

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fifth
Legislature*

OF THE

STATE OF MAINE

Volume II

May 5, 1971 to June 15, 1971

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Tuesday, June 1, 1971

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Roy Moody of Gardiner.

The members stood at attention during the playing of the National Anthem by the Rockland District High School Band.

The journal of the previous session was read and approved.

**Papers from the Senate
Reports of Committees
Ought Not to Pass**

Report of the Committee on State Government reporting "Ought not to pass" on Bill "An Act to Create the State Central Data Processing Commission" (S. P. 164) (L. D. 486)

In accordance with Joint Rule 17-A, was placed in the legislative files.

Ought to Pass in New Draft

Report of the Committee on Judiciary on Bill "An Act relating to Public Intoxication" (S. P. 199) (L. D. 584) reporting same in a new draft (S. P. 607) (L. D. 1786) under same title and that it "Ought to pass"

Came from the Senate with the Report read and accepted and the New Draft passed to be engrossed.

In the House, the Report was read and accepted in concurrence, the New Draft read twice and tomorrow assigned.

**Ought to Pass with
Committee Amendment**

Report of the Committee on Judiciary on Bill "An Act relating to Oral Settlements or Releases from Injured Persons Confined to Hospitals" (S. P. 251) (L. D. 758) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A"

In the House, the Report was read and accepted in concurrence and the Bill read twice. Committee Amendment "A" (S-215) was read

by the Clerk and adopted in concurrence, and tomorrow assigned for third reading of the Bill.

Non-Concurrent Matter

Majority Report of the Committee on Health and Institutional Services on Bill "An Act Permitting Indian Homes to be Licensed as Foster Homes" (H. P. 650) (L. D. 881) reporting same in a new draft (H. P. 1358) (L. D. 1774) under same title and that it "Ought to pass" and Minority Report reporting same in a new draft (H. P. 1359) (L. D. 1775) under same title and that it "Ought to pass" on which the House accepted the Minority Report and passed the Bill to be engrossed on May 25.

Came from the Senate with the Majority Report accepted and the New Draft passed to be engrossed in non-concurrence.

In the House: On motion of Mrs. Payson of Falmouth, the House voted to recede and concur.

The New Draft was read twice and tomorrow assigned.

Non-Concurrent Matter

Report "A" of the Committee on State Government on Bill "An Act relating to Legislative Counsel or Agents" (S. P. 13) (L. D. 41) which had been recommitted, reporting same in a new draft (S. P. 586) (L. D. 1739) under same title and that it "Ought to pass" and Report "B" reporting "Ought not to pass" and Report "C" reporting "Ought to pass" on which the House accepted Report "A" and passed the Bill to be engrossed as amended by House Amendment "A" in non-concurrence on May 26.

Came from the Senate with that body voting to adhere to its former action whereby Report "C" was accepted and the Bill passed to be engrossed.

In the House:

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

Mr. JALBERT: Mr. Speaker, I move that we adhere to our former action.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: We were willing to compromise. We were even willing to go one step further than that; we were willing to report our own incomes and the sources wherein they were derived. The other body, in my mind, is just being stubborn on this. They want the original bill or nothing, and I support the motion of the gentleman from Lewiston, Mr. Jalbert, to adhere.

Thereupon, the House voted to adhere.

The SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. Susi.

Mr. SUSI: Mr. Speaker, I move that we recede and concur.

The SPEAKER: The gentleman from Pittsfield, Mr. Susi, moves that we reconsider whereby we adhered. All in favor of reconsidering whereby we adhered will vote yes; those opposed will vote no.

A vote of the House was taken. 48 having voted in the affirmative and 73 having voted in the negative, the motion to reconsider did not prevail.

Messages and Documents

The following Communication:

THE SENATE OF MAINE
AUGUSTA, MAINE

May 28, 1971

Hon. Bertha W. Johnson
Clerk of the House
105th Legislature
Dear Madam Clerk:

The Senate voted to Insist and Join in a Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill, "An Act Relating to Voluntary Surgery at Public Expense for Qualifying Parents" (H. P. 928) (L. D. 1282).

The President appointed the following members of the Senate to the Committee of Conference:

Senators:

TANOUS of Penobscot

CARSWELL

of Cumberland

VIOLETTE of Aroostook

Respectfully,

(Signed)

HARRY N. STARBRANCH

Harry N. Starbranch
Secretary of the Senate

The Communication was read and ordered placed on file.

Orders

Mr. Ross of Bath was granted unanimous consent to address the House.

Mr. ROSS: Mr. Speaker and Members of the House. May I take this opportunity to thank all of my legislative friends for their many cards, flowers, kind personal remarks of condolence and the official House Order relative to the sudden and untimely death of my sister last Wednesday.

Fate is a very strange thing. Two years ago on June the 6th after making a speech in this House, I received an emergency call from my sister telling me that my best friend, my father, had just died very unexpectedly.

Two years later, almost to the exact date, after having spoken on my favorite bill relative to the big box, a Page came rushing down to me and he stated that there was an emergency call which they were holding for me. This was from a doctor in Kennebunk telling me that I had now lost my second best friend, my sister, Barbara. No brother and sister could ever have been closer than we were.

Many of the older members of the State House complex remember her well since she was Governor Sewall's personal secretary during his entire four years in office. Many present members of the House and Senate knew her lately since she often came to visit my wife, Mary Frances and me here in Augusta.

Like my father, she had a quality that most of us lack. I have never heard a single soul say an unkind word about her since she was so thoughtful and considerate of other people all the time.

People came from all over the country for her funeral. However, even with her wonderful traits of character, she led a very unhappy life. She was married twice and both husbands died suddenly and prematurely. She devoted her entire life to giving herself to others.

I am now confident that at last she has found the peace and

tranquility she so thoroughly earned.

I make these remarks permanently on the record not only to express my most sincere feelings, but also to prove that by your kindness of expression our State of Maine Legislature is made up of people with true sincerity and compassion for others. You will always be able to point with pride to the fact that you had the honor to be a member of such a fine body of loyal and dedicated men and women.

On motion of Mr. Kelley of Southport, the House reconsidered its action of May 28 whereby Bill "An Act to Provide for Coastal Island Trusts" (H. P. 972) (L. D. 1333) was passed to be engrossed as amended by Committee Amendment "A".

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

House Amendment "A" (H-387) was read by the Clerk.

The SPEAKER: The gentleman may proceed.

Mr. KELLEY: Mr. Speaker and Members of the House: The purpose of this amendment is right in the Statement of Fact, and this is to do away with the eminent domain provisions of the bill. It seems to me that this is going too far. If you read on page four you will see where they have eminent domain in there and I would like to call your attention to Article I, Section I of the Constitution of Maine, the Declaration of Rights, and along the last part of the sentence it says one of our rights is "acquiring, possessing and protecting property." It seems as if eminent domain was going too far and I request your help in passing this amendment.

Thereupon, House Amendment "A" was adopted and the Bill was passed to be engrossed as amended by Committee Amendment "A" and House Amendment "A" and sent to the Senate.

Mr. Marsteller of Freeport presented the following Joint Order and moved its passage:

WHEREAS, there is an ever-increasing demand to preserve and conserve the lands of this State; and

WHEREAS, governmental agencies acquire and dispose of land in the name of the State according to programs or use; and

WHEREAS, land acquisition by one agency might well be satisfied in portions under sale by another; and

WHEREAS, the State lacks a sound policy or guidelines for acquisition or sale of its real property; now, therefore, be it

ORDERED, the Senate concurring, that the Legislative Research Committee be authorized and directed to study the feasibility of developing in the best interests of the State a uniform policy for the acquisition or sale of State-owned lands; and be it further

ORDERED, that the State Forestry Department and Park and Recreation Commission be directed to provide such technical advice and other assistance as the Committee deems necessary or desirable to carry out the purposes of this Order; and be it further

ORDERED, that the Committee report the results of its study at the next regular session of the Legislature; and be it further

ORDERED, upon joint passage, that copies of this Order be transmitted forthwith to said department and commission as notice of the pending study. (H. P. 1381)

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

Mr. Carey of Waterville presented the following Joint Order and moved its passage:

ORDERED, the Senate concurring, that the Legislative Research Committee be authorized and directed to study the subject matter of Bill, "An Act Relating to Cost of School Construction Aid," House Paper 1340, Legislative Document 1759, introduced at the last regular session of the Legislature for the purpose of determining whether the best interests of the State would be served by enactment of such legislation; and be it further

ORDERED, that the State Department of Education and

Bureau of Public Improvements be directed to provide the Committee with such technical advice and assistance as they deem necessary to carry out the provisions of this Order; and be it further

ORDERED, that the Committee report the results of its findings at the next regular session of the Legislature; and be it further

ORDERED, upon joint passage that copies of this Order be transmitted forthwith to said state agencies as notice of the proposed study. (H. P. 1382).

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

House Reports of Committees Ought Not to Pass

Mr. Kelley from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to Display of Flags of Certain Foreign Countries" (H. P. 1053) (L. D. 1445)

In accordance with Joint Rule 17-A, was placed in the legislative files and sent to the Senate.

Leave to Withdraw Covered by Other Legislation

Mr. Emery from the Committee on Legal Affairs on Bill "An Act relating to Basic Training at the Maine Police Academy for All Law Enforcement Officers" (H. P. 236) (L. D. 318) reported Leave to Withdraw, as covered by other legislation.

Mr. Norris from same Committee reported same on Bill "An Act Establishing Minimum Qualifications for Law Enforcement Officers" (H. P. 860) (L. D. 1184)

Reports were read and accepted and sent up for concurrence.

Ought to Pass in New Draft New Drafts Printed

Mr. Scott from the Committee on Business Legislation on Bill "An Act Placing Nonprofit Hospital or Medical Service Organizations under the Maine Insurance Code" (H. P. 837) (L. D. 1133) reported same in a new draft (H. P. 1375) (L. D. 1795) under title of "An Act relating to Nonprofit Hospital or Medical Service Organizations" and that it "Ought to pass"

Same gentleman from same Committee on Bill "An Act Revising the Laws Relating to Savings and Loan Associations" (H. P. 1015) (L. D. 1394) reported same in a new draft (H. P. 1376) (L. D. 1796) under same title and that it "Ought to pass"

Mr. Trask from same Committee on Bill "An Act Amending the Maine Insurance Code Relating to Fees and Licensing" (H. P. 1139) (L. D. 1599) reported same in a new draft (H. P. 1377) (L. D. 1797) under same title and that it "Ought to pass"

Mr. Hewes from the Committee on Judiciary on Bill "An Act Revising the Laws Relating to Physicians and Surgeons" (H. P. 532) (L. D. 722) reported same in a new draft (H. P. 1378) (L. D. 1798) under title of "An Act relating to the Board of Registration in Medicine" and that it "Ought to pass"

Mr. Norris from the Committee on Legal Affairs, acting in accordance with Joint Order (H. P. 1370), reported a Bill (H. P. 1379) (L. D. 1799) under title of "An Act relating to Qualifications for Municipal Law Enforcement Officers" and that it "Ought to pass"

Mr. Ault from the Committee on Natural Resources on Bill "An Act relating to Municipal Regulation of Land Subdivisions" (H. P. 467) (L. D. 595) reported same in a new draft (H. P. 1380) (L. D. 1800) under same title and that it "Ought to pass"

Reports were read and accepted, the New Drafts read twice and tomorrow assigned.

Ought to Pass with Committee Amendment

Mr. Carter from the Committee on Appropriations and Financial Affairs on Bill "An Act to Authorize Bond Issue in the Amount of \$5,940,000 for the Development and Improvement of State Park Facilities, Improvements to Various Airports, Equipment and Exhibits for Cultural Building, New State Office Building, and Maintenance Building at Augusta and State House Renovations" (H. P. 176) (L. D. 234) reported "Ought to pass" as

amended by Committee Amendment "A" (H-381) submitted therewith.

Mr. Kelley from the Committee on Judiciary on Bill "An Act relating to Aiding Injured Persons and Reporting Hunting Accidents" (H. P. 851) (L. D. 1164) reported "Ought to pass" as amended by Committee Amendment "A" (H-382) submitted therewith.

Mr. Hardy from the Committee on Natural Resources on Bill "An Act Revising the Laws Relating to the Deposit of Oil, Forest Products Refuse and Potatoes in Waters of the State" (H. P. 1076) (L. D. 1468) reported "Ought to pass" as amended by Committee Amendment "A" (H-383) submitted therewith.

Reports were read and accepted and the Bills read twice. Committee Amendment "A" to each was read by the Clerk and adopted, and tomorrow assigned for third reading of the Bills.

Divided Report

Majority Report of the Committee on Business Legislation on Bill "An Act Amending Certain Savings Bank Laws" (H. P. 734) (L. D. 996) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. SCHULTEN of Sagadahoc
DANTON of York
— of the Senate.
Messrs. MADDUX of Vinalhaven
PRATT of Parsonsfield
SCOTT of Wilton
SHELTRA of Biddeford
McKINNON

of South Portland
ROCHELEAU of Auburn
— of the House.

Minority Report of same Committee on same Bill reporting "Ought to pass" as amended by Committee Amendment "B" Submitted therewith.

Report was signed by the following members:

Messrs. CLARK of Jefferson
LITTLEFIELD
of North Berwick
TRASK of Milo
O'BRIEN of Portland
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Wilton, Mr. Scott.

Mr. SCOTT: Mr. Speaker: I move acceptance of the Majority Report and would like to speak to my motion.

The SPEAKER: The gentleman from Wilton, Mr. Scott, moves the acceptance of the Majority "Ought to pass" Report.

The gentleman may proceed.

Mr. SCOTT: Mr. Speaker and Ladies and Gentlemen of the House: L. D. 996, heard before the Business Legislation Committee, mainly broadens the savings bank laws so that they can participate in mobile home financing. The controversy over this measure centers around Section 4 which removes the low income housing. Last session of the legislature we granted authority to savings banks to participate in low income housing and apparently the Maine Savings Bank has gone ahead with this low income housing and have formed a separate corporation, Mutual Projects Incorporated in Portland, whose charter is very broad.

There is a lot of controversy about this and this Section 4 would allow them to get into any type of housing. Committee Amendment H-384 leaves the law as it currently stands, so that savings banks will be allowed to participate in low income housing; but they can't proceed to get into commercial developments and residential dwellings and so forth. That is what the majority of the Committee felt, the way things should stand at the present time.

H-385, the Minority Report, would allow savings banks to not only participate in low income housing but would allow them to participate in residential housing, all except commercial.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. O'Brien.

Mr. O'BRIEN: Mr. Speaker and Members of the House: As you folks can recognize from the committee reports, that both committee reports were "ought to pass" on the bill. Now the Minority Report and the Majority Report are very very close. If you would

take both amendments, Committee Amendment "A" and Committee Amendment "B" and read them, Committee Amendment "A" restricts the savings banks to low income housing only, and Committee Amendment "B" will allow them to get into moderate priced housing, upper income housing.

The majority of the large cities in the State of Maine are dying because low income housing offers absolutely no tax base to help these cities. Low income housing is strictly a tax drain. Now Committee Amendment "B" restricts them from getting involved in commercial property, which is the big contention — there is no quarrel with that, we have no intention of allowing the savings banks to get involved in the commercial, industrial shopping centers and so forth. But I do believe they should be allowed to get involved in the middle and upper priced housing rather than to restrict them to low income housing.

The cities need this type of financing. The cities need this type of building. So I hope that you will accept Committee Amendment "B".

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

Mr. NORRIS: Mr. Speaker, Ladies and Gentlemen: Very briefly, that is almost the same argument that I heard two years ago when they wanted to get into the low income housing and stating that they wouldn't be going into the higher income housing. So apparently all of our troubles arise from the gradual expansion of one savings bank in the state.

I would hope that you would accept the majority report.

The SPEAKER: The Chair will order a vote. The pending question is on the motion of the gentleman from Wilton, Mr. Scott, that the House accept the Majority "Ought to pass" Report. All in favor of this motion will vote yes; those opposed will vote no.

A vote of the House was taken.

80 having voted in the affirmative and 41 having voted in the negative, the motion did prevail.

The Bill was given its two several readings. Committee Amend-

ment "A" (H-384) was read by the Clerk and adopted and the Bill assigned for third reading tomorrow.

Divided Report

Majority Report of the Committee on Business Legislation reporting "Ought not to pass" on Bill "An Act Limiting Discounts by Hospitals and Other Providers of Health Care" (H. P. 761) (L. D. 1027)

Report was signed by the following members:

Mrs. CARSWELL
of Cumberland
Messrs. SCHULTEN of Sagadahoc
DANTON of York
— of the Senate.
Messrs. O'BRIEN of Portland
CLARK of Jefferson
LITTLEFIELD
of North Berwick
MADDOX of Vinalhaven
McKINNON
of South Portland
SHELTRA of Biddeford
— of the House.

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

Report was signed by the following members:

Messrs. PRATT of Parsonsfield
TRASK of Milo
SCOTT of Wilton
ROCHELEAU of Auburn
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Wilton, Mr. Scott.

Mr. SCOTT: Mr. Speaker: I move acceptance of the Minority Report and would speak to my motion.

The SPEAKER: The gentleman from Wilton, Mr. Scott, moves the acceptance of the Minority "Ought to pass" Report.

The gentleman may proceed.

Mr. SCOTT: Mr. Speaker, Ladies and Gentlemen of the House: L. D. 1027 is the result of a document that was before the last session of the legislature and was referred to Legislative Research for study, and hence this bill was introduced.

The purpose of this bill is very simple — to require fairness in the treatment of the sick and the in-

jured. All of us as human beings are practically in the same boat. None of us knows when sickness or injury will strike us, and all of us dread the idea of being in a hospital. A lot of us try to take steps to insure that when and if we are injured or become ill, there will be money to pay for our medical and hospital bills.

Some of us subscribe to Blue Cross - Blue Shield. More of us subscribe to medical and hospital insurance from companies other than Blue Cross. Some people can't get insurance of any kind and simply try to keep something saved away in case of an emergency. But no matter what we do, we still stand the same chance of getting hurt or sick. If we do get hurt or sick, the hospital we go to will treat us the same, no matter if we have Blue Cross, or another commercial medical insurance, or if we just have our own savings which we pay the bills from. The cost to the hospital is going to be exactly the same for each of us.

Since the hospital's cost of care is the same for each of us, I am suggesting to you that we ought to be charged equally for this same care. This is what the bill would require, because this is not what is happening at the present time, as discovered by the Legislative Research Committee.

Let's say you and I have the same injury. Let's say I have Blue Cross and you have insurance from one of the commercial companies. The hospital's actual cost to treat both of us is exactly the same. What is happening now is that my Blue Cross is refusing to pay the whole bill.

It is insisting on a discount because they usually make contracts with hospitals in advance for discounts ranging from 10 to 20 percent. But your company, if you have a commercial carrier, is paying the whole bill and so is the public if they don't have any insurance — those who can least afford it.

Blue Cross is the largest single insurer in Maine hospitals. But the other companies together insure many more people than Blue Cross does. They also pay taxes. Blue Cross pays no taxes.

This bill would simply say to the hospitals: If you want to give discounts or charge less for your services than it's costing you, fine. Just give the same discount on the same terms to everyone who meets those terms.

This bill isn't going to hurt the minority of people who subscribe to Blue Cross. Blue Cross already has a big advantage. It doesn't pay taxes and everyone else does. Having this advantage, I think it is completely fair and reasonable to ask that Blue Cross pay the hospital for everything it pretends to insure for. Or to put it another way, to ask that people who are ill or injured be treated equally by the hospitals, regardless of race, color, creed or insurance.

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

Mr. LITTLEFIELD: Mr. Speaker, Ladies and Gentlemen of the House: I would like to give you a little background on this bill. This bill would prohibit a hospital from allowing a discount or contractual allowance on charges for hospital and health care. It is aimed solely at Blue Cross-Blue Shield, which is in this state the only organization contracting directly for the payment of hospital costs. Commercial insurance companies contract to reimburse the insured rather than the hospital, and because there is no contract between the insurance company and the hospital, this L. D. would obviously have no effect upon the commercial insurance companies.

What this bill does propose is to prohibit the contractual formula negotiated between the hospital and Blue Cross-Blue Shield which provides for payment to the hospitals on a cost-plus basis, which attempts to encourage hospital efficiency and reduction of hospital billings. Blue Cross pays its benefits directly to the hospitals so that every penny paid is received by the hospital. Commercial insurance companies, on the other hand, pay their benefits to their insured, with no guarantee that the hospitals actually receive the money.

In a recent study, the hospitals received 95.4 percent of their billings from Blue Cross patients, while from commercial insurance and private pay patients, the hospitals received 74.4 percent of their billings. Therefore, from the hospital point of view, even assuming a discount, the hospital receives over 20 percent more of its billings from Blue Cross people than it does from the commercial and private pay patients.

Therefore, ladies and gentlemen, I hope you will vote in opposition to the Minority Report.

The SPEAKER: The Chair recognizes the gentleman from Westfield, Mr. Good.

Mr. GOOD: Mr. Speaker, Ladies and Gentlemen of the House: I rise in support of the Majority "Ought not to pass" Report of the Business Legislation Committee, because the enactment of this legislation would benefit no one while hurting over 400,000 Maine people who are members of Blue Cross.

Blue Cross is required by its enabling legislation to contract with hospitals to provide hospital care to its subscribers. These contracts provide for hospital payment based upon a cost-plus formula very similar to the one used by the federal government for Medicare. Because there is no governmental regulation regarding the amount of hospital bills, Blue Cross, as did the federal government, found it necessary, in order that it not be required to pay inflated billings, to contract for reimbursement on a cost-plus basis. The passage of this L. D. would prohibit such a contract. It would leave Blue Cross members at the mercy of individual hospital boards to establish their own billing rates and would necessarily increase costs to Blue Cross, which because they are a non-profit organization, would pass this cost along to its subscribers.

I am against the acceptance of the Minority "Ought to pass" Report.

The SPEAKER: The Chair recognizes the gentleman from Milo, Mr. Trask.

Mr. TRASK: Mr. Speaker and Ladies and Gentlemen of the House: Perhaps the worst feature

of the discount system which is presently going on is the fact that it is hurting the hospitals, and therefore the general public, at the benefit of a small minority.

There is nothing wrong with a discount in theory, if it is applied fairly and realistically. Businesses use discounts all the time, particularly in the distribution of manufactured items. Discounts are very commonly given for a customer who reaches a particular level of volume, or for the speed with which accounts receivable are paid. Discounts in business serve a real economic purpose.

There is no realistic economic purpose to be gained in the present discount system which is being forced upon the hospitals by the Blue Cross-Blue Shield insurance companies. There is no economic advantage involved either to the hospitals or to the general public; there is only a loss.

In business the discount is offered by the provider of goods or services in order to improve or speed up the business process. The situation we are talking about here is not the same. It is the consumer of goods or services that is forcing the discount on the provider. Blue Cross is saying in effect to the hospital: "Look — we are your largest customer. Maybe we only account for 20 or 30 percent of your patients, but we are the biggest. Therefore give us a discount of up to 15 or 20 percent on what your cost is."

It is almost impossible for the hospital to fight this on straight economic grounds. The hospitals perform a public service to the public at large, and they run in the red in order to do it. They don't have the means or the economic strength to fight back against this discount practice without our help.

There is nothing wrong with a discount that is given on equal terms for equal services. But that is not what we are talking about here. What is happening here is that because of unequal economic strength the hospitals are being forced to accept less for the health care they provide than it actually costs them to provide it. You and I, the public, and the people who

can't afford it, are being asked to make up the difference. I urge the acceptance of the Minority "Ought to pass" Report.

The SPEAKER: The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Smith.

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: Blue Cross and Blue Shield were started over 30 years ago, during the time of the depression, to enable the people of Maine to prepay for their hospital care. At that time health care was not attractive to commercial insurance companies and Blue Cross, unlike a commercial insurance company, provided for payments to be made directly to the hospital rather than to the policy holder. Since that time Blue Cross has operated on a cost reimbursement contract with the individual hospitals throughout the state. While this contract is based upon reimbursable costs, its net effect to the hospital results in the hospital receiving a higher percentage of its billings in a shorter period of time than is the case for commercial insurance covered and private pay patients. The hospital, therefore, benefits from a straight dollars and cents point of view from Blue Cross direct payments. The passage of this bill would prohibit this contractual arrangement, thereby affecting the beneficial results to many Maine hospitals and citizens.

I therefore urge your support for the position presented at the hearing by representatives of the hospitals, the health care planning agencies and even the Insurance Commissioner, in defeating this legislation.

Mr. Speaker, I move the indefinite postponement of this bill.

The SPEAKER: The pending question is on the motion of the gentleman from Dover-Foxcroft, Mr. Smith, that both Reports and Bill "An Act Limiting Discounts by Hospitals and Other Providers of Health Care," House Paper 761, L. D. 1027, be indefinitely postponed. All in favor of indefinite postponement of both Reports and Bill will vote yes; those opposed will vote no.

A vote of the House was taken.

105 having voted in the affirmative and 25 having voted in the negative, the motion did prevail. Sent up for concurrence.

Divided Report

Majority Report of the Committee on Transportation reporting "Ought to pass" on Bill "An Act to Authorize the Construction of a Toll Bridge across the Kennebec River between the Municipalities of Waterville and Winslow" (H. P. 753) (L. D. 1022)

Report was signed by the following members:

Messrs. JOHNSON of Somerset
KELLAM of Cumberland
— of the Senate.
Messrs. HALL of Windham
WOOD of Brooks
McNALLY of Ellsworth
DUDLEY of Enfield
LEE of Albion
KEYTE of Dexter
LEBEL of Van Buren
FRASER of Mexico
— of the House.

Minority Report of same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following members:

Mr. GREELEY of Waldo
— of the Senate.
Messrs. CROSBY of Kennebunk
BARNES of Alton
— of the House.

Reports were read.

On motion of Mr. Wood of Brooks, the Majority "Ought to pass" Report was accepted.

The Bill was given its two several readings and tomorrow assigned.

Third Reader

Tabled and Later Today Assigned
Bill "An Act Repealing the Poll Tax (S. P. 14) (L. D. 42)

Was reported by the Committee on Bills in the Third Reading and read the third time.

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

Mr. CYR: Mr. Speaker, I would like to have this tabled for two legislative days, please.

The SPEAKER: The gentleman from Madawaska, Mr. Cyr, moves that L. D. 42 be tabled and specially assigned for Thursday, June 3, pending passage to be engrossed.

Mr. Porter of Lincoln requested a division on the tabling motion.

The SPEAKER: A division has been requested on the tabling motion. All in favor of this matter being tabled and specially assigned for Thursday, June 3, pending passage to be engrossed will vote yes; those opposed will vote no.

A vote of the House was taken. 43 having voted in the affirmative and 64 having voted in the negative, the motion did not prevail.

The SPEAKER: The Chair recognizes the gentleman from Bridgewater, Mr. Finemore.

Mr. FINEMORE: Mr. Speaker and Members of the House: I signed the "ought to pass" report on this, but since signing it I have made a little discovery over some things and I find that the City of Lewiston would be losing \$27,000-plus and Bangor would be losing \$19,104. I find that about the only ones that really want this are the town managers and the tax collectors. So therefore I move the indefinite postponement of this bill and all accompanying papers.

The SPEAKER: The gentleman from Bridgewater, Mr. Finemore, moves the indefinite postponement of this Bill and all accompanying papers.

Mr. Mills of Eastport requested a division on the motion.

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

Mr. CYR: Mr. Speaker and Ladies and Gentlemen: The reason I wanted to table this for two legislative days was to find out just what was going to happen to the head tax.

This poll tax repeal has disturbed me right along. We have had three bills in Taxation in regards to the repeal. And one thing that surprised me this year is that the Maine Municipal Association is endorsing this repeal. Previously, when I was involved in municipal affairs, the Maine Municipal Association always took a negative stand to this. And the reason for that, of course, was that it was narrowing the tax base too much.

I remember the time when I was on the council of my town and we had a similar bill to repeal the

personal property tax on furniture. At that time it was the same association, the same organization, that was pushing that and your town managers also. Well, that was the same argument that was presented to us at that time that was presented to repeal the poll tax. And we found ourselves, after the dust was cleared in Madawaska, that we had lost \$45,000 in taxes.

I felt at that time if ever I should be in a position to oppose any of this narrowing of the tax base on the local level that I would do so, and this is the reason why I more or less went along reluctantly, although I did sign this repeal here, I went along reluctantly, and I also introduced the head tax to replace it.

Now the poll tax throughout the State of Maine generates \$650,000 a year. The opponents to that, of course they claim that it is a picayune tax, it is a small tax, and it is a nuisance tax, and it is a discriminatory tax and hard to administer. Well, if we keep on chipping away at our tax base as we have done now, if we repeal the poll tax — we have repealed in the past the tax on pianos, we have repealed the tax on TV's, we have repealed the tax on radios. What is left locally is only the property tax. You wonder there is so much of a cry to relieve the property owner of this tax. Well I think we are making a big mistake if we are to repeal this tax and not replace it.

I had most of these arguments here for the head tax which is coming a little later on the calendar, but I think probably we may as well debate it right now. To begin with, we have an L. D. that is coming up that would make it mandatory for the State of Maine to pick up any tax exemptions that the State of Maine allows, and this includes the tax exemptions that will be allowed in this legislature. So in other words, all of the tax exemptions that we allow, the State of Maine will have to replace it to the communities. If we repeal this poll tax I think that this will also be included in that, which means that the State of Maine will

have to find \$650,000 to replace the poll tax back home.

Now the proponents of this repeal claim that is discriminatory against sex — it is true. The answer to that, of course, is to have a tax applied to both male and female. They say that it is picayune; it is small, small potatoes — \$650,000 throughout the state. Well in my head tax which will be debated a little later on, I will show you that we can generate \$2 million, and that is not picayune any more.

They say that it is a nuisance tax. Well name me a tax that is not a nuisance and I will agree with you. They say that it is difficult to administer since we have applied conditions of collection onto the poll tax, that is conditions to your license, you have to have your poll tax paid to have an automobile license or to have a fishing license. Now the only ones that are complaining are those that were getting away with it before.

Now in my own community — and I don't know whether this applies to all the communities in the State of Maine, but it was very easy to collect this tax because we added the poll tax onto the property tax, so it was paid in one block.

I think this is probably all I am going to say at this time in regard to this tax. However, I would have liked to have had it tabled for two days so that we could see what is going to happen to the head tax.

The SPEAKER: The Chair recognizes the gentleman from Oakland, Mr. Brawn.

Mr. BRAUN: Mr. Speaker and Ladies and Gentlemen of the House: Having served on a tax for six years in my town I realize that this is one of the most unfair taxes there is. Many of them don't pay it. It costs you out of the ones that do pay and my town loses money. So many people are exempt. All veterans who receive a 10 per cent disability are exempt. Paupers are exempt. The gentleman just said that these people have to have a poll tax to get a hunting and fishing or driver's license. This is the biggest joke I ever heard. The law says so but no one ever enforces it because I can

show you many people today that are driving automobiles, hunting and fishing that have not paid their poll tax.

Now I do not have anything against the fairer sex, and I don't want you to think I do have, but if we are all going to have equal rights then let's all pay the poll tax or no one pay this poll tax because it is just a very small amount that are paying the poll tax now. I would ask that when the vote is taken we vote to repeal this tax.

The SPEAKER: The Chair recognizes the gentleman from Caribou, Mr. Collins.

Mr. COLLINS: Mr. Speaker and Members of the House: I also favor the repeal of this tax. It has been described by many as an irritant to the taxpayer and a thorn to the tax collector, and I would agree with that conclusion.

There were three bills introduced before the Taxation Committee calling for repeal of the poll tax and as you may recall originally when this tax was enacted it was to be as a condition for voting, and of course the courts have since ruled that this was unconstitutional.

By and large most towns and cities in the State do favor the repeal of this tax. In my own community of some 11,000 people we only received 1100 polls last year, which is a very small percentage of the collectible tax. And when added to a \$10,000 piece of property as an additional tax, this might amount to about 15 cents. I hope you will oppose the motion for indefinite postponement and will vote to repeal the poll tax.

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

Mr. COTTRELL: Mr. Speaker and Members of the House: I was one of those on the Taxation Committee that signed the repeal of the poll tax. The assessors who appeared and the tax collectors who appeared at the hearing were all in favor of it and for the reasons that have been mentioned. In my own case too, in our own City of Portland where we collect about \$35,000 in taxes, poll taxes, it costs something like \$19,000, so the cost of compliance in getting this tax

is very high and I know that our city is in favor of the repeal of the poll tax.

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

Mr. CLEMENTE: Mr. Speaker and Ladies and Gentlemen of the House: I rise to support the repeal of the poll tax for several reasons.

1. It has already been mentioned that discrimination is a factor. Also the constitutionality of this tax. I was told that these were two good words to use as debate and I have heard them several times.

Another reason is the psychological effect. This would be a psychological lift on the taxpayers of the State of Maine. It may be a small tax but as Mr. Cyr pointed out it is a petty tax. It is picayune. It is a pain in the neck to collect, it is a pain in the neck to explain to our constituents, and it is a pain in the neck to justify.

Also while doing a research on the poll tax I found that the tax goes back so long that I thought at one time I might have to go down to Massachusetts to get this repealed. That is how far back it goes.

I would just hope that you would go with the Majority Report, accept this and repeal the tax.

The SPEAKER: The Chair recognizes the gentleman from Bridgewater, Mr. Finemore.

Mr. FINEMORE: Mr. Speaker and Members of the House: I wonder if we are ready to take \$646,968 of the taxes now and add it on to the real estate in the State of Maine, and that is right where it will go. I notice that the gentleman from Oakland, Mr. Brawn, mentioned his right at the present time not counting the supplement tax was \$2463.

In answer to the gentleman from Caribou, his statement wasn't quite up to what it should have been because they are on their books carrying 1100 poll taxpayers, but they are also collecting a supplement of some 800 more making a total of 1900 poll taxpayers, another \$5700. Of course I don't blame them for doing it because that is the method most towns use,

but I hope you will go along with indefinite postponement of the bill.

The SPEAKER: The Chair recognizes the gentleman from Oakland, Mr. Brawn.

Mr. BRAWN: Mr. Speaker and Members of the House: I believe the figures of my good friend Mr. Finemore has there shows what is collected. It doesn't show what it costs us for lawyers to collect the other.

The SPEAKER: The Chair recognizes the gentleman from Lincoln, Mr. Porter.

Mr. PORTER: Mr. Speaker and Ladies and Gentlemen of the House: As you know we have two bills before us today, the poll tax and the head tax. I did not ask for a division on the tabling motion to be mean to my friend from Madawaska, Mr. Cyr. I simply felt that after a vacation that we were all ready to decide which of these two bills we should take. I think we must decide either the poll tax or the head tax or neither. But I think we all agree that the towns need money and this is one source of the money, so I think we ought to decide today whether we will have the poll tax or the head tax or collect the money from the real estate tax.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mr. Morrell.

Mr. MORRELL: Mr. Speaker and Ladies and Gentlemen of the House: Just to reassure you if L. D. 1735 is passed, which would require the legislature to reimburse the communities for any further exemption from the property tax, this would not apply in this instance because there is no bearing between the two. So that if you pass and repeal this poll tax the State will not be required, through the new legislation, to reimburse the municipalities.

The SPEAKER: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker and Members of the House: Somehow or another I find myself agreeing with the gentleman from Madawaska, Mr. Cyr. I don't think we should kill this poll tax until we are sure that we are going to pass the head tax. Personally

I would prefer the head tax which he mentions to the poll tax, and frankly I can't see why any citizen of the State of Maine should object to paying either one or the other. It seems to me that the privilege of living in the State of Maine is worth the \$3 tax and nobody should gripe about it and it does if we kill it we do reduce the revenues to our towns.

I feel reluctant to vote to kill this tax until we are sure that we will come up with the other tax which as Mr. Cyr tells you would yield \$2 million to the municipalities.

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

Mr. ROSS: Mr. Speaker and Members of the House: Just for the edification of some of the members here, this head tax that you have been talking about is found on page 7, item 4, a divided report, and it is entitled "An Act relating to Relief of the Elderly on Property Taxes". That is the head tax they are talking about, and that would certainly have to be amended. If you kill the poll tax you will have to amend this.

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

Mr. JALBERT: Mr. Speaker, I move this item lie on the table until later on in today's session.

Thereupon, Mr. Donaghy of Lubec requested a division on the motion.

The SPEAKER: A vote has been requested on the tabling motion. All in favor of this matter being tabled and later today assigned will vote yes; those opposed will vote no.

A vote of the House was taken.

91 having voted in the affirmative and 28 having voted in the negative, the motion did prevail.

Passed to Be Engrossed

Bill "An Act to Increase the Fee for Steam Engineer and Fireman Licenses" (S. P. 604) (L. D. 1777)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed and sent to the Senate.

Third Reader

Tabled and Later Today Assigned

Bill "An Act to Provide for Use of the Courts by Indigent Persons (S. P. 606) (L. D. 1779)

Was reported by the Committee on Bill in the Third Reading and read the third time.

The SPEAKER: The Chair recognizes the gentleman from Enfield, Mr. Dudley.

Mr. DUDLEY: Mr. Speaker and Ladies and Gentlemen of the House: I hope that every member of the House has carefully looked at this. I don't think we should pass this for quite a few reasons which I won't go into the whole of them, but let me say without amendment most of the counties—at least the one I come from, Penobscot, doesn't have any account whereby to take care of the expense and I am satisfied that nobody is being denied court at the present time for anything worthwhile.

I have seen so many little jewels like this come into this House down through the years that they told us didn't cost much money and nobody can tell us what the cost is going to be. It is only a trickle today, but I assure you within a few years it will be a lot of money because once they find this is available they will be using it for every \$10 item.

I feel sure that this bill should not pass and for this reason I move that it be indefinitely postponed.

The SPEAKER: The Chair recognizes the gentleman from Guilford, Mrs. White.

Mrs. WHITE: Mr. Speaker and Members of the House: I had hoped to ask for this to be tabled for one day, but in view of our policy this morning I am not going to ask it. I have been in the process of getting facts and figures concerning this and from what I have been able to get, which I don't have organized well enough so that I can give them to you, but from what I do have it appears to me that the cost would not be great. I can't swear to that of course, but that is my finding as of right now.

I hope that you will vote as you did on Friday, I believe it was 76 to 54 to pass this bill.

On motion of Mr. Ross of Bath, tabled pending the motion of Mr. Dudley of Enfield to indefinitely postpone and later today assigned.

Bill "An Act relating to Definition of Theft by One Renting or Trusted with Property" (H. P. 963) (L. D. 1324)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed and sent to the Senate.

Third Reader Amended

Bill "An Act Appropriating Funds for the Construction of a General Activities Building for Female Offenders on Property at Stevens School" (H. P. 1327) (L. D. 1741)

Was reported by the Committee on Bills in the Third Reading and read the third time.

Mr. Bragdon of Perham offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-379) was read by the Clerk and adopted.

The Bill was passed to be engrossed as amended and sent to the Senate.

Bill "An Act relating to Hunting, Fishing and Trapping on Indian Tribal Lands" (H. P. 1371) (L. D. 1789)

Bill "An Act relating to Certain Laws Relative to Great Ponds" (H. P. 1374) (L. D. 1791)

Resolve Authorizing Conveyance of Ministerial and School Lands by Trustees of Town of Mattawamkeag to the State (H. P. 1350) (L. D. 1772)

Were reported by the Committee on Bills in the Third Reading, Bills read the third time, Resolve read the second time, all passed to be engrossed and sent to the Senate.

Amended Bills

Bill "An Act Providing Funds for the Maine Police Academy" (S. P. 170) (L. D. 522)

Bill "An Act Revising the Air Pollution Laws" (H. P. 1127) (L. D. 1557)

Were reported by the Committee on Bills in the Third Reading,

read the third time, passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

Bill "An Act to Provide Mandatory Penalties for Commission of a Crime with a Firearm" (S. P. 332) (L. D. 983)

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

Bond Issue Tabled and Assigned

An Act to Authorize Bond Issue in the Amount of \$3,850,000 for Student Housing at Central Maine Vocational Technical Institute, Eastern Maine Vocational Technical Institute, Washington County Vocational Technical Institute, and the Maine Maritime Academy, Site Improvements at Washington County Vocational Technical Institute, Heating and Air Conditioning Shop and Laboratory at Southern Maine Vocational Technical Institute, Completion of School Building at Peter Dana Point Reservation and Multi-Purpose Buildings for Penobscot and Passamaquoddy Reservations (H. P. 175) (L. D. 233)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

(On motion of Mr. Porter of Lincoln, tabled pending passage to be enacted and tomorrow assigned.)

Passed to Be Enacted

An Act Creating the Maine Litter Control Act (S. P. 262) (L. D. 768)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

Enactor Tabled and Assigned

An Act relating to Amount of Annual Excise Tax on Railroads (S. P. 369) (L. D. 1108)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

(On motion of Mr. Cyr of Madawaska, tabled pending passage to

be enacted and tomorrow assigned.)

An Act Establishing a Comprehensive Child Care Program of Maine (S. P. 432) (L. D. 1247)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

**Enactor
Tabled and Assigned**

An Act relating to Probation of Juveniles in Cumberland County (S. P. 525) (L. D. 1565)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mrs. Wheeler.

Mrs. WHEELER: Mr. Speaker and Members of the House: The Attorney General's office is preparing an amendment for this L. D., and I would hope that someone would table it for two legislative days.

Thereupon, on motion of Mr. Martin of Eagle Lake, tabled pending passage to be enacted and specially assigned for Thursday, June 3.

An Act to Correct Certain Errors and Inconsistencies in the Fish and Game Laws (S. P. 591) (L. D. 1749)

An Act to Remove the Numerical Exemption from the Minimum Wage Law (H. P. 570) (L. D. 746)

An Act to Revise Laws Relating to Aviation (H. P. 620) (L. D. 802)

An Act Amending the Maine Sanitary District Enabling Act (H. P. 683) (L. D. 924)

An Act relating to the Enforcement of Money Judgments (H. P. 850) (L. D. 1137)

An Act relating to Qualifications of Applicants for Examination for Admission to Practice Law (H. P. 989) (L. D. 1351)

An Act to Provide Certain State Level Land Use Controls (H. P. 1125) (L. D. 1543)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

An Act relating to Hunting and Fishing Licenses and Fees Therefor (H. P. 1148) (L. D. 1600)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

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

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: There have been drafts and redrafts and amendments and all sorts of things relative to these licenses and I would like someone to be kind enough to explain to the House just where we do stand now.

The SPEAKER: The gentleman from Bath, Mr. Ross, poses a question through the Chair to anyone who may answer if they choose.

The Chair recognizes the gentleman from Augusta, Mr. Lewin.

Mr. LEWIN: Mr. Speaker and Members of the House: The present situation as far as this bill is concerned, there is an amendment on there leaving the cost of the resident junior license at the figure that was there before, the lower figure. Other than that, the bill is as printed in the L. D. 1600.

Thereupon, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The SPEAKER: The Chair recognizes the gentleman from Oakland, Mr. Brawn.

Mr. BRAWN: Mr. Speaker, I move we reconsider our action whereby we passed L. D. 1600.

The SPEAKER: The gentleman from Oakland, Mr. Brawn, now moves the House reconsider its action whereby L. D. 1600 was passed to be enacted.

The Chair recognizes the gentleman from Lincoln, Mr. Porter.

