

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Sixth
Legislature*

OF THE

STATE OF MAINE

Volume III

June 6, 1973 to July 3, 1973

Index

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Wednesday, June 13, 1973

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

Prayer by Father Leonard LeClair of Togus.

The journal of yesterday was read and approved.

Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Clarifying Certain Municipal Laws" (H. P. 1118) (L. D. 1454) reporting that the House recede from its action whereby the bill was passed to be engrossed as amended by Committee Amendment "A" (H-329) and House Amendment "C" (H-458), that the House adopt Conference Committee Amendment "A" (H-530) submitted herewith, pass the Bill to be engrossed as amended by Committee Amendment "A" and House Amendment "C" and amended by Conference Committee Amendment "A";

that the Senate recede from its action whereby it passed the bill to be engrossed as amended by Committee Amendment "A" (H-329), House Amendment "A" (H-349), Senate Amendment "A" (S-121) and Senate Amendment "B" (S-189); that it recede from adopting House Amendment "A" (H-349), indefinitely postpone House Amendment "A" (H-349), recede from adopting Senate Amendment "A" (S-121), indefinitely postpone Senate Amendment "A", recede from adopting Senate Amendment "B" (S-189), indefinitely postpone Senate Amendment "B", adopt House Amendment "C" (H-458), adopt Conference Committee Amendment "A" (H-530) and pass the bill to be engrossed as amended by Committee Amendment "A", House Amendment "C" and Conference Committee Amendment "A".

Signed:

EMERY of Rockland

SHUTE

of Stockton Springs

DAM of Skowhegan

on part of House.

ALDRICH of Oxford

JOLY of Kennebec

ROBERTS of York

on part of the Senate.

The Report was read.

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

Mr. ROSS: Mr. Speaker and Members of the House: These Conference Committee Reports are so complicated with their various amendments and indefinite postponement of other amendments, I wonder if somebody who was on that Conference Committee could briefly tell us what they have done.

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 Rockland, Mr. Emery.

Mr. EMERY: Mr. Speaker and Members of the House: Having just come in, I assume it is that abomination that we had. Briefly, what this bill is is, the Maine Municipal Association Omnibus Bill, and there were two or three different factions that were interested in having their own particular amendment added to the bill.

Essentially, what we have done is to remove Senate Amendment "A" and Senate Amendment "B" and we have replaced, as a Conference Committee Amendment, the language, except for the very last section of Senate Amendment "B".

This was basically to satisfy the gentleman from Skowhegan, Mr. Dam, who is concerned about members of school boards serving on planning boards. And it was also to satisfy Russ Edwards, of the Home Builders Association who wanted to make sure that there were adequate public hearings whenever planning matters were brought up. So this is essentially what we have done.

There have been several amendments offered, most of which have been killed along the way. House Amendment "A" was killed; House Amendment "B" was killed. But as the bill stands right now, you have the Conference Committee Amendment, which is essentially

Senate Amendment "B", minus the last section of that amendment.

You have House Amendment "C" which provides for a deputy moderator at town meetings and then you have Committee Amendment "A" which clarifies certain inconsistencies in the original language of the bill. To our knowledge, this Conference Committee has satisfied all the points and objections raised in both branches by all the various factions interested in the bill.

I would certainly move acceptance of the Conference Committee Report.

Thereupon, the Report was accepted.

The House voted to recede from its action whereby the Bill was passed to be engrossed as amended by Committee Amendment "A" and House Amendment "C".

Conference Committee Amendment "A" (H-530) was read by the Clerk and adopted.

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

Papers from the Senate Reports of Committees Leave to Withdraw

Committee on Judiciary on Bill "An Act Relating to Commitment of Juveniles to Juvenile Institutions" (S. P. 272) (L. D. 797) reporting Leave to Withdraw.

Came from the Senate with the Report read and accepted.

In the House, the Report was read and accepted in concurrence.

Ought to Pass in New Draft

Committee on Appropriations and Financial Affairs on Bill "An Act Making Capital Construction and Improvement Appropriations from the General Fund for the Fiscal Years Ending June 30, 1974 and June 30, 1975" (S. P. 175) (L. D. 483) reporting "Ought to pass" in New Draft (S. P. 664) (L. D. 2020) under new title "An Act Making Capital Construction and Improvement Appropriations from the General Fund for the Fiscal Year Ending June 30, 1974."

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

In the House, the Report was read and accepted in concurrence, the New Draft read once and assigned for second reading tomorrow.

Divided Report

Majority Report of the Committee on Judiciary on Bill "An Act Prohibiting Deceptive Practices by a Private Detective or Watch Guard or Patrol Agency" (S. P. 540) (L. D. 1692) reporting "Ought not to pass."

Report was signed by the following members:

Mr. TANOUS of Penobscot
— of the Senate.

Mrs. BAKER of Orrington
WHEELER of Portland
KILROY of Portland
WHITE of Guilford

Messrs. CARRIER of Westbrook
HENLEY of Norway
GAUTHIER of Sanford

— of the House.

Minority Report of the same Committee on same Bill reporting "Ought to pass" as amended by Committee Amendment "A" (S-226). Report was signed by the following members:

Messrs. SPEERS of Kennebec
BRENNAN of Cumberland
— of the Senate.

Messrs. PERKINS
of South Portland
McKERNAN of Bangor
DUNLEAVY

of Presque Isle
— of the House.

Came from the Senate with the Majority "Ought not to pass" Report accepted.

In the House: Reports were read. On motion of Mrs. Baker of Orrington, the Majority "Ought not to pass" Report was accepted in concurrence.

Non-Concurrent Matter

Bill "An Act Prohibiting Liquor Advertising" (H. P. 1284) (L. D. 1671) which the House passed to be engrossed on June 8.

Came from the Senate with the Majority "Ought not to pass" Report accepted in non-concurrence.

In the House:

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

Mr. FARNHAM: Mr Speaker, Ladies and Gentlemen of the House: This bill was subjected to the fastest steam operated trip-hammer in the world and I now move we insist and ask for a Committee of Conference.

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

Mr. STILLINGS: Mr. Speaker, I move the House recede and concur with the Senate.

The SPEAKER: The gentleman from Berwick, Mr. Stillings, moves the House recede and concur.

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

Mr. FINEMORE: Mr Speaker, Ladies and Gentlemen of the House: I hope we don't recede and concur and that we will later go along with the motion to insist and ask for a Committee of Conference.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I think at this stage of the game that a Committee of Conference would serve no purpose whatever, and I certainly hope that we go along with Mr. Stillings in receding and concurring, and I mean, somewhere along the line, if you are going to be a man, it might as well be now.

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

A vote of the House was taken.

60 having voted in the affirmative and 32 having voted in the negative, the motion did prevail.

Order Out of Order

Mrs. Lewis of Auburn presented the following Order and moved its passage:

ORDERED, that Priscilla Hoy and Libby Isaacson of Lewiston be appointed Honorary Pages for today.

The Order was received out of order by unanimous consent, read and passed.

Non-Concurrent Matter

Bill "An Act Relating to Regional Planning" (H. P. 1573) (L. D. 2003) which the House passed to be engrossed as amended by House Amendment "A" (H-520) on June 7.

Came from the Senate with the Bill passed to be engrossed as amended by House Amendment "A" (H-520); Senate Amendment "A" (S-222) and Senate Amendment "B" (S-232) in non-concurrence.

In the House: The House voted to recede and concur.

Non-Concurrent Matter

Bill "An Act to Correct Errors and Inconsistencies in the Fish and Game Laws" (S. P. 645) (L. D. 1980) which the House passed to be engrossed as amended by Senate Amendment "A" (S-204) as amended by House Amendment "A" (H-514) thereto on June 6.

Came from the Senate with House Amendment "A" indefinitely postponed and the Bill passed to be engrossed as amended by Senate Amendment "A" (S-204) and Senate Amendment "B" (S-338) in non-concurrence.

In the House: On motion of Mr. Kelley of Southport, the House voted to insist and ask for a Committee of Conference.

Messages and Documents

The following Communication:

State of Maine
One Hundred and
Sixth Legislature
Committee on County
Government
June 12, 1973

The Honorable Richard D. Hewes
Speaker of the
House of Representatives
House Chamber
Augusta, Maine 04330
Sir:

The Committee on County Government is pleased to report the completion of that business of the 106th Legislature that was placed before this committee.
Total Number

of Bills Received	79
Ought to Pass	10
Ought Not to Pass	9
Ought to Pass as Amended	8
Ought to Pass in New Draft	3
Divided	10
Leave to Withdraw	38
Referred to	

Another Committee 1
Respectfully,

Rep. Carroll W. Farrington
House Chairman

The Communication was read
and ordered placed on file.

Orders

Mr. Morton of Farmington was granted unanimous consent to address the House.

Mr. MORTON: Mr. Speaker, Ladies and Gentlemen of the House: Today is a significant one for this body and one of its distinguished members. After getting his advice for over five months, I am reminded of something Mark Twain once said in the Adventures of Huckleberry Finn. "There were things which he stressed, but mainly he told the truth."

I hope you will join me in honoring that natal day of our esteemed colleague, the gentleman from Brooks, Mr. Myron Wood, who is today 64 years young. (Applause)

House Reports of the Committees

Leave to Withdraw

Mr. Perkins on the Committee on Judiciary on Bill "An Act Prohibiting the Unlawful Interference with Operation of Aircraft" (H. P. 934) (L. D. 1233) reporting Leave to Withdraw.

Report was read and accepted and sent up for concurrence.

Covered by Other Legislation

Mr. Bustin from the Committee on State Government on Resolution Proposing an Amendment to the Constitution to Abolish the Executive Council (H. P. 12) (L. D. 12) reporting Leave to Withdraw as covered by other legislation.

Mr. Curtis from same Committee reporting same on Resolution, Proposing an Amendment to the Constitution to Abolish the Council

and Make Changes in the Matter of Gubernatorial Appointments and their Confirmation (H. P. 14) (L. D. 14).

Mr. Farnham from same Committee reporting same on Resolution, Proposing an Amendment to the Constitution to Abolish the Executive Council and Make Changes in the Matter of Gubernatorial Appointments and Their Confirmation (H. P. 732) (L. D. 942).

Mrs. Najarian from same Committee reporting same on Resolution Proposing an Amendment to the Constitution Abolishing the Executive Council and Changing the Legislature to a One Body System (H. P. 1275) (L. D. 1676).

Same gentlewoman from same Committee reporting same on Resolution Proposing an Amendment to the Constitution Reducing the Size of the House of Representatives and Establishing Single Member Districts (H. P. 1285) (L. D. 1706).

Mr. Cooney from same Committee reporting same on Resolution Proposing an Amendment to the Constitution to Provide Single Member Districts, Apportion and Reduce the Number of Legislators in the House of Representatives; Increase the Terms of Senators; Abolish the Executive Council and Reassign its Constitutional Powers; Provide for Annual Sessions of the Legislature; Provide for Appointment of the Attorney General, Secretary of State and Treasurer by the Governor (H. P. 1354) (L. D. 1860)

Mrs. Najarian from same Committee reporting same on Resolution Proposing an Amendment to the Constitution to Abolish the Executive Council (H. P. 37) (L. D. 44).

Reports were read and accepted and sent up for concurrence.

Ought to Pass Printed Bill

Mr. Curtis from the Committee on State Government on Bill "An Act Relating to Salaries of County Attorneys and Assistant County Attorneys" (H. P. 964) (L. D. 1285) reporting "Ought to pass."

Report was read and accepted, the Bill read once and assigned for second reading tomorrow.

**Ought to Pass in New Draft
New Drafts Printed**

Mr. Brown from the Committee on Labor on Bill "An Act Regulating Agricultural Labor Practices" (H. P. 1346) (L. D. 1811) reporting "Ought to pass" in New Draft (H. P. 1606) (L. D. 2027) under same title.

Mrs. Wheeler from the Committee on Judiciary on Bill "An Act Relating to Criminal Penalties for the Sale of Cannabis" (H. P. 1342) (L. D. 1762) reporting "Ought to pass" in New Draft (H. P. 1604) (L. D. 2025) under new title "An Act Relating to Criminal Penalties for the Possession, Manufacture and Cultivation of Cannabis, Mescaline and Peyote."

Reports were read and accepted, the New Drafts read once and assigned for second reading tomorrow.

Divided Report

Majority Report of the Committee on Judiciary on Bill "An Act Relating to the Transfer of Prisoners Committed to County Jails" (H. P. 1242) (L. D. 1613) reporting "Ought not to pass."

Report was signed by the following members:

Mrs. BAKER of Orrington
KILROY of Portland
WHEELER of Portland
Messrs. PERKINS
of South Portland
CARRIER of Westbrook
DUNLEAVY
of Presque Isle
McKERNAN of Bangor
GAUTHIER of Sanford
HENLEY of Norway
— of the House.

Minority Report of the same Committee on same bill reporting "Ought to pass in New Draft" (H. P. 1605) (L. D. 2026) under same title.

Report was signed by the following members:

Messrs. TANOUS of Penobscot
SPEERS of Kennebec
BRENNAN
of Cumberland
— of the Senate.

Mrs. WHITE of Guilford
— of the House.

Reports were read.

On motion of Mrs. Baker of Orrington, the Majority "Ought not to pass" Report was accepted and sent up for concurrence.

Divided Report

Majority Report of the Committee on State Government on Bill "An Act to Establish a State Housing Assistance Program" (H. P. 1133) (L. D. 1468) reporting "Ought to pass" in New Draft (H. P. 1609) (L. D. 2028) under new title "An Act Providing Housing for Maine's Elderly."

Report was signed by the following members:

Mr. SPEERS of Kennebec
— of the Senate.
Messrs. CURTIS of Orono
GAHAGAN of Caribou
COONEY of Sabattus
BUSTIN of Augusta
SILVERMAN of Calais
CROMMETT
of Millinocket

Mrs. GOODWIN of Bath
NAJARIAN of Portland
— of the House.

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

Mr. CLIFFORD
of Androscoggin
WYMAN of Washington
— of the Senate.
Messrs. FARNHAM of Hampden
STILLINGS of Berwick
— of the House.

Reports were read.

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

Mr. CURTIS: Mr. Speaker, I move the acceptance of the Majority "Ought to pass" Report and would speak to my motion.

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

The gentleman may proceed.

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen of the House: This is the one bill that I have discussed with many people previously that the State Government Committee is putting out with a good majority vote

which I personally think is the way we should go if we are to spend any large sums of money by the state to improve housing.

The bill is the result of a redraft of several other documents which came into the State Government Committee, and it would provide \$3 million of grants in order to build housing for elderly citizens.

There is a long Statement of Fact attached to the bill which I would urge you to read. It also talks about the rent supplement assistance program which is a sum of \$450,000, which would be money available to both the elderly people and also others who need assistance in providing a minimum amount of money necessary to provide decent housing.

The qualifications for someone to be eligible for the elderly section of the bill would be the same as the elderly householders relief act, which is already part of the state statutes.

I think that a reading of the Statement of Fact, as I have indicated, will show you that a good deal of the work has been done partly by the staff assistant, partly by the other people who have been sponsoring legislation in the area of housing, partly by the State Housing Authority.

The bill and the proposal have the particular benefit of not obligating the State of Maine to any future expenditures beyond this legislative session. That is to say, the approximately \$3.5 million expenditure could stand by itself; it need not be a continuing program.

I think you will find that some of the other suggestions that have been made in the past would result in continuing in possibly very expensive programs to future legislatures. It was our thought, the majority, that we ought not to be committing future legislatures to a large expenditure of money when for one thing we don't know what the federal funding situation may be a year or two years from now.

I think this bill will generate a good deal of debate, and I hope that you will read that Statement of Fact very carefully to see what

the intent, the purpose and the object of the bill is.

Thereupon, the Majority "Ought to pass" Report was accepted, the New Draft read once and assigned for second reading tomorrow.

Divided Reports

Majority Report of the Committee on State Government on Bill, "An Act to Establish a State Housing Rehabilitation Program" (H. P. 503) (L. D. 656) reporting "Ought to pass" in New Draft (H. P. 1612) (L. D. 2029).

Report was signed by the following members:

Messrs. CLIFFORD

of Androscoggin

SPEERS of Kennebec

— of the Senate.

Mrs. GOODWIN of Bath

NAJARIAN of Portland

Messrs. COONEY of Sabattus

BUSTIN of Augusta

STILLINGS of Berwick

SILVERMAN of Calais

GAHAGAN of Caribou

CROMMETT

of Millinocket

— of the House.

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

Report was signed by the following members:

Mr. WYMAN of Washington

— of the Senate.

Messrs. CURTIS of Orono

FARNHAM of Hampden

— of the House.

Reports were read.

On motion of Mr. Simpson of Standish, the Majority "Ought to pass" Report was accepted. The New Draft was read once and assigned for second reading tomorrow.

Consent Calendar

First Day

(H. P. 812) (L. D. 1057) Bill "An Act Eliminating Admission to the Bar of the State of Maine by Motion" — Committee on Judiciary reporting "Ought to pass" as amended by Committee Amendment "A" (H-556).

No objection having been noted, was assigned to the Consent Calendar's Second Day list tomorrow.

Passed to Be Engrossed

Bill "An Act Appropriating Funds for Sheltered Group Care Home for Girls" (S. P. 595) (L. D. 1878).

Bill "An Act Providing Minimum Retirement Benefits for Certain Teachers" (S. P. 353) (L. D. 1049) (C. "A" S-194).

Bill "An Act Appropriating Additional Funds to Various Departments for the Fiscal Year Ending June 30, 1973" (H. P. 1603) (L. D. 2034).

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

Bill "An Act Changing the Dates for Registration of Automobiles" (H. P. 1597) (L. D. 2023)

Was reported by the Committee on Bills in the Second Reading and read the second time.

The SPEAKER: The Chair recognizes the gentleman from Poland, Mr. Dunn.

Mr. DUNN: Mr. Speaker, Ladies and Gentlemen of the House: I signed the "ought not to pass" on this bill. It is quite a complicated bill. I know my good friend Mr. Stillings has worked hard on this, but I think there is still some work to be done on it. If you notice, it has quite a price tag on it. Also it requests 16 new employees. After this program is in effect they can do away with six of those employees so they will still have nine extra employees in that division. I am not sure whether it is worth it now. We have more registration offices in the state, and I believe there are nine or ten more that have been referred to a study. It seemed to me maybe this could go along with it if we were going to have this staggered registration. It doesn't seem to me we would need the offices or vice versa.

This is supposed to help the public so they wouldn't all go down on the last day and stand in the cold waiting. Well, whatever the date is, those same people are going to wait until the last minute before they get their registration.

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

Mr. JACQUES: Mr. Speaker, Ladies and Gentlemen of the House: I signed the minority "ought not to pass" report on this particular legislation. The Maine Municipal Association sent a representative opposing that bill in its present form. But I imagine there were some amendments presented. I don't see it here. But ladies and gentlemen of the House, this thing would upset a lot of these towns budgets and municipal budgets. And you would be walking to pay your excise tax and you would be paying for 12 months, and some of these people would be getting a nine month registration instead. This is just for the first year.

But I felt that an eight cent stamp could take care of your registration if you wanted to have it on time or just send it in. We have refused a lot of these registration boards all over the state. As a matter of fact, we have I think six or seven new automobile registrations that needed registration bureaus, but we refused them because of money involved.

Now this would involve a lot of these town budgets. Their money wouldn't be coming in at the time expected to be coming in. They would have to borrow money, and this is the same thing for the municipalities, that they would be involved in a lot of money transactions that they thought they would be getting but they wouldn't be getting at the time that they were supposed to get.

So, ladies and gentlemen, I would like to hear some of the members of the committee on this particular bill, because I think it would upset a lot of these town budgets.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I just happened to glance at this bill, and I note that in the Statement of Fact it says that it will create a million dollars more revenue in the second year of the biennium. I would like somebody that is familiar with the bill to explain how this comes about. I assume it is the same registration.

I also note that the considerable cost added, a matter of around \$300,000, which I assume is because of added registration offices. It seems to me this is somewhat expensive for the extra services that this bill provides.

The SPEAKER: The gentleman from Perham, Mr. Bragdon, poses a question through the Chair to anyone who may answer if he wishes.

The Chair recognizes the gentleman from Mexico, Mr. Fraser.

Mr. FRASER: Mr. Speaker, Ladies and Gentlemen of the House: This extra million dollars is money that would be received almost as advance payment just for the first year only, because in order to get these dates staggered through the year, some people would have to pay a year and one month and others a year and 11 months in order to get the same on the month that they were to be paying after that. So that million dollars is what we call a one shot deal; it wouldn't happen again.

I signed this "ought to pass" because I think it would level off the workload throughout the year. The same bill came before us last session and the big objection was the collection of the excise tax. We were told by the Maine Municipal Association and some town clerks were at our meeting, and they said the problem could be adjusted and if they could adjust the collection of the excise tax, I don't see any problem.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: Just to comment briefly. From the explanation, I don't know as anyone can tell who is going to fall in that year that has to pay two years' registration. I am just assuming that it is going to be a certain number of people that are going to be extremely unhappy because they do have to pay a year in advance.

The SPEAKER: The Chair recognizes the gentleman from Union, Mrs. McCormick.

Mrs. McCORMICK: Mr. Speaker and Members of the House: I would like to answer Mr. Bragdon's

question here. This does not take effect, I believe, until the 1975 registration. You will have new license plates next year and this is staggered not only by the last letter on your license plate or the last number on your license plate. In 1974, I believe when the registrations are made there will be notices so that you can look across and find exactly when your next month is going to be. There is also, all town clerks and people that collect excise taxes will have a chart there and they can tell you what this is going to amount to. My only suggestion is that if you plan to buy a new car, you had better wait until after your registration on the staggered system.

I personally am in favor of this. Nobody likes change for change alone. But I think this would help the situation as far as registrations go.

As far as the added employees, which Mr. Bragdon also mentioned here, these are keypunch operators in order to get this through the computer system and onto a staggered registration.

There are also seasonal employees which the department has at the present time which they put into effect from January through March to get out the present registration form. Once the staggered system is in effect, these 12 people will not be needed as seasonal help. The 16 will not stay permanently, because once the system goes into effect, as people get to the retirement age, they will not be replaced by someone else in the slot they are in now, these people will be moved down. So it will take two or three years to get them back to where they are originally, but these are key people, you can't take people that are presently in the department and put them into keypunch operation.

The SPEAKER: The Chair recognizes the gentleman from Fryeburg, Mr. Trumbull.

Mr. TRUMBULL: Mr. Speaker and Members of the House: To begin with, this \$1 million they are talking about is nothing but swapping one dollar from one

pocket to the other in reality. In the long run, you are not increasing the revenue any with this type legislation.

What bothers me more than anything else about this legislation is the fact that I don't think the people in the long run are going to know when they can register their cars, when they are supposed to and so forth. I think that you will be about like you are with your inspection sticker right now, by this stagger system. It used to be in October and then we went and changed it so that I don't know how many of you have run into this situation before, but I suddenly gazed upon my windshield and I find out that I am either right at the very end or have just passed over or something else, and this is the curse of this staggered system, that nobody ever remembers when something is supposed to be done.

I think we are doing a very great disservice to the people of the State of Maine if we pass this bill and get them involved in something that is more confusing. Based upon this, I now move that this bill and all its accompanying papers be indefinitely postponed.

The SPEAKER: The gentleman from Fryburg, Mr. Trumbull, moves the indefinite postponement of L. D. 2023 and all accompanying papers.

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

Mr. McNALLY: Mr. Speaker and Members of the House: I suppose all bills we have come in here have some good points about them and all of them have some bad ones. Now, in this particular case, what runs always in the back of my head is when you take on 15 or 16 new people, there is always a reason when the end comes that they tell you it is going to be the end, it never is. They have some reason so that they can continue. So you might as well say if that is what they have got to start with, that is what they are going to keep on going with. That was the first thing.

Now, the next thing in my mind, when it comes down to the bottom fellow that is going to buy a license

for a year and 11 months, and that is what he is going to do, he might not be financially flush right at that time. The dollar might be devalued a whole lot more than it is right now by the time that happens.

Then, there was quite a lot of discussion went on from the Maine Municipal Association about how they ought to have a pilot project, that they ought to try some municipality, pick out some municipality and let them try doing the whole thing, selling the excise taxes and also the licenses in the different municipalities. The talk was pretty good and sounded all right. Then they came out and they made the remark that you would have to have a special table set up in order for the different municipalities, if this bill is passed, to know what they are going to charge for an excise tax. When they start in the first year they know what this is. But if it is 11 months, 12 months and so on, 13 months, and 14 months and so on up to a year and 11 months, then they have to have a different excise tax, and are they going to have two years, for instance, or are they going to have one year and 11 months excise charge, or what is it going to be?

In other words, this is something that came in the latter part of the session, maybe on purpose in hopes that folks wouldn't have a chance to know too much about it and it would slide by easily. So due to the fact that there is going to be an investigation, there is going to be considered some of the things, I hope, that we have talked about, in the Transportation Department going along with the Motor Vehicle Division, and I had hoped that perhaps there could be a little bit more investigation than two days in the committee. And not having anybody tell you exactly how much it is going to cost to even make the tables out to go to the different municipalities as to what they are going to charge for a tax, that is all the reasons why I think it hadn't ought to pass at this present time.

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

Mr. COTE: Mr. Speaker, Ladies and Gentlemen of the House: It just so happens that I was chairman of a subcommittee of the Research Committee which studied this bill and also studied the anti-theft act that we have here this morning.

We in the committee did not make a recommendation at this time for the passage of this bill, but in talking with Mr. Wyman who felt that this was very much required and so did the state police, we did not make a recommendation, as I said, but I told him at that time that I would support such a bill, because I feel that there is a demand by the public for this type of bill.

Other states have gone into this type of legislation, and we have heard no repercussions from other states about it except, naturally, in the first year, when the transition period comes, that it will take a little bit of adjustment.

Now, we talked about the excise tax here this morning. It just so happens again that I have an order in for the study of the excise tax structure, and I feel that we have some good recommendations to make to the research committee when this comes about as far as the excise tax structure is concerned, and it will be good again for the people of the State of Maine.

Now, as far as the million dollars that was mentioned, it is true because of the transition it will bring in a million dollars for the first time around.

Now, as far as the employees are concerned, I think Mrs. McCormick covered that very very well. I feel that there is a demand for this in the public. I have spoken to quite a few people about it in my home town. I have gone around to different organizations, and I have talked about this, and there seems to be a demand for staggered automobile registration to keep them out of the cold at the last minute like we do in the months of February and March before they get their plates with long lines of people waiting.

Now, there is no question in my mind it is going to take a little readjustment, but as far as study-

ing this bill is concerned, it just was studied by the Research Committee this last session; and as I said, we made no recommendation on this bill, but I personally feel that this is a good bill, and I am going to support it.

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

Mr. BRAGDON: Mr. Speaker, Members of the House, in regard to the comments of the gentleman from Lewiston, I might say that the individual state-wide could correct the matter of long lines standing in the cold if they anticipated a week or so ahead that the deadline was coming. I don't think this would cost anybody any money.

In light of the debate and the explanations that I have heard here this morning with regard to this bill and in light of the fact that I have not been aware that there was any great problems with our present method of handling this, I heartily concur with the indefinite postponement of this bill at this time, and let's defer this added expense another two years at least.

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

Mr. WEBBER: Mr. Speaker, Ladies and Gentlemen of the House: I signed this bill "ought to pass". We had quite a study of it in the Transportation Committee, and I call it a good bill. I oppose the indefinite postponement motion.

I would like to answer Mr. Trumbull and say if he recalls in his operator's license, he gets a notice from the Secretary of State before it expires. You are going to get the same notice on your registration.

Now, if we don't pass this bill, you will see in the next legislature or the legislature after they will come out with more registration offices here and there and everything. In the end, it will cost us more money, and Mr. Wyman has assured us after this thing is all set up that, as Mrs. McCormick says, the help will drop down, and we will have a better operating procedure.

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

Mr. DUDLEY: Mr. Speaker, Members of the House: I think this would be a good bill, but I am forced to vote to indefinitely postpone it for these reasons: It employs about six more people, and I am against hiring more people anywhere in state government at the present time.

Now, let me tell you the story they will probably try to tell you. They have told it before, and for 20 years I have been around here, and I have heard this on numerous occasions. This is just temporary, these six people, until we get this thing working. But nobody was ever laid off in the 20 years I have been here once they were hired. They would find another job for them, nothing more than sweeping the floor or sharpening pencils, but they never lay them off.

If I could have some assurance that this would happen once in 20 years that they would get this working and lay these six people off, I might buy the bill. But I am not so naive as to believe that they are going to, so I hope that the motion to indefinitely postpone for that reason does prevail, because I know it will never come to pass. Once you hire people on the state payroll, they are there for a lifetime, and it goes on and on forever, and as soon as they are there for a little while, they find they need assistants and assistants to the assistant, and this is the way it goes. This is how we have had it in the years I have been here, build this monstrosity next door and buy one across the street, and I see that later on we will build some more buildings.

So this is how it goes. It is like a creeping cancer. It grows so fast that it gets beyond control, six men and a dozen somewhere else temporary. But the temporary in the past 20 years, I have never known one case where there was ever anyone laid off.

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

Mr. STILLINGS: Mr. Speaker, Ladies and Gentlemen of the House: The question that Mr. Dudley raised has already been answered, I believe, by Mrs. McCormick, but I would just like to repeat that in the first year there will be 16 employees added to the department but 7 of those will be seasonal. They won't be employed for the full year. The second year the number of employees will be reduced to nine or possibly six but it is nine in the L. D.

In the second year, there will also be, as has been pointed out, the elimination of 12 seasonal employees that must be employed now during the rush period.

The third year of the staggered system, there will be no employees. So there will be a reduction in the number of employees, and it will be caused by the automation of registrations, which is essentially what this bill is all about.

The SPEAKER: The Chair recognizes the gentleman from Farmington, Mr. Morton.

Mr. MORTON: Mr. Speaker, Ladies and Gentlemen of the House: You have heard the gentleman from Enfield point out that this was probably a pretty good bill, and he raised an objection which I think was a legitimate one, but I think that objection has now been answered pretty well and accurately by the gentleman from Berwick.

Now, most births are accompanied by some travail, and this is always true, but when you are going to get something better, it is time to make a move. It applies only to passenger cars, this bill does, and these passenger cars make up the bulk of the yearly registrations. A big volume of business is going to be handled in an automated way if you pass this legislation. Why should we stay in the horse and buggy days when we have modern equipment with which to work?

The present system adversely affects business and commerce in that people tend to delay trading their automobiles at the approach of the end of the year or the

September half-year half-fee half-price break comes up. This bill will certainly smooth out the transition that people are having to use in their registrations.

Now, I say people are ready for it and are familiar with the staggered licensing procedure, and they like it. Now, this is good, modern legislation, and I urge you to vote against the motion to indefinitely postpone and support us.

THE SPEAKER: The Chair recognizes the gentleman from Mexico, Mr. Fraser.

Mr. FRASER: Mr. Speaker, Members of the House: In answer to the remark made by my good friend, Mr. Dudley, regarding once a person is hired, he is never fired. Of course, it was brought up in the hearing, too, and Mr. Wyman says that is no great problem, because they already have about a 30 per cent turnover. So once a person is hired, there is always room for him someplace.

The SPEAKER: The Chair recognizes the gentleman from East Corinth, Mr. Strout.

MR. STROUT: Mr. Speaker, Ladies and Gentlemen of the House: I just want to bring out a point that the gentleman from Lewiston, Mr. Jacques brought up. On some occasions I think he missed the executive meetings. This is a redraft of L. D. 606, and I would like to inform him that the Maine Municipal Association now is in favor of this bill.

The big problem they had was on the excise payments that were going to cause problems to the various towns on the staggered payments; that the towns were going to lose money from some of these excise payments, people might move away.

Now, in this redraft on page 3, this has been taken care of. Your staggered excise payments are going to be handled the same way as your staggered registrations.

The SPEAKER: The Chair recognizes the gentledady from Madison, Mrs. Berry.

Mrs. BERRY: Mr. Speaker, Members of the House: I think something ought to be corrected that has been said, and that was that this was pushed through at

the last minute. Now, this is not so. We have had this bill for a long time. We have had people in three and perhaps four different times to talk to us. Perhaps the redraft in which the clerks, town clerks and the Maine Municipal finally got things straightened out was along the last session, and I might say we have had a great joke about it in our committee. Probably Mr. McNally was in Labor some of those times when we were — he had that for an excuse many times. He is a member of the Labor Committee.

The SPEAKER: The Chair recognizes the gentleman from Chelsea, Mr. Shaw.

Mr. SHAW: Mr. Speaker, Ladies and Gentlemen of the House: Since I have been here, we have extended the deadline twice I think it is for people to register their vehicles. The main reason was the weather was so bad, they just couldn't get in, and we didn't want them all taken into court for not having their vehicles registered. So I went to the Secretary of State to change the deadline to June or some reasonable time when people would be able to get in and out of the registration bureau, and he told me they were studying this particular bill, and it would be coming in shortly. I think this makes quite a lot of sense.

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

Mr. BRAWN: Mr. Speaker, Ladies and Gentlemen of the House: I have just heard one statement here that isn't quite right. This is on staggering licenses. We have just been told that everyone gets a notification when their license expires. I wish they would check the name of Brawn down there. There is a birthday coming right up, and they sure haven't got theirs yet, and I don't know when they are going to get it.

The SPEAKER: The Chair recognizes the gentleman from Fryeburg, Mr. Trumbull.

Mr. TRUMBULL: Mr. Speaker, Ladies and Gentlemen of the House: I just want to remind you once more, you are talking in terms of no additional revenue for

the state but at a cost of over \$300,000 if you vote this in.

Also, it has been brought up that you are going to get this notice every year. That is an additional cost.

Also, at the same time, another thing is that a man who owns a pickup truck would have to be registered under the old system where he registered his car under the new system, and that makes it much more complicated again.

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

Mr. CAREY: Mr. Speaker, I have gone through the bill, but I am having a slight problem trying to figure out what we would end up paying for plates on the annual rate once this thing is in, and I would like to have someone try to explain to me first of all, what are we paying now for plates and what would we be paying if there is, in fact, an increase?

Also, there seems to be shown here that the additional revenues in the second year of the biennium would be \$1 million, but I would also assume that in the first year of the next biennium, there would be almost a like reduction.

The SPEAKER: The gentleman from Waterville, Mr. Carey, poses two questions through the Chair to anyone who may answer if he or she wishes.

The Chair recognizes the gentleman from Berwick, Mr. Stillings.

Mr. STILLINGS: Mr. Speaker and Ladies and Gentlemen of the House: In answer to the gentleman's question, cost of registration would not change, it would remain the same. If you look at page 3 of the L. D., which is 2023, it will show you the month in which you would register based on the last digit or the last letter on your plate and the amount that you would pay on a pro rata basis for registration.

With regard to the million dollars, it is quite correct. No one has ever claimed this bill brought in an additional million dollars. It does not. It simply moves a million dollars from one year of the biennium to another year of the bien-

nium. It is a one-time occurrence, as is registration.

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

Mr. FINEMORE: Mr. Speaker, Members of the House: I wonder if the people in the House have read this bill? This isn't the only change in this bill. There are a lot of other changes. There is one change on here that changes the half registration fee on some vehicles. It changes it from September to November, extended to February.

There are several changes in this bill, and it says — there are some changes in the expiration of this bill. I would say the whole bill is treacherous. I hope some of you read it before you vote.

The SPEAKER: The pending question is on the motion of the gentleman from Fryeburg, Mr. Trumbull that L. D. 2023 be indefinitely postponed. All in favor of that motion will vote yes; those opposed will vote no.

33 having voted in the affirmative and 77 having voted in the negative, the motion did not prevail.

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

Mr. JACQUES: Mr. Speaker, Members of the House: I have a question here on the new draft on 2023. It says reported by Mr. Stillings from the Committee on Transportation. I didn't know that Mr. Stillings was a member of the Transportation Committee.

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

Bill, "An Act Relating to the Cost of Operation of and Venue in the Superior Courts" (S. P. 603) (L. D. 1897) (C. "A" S-219).

Was reported by the Committee on Bills in the Second Reading, read the second time, passed to be engrossed as amended and sent to the Senate.

The following Enactors were taken up out of order by unanimous consent:

Passed to be Enacted

An Act Increasing State, Maine Maritime Academy and Classified University of Maine Employee' Pay. (H. P. 1580) (L. D. 2006).

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all members elected to the House being necessary, a total was taken. 123 voted in favor of same and 6 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

An Act to Adjust Certain Salary Provisions of State Officers and Officials. (H. P. 1581) (L. D. 2007)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 110 voted in favor of same and 17 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

On motion of Mr. Jalbert of Lewiston, the preceding two enactors were ordered sent forthwith to the Senate.

Bill "An Act to Amend the Employment Security Law" (H. P. 1212) (L. D. 1574) (C. "A" H-538).

Was reported by the Committee on Bills in the Second Reading and read the second time.

On motion of Mr. Tierney of Durham, the House reconsidered its action whereby Committee Amendment "A" (H-538) was adopted.

The same gentleman offered House Amendment "A" to Committee Amendment "A" (H-558) which was read by the Clerk and adopted.

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

Bill "An Act to Amend the Elderly Household Tax Relief Act" (H. P. 1265) (L. D. 1641) (C. "A" H-528)

Bill "An Act Creating Public Defender Services" (S. P. 660) (L. D. 2015)

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

Bill "An Act Increasing the Gasoline Tax" (H. P. 647) (L. D. 863) (C. "A" H-540)

Was reported by the Committee on Bills in the Second Reading and read the second time.

The SPEAKER: The Chair recognizes the gentleman from Rockland, Mr. Emery, relative to item 9.

Mr. EMERY: Mr. Speaker and Ladies and Gentlemen of the House: As you know, yesterday I opposed the cent increase in the gasoline tax and I haven't changed my feelings one iota. The main reason that I had this bill set aside was because I believe that there was an amendment to be offered. However, discussion with the Attorney General's office has indicated that this amendment is not constitutional; therefore, it will not be offered. So instead of offering an amendment, I now move indefinite postponement of the bill along with all its accompanying papers and I ask for the yeas and nays.

The SPEAKER: The gentleman from Rockland, Mr. Emery, moves this Bill and all accompanying papers be indefinitely postponed.

A roll call has been requested. For the Chair to order a roll call, it must have the expressed desire of one fifth of the members present and voting. All those desiring a roll call vote will vote yes; those opposed will vote no.

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

The SPEAKER: The pending question is on the motion of the gentleman from Rockland, Mr. Emery, that this Bill and all accompanying papers be indefinitely

postponed. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Ault, Berry, P. P.; Berube, Bither, Brown, Brown, Carrier, Chick, Chonko, Clark, Conley, Connolly, Cooney, Cote, Cottrell, Crommett, Curtis, T. S. Jr.; Dam, Deshaies, Drigotas, Dudley, Dunleavy, Farrington, Fecteau, Ferris, Finemore, Gahagan, Gauthier, Good, Goodwin, H.; Goodwin, K.; Hamblen, Hobbins, Hoffses, Huber, Hunter, Immonen, Jackson, Kilroy, Lawry, Lewis, J.; Littlefield, McKernan, McMahon, McTeague, Morin, L.; Murchison, Najarian, Parks, Peterson, Ricker, Rolde, Rollins, Ross, Shute, Snowe, Talbot, Tanguay, Theriault, Tierney, Tyndale, Wheeler.

NAY — Albert, Baker, Berry, G. W.; Binnette, Birt, Boudreau, Bragdon, Briggs, Bunker, Bustin, Cameron, Carey, Carter, Churchill, Davis, Donaghy, Dow, Emery, D. F.; Evans, Farnham, Flynn, Fraser, Garsoe, Genest, Greenlaw, Hancock, Haskell, Jacques, Jalbert, Kauffman, Kelleher, Kelley, Kelley, R. P.; Keyte, Knight, LaPointe, LeBlanc, Lynch, MacLeod, Maddox, Mahany, Martin, Maxwell, McCormick, McHenry, McNally, Merrill, Mills, Morin, V.; Morton, Mulkern, Murray, Norris, O'Brien, Perkins, Pontbriand, Pratt, Santoro, Shaw, Silverman, Simpson, L. E.; Smith, S.; Soulas, Sproul, Strout, Susi, Trask, Trumbull, Webber, White, Whitzell, Willard, Wood, M. E.; The Speaker.

ABSENT — Cressey, Curran, Dunn, Dyar, Farley, Faucher, Henley, Herrick, LaCharite, Lewis, E.; Palmer, Sheltra, Stillings, Walker.

Yes, 62; No, 74; Absent, 15.

The SPEAKER: Sixty-two having voted in the affirmative and seventy-four in the negative with fifteen being absent, the motion does not prevail.

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

Mr. EMERY: Mr. Speaker and Ladies and Gentlemen of the House: I now move that we reconsider our action whereby the motion to indefinitely postpone did not prevail and I would speak briefly to my motion.

The SPEAKER: The gentleman from Rockland, Mr. Emery, moves we reconsider our action whereby the House indefinitely postponed this matter.

The gentleman may proceed.

Mr. EMERY: Mr. Speaker and Ladies and Gentlemen of the House: This is a motion that I seldom make because I realize that it delays the functioning of the legislative process. However, I feel that this issue is of sufficient importance to the taxpayers of the State of Maine, the people who use gasoline, as well as the tourists who come to the state during the summer. I feel that to pass the gas tax, the cent increase in the gas tax at this time is an injustice to the taxpayers and the motorists in the State of Maine.

We have the second highest gas tax in the nation. As I said yesterday, I believe that the Department of Transportation is one of the biggest spendthrifts in State Government. I do not believe that it takes sufficient time and energy to investigate its own department and its method of operation and I believe that if it did it would be able to save several million dollars. I believe that it is time for the State Legislature to demand of the Department of Transportation that it put its own house in order before it comes to the State Legislature asking for more money.

Since I was first elected to the House of Representatives, one of my primary concerns has been the condition of U. S. Route 1 throughout the mid-coast area, and this concern is shared by most of the coastal legislators. We depend on Route 1 for our transportation, getting back and forth to our jobs, import and export from our area of all the manufactured goods that we produce and most of the food products that we eat. Anyone that has been in the Camden-Rockland area during the summertime will know first hand, that Route 1 is an impossible situation.

We have had bills before the legislature to provide for feasibility studies for bypasses of the Camden area. We have had feasibility

studies for bypasses of the Wasscasset area. Many stretches of Route 1 in Penobscot County and Waldo County and even Lincoln County are impossible to negotiate during the heavy summer traffic. But yet, the Department of Transportation turns a deaf ear upon our needs. I say the time has come to put a halt to it. If this department cannot be responsive to the needs of the people, all the people from the various parts of the State of Maine, then I think it is high time that the legislature imposed its will upon the Transportation Department by cutting off the funds that it requests. This is the only way that we have leverage under the dedicated revenue system.

A feasibility study that I requested, a bill that was introduced by myself and another bill that was introduced last session by Representative Hardy of Hope, was consolidated into one piece of legislation and was passed, and this called for a feasibility study of improvements on Route 1 to the mid-coast area.

Early in the session, I believe in the month of February, we received this study. But this study, essentially, told us that they recognized there was a problem in the mid-coast area and they provided three alternative routes for a bypass around Camden. But any good book has a climax, and the climax of this book was, essentially, that we are very sorry, but we can't help you now. Well we have had this to them for twenty years and I think it is high time that something was done for the mid-coast area. And in good conscience, I cannot vote for a cent increase in the gasoline tax until something of a concrete nature is put down in writing, not some nebulous promise for ten years in the future, but a concrete program responsive to the needs of the people in the mid-coast area that we can look forward to and say, finally, our problems are going to be solved.

I am sick and tired of hearing bureaucratic excuses on behalf of the Transportation Committee as to why Route 1 is not important enough. I hope that you will re-

consider your action and will, in fact, indefinitely postpone this legislation.

The gasoline tax, at this time, is going to be a further burden upon those motorists who need gasoline. We have a fuel shortage. Gasoline prices are going to increase this summer if for no other reason than demand for a commodity that is going to be increasingly more difficult to get.

The federal government is planning to impose a gasoline tax and I believe that it is unconscionable for this legislature to increase the gasoline tax for no good reason at this point. I do not accept the arguments of the Maine Good Roads Association and the Transportation Department that they absolutely need this revenue in order to function. I hope you will reconsider your action.

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

Mr. KELLEHER: Mr. Speaker and Ladies and Gentlemen of the House: I don't disagree with the arguments presented by my good friend from Rockland, but I would suggest those who are opposed to the gas tax — and I am not standing here fighting for it — that we let it go along until the enactment stage. There isn't any one of us here that have enough votes to kill it with a majority, but they certainly haven't got 101 votes to pass it either.

I think we are just wasting the time of the House this morning and the legislative process by attempting to try to kill this bill right now. It is nowhere near in position for enactment. Those who vote for indefinite postponement or reconsideration, are not helping the cause one bit. We would just be taking up the time of the House this morning, and I suggest the members of this House vote not for reconsideration. Let it get into the position where it has to come up for enactment and then, Mr. Emery, let them try and get the 101 votes which you are trying very hard for them not to get. I appreciate your efforts, but I don't think there are enough votes here for the majority to kill it, so why

not let it go on its way and then go at it when it comes back?

I voted against killing the bill this morning because I just didn't think there were enough votes to kill it, but I am certainly not going to vote for it when it comes to the enactment stage right at this moment and I think it is just a waste of time here this morning.

The SPEAKER: The Chair recognizes the gentleman from Mexico, Mr. Fraser.

Mr. FRASER: Mr. Speaker and Ladies and Gentlemen of the House: Mr. Emery has brought up the same reasons this morning that he did yesterday. He really didn't say that there were any discrepancies in the Highway Department, he just said, he believed it. And the reason he believes it is because the roads in his area are not what he would like to have. Again I would say to you, the roads in my area are not what I would like to have, but it is not because I believe that the Highway Department is inefficient, it is because they don't have enough money. And if they don't get this one cent gas tax, we are going to be even more dissatisfied next time around.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I am not going to bore you this morning with a lot of conversation, because I agree with Mr. Kelleher, only I did vote for indefinite postponement hoping that we wouldn't have to drag this along any further.

This will give me time to compile some very interesting figures that I want to give you on what it is costing to administrate and some of the things in areas down through the years where they have ignored this House, utterly ignored the House, and I would have some good percentage to present to you and this will just give me time to do it before enactment.

I will just mention a few just to give you an idea and put you on the right track. This House two years ago and the Highway Committee unanimously supported a cut in winter maintenance. One

thing they wanted to cut some was the highway patrol. Before the first snowflakes fell that year after we went home, they went to the Council and got this restored. Now, this completely ignores 100 percent vote of the Highway Committee and a unanimous vote of this House.

This has gone on down through the years. I think it is time that this department at least cut their cloth by the pattern they have, and I will have a lot more to say on this at enactment stage, some actual figures of what is going on over there and some of the places where they throw a few million away.

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

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: Since this motion has been made, I consider this a very inappropriate time for us to pass another gasoline tax. I realize that we have a great need for good roads throughout the state. However, we do have a fairly good system overall.

Probably there will be increases on the federal level, but I believe it would be very unpopular for us to add this burden on a state level. If we wait for the enactment stage, we might just be fooled. Things can happen by persuasion of higher persons on the legislative level, and I think that those who intend to vote against this in the enactment stage should now vote with Mr. Emery.

The SPEAKER: The Chair recognizes the gentlewoman from Rockland, Mrs. Lewis.

Mrs. LEWIS: Mr. Speaker and Members of the House: I think we should know that the department request for the Highway Department for 1973-74 is \$101,953,605. Now, that is quite a sizeable number and they are asking for an increase beyond that.

Thereupon, Mr. Emery of Rockland requested a roll call vote.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call, it must have the expressed desire of one fifth of the members present and voting. All those desiring a roll call vote

will vote yes; those opposed will vote no.

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

The SPEAKER: The pending question is on the motion of the gentleman from Rockland, Mr. Emery, that the House reconsider its action whereby it failed to indefinitely postpone this matter. All in favor of reconsideration will vote yes; those opposed will vote no.

ROLL CALL

YEA — Ault, Berry, P. P.; Berube, Brawn, Brown, Carrier, Chick, Chonko, Clark, Connolly, Cooney, Cote, Cottrell, Crommett, Curtis, T. S., Jr.; Dam, Deshaies, Drigotas, Dudley, Dunleavy, Emery, D. F.; Farrington, Fecteau, Ferris, Finemore, Gahagan, Gauthier, Good, Goodwin, H.; Hamblen, Hobbins, Hoffses, Huber, Hunter, Immonen, Jackson, Kilroy, Lawry, Lewis, J.; Littlefield, McHenry, McKernan, McMahon, Morin, L.; Murchison, Najarian, Parks, Peterson, Ricker, Rolde, Rollins, Ross, Shute, Snowe, Talbot, Tanguay, Theriault, Tierney, Tyndale, Wheeler.

NAY — Albert, Baker, Berry, G. W.; Binnette, Birt, Bither, Boudreau, Bragdon, Briggs, Bunker, Bustin, Cameron, Carey, Carter, Churchill, Conley, Davis, Dow, Dunn, Evans, Farnham, Flynn, Fraser, Garsoe, Genest, Goodwin, K.; Greenlaw, Hancock, Haskell, Henley, Jacques, Jalbert, Kauffman, Kelleher, Kelley; Kelley, R. P.; Keyte, Knight, LaPointe, LeBlanc, Lynch, MacLeod, Maddox, Mahany, Martin, Maxwell, McCormick, McNally, McTeague, Merrill, Mills, Morin, V.; Morton, Mulkern, Murray, Norris, O'Brien, Perkins, Pontbriand, Pratt, Santoro, Shaw, Silverman, Simpson, L. E.; Smith, D. M.; Smith, S.; Soulas, Sproul, Stillings, Strout, Susi, Trask, Trumbull, Webber, White, Whitzell, Willard, Wood, M. E.; The Speaker.

ABSENT — Cressey, Curran, Donaghy, Dyar, Farley, Faucher, Herrick, LaCharite, Lewis, E.; Palmer, Sheltra, Walker.

Yes, 60; No, 79; Absent, 12.

The SPEAKER: Sixty having voted in the affirmative and seventy-nine in the negative, with twelve being absent, the motion to reconsider does not prevail.

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

Bill "An Act to Clarify and Simplify the Administration of the Mechanic's Lien Law" (H. P. 1361) (L. D. 1817) (Later reconsidered)

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

Second Reader

Tabled and Assigned

Bill "An Act to Improve the Lobster Fisheries" (S. P. 452) (L. D. 1506)

Was reported by the Committee on Bills in the Second Reading and read the second time.

Mr. Maddox of Vinalhaven offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-559) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Vinalhaven, Mr. Maddox.

Mr. MADDUX: Mr. Speaker, Ladies and Gentlemen of the House: I thank you for your courtesy and patience as you permitted this bill to be tabled for several days during my absence due to a death in my family.

Before I analyze the present bill, 1973, and get into the substance of my amendment, I would like to equate you with my experience, with the experience I have had in my association with the subject matter of this amendment and bill, namely, the lobster fishing industry.

Born and raised on the Maine coast, the harvesting of the bounty of the sea was so much a part of the coastal life that I absorbed a knowledge of the hardships and the rewards to this industry without conscious effort.

During my mid-teens I moved to Vinalhaven, in the very heart of our most productive area, and enjoyed the friendship of the many fishermen of that island town for

several years. Absent from the inland for a number of years, I returned and engaged in the boat building industry, building boats for local fishermen. For a few years I also assisted in the shipping and packing of lobsters for a local buyer, sometimes handling as many as ten or twelve tons of lobsters a day during the shipping period. During all this time I was in daily contact with the fishermen as I have been for the last 27 years. As a previous member of this House I served on the Sea and Shore Fisheries Committee for six years. I served during the 101st Legislature as the House Chairman of that committee.

My only purpose in disclosing these facts is to emphasize that I am not a visionary or a dreamer who wishes to solve a problem by ill-advised legislation, dictated by wishful thinking and without practical knowledge. This bill, 1973, represents a desire for the Marine Resources Committee to report out a bill from the deluge of conflicting testimony that it might be amended and made workable through the legislative process.

Some change is needed in the fishing industry, I will admit; it is acknowledged. But the changes should be not drastic and immediate but sensible and gradual. A condition that has been building up for a number of years can not be changed in one or two seasons.

Take this bill and this amendment and consider the two together. By the amendment you will strike out all of section one which requires the registration, numbers of the boats being printed upon the lobsterman's license. This will not be necessary because of a previous deletion later on in the bill.

It further amends that bill by striking out all of the last paragraph of section 2, and inserting in place thereof the following: The bill itself calls for a license fee of \$100. This is prohibitive; it is absolutely ridiculous. A very few people might possibly afford it, but it would be a big dent in their annual income. And to many of the fishermen who fish only a short time in the summer, it would be prohibitive.

The amendment calls for full-time lobstermen 20, which is double the present fee. A part-time lobsterman limited to 50 traps, \$15. That the young people may start in and work and make part of the proceeds, apply the proceeds to their education or maybe serve to initiate them into the lobster industry, up to 18 years of age, \$10, with a trap limit the same as the full-time fisherman.

It further amends that bill by adding at the end of the last paragraph where the portion of the fees returned earmarked for the hiring of three extra wardens. This is necessary because of conditions that have developed in certain parts of the area.

Now, the obvious solution to the problems of the lobster industry is cutting down on the number of traps that are being fished. Either the lobster will have to reproduce faster or the fishermen will have to cut down on the number of traps they put in the water.

The bill calls for 600. The amendment calls for 600 traps for the first year from February 1974 to December 31, 1974 — 600 traps; on January 1975 to December 31, 1975, 500 traps; from January 1, 1976 to December 31, 1976, 400 traps, which would be a limit or should not deplete the lobster industry and allow a decent return for the effort that these people put in.

It will further amend the bill by striking out all of section 7. Section 7 would have a man only be permitted to fish in the boat which has the registration number on his license. This is exactly the same thing as saying to a man, if he works in a factory in Lewiston-Auburn or Sanford or anyplace, if his automobile breaks down in the morning he can't go to work in any other automobile. He would be hamstrung completely, and that is no exaggeration. This is the most ridiculous proposition that was ever put in for a workingman to have to entertain and be subjected to.

Also, in the wintertime the lobster industry is a hazardous industry. The problems of cold weather, ice, freezing, slippery decks and so on and so forth make

it absolutely unsafe for a man to fish for lobsters alone. He has to take a man with him if he is going to engage in that industry and make a living. He has got to do it. Also, if he comes down in the morning and he finds that his engine won't start, he has had trouble in the night, his boat got under the wharf, it filled with water, or any number of things might happen, he would not be allowed to go out and haul his traps in any other boat. So it would delete that question completely.

I assure you, ladies and gentlemen, I have no desire other than to help the people engaged in the lobster fishing industry. These people cannot be reduced to being a statistic. They are your fellow state citizens, my countrymen, my neighbors, your neighbors along the coast, and I represent a tenth, probably of all licensed fishermen.

The department scientist will take as much money as he can get, exorbitant fees if licenses aren't justified. I sincerely believe that this is a common sense approach and I move the adoption of this amendment and I ask for a division.

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

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: Although I come from Bath where there are not too many full-time lobster fishermen, I do get many calls from the coast where there are these type of people.

I think this is a very good amendment. I have one question to ask the gentleman from Vinalhaven, Mr. Maddox, if the section which includes marking of lobster traps is still going to be in there?

The SPEAKER: The gentleman from Bath, Mr. Ross, poses a question through the Chair to anyone who may answer if he or she wishes.

The Chair recognizes the gentleman from Vinalhaven, Mr. Maddox.

Mr. MADDOX: Mr. Speaker and Members of the House: In answer to the gentleman, the markings of traps will still have to be in there in order to maintain the

count as to the number of traps permitted.

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

Mr. ROLDE: Mr. Speaker and Members of the House: I have a question to pose to the gentleman. Under B, it has part-time lobstermen limited to 50 traps. I would like the gentleman to explain how they define a part-time lobsterman, if he might.

The SPEAKER: The gentleman from York, Mr. Rolde, poses a question through the Chair to anyone who may answer if he or she wishes.

The Chair recognizes the gentleman from Vinalhaven, Mr. Maddox.

Mr. MADDOX: Mr. Speaker and Members of the House: In answer to the gentleman, the question and the answer both are largely academic. You cannot, or it is impossible to define a part-time lobsterman, but by the adoption of this amendment he would automatically label himself when he took out a license for 50 traps.

The SPEAKER: The Chair recognizes the gentleman from Stonington, Mr. Greenlaw.

Mr. GREENLAW: Mr. Speaker, Ladies and Gentlemen of the House: My reaction to the amendment that is being proposed today is of agreeing on certain phases and disagreeing on others. I certainly concur wholeheartedly with the gentleman from Vinalhaven that the license fee request of \$100 is exorbitant.

There are several areas on this particular amendment that I feel should be clarified, what I would consider loopholes, and inasmuch as I haven't had a chance to really sit down and try to put them together, I would ask that someone would table this for a day pending acceptance of this amendment.

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

Mr. MARTIN: Mr. Speaker, I move this item lie on the table one legislative day.

Thereupon, Mr. Maddox of Vinalhaven requested a vote on the motion.

The SPEAKER: The pending question is on the motion of the gentleman from Eagle Lake, Mr. Martin, that this matter be tabled pending the adoption of House Amendment "A" and tomorrow assigned. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

51 having voted in the affirmative and 44 having voted in the negative, the motion did prevail.

On motion of Mr. Martin of Eagle Lake, the House reconsidered its action of earlier whereby Bill "An Act to Clarify and Simplify the Administration of the Mechanic's Lien Law" (H. P. 1361) (L. D. 1817) was passed to be engrossed.

On further motion of the same gentleman, tabled pending passage to be engrossed and later today assigned.

Enactor Tabled and Assigned

An Act Relating to Service Retirement Benefits under State Retirement System (S. P. 184) (L. D. 492)

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

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

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: For quite some time I had some thoughts on this particular piece of legislation that bothered me somewhat, particularly is the future cost of funding it. There has been an order passed for a study of the entire retirement system and I would like to make a few remarks prior to moving passage of the bill, and hopefully some of these things will be given consideration during the time of the study.

When this fund was set up in 1942, there was quite a bit of unfunded liability, and it was agreed at that time that three percent of the contribution cost, raising at that rate per year, would be charged to the state for all mem-

bers of the fund to take care of this prior service benefit.

The normal contribution to the state at 3.79 percent, at the present time, the state's liability going up at this 3 percent rate is at 5.18 for the future cost, and I realize this is projecting quite a ways ahead, but sometimes these years creep up on you awfully fast, so that within 20 years, the state will be picking up 9.36 percent accrued liability, with the 3.79 that they are presently paying, which will make the state paying in the neighborhood, slightly in excess of 13 percent of the entire payroll of all state employees and teachers.

Now, from what information I know, and it is a little harder to dig out of the budget this year because they have used a different method of funding which I think is very sound, but at the present time, the biennial cost to the state of retirement is around thirty six or thirty seven million dollars for all departments and agencies.

We have a bill before us this morning that is going to change the limits from 1/60 down to 1/50 times the number of years they have worked, which allows a person at 25 years to retire at half pay, and could allow a long-term employee to retire at full pay.

I think there are many areas that the committee should study, limitations, an 80 percent limitation, and what the effect of it will be and whether it is wise. The admission or allowing of special interest groups to be able to retire earlier and then the next year they come back and ask for permission to stay on because they run into some problems in the administration of it are two areas.

Another area that bothers me a great deal is when this was set up, the number of employees working for the state was a good deal smaller than what it is now and the payroll was a good deal smaller.

This 3 percent increased contribution was intended that this would pick up all of this increased cost as far as salaries are concerned and increased payroll.

I would hope that the study committee would do a very in depth study on many of the problems that are involved in this fund, including long range cost, methods of funding, whether the earnings of the fund will take care of all of the projected increases and report back to us either at the special session or the next session. The last study that was done in 1955 indicated that the prior service benefits would be completely cleared up, the state would be able to go back to the 3.79 in 22 years. It appears now that we will be up until somewhere in the area of 1995 before this is done, and we are still continuing this increased cost.

With these thoughts into the record, Mr. Speaker, I move the passage of this bill.

The SPEAKER: The Chair recognizes the gentleman from Norway, Mr. Henley.

Mr. HENLEY: Mr. Speaker, Ladies and Gentlemen of the House: Briefly, I just want to thank the gentleman from East Millinocket, Mr. Birt, for his explanation. This bill, I hope, will finally be passed so that it will not only ease up my mailing list but probably the rest of them in the committee and possibly save some of the U. S. postal deficit, because we have got letters literally in the hundreds.

That isn't the only reason why we felt it should go through. I guess it is a fairly good comprehensive bill, but I am pleased that — and my friend, Mr. Birt, did make that explanation and I urge you strongly to understand the problems involved, because it is getting to the point now where we must have this study, we must come up with some guidelines for future committees on retirement, and we have already made some independent studies. I am going to ask a young committee member who has made a particular research on the financial end to briefly tell you what he has found out.

One more thing, we did pass an order, which is in the other body now, relative to this study. I think we are going to, somewhere or

other, amend that order to allow us a little money, because this involves, as you realize, possibly hundreds of millions of dollars. The money that is being entrusted, invested — and the actuaries are the ones who are responsible for the manipulation and the holding and the care of this fund and the board. Consequently, we may be faced with an amendment on that other order in a few days for a small sum of money, because we are going to have to employ probably some experts in making that research.

With that, I would like to defer to my friend, Mr. Gahagan, who has got a report.

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

Mr. GAHAGAN: Mr. Speaker, Ladies and Gentlemen of the House: As a member of the Veterans and Retirement Committee, the first few weeks of this session I was given the assignment to consider that \$200 million presently in the State Retirement Fund, and I was asked to see if the fund could handle the burden which is being placed on it by these large numbers of special interest groups in the state. I am just wrapping up the final results of this study.

I have found that in comparing the State of Maine retirement system to other state retirement systems, that we are if not the best fund in the country, then one of the best.

The portfolio has returned an average of 4 to 5 percent on its investments and securities. The fund, fortunately, in the market we are experiencing now is largely in an equity position, which means we are not subject to the fluctuations as much of the stock market.

I would urge you to consider the special interest bills that you have put in and trust that the Veterans and Retirement Committee over the summer will be studying this situation. We have to come up with a uniform state retirement package. There is not presently an adequate program to determine who gets what at what time. For example, what positions in the state are hazardous positions? We

haven't been able to determine if the game warden is a more hazardous position than a highway worker. These things have to be decided by the committee in a study.

To assure Mr. Birt of East Millinocket, the retirement fund is a strong fund and can handle the requests that we have to date. If we had, however, accepted some of the bills that some of you have put in, I think that a precedent would have been established which may have depleted the fund considerably and increased the state's burden. Right now the employees of the state are contributing to this fund in a sufficient amount so that they can handle their own retirement benefits.

I think that you may like to read over the report that I am presently having typed up. It may give you an idea of where some of this money is going and the way it is coming back to the state in benefits for the members of the retirement system, as many of us are probably going to be involved someday also.

So, I hope you will take a look at this report and further watch very carefully the activities of the Veterans and Retirement Committee this summer and hope that we can come up with a uniform state retirement system.

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

Enactor Tabled and Assigned

An Act Regulating the Interception of Wire and Oral Communications (S. P. 377) (L. D. 1108)

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

On motion of Mr. Simpson of Standish, under suspension of the rules, the House voted to reconsider its action whereby L. D. 1108 was passed to be engrossed.

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

House Amendment "A" (H-531) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Windham, Mr. Peterson.

Mr. PETERSON: Mr. Speaker and Members of the House: Could the gentleman explain his amendment, I can't find it right now.

The SPEAKER: The gentleman from Windham, Mr. Peterson, poses a question through the Chair to anyone who may answer if he or she wishes.

The Chair recognizes the gentleman from Standish, Mr. Simpson.

Mr. SIMPSON: Mr. Speaker, Ladies and Gentlemen of the House: This amendment has been on the desk now for about a week. It has been an amendment that was drafted that would hopefully take out some of the portions of it that would protect some of their day by day activities, especially when it talks about wireless communication systems.

We have tried to rewrite it to the point where it would be acceptable to everybody and that we could pass the bill and still protect those people that we had the objections with in the debate the other day.

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

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: My desk is kind of a mess, too, and I can't find this amendment. I did understand from the gentleman yesterday that this amendment he had given up on and was not going to introduce, and so I discontinued the work that I was doing on it. There are a number of very serious questions about it. I think it would be—before we adopt it, it would be wise if we tabled it for a day and allowed this work to go forth that ceased yesterday when he said it wasn't going to be introduced. I would hope that somebody would table this for a day or so.

On motion of Mr. Simpson of Standish, tabled pending adoption of House Amendment "A" and tomorrow assigned.

An Act to Reform the Methods of Computing Benefit Payments under Workmen's Compensation Act (S. P. 427) (L. D. 1287)

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 Creating the Maine Motor Vehicle Certificate of Title and Anti-theft Act (H. P. 1075) (L. D. 1455)

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

The SPEAKER: The Chair recognizes the gentlewoman from Madison, Mrs. Berry.

Mrs. BERRY: Mr. Speaker and Members of the House: I don't know about the rest of you, but I got numerous calls over the weekend about this bill. Everybody knows and agrees that it is necessary, but there is much concern in the smaller towns and in other towns, too, about the revenue that the towns will be losing.

Also, I have four small towns in my district, and these clerks are very much upset, because this is the main source of their compensation for their clerks work, and they are very much upset about it. I am just wondering if there is any way that any of this could be returned to the towns?

The SPEAKER: The gentlewoman from Madison, Mrs. Berry, poses a question through the Chair to anyone who may answer if he or she wishes.

The Chair recognizes the gentleman from Berwick, Mr. Stillings.

Mr. STILLINGS: Mr. Speaker, Ladies and Gentlemen of the House: I share Mrs. Berry's concern for the town clerks who now receive, I think it is, a \$5 fee for profession of security interest filing, and under the terms of this bill, because it is a uniform title and anti-theft act, there is a requirement that the title be recorded in the central registry, a logical place, being the Motor Vehicle Division of the Secretary of State's office.

This legislature just this session enacted a bill which prohibited state employees from receiving funds and not accounting for them; that is, receiving money and putting it in their own pocket with no accounting.

One of the problems is that for many years, our town and city

clerks have received fees, and the fees, of course, have amounted to their pay. I would guess that perhaps the best or certainly a solution would be for towns to compensate their city and town clerks for the work that they do and not require them to depend upon a fee system. But that does not correct the situation as it exists now.

This bill doesn't go into effect technically until 1975. It requires titling of all new models in 1975. I would suggest that there is perhaps still time to find a way to offset the losses to the clerks even though we could enact the bill and start the process of implementing it. We still have a special session coming up, and I would suggest that perhaps we might between now and then be able to find some solution to this problem which seems to be the only obstacle to the passage of the bill.

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

Mr. BRAWN: Mr. Speaker, Ladies and Gentlemen of the House: I think a lot of people here are not familiar with the car titles and certificates or either they have short memory. A few years ago the State of Maine enacted a certificate of title in the State of Maine. It did not work. It was eliminated.

Now, you probably know that the State of Florida has titles on their cars. The increase of theft there with this title is greater than it has ever been. This is very simple. This theft ring will steal your car, they will grind the numbers off your engine or take the plate off your body; they will create a new one or they will stamp a new one in your engine so they can get away with it just the same.

Ladies and gentlemen, when you apply for this application under this bill now, you have to pay \$3; when you get your certificate, you have to pay \$1. There is \$4. Now, if you lose this certificate or someone steals your car and you want a search of this, this is \$5 more. This is \$9. Now, if you want to transfer, you have to pay again.

Ladies and gentlemen, you are really going into something, I don't think you know what you are doing. I am going to ask for the indefinite postponement of this and all its accompanying papers.

The SPEAKER: The gentleman from Oakland, Mr. Brawn, moves the indefinite postponement of L. D. 1287 and all accompanying papers.

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

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: I am not opposed to the bill as such, but I do want to concur with the gentleman from Madison, the representative from my county, in her feeling on the town clerk situation.

Now, as the gentleman from Berwick, Mr. Stillings, said that later on we could come back and amend this. Well, I don't especially like this idea of passing something with the intent of coming back to amend it.

Now, Mrs. Berry said that she had a number of calls, and this is an absolute fact, because I also received a number of calls; and I received calls from all the clerks in the county, the large majority. That included of course, my Town of Skowhegan, which is quite concerned with the loss of revenue; the Town of Harmony, Caanan, St. Albans, Athens, Benton, Pittsfield, Fairfield, Solon, Cornville, Madison, Smithfield, and Anson. This means the loss of over \$25,000 a year just to those towns right there.

Mr. Stillings said that maybe the time has come that the towns — that the municipal authorities or the offices set a fee for their clerks. I can agree with him there that maybe the time has come that this be done, because my town does pay salary, and some of the larger towns do. But the smaller towns do not, and there is nothing in this bill that says that the towns—that the municipal officers shall set up a salary for their clerks.

Now, many of the clerks operate strictly on a fee basis with no salary at all. And there is something very strange about municipal offices. They hate to set up salaries for anyone when they can get away

with a fee system. I saw this in my town when we started talking about appointing a building inspector, because the state law says you have to have one in certain size towns. So to comply with the law, they said, yes, we will appoint one, and we will set a salary at a dollar a year. Well, they complied with the law, because they are willing to appoint, but the only problem is they can't find anyone to work for a dollar a year, not at least 50 percent of the time they would have to put in. And the same thing is happening in this bill here with your town clerks. If this bill goes through and you take your fees away from your town clerks in the small towns, you are virtually wiping out the town clerks, because this is — actually the bulk of their fees is right here. A lot of your small town clerks don't make much money. If they make \$500, \$600, \$700, \$800 a year, this is good for them. They operate out of their home, but they are providing a necessary service to the community.

I don't think it is too late right now or too late in the session that there couldn't be something put onto this bill as an amendment to take care of this situation as far as the clerks are concerned, because I am quite concerned for the clerks, especially those working on fees. I am not that much concerned for those who work on a salary, because the money is coming out of a broad base, and it does not affect the municipality quite that much. So, I am not making a pitch for my town or any of the larger towns, but I am making a pitch for the small towns that have their clerks working strictly on a fee basis. I don't think this is right to cut their pay, in many instances, over half of what they are getting now, because they are performing a service, and they are needed in all the — you should have a — I think you have to — I won't state that as fact, but I think there is a town clerk in all municipalities, and they do rely on the fees, and I think this is not the right way to do — to pass the bill that would take their pay away from them.

I think we should do something with this bill, and maybe the indefinite postponement motion is right, that I don't know. I don't take a position one way or the other on it, but I don't think it is too late that something couldn't be put into this bill to take care of the clerks that work on the fee system. I would hope you would give some thought to this before we pass this bill today.

The SPEAKER: The Chair recognizes the gentlewoman from Orrington, Mrs. Baker.

Mrs. BAKER: Mr. Speaker and Members of the House. I am very much interested in this title law bill. We had this before our committee two years ago, and the only reason that it didn't pass then was because of the problem with the town clerks. I have been a town clerk myself a good many years. I am not now, of course, but I realize what a problem this would have been. But I think that so many towns now are having town managers and one thing or another, they are holding their offices open more and they are hiring more clerks to man those offices, that it is a different situation than what it was a few years back. We need this title law. There are only two states in the Union, Maine and Alabama, that do not have it. And as a consequence, we are a haven for stolen cars. We were told by the State Police in the hearings. We were told it two years ago and we put it off then on account of the town clerks.

It seems to me that the towns should face up to their responsibility and provide a salary for their town clerks and not expect them to exist on the fees. However, this bill only affects the 1975 models, I believe, starting with 1975. So that gives the towns and the town clerks a chance to plan, and this does not take away all their fees. They get recording fees for other time sales, appliances and all kinds of things.

This is merely the automobile title starting with the 1975 models. I don't think it is as serious as some people would feel. I think the state needs the law, and if you want to make some other arrangements to provide a fee for the

clerk, it is going to cost the person who is licensing the car, buying the car, if you want to pay twice, that is fine. But I really don't see any need for it. And for those towns that are paying a salary to their clerks, the workload would be lessened, and it does seem to me that it would be ridiculous to pay two fees. The clerks themselves would not benefit, only the towns.

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

Mr. COTE: Mr. Speaker, Ladies and Gentlemen of the House: Again, it was one of these bills that was referred to the Legislative Research Committee, of which I was the chairman of the subcommittee. We studied this very thoroughly. As the gentle lady from Orrington, Mrs. Baker, just stated to you, this does not become effective before 1975. It would only affect about 50,000 cars for the first year. As there are 460,000 vehicles now being registered in this state, it will take approximately seven or eight years before every vehicle will be titled. So the loss of revenue for the first two or three years is not that much money, and I feel confident — I have spoken with some of the clerks, I have spoken with MMA who at the time was against this, and I, as an individual, promised them that somehow, some way, before 1975 rolled along, we could probably resolve that little difference.

As it was stated here, Maine and Alabama are the only two left without an anti-theft law or a title law in the state. Now, I am not sure, but I think at the present probably Alabama has passed it, because they were considering a law there. I didn't get the final word on it, but I think they have passed it at this time, but I am not sure.

We were also told at the time that if we don't pass a bill at the state level, it could very well be made a federal law, the same as the odometer law when states refuse to take action, and they could take action at the federal level.

I have an article here — some of you will probably remember,

that I read when I presented this bill at the prelegislative conference we had before the beginning of the session. "Alabama is the center of a thriving stolen car racket" — and we have been assured by the State Police in this that we are in the same category — the result of a state code that required no proof that a person owns an automobile.

"With the lack of a car title law, a person can get a license tag just by asking for it. One doesn't have to show a thing on paper. Some counties even will mail tags to out-of-state addresses.

"And because there's no salvage law either, a person can buy a junked car, take off the identification plate, steal a car like the wrecked one, put the ID plate on it and get a tag for it in a title law state.

" 'In Alabama we have some of the best car thieves anywhere,' " said Capt. Tom Posey, who heads the state's auto theft division. "The bad part is the innocent purchaser has to pay for it."

"John O'Rourke of the Birmingham office of the FBI said Alabama's lack of title and salvage laws makes it extremely easy to arrange for a fictitious title and registration and so on.

"Each year thousands of cars are either stolen in Alabama or stolen elsewhere and brought into the state. Alabama's failure to tighten its regulations has drawn complaints from coast to coast.

"Last year, a New York state legislator said he was able to get an Alabama tag through the mail for a car reported stolen by police. And this year, a California man is suing Alabama because an Alabama registered car he bought turned out to be stolen." And we have the same thing going on at this time in this state.

"Several legislators, led by State Sen. Pat Vacca of Birmingham, are trying to change all this. They want the legislature next year to pass laws aimed at slowing the traffic in stolen cars.

"Title law proposals have failed several times in recent years but Vacca thinks the chances for pass-

age next year 'look real good.' He believes legislators will be spurred to action by the rising number of car thefts plus public pressure.

"He said opposition to a title law comes mostly from new car dealers who say they don't like the paper work that would be required under such a law."

But we don't have this trouble in this state.

So I urge you not to vote for indefinite postponement of this bill. And as a conscientious legislator, which all of us are, I think we will find a way to take care of our clerks when the time comes.

The SPEAKER: The Chair recognizes the gentleman from Orlando, Mr. Churchill.

Mr. CHURCHILL: Mr. Speaker and Members of the House: The opponents of this bill have done a very good job lobbying. Most of these town clerks that I have checked with, and one I don't have to go very far to check with, they have been informed that they are going to lose all their UCC forms on the filing of the chattel mortgages, and this is not so, as Mrs. Baker has spoken, and I think this is the reason we have received letters from these town clerks. They feel that they are going to lose all their chattel mortgage money, which is \$5, as has been explained.

I really think that if they sit down and think it out, the small amount that these various towns will lose is a very small amount, and they would much rather see this law passed than they would have it not pass.

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

Mr. O'BRIEN: Mr. Speaker, Ladies and Gentlemen of the House: I have watched this bill come before us in its initial form and I kept waiting for someone to attach it, and when it came before us as second reader I kept waiting for the amendment that never appeared. The next time I saw it my heart pounded more and more. I can say that I am at least glad I found out where the opposition is coming from.

I wish to address myself to the bill only and not the town clerks. My interest at the moment is in dealing only with the bill. In days gone by I have spoken on automobile financing, ways of financing and how to get around it. I have spoken on automobile taxation, how to use the state's money to your benefit and so forth, and I have no intentions now of telling you how to steal a car or how to get rid of one after you have stolen it. But believe me, I can.

This is an extremely important piece of legislation. It will do more to stop the automobile thefts in this state than if you doubled your police force. It often happens in this state — and I will again let you in on some of the secrets of the trade, if you want to call it secrets and some of the terminology. They really refer to a stolen car as a stove. You never call a car that is hot or stolen an automobile, it is referred to as a stove. And if I had a couple of stoves now I could go up to — I will pick a very nice place, say Lewiston, walk in, give a Lewiston address, walk out with five registrations, drive to Peabody, Massachusetts, drive up over the block, sell these cars with the registrations, clear title, or even to other used car dealers. I could bring a car to a used car dealer with the registration I acquired last week and I might have paid cash for my stolen car, and I could then take the car with the legitimate registration, with no mortgage recorded, run into a legitimate dealer and sell him the car. After he checks it the best he can, he goes to the town which I claim I registered the car in and finds the car is legally registered in my name and there are no problems there. He checks with the local county officers for recording of mortgages and so forth, and there is no recording of mortgages, so he has to assume that the car is a legitimate automobile.

He then in turn sells this car to an unsuspecting — and bear in mind that he is also unsuspecting. Just because a fellow happens to sell a stolen car doesn't mean that he was aware that the car was

stolen. I think in Portland recently there were a number of cars that people suddenly discovered they were driving that were stolen automobiles, and these were prominent people; these were not just what you might consider a hood; these were prominent people who were unsuspecting and driving stolen cars.

In this state a stolen car or stove is absolutely no problem at all to unload or load one of my friends here just spoke about the transferring of plates, I. D. plates and so forth. Again, this is no problem. They usually run between three and four dollars a plate. If you want to buy a couple of plates for a car, the going price is three or four dollars, depending on the number of plates you want to buy. The more you buy, of course, the bigger your discount.

Seriously, the other bill, I sat in my seat on the one dealing with the staggered registration. I sat in my seat. I was just so afraid that if I said something on that bill I might affect the stand of this bill.

Both these bills go hand and hand, the staggered registration and also the title law. I have a little item here, it says, "We are now at 19, if we pass this bill maybe we can go higher." I really believe that. This bill is extremely important, and I know that the towns you come from, your town clerks are probably putting some great financial pressure on you, but in my own instance, I am sure some of the dealers will be very unhappy with what I am saying. But this bill just has to go through if you want to attempt to keep the stolen cars, the haven for stolen cars, which is Maine, from growing. We have to do something to curb it.

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

Mr. PERKINS: Mr. Speaker and Members of the House: Just one additional point that hasn't been brought up in respect to the security aspects of the motor vehicle title certificate. Under our present system, we have provisions where if I go buy an automobile, the person that I buy it from or

the institution that takes it as security will make a filing in the town clerk's office and hopefully he will find himself secured by having done so, by filing properly secured the vehicle.

Unfortunately, many people live in a given town but have an address that is in a different town. And many, many people of institutions that have taken motor vehicles as security have found that when they drew up the instrument, the address of the individual was South Portland, they found he lived in Scarborough, in fact, and the filing should have been in Scarborough and they lost their security. North Yarmouth and Yarmouth is another one. Cumberland quite often is the location or the domicile of the individual, but he carries a North Yarmouth address and a filing is in North Yarmouth, and consequently they lose this security. This will take care of that very real problem that exists by a central filing here in Augusta. It does not take the filings away in respect to all other personal property that has to be filed for security purposes. And I think some day it should be done, but it doesn't take away anything else but the automobile.

One other reason that I feel is very important, we were informed that recently in Boston, in a major trial there, one of the witnesses made a complaint that an automobile bearing Maine license plates was circling his premises constantly, and he was in fear of his life. The police were brought into the thing, and they requested information through Augusta as to the individual who had registered that automobile here in Maine. They found it bore a Biddeford address with an individual's name there. The police investigated and found there wasn't any such address in Biddeford nor was there any such person to anyone's knowledge in the State of Maine. Anyone can come into the state, pick up a registration plate, a fictitious name, address, take it into another state, put it onto a motor vehicle there and use it for any purpose he sees fit. Consequently, I hope that you will give this bill your full support.

The SPEAKER: The Chair recognizes the gentleman from China, Mr. Farrington.

Mr. FARRINGTON: Mr. Speaker, Ladies and Gentlemen of the House: I rise this morning to oppose the motion to indefinitely postpone. If there ever was a measure that is needed in the State of Maine, it is proof of title on automobiles.

I relate to you an instance that happened just last week to a close friend of mine who had sold a car three years ago without the knowledge of knowing that it was a stolen automobile. The fact of the matter is, he had called the State Police, he had called the sheriff's department to ascertain whether or not it was a stolen automobile. They assured him at the time that insofar as they knew, the car was all right to sell. There was a court case last week; it cost this gentleman \$700.

Now, the reasons for having the title bill much outweigh the disadvantages to a few town clerks, in my estimation. We are talking about service to all the people of the State of Maine, that if they buy an automobile they should be assured that is clear in title. I hope you don't go along with the present motion and that we pass this bill.

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

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: I just want to make reference to the remarks that were made by some of the previous speakers in that the town clerks — it was inferred by them that the town clerks don't understand what is happening and they have been led to believe that they are losing all their UCC.

I don't know what is happening in the other counties, but I am quite certain, in fact I don't have to say I think, I will say I know what is happening in Somerset County as far as the Clerks' Association is concerned. As I said previously in this House before, the town clerk of the Town of Skowhegan is one of the very few, and last year there were only three certified town clerks in the United States, and she happens to be one

of them. There may be more now since they have had their last meeting out in Nevada.

So I think the Somerset County clerks know pretty well what is happening. They realize that they are not losing all their UCC's, and the figure that I quoted was based on just automobiles and not on the chattel mortgages that are being recorded under the UCC. What the other counties are doing, I do not know, and it is not my business to get involved in the other counties. But I do want to assure the House members that at least the clerks in Somerset County know what is happening and they know what is going on.

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

Mr. COTE: Mr. Speaker, Ladies and Gentlemen of the House: I want to emphasize that our committee — subcommittee of the research committee recommended this bill very highly. The Research Committee accepted it, the Attorney General's office was for it, and Captain Jones of the state police, who appeared several times before our committee, was very, very much in favor of this bill.

As it is now, if a car is stolen or you try to find out the origin of this car, it takes several days to get an answer. But under this system of the title law, you could call up Augusta here, and in 15 minutes, you would have the answer whether this car has a clear title or not. I feel this is the way to handle this at this time. So I recommend that we do not indefinitely postpone this bill. If it has not been requested, I would like to ask for a roll call.

The SPEAKER: The Chair recognizes the gentleman from Farmington, Mr. Morton.

Mr. MORTON: Mr. Speaker, Ladies and Gentlemen of the House: Even at my advanced age, I continue to learn something and the gentleman from Portland has again taught me a new word this morning. I never happened to hear the word "stove" used before.

He is dead right about this bill. This is absolutely essential legislation for the State of Maine. Maine needs it badly. Filing fees — and

I use the word filing fees and not town clerks' fees, because these really are filing fees, they belong to the community in which the registration is presently recorded — are going to be phased down over a long period of time. So the impact will not be great in any one year.

I think this is an area where we have got to realize the needs of the state over the needs of the town clerks. I certainly don't want to hurt the town clerks as individuals, but this is highly essential legislation, and I certainly hope you will defeat the motion to indefinitely postpone.

Mr. Ross of Bath moved the previous question.

The SPEAKER: For the Chair to entertain a motion for the previous question, it must have the consent of one third of the members present and voting. All those in favor of the Chair entertaining the motion for the previous question will vote yes; those opposed will vote no.

A vote of the House was taken.

The SPEAKER: Obviously more than one third of the members present having voted for the previous question, the motion is entertained. The question now before the House is shall the main question be put now? This is debatable with a time limit of five minutes by any one member. Is it the pleasure of the House that the main question be put now? All those in favor of the main question being put now will vote yes; those opposed will vote no.

A vote of the House was taken.

76 having voted in the affirmative and 60 having voted in the negative, the motion did prevail.

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

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

The SPEAKER: The pending question is on the motion of the

gentleman from Oakland, Mr. Brawn, that L. D. 1455 and all accompanying papers be indefinitely postponed. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEAS — Berry, G. W.; Berry, P. P.; Brawn, Shaw, Shute.

NAYS — Albert, Ault, Baker, Berube, Binnette, Birt, Bither, Boudreau, B r a g d o n, Briggs, Brown, Bustin, Carey, Carter, Chick, Chonko, Churchill, Clark, Conley, Connolly, Cooney, Cote, Cottrell, Curtis, T. S., Jr.; Dam, Davis, Deshaies, Dow, Drigotas, Dudley, Dunleavy, Dunn, Dyar, Emery, D. F.; Evans, Farley, Farnham, Farrington, Fecteau, Ferris, Finemore, Flynn, Fraser, Gahagan, Garsoe, Gauthier, Genest, Good, Goodwin, H.; Goodwin, K.; Greenlaw, Hamblen, Hancock, Haskell, Henley, Herrick, Hoffses, Hunter, Immonen, Jackson, Kauffman, Kelley, R. P.; Keyte, Kilroy, Knight, LaPointe, Lawry, LeBlanc, Lewis, J.; Lynch, MacLeod, Maddox, Mahany, Martin, Maxwell, McCormick, McHenry, McKernan, McMahan, McNally, McTeague, Merrill, Mills, Morin, L.; Morin, V.; Morton, Mulkern, Murchison, Najarian, Norris, O'Brien, Parks, P e r k i n s, Peterson, Pontbriand, Pratt, Ricker, Rolde, Rollins, Ross, Santoro, Silverman, Simpson, L. E.; Smith, D. M.; Smith, S.; Snowe, Soulas, Sproul, Stillings, Strout, Susi, Talbot, Tanguay, Theriault, Tierney, Trask, Trumbull, Tyndale, Webber, Wheeler, White, Whitzell, Willard, Wood, M. E.

ABSENT — Bunker, Cameron, Carrier, Cressey, Crommett, Curran, Donaghy, Faucher, Hobbins, Huber, Jacques, Jalbert, Kelleher, Kelley, LaCharite, Lewis, E.; Littlefield, Murray, Palmer, Shelta, Walker.

Yes, 5; No, 124; Absent, 21.

The SPEAKER: Five having voted in the affirmative and one hundred twenty-four having voted in the negative, with twenty-one being absent, the motion does not prevail.

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

An Act Permitting Sale of Liquor at Certain Golf Courses (H. P. 1180) (L. D. 1519)

An Act Relating to Property Tax Administration (H. P. 1563) (L. D. 1997)

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.

Supplement No. 1 was taken up out of order by unanimous consent.

Passed to be Enacted

An Act Relating to Election of Jury Trials in Misdemeanor Proceedings (H. P. 161) (L. D. 203)

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 Relating to Regulation and Inspection of Plumbing. (H. P. 1523) (L. D. 1953) (S "A" S-217) (H "A" to S "A" H-544)

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

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

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: This is our plumbing bill back. We have defeated this in the House twice, once at a roll call vote we indefinitely postponed it 58 to 55. We had a reconsideration vote, roll call, and we defeated it 51 to 67.

Now, this bill is six full pages long, not counting the amendments, and part of the seventh page. It has several amendments, House number 482, Senate 217, House 442, House 544. Two of those amendments are real long amendments of two or three pages or more. I am fighting this bill for my own interests, and no other interests or any other person whatsoever. I hope we will stick to our guns this morning, and I will move for indefinite postponement of this bill and all its accompanying papers.

The SPEAKER: The gentleman from Bridgewater, Mr. Finemore,

moves the indefinite postponement of L. D. 1953 and all accompanying papers.

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

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: It is true there are quite a few amendments on this bill. The last two were put on in the other body to overcome some of the objections that were raised in the debate when we had the votes Mr. Finemore spoke about.

Specifically, there was a lot of objection to the idea that people who owned property could not do plumbing on their property. This has now been taken care of with an amendment. So, I ask you not to support the motion of the gentleman from Bridgewater, Mr. Finemore, and to go ahead and accept this bill.

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

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: Very briefly, because I don't want to debate this bill. The gentleman has said that these amendments were put on, but they were put on before our last vote in the Senate, the Senate amendment 217, and these other amendments have all been gone over by the House, and we all dislike them. I hope you will stick to your guns and vote for indefinite postponement.

The SPEAKER: The Chair recognizes the gentleman from Chelsea, Mr. Shaw.

Mr. SHAW: Mr. Speaker, Ladies and Gentlemen of the House: The gentleman from Bridgewater said that this is a long bill; it is. Ninety-five percent of it is transferring present legislation into one spot so that it is easy to pick up. You don't have to run through 20 some odd sections of law books to find out what it is all about. The biggest part of this, 95 percent, is in existing law.

The SPEAKER: The pending question is on the motion of the gentleman from Bridgewater, Mr. Finemore, to indefinitely postpone L.D. 1953 and all accompanying papers. All in favor of that motion

will vote yes; those opposed will vote no.

A vote of the House was taken.

Mr. Shute of Stockton Springs requested a roll call vote.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Bridgewater, Mr. Finemore, that L. D. 1953 and all accompanying papers be indefinitely postponed. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Berry, G. W.; Berry, P. P.; Binnette, Bither, Bragdon, Brawn, Carey, Carrier, Chick, Churchill, Davis, Dudley, Dunn, Dyar, Farrington, Finemore, Gahagan, Gauthier, Genest, Good, Hamblen, Haskell, Henley, Herrick, Immonen, Kauffman, Kelley, R. P.; Lewis, E.; Lewis, J.; Littlefield, McCormick, McHenry, McNally, Mills, Morin, V.; Murchison, Parks, Ricker, Shute, Snowe, Strout, Tanguay, Trumbull, Webber, Wood, M. E.

NAY — Ault, Baker, Berube, Birt, Boudreau, Briggs, Brown, Bustin, Cameron, Carter, Chonko, Clark, Conley, Connolly, Cooney, Cote, Cottrell, Curtis, T. S., Jr.; Dam, Deshaies, Dow, Drigotas, Dunleavy, Emery, D. F.; Farley, Farnham, Fecteau, Ferris, Flynn, Fraser, Garsoe, Goodwin, H.; Goodwin, K.; Greenlaw, Hancock, Hoffses, Huber, Hunter, Jackson, Keyte, