

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Eleventh
Legislature***

OF THE

STATE OF MAINE

Volume I

FIRST REGULAR SESSION

December 1, 1982 to May 13, 1983

States and appropriate officials of Immigration and Naturalization and Custom Services of the United States to reverse any plans to close the border station at Coburn Gore in Franklin County, Maine and to consider the great hardship on people of this area that will result should that station be closed; and be it further;

RESOLVED: That copies of this Memorial, duly authenticated by the Secretary of State be transmitted forthwith to the Members of the Maine Congressional Delegation and the appropriate heads of Immigration and Naturalization and Custom Services of the United States.

Was Read and Adopted and sent up for concurrence.

House Reports of Committees Unanimous Leave to Withdraw

Representative Higgins from the Committee on Taxation on Bill "An Act to Reduce Driver's License and Registration Fees and to Increase the Tax on Motor Vehicles" (H. P. 355) (L. D. 413) reporting "Leave to Withdraw".

Representative Soule from the Committee on Judiciary on Bill "An Act Relating to Abortions in the Third Trimester" (H. P. 171) (L. D. 201) reporting "Leave to Withdraw".

Representative Foster from the Committee on Judiciary on Bill "An Act Relating to Abortion by Saline Injection" (H. P. 108) (L. D. 115) reporting "Leave to Withdraw".

Representative Racine from the Committee on Business Legislation on Bill "An Act to Provide Access to Insurance Rate Filings before a Rate Filing Becomes Effective" (H. P. 1077) (L. D. 1431) reporting "Leave to Withdraw".

Were placed in the Legislative Files without further action pursuant to Joint Rule 15 and sent up for concurrence.

Divided Report

Majority Report of the Committee on Education reporting "Ought to Pass" as amended by Committee Amendment "A" (H-177) on Bill "An Act to Create a Student Seat on the Board of Trustees of the University of Maine" (H. P. 24) (L. D. 29)

Report was signed by the following members:
Senators:

CLARK of Cumberland
HAYES of Penobscot
— of the Senate.

Representatives:
BROWN of Gorham
CROUSE of Washburn
RANDALL of East Machias
BOTT of Orono
LOCKE of Sebec
MATTHEWS of Caribou
THOMPSON of South Portland
— of the House.

Minority Report of the same Committee reporting "Ought Not to Pass" on same Bill.

Report was signed by the following members:
Senator:

HICHENS of York
— of the Senate.

Representatives:
MURPHY of Kennebunk
SOUCY of Kittery
SMALL of Bath
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Sebec, Mrs. Locke.

Mrs. LOCKE: Mr. Speaker, I move acceptance of the Majority "Ought to Pass" Report.

The SPEAKER: The gentleman from Sebec, Mrs. Locke, moves that the House accept the Majority "Ought to Pass" Report.

The gentleman may proceed.

Mrs. LOCKE: Mr. Speaker, Men and Women of the House: This bill would provide for a student member on the Board of Trustees of the University of Maine with full voting rights. The student member would be appointed by the

Governor for a term of two years. The Governor would make the selection from a list of five students submitted to him or her by the University of Maine Organization of Student Government and would not be chosen from the same campus in any two consecutive terms.

Students eligible for consideration would be enrolled full-time in the University of Maine system and be a permanent resident of the state.

After considerable consideration, the majority of the Committee on Education felt that since there are consumer members on almost all, if not all, state boards and commissions, that a student would add much insight to the deliberations of the University of Maine Board of Trustees. It would only seem right that this bill be given a vote of "Ought to Pass" by this Legislature.

The SPEAKER: The Chair recognizes the gentleman from Kennebunk, Mr. Murphy.

Mr. MURPHY: Mr. Speaker, Men and Women of the House: This bill is an old chestnut that returns back to this chamber every two years.

The Board of Trustees is the governing board of the University of Maine system. They represent all the citizens of the State of Maine. Presently, interested citizens submit their names to the Governor's Office for posted vacancies. A student may submit his or her name for consideration and possible appointment. The names and backgrounds are thoroughly reviewed and only then does the Governor post his or her nomination for public hearing and confirmation. Whatever happened to appointing the best person? Let any interested person submit his or her name and compete for the vacancies. Students can and should submit their names.

This bill is a beginning of a quota system for that board. If you vote for this bill today, then we had better draft legislation to define by quota each seat on that board by age, sex, occupation or geographic area. If you vote for this bill today, then you should be consistent and return back to your local community and begin working to create a student seat on your local school board, appoint high school students, maybe even then the demand would be for junior high students or elementary students to serve on that local board, but please be consistent.

The major weaknesses within this bill are, first of all, the student trustee is only appointed for two years as opposed to the other trustees whose term is seven years. Past and present trustees have told us that it takes at least two years to become familiar with the complex duties of that position.

The student trustee will represent only one of the university campuses; the other campuses will be unrepresented. The meeting schedule is weekdays and it takes place rotating at the various campuses. Good attendance on the part of the student trustee could possibly create a conflict with that student's academic schedule.

To summarize, the Governor, according to this bill, would have to appoint from a list of five students. If none of the five are acceptable to the Governor, the Governor would still have to appoint from out of those five names that have been submitted. The other 14 trustees are posted by the Governor, reviewed in public hearing by the Legislature's Education Committee and then confirmed by the Legislature; it is open to public light.

This whole process that is contained within this proposed L. D. is completely contrary to Maine's sunshine law. It restricts the appointive power to the Governor and it removes the review and confirmation of the Legislature. It is an absolutely foolish bill and I would urge you to defeat the "ought to pass" motion.

The SPEAKER: The Chair recognizes the gentleman from Westbrook, Mr. Day.

Mr. DAY: Mr. Speaker, Ladies and Gentlemen of the House: For five years I was a member of

the Maine Advisory Council on Vocational Education. Federal law specifies who shall serve on that council and the council had a student member during those five years. The attendance record by students was absolutely terrible and they rotated, of course, because the VTI's were only two-year schools and in some cases some students were appointed who were were at the VTI for one year. When they left school, of course they went off the board.

When one goes on a board, as Representative Murphy has said, it takes a little while to learn the ropes; therefore, on the basis of the experience that I have seen on a board for our VTI's which encompassed the whole state from Presque Isle to South Portland, and geographical location was another reason why the students couldn't attend—to come from the VTI at Machias, I believe, wherever it is, that student had a terrible time getting there to go to a meeting in Presque Isle or Bangor or South Portland.

I would urge that you not vote for this proposal to have a student on the board of trustees.

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

Mr. HANDY: Mr. Speaker, Men and Women of the House: There are those here that say that a student member may need time to get acquainted with the way that the board of trustees operates. I submit to you that the logic that would go into the selection of those appointees would be first the selection of five candidates, five qualified candidates by the University of Maine Organization of Student Government, and then by the Governor. In both of these steps, the students would be looked at and evaluated as to what they can contribute.

Having been a product of the University of Southern Maine and proud of it, knowing that there are many students appointed to a variety of committees within the university system, I served on probably two of the busiest committees at the University of Southern Maine, the President's Advisory Committee on the Budget, as well as the Disciplinary Committee. I did a four-year degree program in two years, so I would submit to you that that also makes me carry an even heavier load than the average student, and I fulfilled all those duties with all the verve and vigor of any of the individuals that currently serve on the Board of Trustees and would submit that a student serving on the Board of Trustees could provide valuable incite. Keep in mind that students participate in university activities on a daily basis and they are more able to recognize those situations and those problems that do cut across all campuses and would be best able to relate those to the members of the Board of Trustees as full voting members.

I think it is kind of strange to equate local school boards with the University Board of Trustees; however, I would suggest that there is at least one community in the state that has student directors on their high school board of directors, student representatives on the board of directors of their high school.

The caliber of students that we have at our universities for the most part are of high quality and I believe that they deserve representation on the Board of Trustees so our university system may meet the high standards that they set for themselves.

The SPEAKER: The Chair recognizes the gentleman from Orono, Mr. Bost.

Mr. BOST: Mr. Speaker, Ladies and Gentlemen of the House: I rise this morning to speak in favor of L. D. 29, "An Act to Create a Student Seat on the University of Maine Board of Trustees." This by no means is a unique or uncommon idea. The precedent has already been set in colleges and universities across the nation. A precedent has also been set in Maine with Governor Curtis' appointment of a student to the board in his first term. The student was

Stephen Hughes, who later became a member of this Legislature.

This position would provide direct input to the Board of Trustees which finds itself often removed from the actual educational process and I believe would offer a most valuable perspective, that of the consumers of education.

Through input from a student member, the distance the board may have from the real teaching and learning experience would be significantly narrowed. There is also a provision in the bill to require a frequent turnover of this position so that a student does not grow old on the job.

Initially, the Board of Trustees were resistant to the idea, but after living with the concept for awhile, they are now most receptive.

I think it makes good sense to provide for student participation on the board which determines educational policy and direction. We will all be the beneficiaries from this additional perspective. This does not imply that the door be opened to every interested party in the state as Representative Murphy has implied. This opens the door for participation by those who are directly affected by the board's decisions.

I urge that you accept the Majority "Ought to Pass" Report.

The SPEAKER: The Chair recognizes the gentlewoman from Cape Elizabeth, Mrs. Masterton.

Mrs. MASTERTON: Mr. Speaker, Ladies and Gentlemen of the House: My husband served on the Board of Trustees a few years ago, and for those few years of his service, the university was very much a part of our everyday life. At that time, there were several trustee committees on which students served that have been mentioned. He was extremely impressed with the input of those students into the policymaking that takes place at the committee level. Serving in the Legislature here, we know that that is where the policymaking really begins, in the committees.

At the time my husband served on the board, having a student on the board was an issue and it has been an issue ever since I have served in the Legislature. This bill is what I would call an old chestnut and I urge you to defeat it today.

The SPEAKER: The Chair recognizes the gentleman from Eastport, Mr. Vose.

Mr. VOSE: Mr. Speaker, I would like to pose a question through the Chair, if I may, please? Can the President of the Student Senate be a resident of Massachusetts? If so, then could the President of the Student Senate, according to this bill, not be allowed to serve on the Board of Trustees?

The SPEAKER: The gentleman from Eastport, Mr. Vose, has posed a question through the Chair to any member who may respond if they so desire.

The Chair recognizes the gentleman from Lewiston, Mr. Handy.

Mr. HANDY: Mr. Speaker, Members of the House: First of all, I would say that the student member on the Board of Trustees that would be selected would have to be a resident of the State of Maine, and that is one of the strongest points that I wanted in this bill.

The SPEAKER: The Chair recognizes the gentleman from Kennebunk, Mr. Murphy.

Mr. MURPHY: Mr. Speaker, Ladies and Gentlemen of the House: In response to the question posed by Mr. Vose and having followed very closely the numerous debates that have occurred on this floor with various election law proposals, I think we are aware of the fact that all one has to do on election day or at the time you register is just declare that you are a citizen of the state.

The SPEAKER: The Chair recognizes the gentleman from Washburn, Mr. Crouse.

Mr. CROUSE: Mr. Speaker, Men and Women of the House: I strongly support L. D. 29. A consumer of education would support the perspective necessary on a board responsible for

the policy that that student lives by. A representative board is essential to define the educational needs of our Maine students. A student on the board, for instance, would have accelerated the implementation of a uniform transfer of credits policy within the University of Maine system. The transfer policy was delayed by at least four years because of the lack of input by the University of Maine students that was being heard by the unfair transfer of credit policy.

What has happened in the seven campuses in the University of Maine system, a lot of the students that transferred from the branch campus to the University of Maine at Orono lost credits when they transferred, a very serious issue for those students transferring to the University of Maine at Orono. They were paying for those credits and once they transferred, they lost those credits because of the feeling of Orono that they were the best institution, they offered the best faculty, they offered the faculty with the most degrees and that type of background, so we had a real problem with the transfer of credits within the University of Maine system. Only as a result of the Legislature this session passing An Act to Make Uniform the Transfer of Credits did this go through.

Without the student perspective on the Board of Trustees and a voting student on the Board of Trustees, this policy was delayed and moved very slowly on by the board because of the lack of input, the lack of voting rights by this particular student on the Board of Trustees. That is a very serious concern of mine. A lot of the trustees have been removed from the system for such a period of time they don't really get a feel for what is going on in the present day environment on campus. So it is essential that a student be on the Board of Trustees, present their feelings about athletic policies, present their ideas about other policies that are decided by the Board of Trustees such as the student conduct code, so it is very important that a student be on the board.

I urge you to support the Majority "Ought to Pass" Report in this particular bill.

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

Mr. SOUCY: Mr. Speaker, Ladies and Gentlemen of the House: I rise as a Representative who signed the "Ought Not to Pass" Report. Proponents today make it sound like the students have no voice whatsoever in helping to determine policies for advising and that is not true. It is my understanding that there is at least one representative from every campus whose expenses are paid to the meetings dealing with trustees and their agendas.

I submit that they do have an opportunity to have input. I guess to put it very bluntly—I like to have students who are students and not trustees.

The SPEAKER: The Chair recognizes the gentleman from Orono, Mr. Bott.

