

# MAINE STATE LEGISLATURE

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**Legislative Record**

OF THE

**One Hundred and Seventh Legislature**

(First Special Session)

OF THE

STATE OF MAINE

**1976**

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AUGUSTA, MAINE

ing voted in the negative, the motion did prevail.

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

**Resolution.** Proposing an Amendment to the Constitution to Permit the Governor to Veto Items Contained in Bills Appropriating Money and to Permit the Legislature to Override All or Part of Such a Veto by a Two-Thirds Vote of Each House (H. P. 1981) (L. D. 2170) (C. "B" H-942 as amended by H "A" H-943)

Tabled — March 19 by Mrs. Najarian of Portland.

Pending — Passage to be Enacted.

On motion of Mr. Jensen of Portland, under suspension of the rules, the House reconsidered its action whereby the Bill was passed to be engrossed.

On further motion of the same gentleman, under suspension of the rules, the House reconsidered its action whereby Committee Amendment "B" as amended by House Amendment "A" thereto was adopted.

The same gentleman offered House Amendment "C" to Committee Amendment "B" and moved its adoption.

House Amendment "C" to Committee Amendment "B" (H-1039) was read by the Clerk.

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

Mr. JENSEN: Mr. Speaker, Ladies and Gentlemen of the House: This amendment does two things. First of all, it takes care of the inconsistency that was put in the bill originally. Earlier in this session we passed a bill which allowed the Governor 10 days in which to veto a bill. The way this bill was originally introduced and engrossed, it allowed 5 days. This amendment takes care of that error and then goes one further.

It also requires that when any bill or resolution containing appropriations be sent to the Governor and he exercises his right of item veto on any specific line. If he exercises that right after the time that we have left legislative session, then we are automatically called back into session so as to require that we deal with that veto one way or the other.

In the past, what we have done is, we have recessed for five days, we have come back and dealt with a veto. That is what we did last year. However, when you extend it to 10 days, I think you change that and make it more difficult in fact for us to do that, since a 10-day period is a good deal longer and makes it more difficult for people to get back here.

The present governor exercised his right to wait until the last minute on our education bill some week or two ago. What I am afraid of is that either this governor, or even more importantly, future governors, will do the same thing as a matter of strategy and tactics. It seems to me that regardless of the merits of the bill itself, we ought to have a chance to come back and vote one way or the other, up or down, to sustain or override any item veto the governor exercises.

The SPEAKER: The Chair recognizes the gentleman from Calais, Mr. Silverman.

Mr. SILVERMAN: Mr. Speaker, Ladies and Gentlemen of the House: The gentleman from Portland, Mr. Jensen, on his first approach is correct, that there has to be a correction from five to ten days. I have an amendment to that effect.

His second approach, where it says that it is mandatory that we return after a veto, I question this because I do not believe that the leadership of this House or the Senate or any legislature would allow a veto to take place without calling the legislature on an appropriation. It already is in the law, as far as our Constitution goes, in Article IV. It says the legislature may convene at such times on the

call of the President of the Senate and the Speaker of the House, with the consent of the majority of the members of the legislature of each political party. Where this is already present in our Constitution, I say it is unnecessary and I would hope that you would vote for the indefinite postponement of this amendment and a proper amendment will be placed on the item veto bill and I will ask for a roll call on the vote.

The SPEAKER: The gentleman from Calais, Mr. Silverman, moves the indefinite postponement of Huse Amendment "C" to Committee Amendment "B".

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

Mr. JENSEN: Mr. Speaker and Members of the House: I would hope the members of this House would not vote to indefinitely postpone my proposed amendment.

Item veto is a piece of legislation and a constitutional amendment which will in fact reduce the power of the legislature, reduce the power substantially.

If you will remember when we were debating this before, my good friend from Waterville, Mr. Carey, suggested that in fact he as mayor of his city also had item veto. He also felt so strongly about it that he never exercised that item veto and I would hope he would continue that way.

When he exercises his item veto, it is my understanding that his city council can override him. They are in session on a regular basis fairly often. We come into session and we meet for awhile and then we leave.

Unfortunately, the most important business of any legislative session generally occurs at the end of that session. This means the dollar figures, the appropriations matters virtually always come out during the last few days. Granted, there is a clause in the Constitution which allows the legislature to call itself into session. However, that does require an active act of the legislative leadership. That is something which actually requires leadership to go out, get approval from a majority of both parties in both Houses and then go from there. What I am looking for is an automatic session. If the governor exercises his right to veto an appropriation matter, or certain lines of that appropriations act, then we ought to be brought back to deal with that. If we don't vote to sustain him, fine. If we vote to override him and implement that program or insure that those funds actually are spent, fine.

My feeling is strictly one of power of the legislature as opposed to the executive branch. I think that we ought to have a chance to vote up or down on those proposals. It seems to me that to do otherwise is to substantially reduce the power of the legislature, and it seems to me, with the number of people elected, we are far closer to the people than any executive is ever going to be. For that reason, I hope you vote against the pending motion to indefinitely postpone my amendment.

The SPEAKER: 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 those desiring a roll call vote 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 is on the motion of the gentleman from Calais, Mr. Silverman, that House Amendment "C" to Committee Amendment "B" be indefinitely postponed. All in favor of that motion will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Albert, Bagley, Berry, G. W.; Birt, Blodgett, Bowie, Call, Carter, Churchill, Conners, Curtis, Dam, Durgin, Farnham, Faucher, Finemore, Fraser, Garsoe, Gauthier, Gould,

Gray, Higgins, Hunter, Hutchings, Jackson, Joyce, Kelley, Laverty, Lewin, Lovell, Lunt, Mackel, MacLeod, McBreairey, McKernan, McMahon, Mills, Miskavage, Palmer, Pelosi, Perkins, S.; Peterson, P.; Raymond, Rideout, Shute, Silverman, Snowe, Sprowl, Tarr, Teague, Torrey, Tozier, Tyndale, Walker, Webber.

NAY — Ault, Bachrach, Bennett, Berry, P. P.; Berube, Boudreau, Burns, Bustin, Byers, Carey, Carpenter, Carroll, Chonko, Clark, Connolly, Cooney, Cote, Cox, Curran, P.; Curran, R.; Davies, DeVane, Dow, Drigotas, Farley, Fenlason, Flanagan, Goodwin, K.; Hall, Henderson, Hennessey, Hewes, Hobbins, Hughes, Immonen, Ingegnieri, Jalbert, Jensen, Kany, Kelleher, Kennedy, Laffin, LaPointe, LeBlanc, Leonard, Lewis, Lizotte, Lynch, MacEachern, Mahany, Martin, A.; Martin, R.; Maxwell, Mitchell, Morin, Nadeau, Najarian, Norris, Pearson, Peterson, T.; Pierce, Post, Powell, Quinn, Rolde, Saunders, Smith, Snow, Spencer, Stubbs, Susi, Talbot, Theriault, Tierney, Truman, Twitchell, Usher, Wilfong, Winship.

ABSENT — Doak, Dudley, Dyer, Goodwin, H.; Greenlaw, Hinds, Jacques, Kauffman, Littlefield, Morton, Mulkern, Peakes, Perkins, T.; Rollins, Strout, Wagner.

Yes. 55; No. 79; Absent. 16.

The SPEAKER: Fifty-five having voted in the affirmative and seventy-nine in the negative, with sixteen being absent, the motion does not prevail.

Thereupon, House Amendment "C" to Committee Amendment "B" was adopted.

The SPEAKER: The Chair recognizes the gentleman from Anson, Mr. Burns.

Mr. BURNS: Mr. Speaker, two questions if I may. One, in reference to the 10 days the governor would have to veto, should the first constitutional amendment be turned down by the voters and it remains at five days, is it our intent that this one would have 10 days?

The second question, is the posture of the bill now that he may not reduce the appropriation, it must take it entirely out?

The SPEAKER: The gentleman from Anson, Mr. Burns, has posed two questions through the Chair to anyone who may care to answer.

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

Mr. JENSEN: Mr. Speaker, in response, the answer to both questions is yes. Mr. Carey of Waterville offered House Amendment "B" to Committee Amendment "B" and moved its adoption.

House Amendment "B" to Committee Amendment "B" (H-1057) was read by the Clerk.

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

Mr. CAREY: Mr. Speaker, Ladies and Gentlemen of the House: This is being distributed now, and to save you any embarrassment because of not having it before you, I would point out to you that it is in reference to the letter that the governor sent us on the 22nd of March where in the third paragraph he said, "I feel it is so vital to economical operation and good for Maine people that if nothing else, you should make it effective when my term expires, if you do not want to give this right to this particular governor." I am not bashful about what I have said in the past. I do not want to give this right to this particular governor; however, I am taking a very different direction from what I have taken in the past and I would be in favor of giving it to the next one, should it be this governor, who happens to get reelected.

I have no qualms at this time in giving it to the next man. The bill originally called for this to take effect in 1985. The Committee Amendment changed that to 1977, and my amendment would change the Committee Amendment so that it would read 1979, so it would be effective

immediately upon the assumption of office of the next governor, whoever that may be.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: I don't care whether it is 1976, 1979 or 1999. I haven't got any problems with Governor Longley, but I don't think he should have the item veto and I didn't think that Governor Curtis should have it when he was governor. I do move for the indefinite postponement of this amendment, because I don't believe the governor downstairs is unique. He is no different than any other man or woman that may sit in that chair, and for these reasons, I hope you would support the indefinite postponement of this amendment.

The SPEAKER: The gentleman from Bangor, Mr. Kelleher, moves the indefinite postponement of House Amendment "B" to Committee Amendment "B".

The Chair recognizes the gentleman from Nobleboro, Mr. Palmer.

Mr. PALMER: Mr. Speaker, for very different reasons from the gentleman from Bangor, I do support his motion. I didn't believe that Governor Curtis should have the item veto nor this governor nor any other governor. I hope we will indefinitely postpone it.

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

Mr. CAREY: Mr. Speaker, I know that the gentleman from Bangor, Mr. Kelleher, is opposed to the item veto. He and I, on a couple occasions have appeared before the State Government Committee and have been successful in defeating it. But I am concerned that if there are enough votes to pass this thing, that at least it would be effective with the next Governor, whoever it is, so I am very sorry that he made this motion to amend.

I would ask a question of the gentleman from Nobleboro, Mr. Palmer, who seems to lend support to the indefinite postponement of this order, is he in fact in opposition to giving the governor the item veto?

The SPEAKER: The Chair recognizes the gentleman from Nobleboro, Mr. Palmer.

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House: I think what I have said up to this point in time would indicate that the gentleman from Waterville must have been missing because I have supported the item veto for this governor or for any other governor. I believe, and I have said before that in this day of burgeoning budgets, it is only right that any governor doesn't have to reject a whole bucketful of figures in order to get at a thing which he feels is wrong or incorrect. I do favor it and I do favor it for Governor Longley. I am not afraid to have him have the veto power, I hope he does have the item veto power. I do not believe that it takes one ounce of power away from this legislature, because we still can override any item by a two-thirds vote, just the same way we can a whole budget today. For those reasons and because I do believe in him, as the gentleman from Bangor does not, I still hope that you will indefinitely postpone this amendment which causes the delay of the item veto until 1979.

The SPEAKER: The Chair recognizes the gentleman from Skowhegan, Mr. Dam.

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: I, too, would support the motion for indefinite postponement of this amendment. I support it because of the reason that I have no fear of this governor having the item veto power. I have no fear of any governor having it. I would hope if we were going to let a resolution out to the people, that we would do so so that we could let the existing governor have that power. I don't think there would be any harm in this and I think there would be a lot worse harm for the legislature in postponing this to 1979 when they could give the Governor the power in 1977.

It is a way to speed up the process of the legislature and it is a good resolution, but the amendment is no good. Therefore, Mr. Speaker, when the vote is taken on the motion for indefinite postponement, I would ask for the yeas and nays.

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

Mr. JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: Can anyone tell me if this bill was presented to the legislature at the last session? I don't think it was. If that is the case — I have a fairly good memory and I served in the late 40's with the gentleman from Nobleboro, Mr. Palmer, and I know the bill was never presented then because there were only about 13 or 15 of us and if it wasn't presented the last time, he could have never voted for it because it was never before us. I just thought I would toss that out in passing.

The SPEAKER: The Chair recognizes the gentleman from York, Mr. Rolde.

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: This bill was presented to the 106th Legislature and as I remember it from the roll call, the gentleman from Nobleboro, Mr. Palmer, was absent on that occasion.

The SPEAKER: The Chair recognizes the gentleman from Nobleboro, Mr. Palmer.

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House: I venture to say that all members of this House have been absent at one time or another. The fact that they were absent when a given issue was being debated doesn't by any means mean that they had changed their attitude. I resent that very highly, because I very deeply do believe in item veto, and if I had been there then I would have voted for it.

