are not combining all of their small towns into one larger community, has already spoken to this issue. They like small, they like town meetings, they like to have a small number of constituents to their Representatives. I think that is very important to remember.

The SPEAKER: The Chair recognizes the Representative from Harpswell, Representative Coles.

Representative COLES: Mr. Speaker, Ladies and Gentlemen of the House: I, like you, have read all these editorials and other articles urging us to reduce our size. I am particularly struck by the comparison with California. They said if we were to do what California does, if we were to have districts their size, we would have a legislature consisting of two Senators and five Representatives. I really doubt if that is what the people of this state want.

More importantly, a lot of these editorials and other people have said it will make this body more efficient but they have never said how it is going to make it more efficient. I have observed, along with many other veterans, the other body, and I am not casting aspersions on them, but I have noticed they

are remarkably more efficient than this body. I haven't noticed that it takes them any less time to debate an issue than this body. I haven't noticed anything in fact which suggests that efficiency is going to be changed one way or another by the size of this body.

The final point I want to make is the point which none of the editorial writers have made, not one article I have read on the subject has discussed and that is how well does the Maine Legislature serve the people of Maine compared to other small legislatures serving their states. If the people of California are so satisfied with a small legislature serving their state, why are there dozens and dozens and sometimes more than 100 initiatives on the ballot every year in California? Why in fact do they feel compelled to bypass their legislature if it is so efficient and serves them so well? If we want a legislature where we have to spend — incidentally in Calfornia it can cost up to \$2 million to run for the legislature -- do we really want a state where we have to start raising large amounts of money on behalf of our elected representatives? Do we want a state where our people feel compelled to bypass the legislature dozens of times a year because in fact the legislature is so unresponsive? The key issue is not size, the key issue is not how much it costs per capita, the key issue is how good a job does a legislature do in representing the interests of the people of its state.

SPEAKER: The The Chair recognizes Representative from Augusta, Representative Lipman.

Representative LIPMAN: Mr. Speaker, Ladies and Gentlemen of the House: I realize the evening is getting late, we have been here a long time and I will be very brief.

If we say the people of the State of Maine don't want it, many of you have excellent arguments and reasons not to decrease the size of the legislature, I say to you if in fact that is true, then the public will vote it down. But, the public indicates whether it is by polling, by editorials whatever means that they wish to reduce the size of the legislature. They are the ones that should be given the opportunity. Our constitution can only be amended by allowing us to give them the opportunity to vote.

ask you to give the public that chance.
The SPEAKER: The Chair recognizes Representative from Waterboro, Representative Lord.

Representative LORD: Mr. Speaker, My Learned Colleagues: I hate to get up at this late hour, I am getting kind of hungry myself, but I must.

First of all, if this ever goes into effect, I am

going to be long gone so it isn't going to affect me one way or another. I feel as a Representative of small communities that the smaller communities are

going to suffer and suffer very badly.

Another thing, I think the people of the state have a misconception about is that if you reduce the size of the legislature, you are going to save a lot of money. I think it has been proven that is not true. I think nobody knows what we have to contend with until you get elected here. They really don't know the time you put in. For a while, things will go along fine. I didn't have much constituent work but now that things are really bad, I have got a lot of constituent work and I represent the fourth largest district in the state now, I represent pretty close to 11,000 people. But we are willing to do it.

Another thing, they talk about what it cost ten

or twelve years ago and what we are doing now. If you remember ten or twelve years ago, all your lobbyists were writing all your bills, you didn't have your Revisors Office down there, you didn't have the legal aides that we have, this all costs money. It is service to the people. Now, do you want to go back to that system? I don't think anybody wants to go back to that system and I am going to vote for the Majority "Ought Not to Pass" Report.

The SPEAKER: The Chair Representative from Caribou, Representative Bell.

Representative BELL: Mr. Speaker, Ladies and Gentlemen of the House: I think our forefathers when they designed representation for the state, when you consider the size of the state, that way you could have representation from all corners. Aroostook County is bigger than the State of Rhode Island. I know we don't have the population but the way the legislature is now designed, every corner of our state has representation. I think those of you who are now representing an area, you will have to admit that your people contact you from time to time. If you had a larger area, they would have a harder time to get ahold of you compared to what they do now.

What I would like to point out, there has been comparison to the cost of the legislature in 1981 and today — I would ask you to compare the cost of your school budget in 1981 to today, the cost of operating a supermarket and the wages that you pay in 1981 and today and I think you will find that the comparisons in costs are because of the times that we are in. We

shouldn't blame that on the legislature.

SPEAKER: The Chair recognizes Representative from Biddeford, Representative Sheltra.
Representative SHELTRA: Mr. Speaker, Ladies and Gentlemen of the House: I believe I will echo the thoughts of Representative McHenry because I firmly believe in a unicameral form of government. If you think back of the hours that we have spent waiting for the other body to act on legislation, where we would be milling around in the hallways waiting for something to happen, plus the printing of all these amendments that go back and forth and back and forth and also the lobbying as Representative McHenry noted, that it is a lot easier to lobby a smaller body like the other body than it is to lobby a larger body like ours is so consequently I think we would be saving millions of dollars by having the one House and sticking to that type of government.
The SPEAKER: The Chair re

The Chair recognizes the Representative from Waldo, Representative Whitcomb.

Representative WHITCOMB: Mr. Speaker, Men and Women of the House: It seems to me that the arguments used against this bill are arguments drawn from a number of quarters. The good Representative from Madawaska talked about the configuration of his district — the configuration of districts is done through the redistricting process. If districts were shaped like pencils, it is done for a reason for one party or another and it does not necessarily have to do with the number of people each district contains.

It is interesting for me to note that it is only the rural areas that are being described as the losers in a reduction in the size of the legislature and yet portions of the state also losing population are the urban centers. There is a shift in the way the Maine people are finding places to live and it is

not just out of the rural areas.

A discussion was made about the need to increase staff — that is a decision of any future legislature to make on its own. The Maine Senate chooses to operate with less staff than the House of Representatives partly because there are fewer people to serve within the confines of its body. discussion was made of other states but there is very little correlation between the amount of money paid and the size of the legislature. Look at the lists that were conveniently provided by the Representative from Westbrook — New Hampshire with the largest legislature has the lowest cost per legislator. New York, which I believe was described by the Representative from Waterville is one of the largest legislatures and also one of the most expensive. Hard to draw a correlation.

The arguments against and the resistance to change are expected but I think that you need to recognize that many of you are already representing districts that are no larger in population than the one being proposed by many of these various suggestions.

The SPEAKER: The Chair recognizes The SPEAKER: The Chair recognizes the Representative from Portland, Representative Manning.

Representative MANNING: Mr. Speaker, Ladies and Gentlemen of the House: I wasn't going to speak on this but the more I heard talk about this, the more I wanted to talk about what I got this afternoon and that was the latest cost of what it takes to lobby the Maine Legislature. I don't believe the figures, I think some of the lobbyists have been kind of fudging on their figures. Last year's figures show that the Maine Lobbyists spent \$2,747,000 to lobby us. I think the Representative from Augusta talked about a \$15 million dollars budget, that is for 186 of us, but the lobbyists spent \$2,747,000 to lobby us. The reason why I asked this is because, earlier in the year a bunch of us were at the Greater Portland Eggs and Issues Program and one of the questions was, why don't you reduce the size of the House? The good Representative from South Portland, who as we all know isn't running again, got up and said, "I will answer that because I am not running." He explained that the lobbyists would actually control the House so the lobbyists who is out there probably right now comes up to me a little later and said, "You know what you really need to do, you need to cut down the size of the staff." That's it, ladies and gentlemen, we will cut down the size or the staff. I am looking at my good friend from Waterville and I will bet you that he would never give up the staff that he has got on the Energy and Natural Resources Committee. I can tell you that the staff, and I have praised that person for the last two years, Paul Saucier in my committee, Julie Jones who backed him up and I would put those people up against any lobbyist in the state. That is what the lobbyists want, they want to run this legislature

Earlier a good Representative talked about who really ran the legislature, we all know who ran the legislature, it was the lobbyists. \$2,747,000 and I believe when you get this list, you will say, "Wait a minute, this can't be right because there are some people here who were here for a solid six months and are only putting down for \$5,000. I would like to know what they were doing the other part of the year. I think this is really underinflated and I think if we go along with this, the lobbyists of this state have got just what they want. They are going to cut down the size of the staff, cut down the size of the legislature and the lobbyists — look at it, \$2,747,000, that's what it costs.

The SPEAKER: The Chair recognizes the Representative from Wells, Representative Carleton.

Representative CARLETON: Mr. Speaker, Ladies and Gentlemen of the House: I do apologize for rising but I would like to explain to the House my reason

why I am going to vote for this bill.

There is a public perception out there that we all in this House have a self-interest in not letting the public vote on this bill. Whatever the reality is, the public that I have talked with all have this opinion that we are never going to allow the people to vote on this bill because even though we sometimes wonder why we are here or why we want to be here, the public perceives that we want to be here and they have the perception that we are never going to allow the people to vote on whether or not to reduce the size of the legislature. I think for us not to let the people vote is going further increase the cynicism that people have about our legislature. There is nothing wrong with having the people vote on this issue, let the people decide.

The SPEAKER: The Chair recognizes the Representative from Thomaston, Representative Mayo.

Representative MAYO: Mr. Speaker, Ladies and Gentlemen of the House: In a couple of months, I will be celebrating my 9th anniversary in this chamber. When I came here almost nine years ago, I came here deciding that I was going to vote my conscience and not vote for expediency, not vote based upon public opinion but to do the right thing. I have tried the best I could over those nine years to do that. Many of you will remember in my early days that I brought several bills to the floor, 12 to I reports, I think I gave a few extra gray hairs to my good friend, the Representative from Old Town, Representative Cashman, in bringing those 12 to I report. They were important to me and were a matter of principle. I didn't care about the public opinion, either inside or outside of this legislature.