Mr. BOTT: Mr. Speaker, Ladies and Gentlemen of the House: I rise today in support of L. D. 29. As some of you may recall last session, I headed a delegation of students who lobbied for this bill. The bill failed in the other body but I think it should pass this time.

There are many arguments that can be used in support of this bill; however, I feel that the most important one we should look at is that of perspective. A student on the Board of Trustees would enhance that advisability to make informed decisions by providing a consumer perspective. It is my belief that no matter how many campus events and forums a trustee attends and however well intentioned he or she may be, his or her outlook is still, to a large extent, shaped by his or her background and experience since graduated from college. The resulting outlook could be considerably different from that of consumers. I strongly urge passage of this bill.

The SPEAKER: The Chair recognizes the

gentleman from Lewiston, Mr. Handy.

Mr. HANDY: Mr. Speaker, Ladies and Gentlemen of the House: My seatmate, Representative Soucy, is absolutely right and we are not trying to gloss over the fact that there are seven students who sit on the standing committees.

I would like to quote from 201.5—the Board of Trustees' Policy on Committees' Standings—"Appointment of student representatives—the Board of Trustees recognizes that it has a function of fostering democratic ideals in the students of the University of Maine. Membership on committees of the Board of Trustees helps to build a sense of community and understanding among various segments of the university population."

Ladies and gentlemen of the House, I feel that we can further strengthen that involvement of the student in the say of the activities of the university by giving them full voting rights.

Mr. Speaker, when the vote is taken, I request it be taken by the yeas and nays.

The SPEAKER: For the Chair to order a roll call, it must have the expressed desire of one fifth of the members present and voting. All those in favor of a roll call will vote yes; those opposed will vote no.

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 before the House is on the motion of the gentlewoman from Sebec, Mrs. Locke, that the House accept the Majority "Ought to Pass" Report.

The Chair recognizes the gentleman from Portland, Mr. Manning.

Mr. MANNING: Mr. Speaker, I request permission to pair my vote with the gentleman from Lewiston, Mr. Jalbert. If Mr. Jalbert were present and voting, he would be voting yes; I would be voting no.

The SPEAKER: The pending question is on the motion of the gentlewoman from Sebec, Mrs. Locke, that the House accept the Majority "Ought to Pass" Report. Those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA—Ainsworth, Allen, Andrews, Baker, Beaulieu, Benoit, Bost, Bott, Brannigan, Brodeur, Brown, A.K.; Carr, D.P.; Cashman, Chonko, Clark, Connolly, Cox, Crouse, Crowley, Daggett, Diamond, Erwin, Gauvreau, Gwadnosky, Hall, Handy, Hickey, Higgins, L.M.; Hobbins, Ingraham, Jacques, Joseph, Kelly, Ketover, Kilcoyne, LaPlante, Lisnik, Locke, MacBride, Martin, H.C.; Matthews, K.L.; McGowan, McHenry, Michael, Michaud, Mitchell, E.H.; Mitchell, J.; Murray, Nadeau, Paul, Randall, Reeves, P.; Richard, Rolde, Rotondi, Smith, C.B.; Stevens, Stevenson, Theriault, Thompson, Tuttle, Weymouth, Zirkilton, The Speaker.

NAY—Anderson, Armstrong, Bell, Bonney, Brown, D.N.; Brown, K.L.; Cahill, Callahan, Carrier, Carroll, G.A.; Carter, Canary, Connors, Cooper, Cote, Curtis, Davis, Day, Dexter, Dillenback, Drinkwater, Dudley, Foster, Greenlaw, Hayden, Holloway, Jackson, Joyce, Kiesman, Lebowitz, Lehoux, Lewis, Livesay, MacEachern, Macomber, Martin, A.C.; Masterman, Masterton, Maybury, McCollier, McPherson, McSweeney, Melendy, Moholland, Murphy, Nelson, Norton, Paradis, P.E.; Parent, Perkins, Perry, Pines, Pouliot, Racine, Reeves, J.W.; Ridley, Roberts, Roderick, Salsbury, Scarpino, Seavey, Sherburne, Smith, C.W.; Soucy, Soule, Sproul, Stover, Strout, Swazey, Tamaro, Telow, Vose, Walker, Webster, Wentworth, Willey.

ABSENT—Higgins, H.C.; Kane, Kelleher, Mahany, Matthews, Z.E.; Paradis, P.E.; Small.

PAIRED—Jalbert, Manning.