The SPEAKER: The Chair recognizes the gentleman from Calais, Mr. Silverman.

Mr. SILVERMAN: Mr. Speaker, Ladies and Gentlemen of the House: As the sponsor of the item veto bill before this session, I now find that the very clever tactics of using personalities and using past approaches is not coming forthwith. Of course, it was expected.

What we are talking about is an item veto, where the executive of this state, regardless of who is elected every four years, has the power to go at an appropriation budget and take an item and veto it if he thinks it is not a priority, if he thinks that taxes are not going to suffice and there could possibly be deficits and making a sensible business approach to the Maine State Government. It is an approach, I am quite sure, as I have sat here for six years, that the Speaker has worked hard for. It is an approach that when I came here for the first time in the 105th that there was a party vote all the way down the line. The Republicans voting against it, the Democrats voting for it, and for some reasons — I have the vote right here, Mr. Kelleher.

The SPEAKER: The gentleman would please confine his remarks directly to the issue.

Mr. SILVERMAN: There are changes taking place in Maine State Government. One of those changes was that the majority party changed into the Democratic party being the majority, and there are many of us in the Republican party that have felt all along that the line item veto should be a part of our Constitution. We also see at this time a chance for that passage.

I would hope that we realize we are here to vote on principles, principles for what makes good government and line item veto means an executive check and balance system over an Appropriations Committee of 10 men that come before us with an appropriation bill and very, very seldom do you see it open, if at all. I call this good legislation.

I am opposed to the amendment of Mr. Carey, because I think when you bring in this amendment to change it to 1979, you are not dealing with the principle of line item veto, you are

dealing in the principle of personalities of one group against the executive. I think this is very irresponsible legislation and I know the members of this House, I have watched them over the years, know that good government, good solid principle and vehicles in government is what makes Maine government what the people of this state want.

I would hope you would vote for the indefinite postponement of this amendment. I would hope you would vote for the passage of this bill. The major thing we are talking about here today is giving the people of the State of Maine the right to vote for this constitutional amendment, whether they want it or not. When the final roll call comes in this vote, and there will be a roll call, let the people know who would vote against them having the right to vote on this amendment and who will vote for them to have that right, for it is their decision in the long run and it is their decision on what affects their Constitution. With that I would hope for the indefinite postponement of this amendment, and when we talk, let's talk about the item veto and not personalities and not how one man voted or how another man voted, it is how we all feel and will vote today. I ask for a roll call.

The SPEAKER: The Chair would state that a roll call has been requested.

The Chair recognizes the gentleman from Brewer, Mr. Norris.

Mr. NORRIS: Mr. Speaker, Ladies and Gentlemen of the House: I don't feel at all intimidated. In addressing this amendment, I will say this, that we are now giving the Chief Executive in the State of Maine, with the change to annual sessions and the power that is being transferred to the executive branch of government, just probably three times as much power as the executive branch of government has ever had before in the State of Maine and I am not including in this the item veto, but that is a fact, that is an actual fact. I think anybody on State Government that has been studying this and the agonizing that they have had up there trying to determine how different things are going to be done, how different people are appointed to boards, and so forth and so on, that they really are turning over to the executive branch of government, whoever happens to be there, a great deal more power than the executive branch has ever had.

To continue on in this session and to present this governor with an additional piece of power such as the item veto probably would be a mistake. So, I would hope that you would vote against the indefinite postponement of Representative Carey's amendment and give us all a chance to see how this additional power is going to work down in the corner office, and I am sure it will be well used. I am not concerned about that, but see how that is going to work and then, if two thirds of this body and two thirds of the other body decide that they want to give this veto with this amendment on it, then the next governor, whoever it might be, or whether this man is reelected or whether we have someone else, then they will have a chance to exercise this additional power. I hope that you would vote against the indefinite postponement of this amendment.

The SPEAKER: 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 those desiring a roll call vote 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 is on the motion of the gentleman from Bangor, Mr. Kelleher, that House Amendment "B" to Committee Amendment "B" be indefinitely postponed. All in favor of that motion will vote yes; those opposed will vote no.