I heard a previous speaker talk about the public opinion that the people don't believe this legislature is serving their interests — ladies and gentlemen of this House, that public opinion has been created, I believe in some ways, systematically by misinformation. I am as deeply concerned about that as I am concerned about anything that we face in this legislature. There isn't a day that doesn't go by that I hear someone say to me, "How many checks did you bounce?" The Maine Legislature doesn't have its own bank so obviously I didn't bounce any checks; here again, created by misinformation.

How many letters to the editor have I read about the Maine House granting itself a pay raise in the middle of the night? How many times have we all seen that? Here again, created by misinformation. The Maine House obviously did not grant itself a pay raise this term, that pay raise bill passed in 1989. Many of you weren't even here to vote for it. I was and I voted for it. I stood for reelection in between. The Constitution of the State of Maine requires that a election intervene in between a raise

in our pay.

There is a constant misconception out there about the size of our staff. The Maine Legislature has the 42nd smallest staff of the 50 states in this country. We are 38th in population. I was happy to hear the good Representative from Augusta had corrected his figures because I remember reading an article he had written, a letter to the editor, where

he talked about the cost of the Maine Legislature as \$18 million dollars. It is only about \$14 million dollars this year. The cost has risen steadily over the years, that's correct. It wasn't so long ago, as people have pointed out, that the lobbyists did write every bill that this legislature read and passed. Is that what the people of this state want? I don't think so.

Yes there is a misconception out there in the public but we don't compound that misconception by feeding on it. That is not what we were elected here to do, we were elected here to use our minds and to

vote our consciences.

I had a very dear friend who came to this legislature the same year that I did, we both went to school together, he was Representative Jeff Mills, he is leaving this legislature voluntarily after one term in the other body. I helped him campaign the first time he ran. I will never forget that experience because it was a great experience. I had only been in the legislature, elected in May, he was elected in a Special Election in November. His district is huge in area, 19 towns, about the size of Rhode Island. Let's reduce the size of the House, what size is that district going to be? What demands are going to be placed upon the person who occupies that seat?

No, ladies and gentlemen of this House, this bill is not the solution to the woes of this state. It won't solve any problems, it won't even save any money in the long run, as has been pointed out so let's not simply play the public opinion because that is the thing everybody wants to do, let's use our minds and let's do what we were elected to do, represent the people of the state, not follow them.

The SPEAKER: A roll call has been ordered. The pending question before the House is the motion of the Representative from Waterville, Representative Joseph, that the House accept the Majority "Ought Not to Pass" Report. Those in favor will vote yes; those opposed will vote no.

### ROLL CALL NO. 377

YEA - Adams, Bell, Cahill, M.; Clark, H.; Coles, Constantine, Daggett, Dore, Duffy, Erwin, Farnsworth, Farnum, Gean, Goodridge, Gould, R. A.; Graham, Gray, Hale, Hichborn, Hoglund, Hussey, Jacques, Jalbert, Joseph, Ketover, Ketterer, Kilkelly, Larrivee, Lemke, Lord, MacBride, Manning, Martin, H.; Mayo, McHenry, McKeen, Melendy, Michaud, Morrison, Murphy, Nadeau, Nutting, O'Dea, O'Gara, Oliver, Paradis, J.; Paradis, P.; Pines, Pouliot, Powers, Reed, W.; Ricker, Rotondi, Ruhlin, Rydell, Saint Onge, Simpson, Skoglund, Strout, Swazey, Tammaro, Tardy, Townsend, Treat, Vigue, The Speaker.

NAY - Aikman, Anderson, Anthony, Ault Bailey.

NAY — Aikman, Anderson, Anthony, Ault, Bailey, H.; Bailey, R.; Barth, Bennett, Butland, Carleton, Carroll, D.; Carroll, J.; Cathcart, Clark, M.; Cote, DiPietro, Donnelly, Duplessis, Farren, Foss, Garland, Greenlaw, Gwadosky, Hanley, Heino, Hepburn, Kerr, Kontos, Kutasi, Lawrence, Lebowitz, Libby, Lipman, Look, Luther, Marsano, Marsh, Merrill, Michael, Mitchell, E.; Mitchell, J.; Nash, Norton, Ott, Pendexter, Pendleton, Plourde, Poulin, Reed, G.; Richards, Richardson, Salisbury, Savage, Sheltra, Simonds, Small, Spear, Stevens, A.; Stevens, P.; Stevenson, Tracy, Tupper, Waterman, Wentworth, Whitcomb.

ABSENT - Aliberti, Boutilier, Bowers, Cashman,

Chonko, Crowley, Dutremble, L.; Gurney, Handy, Hastings, Heeschen, Hichens, Holt, Macomber, Mahany, Parent, Paul, Pfeiffer, Pineau, Rand.
Yes, 66; No, 65; Absent, 20; Paired, 0;

Excused,

66 having voted in the affirmative and 65 in the negative with 20 being absent, the Majority "Ought Not to Pass" Report was accepted. Sent up for concurrence.

By unanimous consent, ordered sent forthwith to the  $\mbox{\it Senate.}$ 

On motion of Representative Dore of Auburn, Adjourned at 9:53 p.m. until Tuesday, March 24, 1922, at nine o'clock in the morning.