Yes, 64; No, 76; Absent, 7; Paired, 2; Vacant, 2.

The SPEAKER: Sixty-four having voted in the affirmative and seventy-six in the negative, with seven absent, two paired and two vacant,

the motion does not prevail.

Thereupon, the Minority "Ought Not to Pass" Report was accepted and sent up for concurrence.

Divided Report

Majority Report of the Committee on Judiciary reporting "Ought Not to Pass" on Bill "An Act to Improve Access to Small Claims Court" (H. P. 480) (L. D. 577)

Report was signed by the following members:
Senators:

VIOLETTE of Aroostook
TRAFON of Androscoggin
COLLINS of Knox

— of the Senate.

Representatives:

DRINKWATER of Belfast
FOSTER of Ellsworth
LIVESAY of Brunswick
SOULE of Westport
REEVES of Newport
JOYCE of Portland

— of the House.

Minority Report of the same Committee reporting "Ought to Pass" on same Bill.

Report was signed by the following members:
Representatives:

BENOIT of South Portland
CARRIER of Westbrook
HAYDEN of Durham
HOBBINS of Saco

— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Saco, Mr. Hobbins.

Mr. HOBBINS: Mr. Speaker, I move that the House accept the Minority "Ought to Pass" Report.

The SPEAKER: The gentleman from Saco, Mr. Hobbins, moved that the House accept the Minority "Ought to Pass" Report.

The Chair recognizes the gentleman from Portland, Mr. Joyce.

Mr. JOYCE: Mr. Speaker, Ladies and Gentlemen of the House: I almost missed this bill. In my committee, the prestigious Judiciary Committee, this bill really never had an L. D. number. It was always referred to as the "Speaker's Bill."

Mr. Speaker, I wouldn't be out of order referring to this bill as the Speaker's Bill—that would be all right?

The SPEAKER: As long as the gentleman votes for the bill, the Chair has no problem.

Mr. JOYCE: Mr. Speaker, Ladies and Gentlemen of the House: Between the daylight and the darkness, there is a time known as the "Children's Hour," and from reading this bill, one would quickly grasp at this as a bill that was no doubt put together during that hour.

Yes, all this bill does, plain and simple, it opens the courts during night time. I don't like in my home to keep lights on in a vacant room and really that is about what this bill is going to do. From Kittery to Bath, north of Eagle Lake, courts are going to be permitted to open, yes, they will tell you in the bill, for one night a month. They will go in, they will bring the bailiff, they will bring the judge, they bring the judge's secretary, they will bring the janitor to unlock the door, they will ring his assistant to sweep the courtroom after the court is in session, there is a lot of expense here.

The sponsor of the bill, he was very kind to us. When he explained the bill some committee members asked about the cost, the fiscal note, and the sponsor said, "Money for this bill will be no problem." You know, I have problems with every bill that takes a little bit of money.

As Confucius once said, "The longest of journeys starts with one small step." This bill is that one small step.

I think throughout Maine, not only in my city, not only in York County, not only over there in Auburn and Lewiston, people just don't dare to walk out in those streets at night. Don't open up the courts at night.

Yes, people from the judicial system appeared before us, they talked to us about not liking this bill, judges don't like this bill. We don't need a court system at night, no matter how small it starts off. I haven't been here too long, perhaps nine years. When they put things in like this on bills, I haven't been around to see them withdraw them or cancel them out two years later—they never die.

I ask, and I don't want to talk long, really, on this bill, it isn't worth that much time and I hope that we don't give it that much. I just ask that you think about it but only think about it a short while—don't look for the good in it, there is no good in it, and then vote against this motion by my Chairman, the gentleman from Saco, vote against him and then kind of watch my light and you will get the direction and then you can go home and hold your head high.

The SPEAKER: The Chair recognizes the gentleman from Saco, Mr. Hobbins.

Mr. HOBBINS: Mr. Speaker, Ladies and Gentlemen of the House: As always, the good gentleman from Portland is a very difficult act to follow.

I can assure all of you here that my support of this bill has nothing to do with the sponsorship of this legislation. As you know, the Speaker would never exert any influence on any member of this body to support or vote against a piece of legislation.

If I may, let me address what this bill does. All this bill does is require that each district court in our state be available for small claims during evening hours at least one hour each month. That is all this bill does. It allows individuals who have a matter before the district court in small claims to be able to litigate that matter in the evening hours and only gives the authority for one hour per month per court in this regard.

There are many instances in our state where individuals have a claim before the small claims court in which they find it difficult to be able to go to court during the day hours because of their jobs or because of babysitting responsibilities or other responsibilities. All this bill does, even though the judges don't like it and even though many of my fellow brothers and sisters in the law profession probably won't like it, all this bill does is it allows individuals to have their day in court, or I should say their night in court, for one hour per month. I think it is a reasonable proposal; I know that the Speaker would never sponsor anything that was unreasonable.

I urge you to support the "Ought to Pass" Report.

The SPEAKER: The Chair recognizes the gentleman from Durham, Mr. Hayden.

Mr. HAYDEN: Mr. Speaker, Ladies and Gentlemen of the House: I think the gentleman from Portland was right in that this bill doesn't need a lot of debate. It doesn't need a lot of debate because it is simple, but it does represent a small step. In my mind, it represents a small step for those people who have work, who have complaints that they have to go to the small claims court system for, and who now have an avenue for trying to resolve those complaints in a way where they are not going to have to leave their jobs, they are not going to lose their pay. That is a system that is going to be helpful for the people who are the principals of that dispute and it is also going to be an aid for the people who are witnesses, people who are asked to participate not because they are going to profit from a court action, but because they think it is their duty to do their part to see to it that the right side of the argument prevails. The way it is now, those people have to turn away from their jobs, they have to leave their salary and I think when we take it all into consideration, one hour once a month for the courts in this state is not too much to ask the judiciary or the lawyers that might represent the parties and it is a chance to give everybody in this state a voice with the most reasonable

arrangement of time possible. I think it is a reasonable bill and it may be a small step but it is a step that I think is worth taking.

I urge you, also, to accept the "Ought to Pass" Report.

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

Mr. GAUVREAU: Mr. Speaker, Ladies and Gentlemen of the House: I rise in support of the Minority "Ought to Pass" Report and I would like briefly to mention a few items which have not yet been covered in the debate.

The concept of having night court, I think, makes a lot of sense and this body should be aware that having court in the daytime for these small claims oftentimes presents a major problem to many, many litigants. Oftentimes the amount in controversy is so small, it doesn't really make sense economically to spend one, two or three days away from work in litigating a small claims matter. That is why you should be aware that small claims cases are almost exclusively tried by the litigants themselves and lawyers almost have no involvement in them, if for no other reason, the fact the money in dispute is so little.

There are many cases when a person comes to the small claims hearing for the first time and is told that his or her case will not be reached that day. They have already committed three or four hours away from work, they have to come back a second time, they may try to mediate the dispute then. They may have to come back a third time. They have already spent now ten or twelve hours away from work and the case may be only worth \$100 in the first place, so the idea makes a lot of sense.

I spoke with my clerk in my district court and she is all behind this idea. It makes a lot of sense to her.

Representative Joyce also brought up a point in his debate regarding the concept and the problem of having courts open at night. I should bring it to the attention of the members of this body that quite often courts are open at night. It is not uncommon for cases that begin in the afternoon to go into the hours of seven, eight or nine at night. I have begun cases in Skowhegan District Court beginning at ten o'clock at night, so you should not be under the notion that courts are not open at night. All we are doing is extending the small claims court to a new and broader class of people. For this reason, I urge you to support the Minority Report.

The SPEAKER: The Chair recognizes the gentleman from Waterville, Mr. Jacques.

Mr. JACQUES: Mr. Speaker, Ladies and Gentlemen of the House: I intend to support this bill today and I am going to look at it as a bill that is sponsored by the gentleman from Eagle Lake. I don't think he gave up that status by becoming Speaker of this House, and in my five years down here I have known the gentleman from Eagle Lake to come up with a few good ideas once in awhile and I think this is one.

I look at this bill as a bill that is going to help the little guy and you have heard me many times before get up and speak for that little guy and I look at it as a bill that is going to help my constituents. One thing I never forget, ladies and gentlemen of the House, is who sent me down here and why and I think this is going to make it a little easier on my people back home, a little easier to deal with a court system that they find confusing and difficult enough to deal with right now, so anything we can do in the right direction to help them out, I think we should do it.

I urge you strongly to support the very good idea from the gentleman from Eagle Lake, Mr. Martin, and let's accept the Minority "Ought to Pass" Report.

The SPEAKER: The Chair will order a vote. The pending question before the House is on the motion of the gentleman from Saco, Mr. Hobbins, that the House accept the Minority "Ought to Pass" Report. Those in favor will vote