## ROLL CALL

YEAS: Albert, Bagley, Bennett, Berry, G. W.; Berry, P. P.; Berube, Birt, Boudreau, Bowie, Burns, Bustin, Byers, Call, Carpenter, Carroll, Carter, Chonko, Churchill, Clark, Conners, Connolly, Cooney, Cote, Cox, Curran, P.; Curtis, Dam, DeVane, Dow, Drigotas, Durgin, Farley, Farnham, Faucher, Fenlason, Finemore, Flanagan, Fraser, Garsoe, Goodwin, K.; Gould, Gray, Greenlaw, Henderson, Hennessey, Hewes, Higgins, Hobbins, Hughes, Hunter, Hutchings, Immonen, Ingegneri, Jackson, Jalbert, Jensen, Joyce, Kauffman, Kelleher, Kelley, Kennedy, Laffin, LaPointe, Laverty, LeBlanc, Leonard, Lewin, Lewis, Lovell, Lunt, Lynch, MacEachern, Mackel, MacLeod, Mahany, Martin, A.; Maxwell, McBreairey, McKernan, McMahon, Mills, Miskavage, Mitchell, Morin, Nadeau, Palmer, Pearson, Pelosi, Perkins, S.; Perkins, T.; Peterson, P.; Peterson, T.; Pierce, Post, Powell, Raymond, Saunders, Shute, Silverman, Smith, Snow, Snowe, Spencer, Sprowl, Stubbs, Talbot, Tarr, Teague, Theriault, Tierney, Torrey, Tozier, Truman, Twitchell, Tyndale, Usher, Wagner, Walker, Webber, Wilfong, The Speaker.

NAY: Ault, Bachrach, Blodgett, Carey, Curran, R.; Davies, Gauthier, Hall, Kany, Lizotte, Najarian, Norris, Quinn, Rideout, Rolde, Susi, Winship.

ABSENT: Doak, Dudley, Dyer, Goodwin, H.; Hinds, Jacques, Littlefield, Martin, R.; Morton, Mulkern, Peakes, Rollins, Strout.

Yes, 121; No, 17; Absent, 13.

The SPEAKER: One Hundred twenty-one having voted in the affirmative and seventeen in the negative, with thirteen being absent, the motion does prevail.

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

## Order Out of Order

Mr. Perkins of Blue Hill presented the following Joint Order and moved its passage: (H. P. 2242)

ORDERED, the Senate concurring, that the following bill be recalled from the Governor's Office to the House: "An Act Relating to Employment of Drug Inspectors by the State Board of Pharmacy" (H. P. 1879) (L. D. 2054)

The Order was received out of order by unanimous consent, read and passed and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

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

An Act to Regulate Drinking Water (S. P. 687) (L. D. 2198) (C "A" S-431)

Tabled — March 19 by Mr. Leonard of Woolwich.

Pending — Passage to be Enacted.

On motion of Mr. Kelleher of Bangor, The Chair laid before the House the fifth tabled and today assigned matter:

An Act to Regulate Drinking Water (S. P. 687) (L. D. 2198) (C "A" S-431)

Tabled — March 19 by Mr. Leonard of Woolwich.

Pending — Passage to be Enacted.

On motion of Mr. Kelleher of Bangor, retabled pending passage to be enacted and tomorrow assigned.

The Chair laid before the House the sixth retabled pending passage to be enacted and tomorrow assigned.

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

Bill, "An Act Concerning Single Motor Vehi-

cle Registration Plates and Placement of Motor Vehicle Inspection Stickers" (H. P. 2009) (L. D. 2191)

—In House, Passed to be Engrossed as Amended by House Amendment "A" (H-976)

—In Senate, Majority "Ought Not to Pass" Report accepted in non-concurrence

Tabled — March 22 by Mr. Rolde of York.

Pending — Further Consideration.

On motion of Mr. Birt of East Millinocket, the House voted to insist and ask for a Committee of Conference.

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

Bill, "An Act to Amend the Definition of 'School Bus' to Include School Buses Rented from School Administrative Units by Nonprofit Organizations in Order to Transport Children" (Emergency) (H. P. 1930) (L. D. 2117) —In House, Passed to be Engrossed as Amended by Committee Amendment "A" (H-973) — In Senate, Passed to be Engrossed as Amended by Committee Amendment "A" as amended by Senate Amendment "A" (S-442) thereto, in non-concurrence.

Tabled — March 22 by Mrs. Najarian of Portland.

Pending — Motion of Mr. Fraser of Mexico to Recede and Concur.

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

Mr. McKERNAN: Mr. Speaker, Ladies and Gentlemen of the House: Unless someone can give me a good reason why we should have the Senate amendment on this bill, I would oppose the motion to recede and concur. If you take a look at the Senate amendment, it is nothing that we ought to be getting involved in. I believe what it says is — I would pose a question to the Clerk whether that is filed under Senate number 442?

The SPEAKER: The Chair would answer in the affirmative.

Mr. McKERNAN: Thank you, Mr. Speaker.

What this amendment does, at least the way I read it, is to really extend the committee amendment. The committee amendment deals with school buses that are used for other purposes. As I read that amendment, it says that religious groups which use buses of their own to transport kids have to make their buses like school buses, redo them, repaint them, qualify the way they would if they were a school. That is a far cry from the committee amendment which we passed that just says that they will have to comply — the groups that rent buses from school systems will have to comply with the laws.

I have no problem with the committee amendment, and that is what we passed in this House last time, and I would hope that we would not, if my understanding of the amendment is correct, that we would not recede and concur and instead we would insist on our action where we passed this bill with just the committee amendment on it.

Mr. Palmer of Nobleboro requested a vote on the motion to recede and concur.

The SPEAKER: The pending question is on the motion of the gentleman from Mexico, Mr. Fraser, that the House recede and concur. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

7 having voted in the affirmative and 88 having voted in the negative, the motion did not prevail.

Thereupon, on motion of Mr. McKernan of Bangor, the House voted to insist.

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

Joint Order Relative to Committee on State Government reporting out a bill to facilitate the setting of financial and tax policy by the Legislature (H. P. 2227)

Tabled — March 22 by Mr. LaPointe of Portland.

Pending — Passage.

Thereupon, the Order received passage and was sent up for concurrence.

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

House Divided Report — Majority (8) "Ought Not To Pass" — Minority (5) "Ought to Pass" as Amended by Committee Amendment "A" (H-1014) — Committee on Election Laws on Bill, "An Act Relating to the Registration of Voters" (H. P. 2039) (L. D. 2212)

Tabled — March 22 by Mrs. Boudreau of Portland.

Pending — Acceptance of either Report.

Thereupon, on motion of Mrs. Boudreau of Portland, the Majority "Ought Not to Pass" Report was accepted and sent up for concurrence.

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

House Divided Report — Majority (9) "Ought Not to Pass" — Minority (4) "Ought to Pass" — Committee on Election Laws on Bill, "An Act Relating to Absentee Voting" (H. P. 2212) (L. D. 2271)

Tabled — March 22, by Mrs. Durgin of Kittery.

Pending — Acceptance of either Report.

The SPEAKER: The Chair recognizes the gentlewoman from Kittery, Mrs. Durgin.

Mrs. DURGIN: Mr. Speaker, I move we accept the majority "ought not to pass" report.

The SPEAKER: The gentlewoman from Kittery, Mrs. Durgin, moves that the House accept the Majority "Ought not to Pass" Report.

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

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: I guess probably I feel kind of badly, as she does maybe, being on opposite sides of this bill. We had a good relationship on the Election Laws Committee, but occasionally even the best of friends will part, and I think this happens at this time.

For quite a long while, actually ever since I have been on this committee, I was hoping that we could develop some kind of a bill to do some things with the absentee ballot process. I have long felt that anybody in the political arena involved in the absentee ballot process, it leaves some degree of suspicion, and I am not saying there is any fraud or anything else, but it leaves the ultimate suspicion and continually, every election, there are always some questions in this area.

This bill here takes the whole process right away from the political arena. Actually, it does much at the local level as what is done by people who are not living locally but are registered. The ballots are sent to the applicant after application. The person votes and returns the ballot to the clerk, and you have eliminated much of the process whereby there can be any element of suspicion. The area where it might give you the most problems is where somebody happened to become incapacitated within the last six business days prior to this. This allows a team of two people to go out and contact these people after submitting an application or calling requesting an absentee ballot.

One of the questions that has been raised is, how much will it cost? It is going to cost quite a bit more in the community to have tellers go out and contact these people. In the average community, I can't imagine over half a dozen people, or two or three people who might become sick in the last six days prior to the date of election. So, frankly, I don't see where that is a problem.

The question has come up as to whether there will be as many people who will vote. If these people are really capable of voting and desirous of voting, I don't see where the process is