Mr. PORTER: Mr. Speaker and Members of the House: It seems to me we have had go arounds enough on this thing. We understand the needs in the Department; we understand the slight increase in the fees, and I certainly would be opposed to reconsideration.

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

Mr. KELLEHER: Mr. Speaker and Members of the House: I stand

to support the motion to reconsider. I think that maybe Mr. Brawn might have something he wants to add to it. And as far as knowing the need for the money, all this money does, ladies and gentlemen, is expand the Department. That is why they are asking for it. So I feel we should give him the consideration and go for reconsideration.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Lewin.

Mr. LEWIN: Mr. Speaker and Members of the House: I will be very brief. We did amend the bill at the request of one of the legislators. We think this is a good bill. We expect a lot from our wardens, we should support them. I hope we will not go along with the gentleman's request.

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

Mr. KELLEHER: Mr. Speaker and Ladies and Gentlemen of the House: If this is such a darn good bill, I can't see why the Fish and Game Committee in this House wouldn't let us reconsider it and discuss it a little more.

The SPEAKER: The Chair recognizes the gentleman from Presque Isle, Mr. Parks.

Mr. PARKS: Mr. Speaker and Ladies and Gentlemen of the House: We have reconsidered this bill several times. Now this money for the hunting and fishing license, if there is anybody in the state that doesn't want to support the Fish and Game Department they just don't have to buy a fishing license or a hunting license. So it doesn't cost them anything.

You want to remember this is dedicated revenue that the Fish and Game Department gets, it is all that they live on. And they have to abide by what money they get from hunting and fishing licenses. So if anybody doesn't want to kick in, why they just don't hunt and don't fish, unless they do it illegally. So I am definitely opposed to the changing of this bill, or the reconsidering of it.

The SPEAKER: The Chair recognizes the gentleman from Southport, Mr. Kelley.

Mr. KELLEY: Mr. Speaker, Ladies and Gentlemen of the House: I was the author of the original 1600 bill which has been rewritten by the committee. My original bill provided for funds enough to keep the Department in business and to slightly expand its services. The present bill in its form will just about keep the Department going, and enable us to take care of some major problems that we have in fish hatcheries. And if we are going to maintain present services we need the present schedule. I hope the motion to reconsider does not pass.

The SPEAKER: The Chair recognizes the gentleman from Ellsworth, Mr. McNally.

Mr. McNALLY: Mr. Speaker and Members of the House: I probably didn't hear right, but I understood Mr. Lewin to say that the cost of these fishing licenses is according to L. D. 1600. If that is the case, the nonresident license has gone back to \$50.50. I thought it was \$42.50.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Lewin.

Mr. LEWIN: Mr. Speaker and Members of the House: He is absolutely right. I did err on that one. It is better than as previously published.

The SPEAKER: The pending question is on the motion of the gentleman from Oakland, Mr. Brawn, that the House reconsider its action whereby An Act relating to Hunting and Fishing Licenses and Fees Therefor, House Paper 1148, L. D. 1600, was passed to be enacted. If you are in favor of reconsideration you will vote yes; if you are opposed you will vote no.

A vote of the House was taken.

35 having voted in the affirmative and 75 having voted in the negative, the motion did not prevail.

An Act to Create a Commission to Prepare a Revision of the Criminal Laws (H. P. 1211) (L. D. 1658)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be

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

An Act Prohibiting Insurance Licenses for Banks, Savings and Loan Associations and Credit Unions (H. P. 1342) (L. D. 1761)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

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

Mr. NORRIS: Mr. Speaker, Ladies and Gentlemen of the House: I have a letter here from one of the leading insurance men in the state, and I feel, along with some of the other correspondence I have had, that I should read parts of this on this bill. It says:

"I honestly believe that every time some of our Legislators or some of our Department Heads go out of state for any purpose, they return armed with legislative documents, resolves and statutes of other states, on the theory that what is good for Arizona or Tennessee or Florida ought to be good for Maine. Consequently, I think we have a lot of garbage in the Revised Statutes of Maine. Particularly those statutes referring to the conduct of insurance affairs.

"A good illustration of this point is L. D. 1285 which seeks to prohibit banks from getting into the insurance business.

"About three or four years ago a national bank in the state of Georgia acquired control of several large insurance agencies and the Insurance Agents' Association of the State of Georgia introduced legislation to prohibit this action. The rest is obvious and our insurance people are now following the theme that what is good for Georgia must be good for Maine.

"Apparently it makes no difference to those who introduce legislation that our problems in Maine are not related to those in Georgia. As of this point in time, no bank in the State of Maine has any interest whatsoever in any insurance agency in the State of Maine. The closest we ever came to the consolidation of banking and insurance interests occurred about twenty years ago when a fellow by the

name of Barter, who was then President of the Rangeley Trust, also operated an insurance agency on the second floor of the bank building. He did this as a service for out of state people who owned property in the Rangeley area; and everyone agreed that the arrangement served a good and useful purpose.

"Now if there is a distinct threat that the Merrill Bank is planning on taking over John C. Paige & Company or the Maine National is ready to buy out Morse, Payson & Noyes or the Lewiston National has designs on the Dunlap Agency, then probably this legislation might serve a good and useful purpose, if it could be shown that the banks intended to coerce their customers with respect to the placement of insurance.

"But in the absence of any such threat, I think that such a bill at this time is certainly unnecessary."

So I would ask for a division on enactment, and I would hope that you would vote against it.

The SPEAKER: The pending question is passage to be enacted. All in favor of this Bill being enacted will vote yes; those opposed will vote no.

A vote of the House was taken. 41 voted in the affirmative and 44 voted in the negative.

Mr. Scott of Wilton then requested a roll call.

The SPEAKER: The yeas and nays have 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 members 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 Chair recognizes the gentleman from Wilton, Mr. Scott.

Mr. SCOTT: Mr. Speaker, Ladies and Gentlemen of the House: This bill 1285 appears before you in redraft. It was heard before the Business Legislation Committee and there was very little opposition to it. As the gentleman

from Brewer, Mr. Norris has told you, it was designed to prevent bank holding companies from getting into the insurance business. They have a tendency to get into all types of businesses and in other states they have been getting into the agent's business and that is what this bill is designed to do, keep him out of it. They may at sometime decide that they want to go into it.

It excludes credit life and credit health and I would hope that you would support the passage of this bill.

The SPEAKER: A roll call has been ordered. All in favor of passage to be enacted of this Bill will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Ault, Baker, Bartlett, Berry, G. W.; Berry, P. P.; Berube, Binnette, Birt, Bither, Boudreau, Bourgoin, Bragdon, Brown, Bunker, Bustin, Call, Carrier, Carter, Clemente, Collins, Cottrell, Crosby, Curran, Curtis, A. P.; Cyr, Dow, Emery, D. F.; Faucher, Fecteau, Finemore, Fraser, Gagnon, Gauthier, Genest, Gill, Goodwin, Hall, Hancock, Haskell, Hayes, Herrick, Hewes, Hodgdon, Jalbert, Kelley, P. S.; Keyte, Kilroy, Lawry, Label, Lewin, Littlefield, Lizotte, Lucas, Lund, Lynch, MacLeod, Maddox, Marsh, Marstaller, Martin, McKinnon, Millett, O'Brien, Orestis, Page, Parks, Payson, Pontbriand, Porter, Pratt, Rocheleau, Rollins, Ross, Scott, Shaw, Shute, Silverman, Simpson, L. E.; Slane, Smith, E. H.; Starbird, Stillings, Susi, Tanguay, Trask, Tyndale, Vincent, Wheeler, White, Whitson, Wood, M. W.; Wood, M. E.; Woodbury.

NAY — Barnes, Bedard, Bernier, Brawn, Churchill, Clark, Cote, Cummings, Doyle, Drigotas, Dudley, Dyar, Emery, E. M.; Good, Hawkens, Kelleher, Lee, Lessard, Lewis, Manchester, McCloskey, McNally, Mills, Mosher, Murray, Norris, Rand, Simpson, T. R.; Smith, D. M.; Theriault, Webber, Wight.

ABSENT — Bailey, Carey, Conley, Cooney, Curtis, T. S., Jr.; Dam, Donaghy, Evans, Farrington, Hanson, Hardy, Henley, Immonen, Jutras, Kelley, K. F.;

Kelley, R. P.; Lincoln, Mahany, McCormick, McTeague, Morrell, Santoro, Sheltra, Williams.

Yes, 94; No, 32; Absent, 24.

The SPEAKER: Ninety-four having voted in the affirmative, thirty-two in the negative, with twenty-four being absent, this Bill is passed to be enacted. It will be signed by the Speaker and sent to the Senate.

An Act relating to Habitual Offenders of Motor Vehicle Laws (H. P. 1355) (L. D. 1771)

An Act relating to Long-term Semipermanent Registration Plates for Certain Semitrailers (H. P. 1357) (L. D. 1773)

Finally Passed

Resolve to Reimburse Mrs. Edward L. Libby of Kennebunk for Displacement Costs Because of Property Taken by State (H. P. 715) (L. D. 960)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, Bills passed to be enacted, Resolve finally passed, all signed by the Speaker and sent to the Senate.

Orders of the Day

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

Bill "An Act to Authorize a Food Stamp Program for Piscataquis County, Sagadahoc County, Aroostook County, Penobscot County, and York County" (H. P. 1143) (L. D. 1584) — In House, passed to be engrossed as amended by House Amendments "A" (H-269) "B" (H-278) "C" (H-285) "D" (H-290) — In Senate, passed to be engrossed as amended by House Amendments "A", "B", "C", "D" and Senate Amendments "A" (S-204) "B" (S-212) in non-concurrence.

Tabled — May 27, by Mrs. White of Guilford.

Pending — Further consideration.

The House voted to recede and concur.

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

Bill "An Act relating to an Airport Commission for Knox Coun-

ty" (H. P. 1351) (L. D. 1767) — In House, passed to be engrossed.— In Senate, indefinitely postponed in non-concurrence.

Tabled — May 27, by Mr. Maddox of Vinalhaven.

Pending — Motion of Mr. Norris of Brewer to insist and ask for a Committee of Conference.

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

Mr. EMERY: Mr. Speaker and Members of the House: We have had some problems down in Knox County relating to this piece of legislation. We haven't been able to resolve them satisfactorily. So rather than take up any further time of the Legislature I now move that the House recede and concur.

Thereupon, the House voted to recede and concur.

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

HOUSE DIVIDED REPORT — Majority (11) "Ought not to pass" — Minority (2) "Ought to pass" Committee on Natural Resources on Bill "An Act Establishing the Flood Hazard Area Management Act of Maine" (H. P. 498) (L. D. 644)

Tabled — May 27, by Mr. Ault of Wayne.

Pending — Motion of Mr. Hardy of Hope to accept Majority Report.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Bustin.

Mr. BUSTIN: Mr. Speaker, Ladies and Gentlemen of the House: This is a bill which I had sponsored and I find myself in a rather peculiar predicament today. I thought the bill was going along rather well, particularly since by some coincidence we even managed to order up a flood in Augusta the day that the bill was being heard, which some people told me was quite a trick for a freshman legislator.

The reason I am in a predicament is that I won't even vote for the bill in its present form. It is a model bill, but it is a problem that we have to get a start on. We do not usually become too concerned about floods when there

is no flooding. A flood is a crisis which is temporary, but I am sure most of you are aware that there was four to five million dollars of flood damage in this state last year, and in municipal buildings of the towns that you represent the total was in the vicinity of \$875,000 worth of flood damage.

But getting back to the peculiar predicament, because I did not particularly like the bill the way it was I suggested to the committee that they consider a redraft and the redraft of the bill would simply make the bill a beginning to delineate the flood plain in the whole State of Maine and would carry a modest appropriation to make this start, and there would be no regulatory functions whatsoever in the redraft.

I guess in the haste of the Committee to finish its business it didn't have time to fully consider the new draft, so now I have prepared an amendment to this bill which you don't have yet but which will take all — I repeat, all of the regulatory functions out of the bill and would leave it as a bill just to begin the study of the flood plain pursuant to action of the next legislature. And even the lobbyist for the Oxford Paper Company, International and St. Regis, agreed at the hearing that it would be a good bill without the regulatory parts.

So I would hope that today we would vote against the acceptance of the Majority Report, allow the Minority Report to be accepted and give me a chance to get this amendment to you; and if we can't get the amendment then I will lead the fight to defeat the bill myself.

The SPEAKER: The pending question is on the motion of the gentleman from Hope, Mr. Hardy, that the House accept the Majority "Ought not to pass" Report. The Chair will order a vote. All in favor of the Majority Report will vote yes; those opposed will vote no.

A vote of the House was taken.

50 voted in the affirmative and 40 voted in the negative.

Mr. Smith of Waterville requested roll call.

The SPEAKER: The yeas and nays have 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 members 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 Chair recognizes the gentleman from Eagle Lake, Mr. Martin.

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: I think obviously we are all interested in going home sometime in June. I do think however that we could vote with the gentleman from Augusta, Mr. Bustin, today and give him an opportunity to present the amendment tomorrow. If this is not acceptable at that point then we can take care of the problem. I think this morning in deference to him and also to the people who are interested in this type of legislation it is not a difficult request to go along with. I would suggest that we vote no against the motion to accept the Majority Report.

The SPEAKER: The pending question is on motion of the gentleman from Hope, Mr. Hardy, that the House accept the Majority "Ought not to pass" Report. All in favor of accepting the Majority "Ought not to pass" Report will vote yes; those opposed will vote no.

ROLL CALL

YEA — Baker, Barnes, Berry, G. W.; Birt, Bither, Bragdon, Brawn, Brown, Call, Carrier, Clark, Cote, Crosby, Cummings, Curran, Donaghy, Emery, D. F.; Emery, E. M.; Evans, Faucher, Finemore, Fraser, Gill, Hall, Hardy, Haskell, Hawkens, Hayes, Herrick, Kelleher, Lee, Lewin, Lincoln, MacLeod, Maddox, Marstaller, McNally, Mosher, Norris, Page, Parks, Porter, Pratt, Rand, Rocheleau, Rollins, Scott, Shaw, Shute, Silverman, Simpson, T. R.; Trask, Tyndale, White, Wight, Woodbury.

NAY — Albert, Ault, Bartlett, Bedard, Bernier, Berry, P. P.; Berube, Binnette, Bourgoin, Bun-

ker, Bustin, Carey, Carter, Church-ill, Clemente, Collins, Cottrell, Curtis, A. P.; Cyr, Dam, Dow, Doyle, Drigotas, Dudley, Farrington, Fecteau, Gagnon, Genest, Good, Goodwin, Hancock, Hewes, Hodgdon, Jalbert, Kelley, P. S.; Keyte, Kilroy, Lebel, Lessard, Lewis, Littlefield, Lizotte, Lucas, Lynch, Marsh, Martin, McCloskey, McCormick, McKinnon, McTeague, Millett, Mills, Morrell, Murray, Orestis, Pontbriand, Ross, Simpson, L. E.; Slane, Smith, D. M.; Smith, E. H.; Stillings, Tanguay, Theriault, Vincent, Webber, Wheeler, Whitson, Wood, M. W.; Wood, M. E.

ABSENT — Bailey, Boudreau, Conley, Cooney, Curtis, T. S., Jr.; Dyar, Gauthier, Hanson, Henley, Immonen, Jutras, Kelley, K. F.; Kelley, R. P.; Lawry, Lund, Mahany, Manchester, O'Brien, Payson, Santoro, Sheitra, Starbird, Susi, Williams.

Yes, 56; No, 70; Absent 24.

The SPEAKER: Fifty-six having voted in the affirmative and seventy in the negative, with twenty-four being absent, the motion does not prevail.

Thereupon, the Minority "Ought to pass" Report was accepted, the Bill was read twice and tomorrow assigned.

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

HOUSE DIVIDED REPORT — Majority (9) "Ought not to pass" — Minority (4) "Ought to pass" Committee on Taxation on Bill "An Act relating to Relief of the Elderly on Property Taxes" (H. P. 687) (L. D. 922)

Tabled — May 27, by Mr. Collins of Caribou.

Pending — Acceptance of either Report.

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

Mr. ROSS: Mr. Speaker and Members of the House: Now this item is the head tax that you have been talking about. It would apply to all people from 20 to 64 if they earned over \$3,000, and it would be specifically used for tax relief for the elderly. It is estimated that it would bring in \$2 million a year.

Now if we are even going to consider this idea, this bill must be completely revised, so it really should be tabled for a couple of days if anyone is so disposed.

Thereupon, on motion of Mr. Scott of Wilton, retabled pending acceptance of either Report and specially assigned for Thursday, June 3.

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

Bill "An Act Revising Certain Safety Laws in the Department of Labor and Industry" (H. P. 1363) (L. D. 1780)

Tabled — May 27, by Mr. Finemore of Bridgewater.

Pending — Passage to be engrossed.

The SPEAKER: The Chair recognizes the gentleman from Westfield, Mr. Good.

Mr. GOOD: Mr. Speaker and Members of the House: I think the Department of Agriculture is preparing an amendment to make this law conform with the federal law recently passed. For this reason I respectfully request that someone table this for two days, please.

Thereupon, on motion of Mr. McTeague of Brunswick, retabled pending passage to be engrossed and specially assigned for Thursday, June 3.

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

HOUSE DIVIDED REPORT — Majority (7) "Ought to pass" — Minority (6) "Ought not to pass" — Committee on Taxation on Bill "An Act Increasing the Gasoline Tax" (H. P. 403) (L. D. 516)

Tabled — May 27, by Mr. Martin of Eagle Lake.

Pending — Acceptance of either Report.

On motion of Mr. Ross of Bath, retabled pending acceptance of either Report and tomorrow assigned.

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

An Act to Make Allocations from Bond Issue for Construction, Planning and Equipment of Pollution

Abatement Facilities (H. P. 287) (L. D. 387)

Tabled — May 27, by Mr. Birt of East Millinocket.

Pending — Passage to be enacted.

The SPEAKER: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker and Members of the House: I would hope that someone would table this bill for another two days for the same reasons that I gave the other day.

Thereupon, on motion of Mr. Birt of East Millinocket, retabled pending passage to be enacted and specially assigned for Thursday, June 3.

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

Bill "An Act Regulating Roadside Clear Cutting Practices" (H. P. 1354) (L. D. 1770)

Tabled — May 27, by Mr. Jalbert of Lewiston.

Pending — Adoption of House Amendment "A" (H-330).

The SPEAKER: The Chair recognizes the gentleman from Belfast, Mr. Webber.

Mr. WEBBER: Mr. Speaker, Ladies and Gentlemen of the House: I had this bill tabled the other day, last week for two days, because of some work being done in the Attorney General's office. It was supposed to be ready for me this morning. I was in there as soon as I came in at 9:00 o'clock and it wasn't ready; and I have just been down there and he assures me it will be this afternoon. So I would appreciate this being tabled one more day.

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

Mr. MILLS: Mr. Speaker, I move this item lie on the table two legislative days.

Whereupon, Mr. Porter of Lincoln requested a division on the tabling motion.

The SPEAKER: A division has been requested on the tabling motion. All in favor of this matter being tabled for two legislative days will vote yes; those opposed will vote no.

A vote of the House was taken. 45 having voted in the affirmative and 50 having voted in the negative, the motion did not prevail.

Thereupon, House Amendment "A" (H-330) was adopted.

On motion of Mr. Hardy of Hope, tabled pending passage to be engrossed and tomorrow assigned.

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

Bill "An Act Restricting Use of Certain Campsites" (H. P. 996) (L. D. 1358) — In House, passed to be engrossed as amended by Committee Amendment "A" (H-268) as amended by House Amendment "A" (H-281) thereto. — In Senate, passed to be engrossed as amended by Committee Amendment "A" as amended by House Amendment "A" and Senate Amendment "A" (S-185) thereto in non-concurrence.

Tabled — May 28, by Mr. Porter of Lincoln.

Pending — Further consideration.

On motion of Mr. Birt of East Millinocket, retabled pending further consideration and specially assigned for Thursday, June 3.

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

HOUSE REPORT — "Ought to pass" in New Draft — Committee on Natural Resources on Bill "An Act to Revise the Site Location of Development Law" (H. P. 537) (L. D. 710) — New Draft (H. P. 1373) (L. D. 1790) under same title.

Tabled — May 28, by Mr. Smith of Waterville.

Pending — Acceptance.

Thereupon, the Report was accepted, the New Draft read twice and tomorrow assigned.

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

HOUSE DIVIDED REPORT — Majority (8) "Ought not to pass" — Minority (5) "Ought to pass" — Committee on Natural Resources on Bill "An Act relating to the Collection and Disposal of Solid Wastes by the Washington County

Commissioners" (H. P. 819) (L. D. 1092).

Tabled — May 28, by Mr. Hardy of Hope.

Pending — His motion to accept Minority Report.

The pending motion prevailed and the Bill was read twice and tomorrow assigned.

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

Bill "An Act Creating a Medical Advisory Committee for Medical Criteria and Vision Standards for Motor Vehicle Drivers" (S. P. 414) (L. D. 1230) — In Senate, passed to be engrossed as amended by Committee Amendment "A" (S-192) — In House, Committee Amendment "A" adopted. House Amendment "A" (H-358) adopted.

Tabled — May 28, by Mr. Birt of East Millinocket.

Pending — Motion of Mr. McNally of Ellsworth to indefinitely postpone.

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

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: This is one of the pieces of legislation that comes from the Highway Safety Committee and the Secretary of State's office, one of the standards as set up by the National Committee on Highway Safety, and it is generally figured to be one of the standards that they would prefer to have adopted concerning standards which each state uses to operate under for the Highway Safety Program. It seems to me that it has a good deal of merit. It was prepared in the Secretary of State's office, and I would hope that the motion to indefinitely postpone does not prevail.

The SPEAKER: The Chair will order a vote. All in favor of indefinite postponement will vote yes; those opposed will vote no.

A vote of the House was taken. 48 having voted in the affirmative and 56 having voted in the negative, the motion did not prevail.

Thereupon, the Bill was passed to be engrossed as amended by Committee Amendment "A" and House Amendment "A" in non-

concurrence and sent up for concurrence.

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

Bill "An Act relating to Testing of Private Water Supplies by Department of Health and Welfare" (H. P. 1264) (L. D. 1668) — In Senate passed to be engrossed. — In House, failed of passage to be enacted.

Tabled — May 28, by Mr. Porter of Lincoln.

Pending — Motion of Mr. Lawry of Fairfield to reconsider.

The SPEAKER: The pending question is on the motion of the gentleman from Fairfield, Mr. Lawry, that the House reconsider its action of May 28 whereby this Bill failed of passage to be enacted. All in favor of reconsidering will vote yes; those opposed will vote no.

A vote of the House was taken.

67 having voted in the affirmative and 56 having voted in the negative, the motion did prevail.

On motion of Mrs. Berry of Madison, under suspension of the rules, the House reconsidered its action of May 18 whereby the Bill was passed to be engrossed.

The same gentlewoman then offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-370) was read by the Clerk and adopted. The Bill was passed to be engrossed as amended in non-concurrence and sent up for concurrence.

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

Bill "An Act relating to Voters Resigning or Removed from the Voting List" (S. P. 561) (L. D. 1701) — In Senate, passed to be enacted. — In House, receded from indefinite postponement, receded from passage to be engrossed, House Amendment "B" (H-328) adopted.

Tabled — May 28, by Mr. Scott of Wilton.

Pending — Passage to be engrossed.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mr. McTeague.

Mr. McTEAGUE: Mr. Speaker and Members of the House: I know that attempts have been made by the advocates of this bill to make it more palatable, to reduce the chance that people would not be stricken from the voter's rolls. It is still though a matter of balancing the importance of the administrative work which admittedly falls heavily upon officials in the cities and towns, with the idea that if we have this type of bill on the law books it will probably preclude at least some people from voting.

If you believe as I do, and I think most of us do, that we should make the franchise and the exercise of it as broad as possible, and that anything that might stop even a few people from voting is to be scrutinized with great care, I think you will oppose this bill.

We have in the past, in the House, rejected a bill by a significant margin, and I would hope that we would do so again today. I move the indefinite postponement of the bill and ask for a roll call.

The SPEAKER: The Chair would advise the gentleman that this is a non-concurrent matter.

Mr. McTEAGUE: Mr. Speaker, I move that we adhere to our former action.

The SPEAKER: The pending question is on the motion of the gentleman from Brunswick, Mr. McTeague, that the House adhere to its former action.

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

Mr. ROSS: Mr. Speaker, just what position is the bill in?

The SPEAKER: The Chair would advise the House that the Senate passed this Bill to be enacted. The House receded from indefinite postponement which they had done originally, then we receded from passage to be engrossed and we adopted House Amendment "B" to the Bill.

Mr. ROSS: Then the position of the bill is passage to be engrossed, is it not?

The indefinite postponement motion I am sure still exists. We

have had a roll call vote on this and going over the roll call I noticed that nearly all of the members of the other party than mine voted against the bill. I certainly can't see how in the world this is partisan. We are not cutting down on voter participation; we just want to bring up to date the antiquated and incorrect voting lists.

Now perhaps some people feel that these lists shouldn't be brought up to date because they would be removing some names which should be removed, and it would stop them from voting for people who are really not there at all.

You will notice that persons will be notified by mail with a return card. All they have to do is say that they want to stay on the rolls. And if perchance their name is removed in error, Mr. Marstaller's amendment says that they can get that straightened out on election day. And I certainly hope that we vote against indefinite postponement.

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

Mr. COTE: Mr. Speaker, Ladies and Gentlemen of the House: I don't see this is a partisan bill either, but this is a bill to harass the voter. If he has to go back every time he doesn't vote for once or twice to have his name put back on the list, after a while he won't want to go back and we are going to lose voters in this state. So that is why I am against it, not because I am a Democrat.

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

Mr. JALBERT: Mr. Speaker and Members of the House: There could be more reasons given here, enough reasons, as a matter of fact, why this bill is not a workable bill, that we truly would be here Labor Day if some of us got up and gave the reasons why. I am really amazed that — and I become more amazed as time progresses at my very dear friend from Bath, Mr. Ross, who won't understand clearly that the way to win elections is with good candidates and good issues.

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

The SPEAKER: The Chair recognizes the gentleman from Eagle Lake, Mr. Martin.

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I rise only to assure the gentleman from Bath, Mr. Ross, that this is not a partisan issue. I assume that the gentleman was implying that we voted that way because we thought it was a party issue. But perhaps the gentleman might also think about the possibility that we were right, and un-animously or something along that line.

I really would like to bring out one point to you though, and to the members of the House. I know two years ago of a lady who had voted in this particular town for at least 40 years, and that is saying it mildly. When it came time of election day she went to the polls and found that her name had been removed from the voting list. And everyone agreed it was an error, as the amendment introduced by the gentleman from Freeport, Mr. Marstaller would supposedly take care of.

An interesting thing happened, however. She did not vote, because they said, you know, "It can't be done." And I might also point out that the lady happened to call me. Why she called me, I am not sure, because she was Republican. But finally, after a great to-do, and ten minutes before the polls closed, we finally got her in.

Now maybe that was wrong from my personal way of voting, but I still felt that she had a right to go in there and vote. If there is anything that is going to happen to disenfranchise voters I happen to be opposed to it. I can assure the gentleman from Bath, Mr. Ross, I am not taking that position because I am a Democrat.

The SPEAKER: The Chair recognizes the gentleman from Old Town, Mr. Binnette.

Mr. BINNETTE: Mr. Speaker, Ladies and Gentlemen of the House: At the start when this bill was first presented I objected to it. There are several points why I

have done so. First of all, the mailing of the card with the return card is very nice. But we have no assurance that the card has been sent; nor have we any assurance that the card has been received.

There are a lot of people who receive mail, and if it is a card or something of that nature, they don't bother with it, they just throw it in the wastepaper basket. And we have a law at the present time on the books that they must use a registered return receipt. Then the person who has been written to cannot deny that he had received it, because he has to accept it.

The other point that I have in opposition to it, it is going to throw a lot of work on these registrars, because they will have to keep an account after every election who voted and who hasn't voted. Now we will take, for instance, that the general election this last fall, someone hasn't voted. And this coming spring, municipal election comes along, and they go down and vote. And then in 1972 when the next general election comes, they do not vote. Therefore, they are going to be stricken off the list when in actual reality they shouldn't be because they voted in the interim.

Now this bill isn't written so it could be worked out. I myself would like to see something done that would help our jury commissioners, because they have to take a list of voters from our books. But this bill does not fill the needs, and therefore I hope it is still indefinitely postponed.

The SPEAKER: The Chair recognizes the gentleman from Lincoln, Mr. Porter.

Mr. PORTER: Mr. Speaker and Ladies and Gentlemen of the House: I think most of us will agree that the voter list should be updated. I looked over the amendments; there seemed to be safeguards in those amendments. I think this is a workable situation, and I urge that it be passed.

Thereupon, on motion of Mr. Ross of Bath, tabled pending passage to be engrossed and tomorrow assigned.

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

Bill "An Act relating to Service Retirement of Teachers under State Retirement System" (H. P. 625) (L. D. 835)

Tabled — May 28, by Mr. Hayes of Windsor.

Pending — Passage to be engrossed.

Mr. Millett of Dixmont offered House Amendment "B" and moved its adoption.

House Amendment "B" (H-388) was read by the Clerk.

The SPEAKER: The gentleman may proceed.

Mr. MILLETT: Mr. Speaker, Ladies and Gentlemen of the House: This is a reprint of an amendment which I had on your desks a week ago with a couple of minor changes, and I would like to explain not only the changes but the purpose of the amendment.

Before I do so, I would say that I am well aware that this bill has opposition from certain corners and I do not expect that I will be supported a great deal from the floor. However, I would like to explain what the bill does by referring to the Statement of Fact in the new amendment which is H-388.

Many of you will recall that during the 104th Legislature basic adjustments in the retirement system were made allowing service retirement to be computed at 1/60 times the number of years of membership service. This was to apply presumably, at least in my mind anyway, to all members of the retirement system. However, it was learned following the close of the regular session that for teachers this adjustment applied only to service membership following June 30, 1947. That means since June 30, 1947 to this date. And all service credit prior to that time remained at 1/70.

Now this is in difference to the state employees in their present arrangement under the same retirement system. The state employees do get 1/60 for the period of time between 1942 and 1947, and 1/50, which is a much greater sharing in the retirement for credit served prior to 1942. Now the

amendment seeks to bring service credit into line with the state employees and to provide for contributions. The last statement really is probably the best description of the intent. However, it might be well to point out that this will not equalize the two systems.

It will go part way in its current form, but it will not go all the way. In other words, the state employees would still be benefitting at a higher rate.

Now in its present form L. D. 835 does carry a price tag of nearly \$4 million; \$3.9. This would have made the two systems identical, and it would have been in need of revenue, because it would either require an appropriation or membership contribution.

I didn't feel that was realistic at this time, and therefore this amendment which really has cut the cost nearly in half, and therefore is a compromise in that it will not do what the initial bill was intended to do, it will require about \$2.2 million.

The proposed method of paying for this is contained within section one, whereby it indicates that after January 1 of 1972 all members of the system will contribute at an increased rate with a ceiling imposed of 5.7%. Presently the rate is 5%; this would set a ceiling at 5.7 so that the system could not exceed that for the purpose of this bill.

Now I want to point out again that this is a bill which really I had no business being concerned with, because it will adversely affect me. It deals really with providing for an improvement in the retirement system for teachers who taught prior to 1947. Now if you think in terms of approximate ages, these people are at least in their mid-forties, and most of them significantly older. Therefore it is a bill which I will be contributing at a higher rate for in deference to older people, some of whom are currently retired, some of whom are not. I realize that the opposition to this will probably come from those who, like myself, are young enough so that the retirement improvement would not benefit us both from within my own profession, that of teaching, and

presumably from the outside, namely the state employees, who have no real concern in this area.

Now I am sure you will hear a lot of history here this afternoon from those who know a lot more about this retirement system than I do. But I was sincere in the 104th in feeling that an equalization had been brought about. It was done collectively with many added features, some of which you all remember, I am sure, the \$80 a month minimum which affected many people, not only teachers and state employees. But it was my feeling that the additional rate at that time, which I might point out was 1.14% was sufficient to equalize the two systems. It has been found that it was not, hence the need for new revenue or some source of readjustment and treatment of experience.

I hope you would listen to other comments. I think I have stated my case as fairly as I can, because this is something I feel is only fair. It is for the elderly people, people who are currently retired; and those not so elderly who are still teaching, but did teach prior to 1947. It would, if the amendment is acceptable, not cost the General Fund anything, but the membership would bear an additional increase in the retirement deduction up to 5.7%.

Thereupon, House Amendment "B" was adopted and the Bill was passed to be engrossed as amended and sent to the Senate.

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

Report "A" of the Committee on Taxation on Bill "An Act relating to Pari-mutuel Pools in Horse Racing" (H. P. 864) (L. D. 1187) reporting same in a new draft (H. P. 1331) (L. D. 1745) under title of "An Act relating to Pari-mutuel Pools in Harness and Running Horse Racing" and that it "Ought to pass" and Report "B" reporting same in a new draft (H. P. 1332) (L. D. 1746) under title of "An Act relating to Pari-mutuel Pools in Harness and Running Horse Racing" and that it "Ought to pass" and Report "C" reporting same in a new draft (H.

P. 1333) (L. D. 1747) under title of "An Act relating to Pari-mutuel Pools in Harness and Running Horse Racing" and that it "Ought to pass." — In Senate, Report "B" accepted, Bill passed to be engrossed in non-concurrence. In House, House Insisted and asked Committee of Conference.

Tabled — May 28, by Mr. Martin of Eagle Lake.

Pending — Motion of Mr. Hall of Windham to reconsider.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: Here we go to the horse races again. As I stated before, I am a rank amateur at this. But the gentleman from Bangor, Mr. Kelleher, my major opponent, is a self-confessed expert in the racing field.

The committee came out with three reports. Report "A" would increase what they call the take-out from 18 to 20%, with one per cent going to the track and one per cent going to the state. I signed that.

Report "B" would increase this take-out from 18% to 19%, with all of it going to the track. And Report "C" would increase it from 18 to 19%, with one per cent going to the town in which the track was located.

There was so much debate and confusion over all these reports that we ended up in the House indefinitely postponing all of the bills. But the other body did not agree with us and they accepted Report "B". Last Wednesday I stated that I was willing to compromise and accept Report "B" primarily to help the agricultural fairs. And I made a motion that we recede and concur. But my friendly opponent, Mr. Kelleher, made an impassioned plea for the poor better against the affluent track owners, and I was beaten 64 to 48. And then he made a motion to adhere. But I beat him with a motion to insist and have a Committee of Conference.

Then I had to leave for Kennebunk, so I was not here when the motion to reconsider was made. But I do favor this motion to reconsider and I would then favor a

motion whereby we reconsider the action whereby we failed to recede and concur with the Senate.

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

Mr. KELLEHER: Mr. Speaker and Ladies and Gentlemen of the House: I oppose the motion to reconsider. Just to state one or two of the remarks that my good friend from Bath made. I am concerned somewhat with the \$2 better, but I am more concerned with the give-away program that we have given these people for 35 years. I think he has got to agree that we have been handing it out to them pretty regularly now, and I think someone said in five-year intervals. Believe me, in those five-year intervals they have been doing quite well for themselves.

I stated here the other day when I was talking about a little item called breakage, I said there was \$15,000 that they put in their pocket. Well, I misread figures too, and I certainly misread that one. It was \$157,000 that they put in their pockets. For an example, Scarborough Downs last year put \$36,000 in their pocket out of breakage. That is just another little gift that we have given these poor people in business struggling to get by. I know Mr. Ross is quite concerned with the agricultural fairs. They are another institution that is just struggling to get by. We gave them building stipend and we gave them breakage and we gave them purse supplements. and now he is in here beating the drum again for these poor, starving individuals.

I hope that this House stands by me this morning. We didn't agree. We came to a compromise to insist and ask for a Committee of Conference, and I am quite sure that we are agreeable and reasonable people in this House and that we can talk with our brothers in the other end of the hall. So please, if you will stand with me and oppose the reconsideration motion.

The SPEAKER: The Chair will order a vote. The pending question is on the motion of Mr. Hall of Windham to reconsider our action of May 26 whereby we in-

sisted. If you are in favor of reconsideration you will vote yes; if you are opposed you will vote no.

A vote of the House was taken.

69 voted in the affirmative and 63 voted in the negative.

Whereupon, Mr. Kelleher of Bangor requested a roll call vote.

The SPEAKER: The yeas and nays have 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 members 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 Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker, just to clear the air because there seems to be some confusion, if the House voted against reconsideration then we are in a position to go into a Committee of Conference with the other side? Is this correct?

The SPEAKER: The answer is in the affirmative. The Chair recognizes the gentleman from Bath, Mr. Ross.

Mr. ROSS: Mr. Speaker, to carry that one step further, if we vote for reconsideration we can then reconsider the action we took whereby we defeated the recede and concur motion and we can ask for that motion again.

The SPEAKER: The answer is in the affirmative. The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker and Members of the House: I prefer my way; it is less confusing. I am with Mr. Kelleher.

The SPEAKER: The yeas and nays have been ordered. The pending question is on the motion of Mr. Hall of Windham to reconsider. If you are in favor of reconsidering whereby the House voted to insist you will vote yes; if you are opposed you will vote no.

ROLL CALL

YEAS — Albert, Ault, Bailey, Bartlett, Berry, P. P.; Birt, Bou-

dreau, Brown, Bustin, Churchill, Clark, Collins, Cottrell, Crosby, Cummings, Curtis, A. P.; Cyr, Donaghy, Drigotas, Evans, Farington, Gagnon, Gauthier, Hall, Hancock, Hanson, Hardy, Hawkins, Hayes, Hewes, Immonen, Kelley, P. S.; Kelley, R. P.; Keyte, Kilroy, Lebel, Lee, Lewin, Lewis, Lincoln, Lucas, Maddox, Mahany, Marsh, Marsteller, Martin, McCloskey, McCormick, McNally, Millett, Morrell, Norris, O'Brien, Orestis, Payson, Porter, Pratt, Rollins, Ross, Scott, Simpson, T. R.; Smith, D. M.; Stillings, Susi, Trask, Tyndale, Vincent, Webber, Wheeler, White, Whitson, Wight, Williams, Wood, M. W.; Wood, M. E.; Woodbury.

NAYS—Baker, Barnes, Bernier, Berry, G. W.; Berube, Binnette, Bither, Bourgoin, Bragdon, Brawn, Bunker, Call, Carey, Carrier, Carter, Clemente, Cote, Curran, Dam, Dow, Doyle, Dyar, Emery, D. F.; Faucher, Fecteau, Finemore, Fraser, Genest, Gill, Goodwin, Haskell, Herrick, Hodgdon, Jalbert, Kelleher, Lawry, Lessard, Littlefield, Lund, Lynch, MacLeod, Manchester, McKinnon, McTeague, Mills, Mosher, Murray, Page, Pontbriand, Rand, Rocheleau, Shaw, Shute, Silverman, Slane, Smith, E. H.; Tanguay, Theriault.

ABSENT — Bedard, Conley, Cooney, Curtis, T. S., Jr.; Dudley, Emery, E. M.; Good, Henley, Jutras, Kelley, K. F.; Lizotte, Parks, Santoro, Sheltra, Simpson, L. E.; Starbird.

Yes, 76; No, 58; Absent, 16.

The SPEAKER: Seventy-six having voted in the affirmative and fifty-eight having voted in the negative, with sixteen being absent, the motion to reconsider does prevail.

The Chair recognizes the gentleman from Biddeford, Mr. Lizotte.

Mr. LIZOTTE: Mr. Speaker, having voted on the prevailing side, I now move that we reconsider our action whereby we failed to recede and concur with the Senate.

The SPEAKER: The gentleman from Biddeford, Mr. Lizotte, now moves that the House reconsider its action whereby we failed to recede and concur. The Chair will

order a vote. If you are in favor of the motion you will vote yes; if you are opposed you will vote no.

A vote of the House was taken, 79 having voted in the affirmative and 43 having voted in the negative, the motion did prevail.

On motion of Mr. Ross of Bath, the House voted to recede and concur.

The New Draft was given its two several readings and tomorrow assigned.

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

Bill "An Act to Include Imprisonment Among Those Penalties Provided for Violation of Environmental Protection Laws" (H. P. 960) (L. D. 1321) — In Senate, passed to be engrossed as amended by Committee Amendment "A" (H-317). — In House, Adoption of Committee Amendment "A" reconsidered.

Tabled — May 28, by Mr. Page of Fryeburg.

Pending — Adoption of House Amendment "A" to Committee Amendment "A".

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

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

Bill "An Act Clarifying the Statute Relating to Realty Subdivisions" (H. P. 1034) (L. D. 1425) — In Senate, passed to be engrossed. In House, passage to be engrossed reconsidered. House Amendment "A" Adopted (H-354).

Tabled — May 28, by Mr. Simpson of Standish.

Pending — Adoption of House Amendment "B" (H-380).

On motion of Mr. Porter of Lincoln, retabled pending the adoption of House Amendment "B" and tomorrow assigned.

The Chair laid before the House the following matter:

Bill "An Act Repealing the Poll Tax" (S. P. 14) (L. D. 42) which was tabled earlier in the day and later today assigned, pending the motion of Mr. Finemore of Bridgewater to indefinitely postpone.

On motion of Mr. Finemore of Bridgewater, tabled pending his motion to indefinitely postpone and tomorrow assigned.

The Chair laid before the House the following matter:

Bill "An Act to Provide for Use of the Courts by Indigent Persons," (S. P. 606) (L. D. 1779) which was tabled earlier in the day and later today assigned, pending the motion of Mr. Dudley of Enfield to indefinitely postpone.

On motion of Mrs. White of Guilford, retabled pending the motion of Mr. Dudley of Enfield to indefinitely postpone and tomorrow assigned.

(Off Record Remarks)

Mr. Dyar of Strong was granted unanimous consent to address the House.

Mr. DYAR: Mr. Speaker and Ladies and Gentlemen of the House: Some two weeks ago this House took action on a resolution and voted against any major tax increase, and the vote was 89 to 55. This morning on page six of our calendar we voted to raise the fees for licenses for Inland Fish and Game. I would like to bring to your attention that in 1970 we paid \$7.25 for a combination license. Next year you will be paying in excess of \$13, which is a 40-some percent increase. I would like to go on record as being opposed to this.

Mr. Kelleher of Bangor was unanimous consent to address the House.

Mr. KELLEHER: Mr. Speaker and Members of the House: I stated this down in my caucus the other day and I want to state it right here on the floor. I dislike department heads coming in here and trying to give us a song and dance on a tax.

Now we are always raving about the lobbyists trying to put the arm on us, and we are doing the same thing right now by bringing in department heads.

They had a public hearing on the gas tax, and they were able to express their viewpoints. They are no different over across there than John Q. Public coming down here and discussing an L. D. that is before a committee, and I resent **very much that we are going to have a joint caucus so they can come in here and try to brainwash us.**

Mr. Brawn of Oakland was granted unanimous consent to address the House.

Mr. BRAWN: In regard to L. D. 1600 which I did not speak on, my telephone last night, it rang continuously. These people do not want this raise. This is what I heard from both parties. We are going to check the records. We are going to find out who voted and there is going to be some changes in Augusta. So I think you people had better realize that you did not need this money to raise this hunting and fishing license. And again, this is a department bill.

On motion of Mr. Evans of Freedom,

Adjourned until nine o'clock tomorrow morning.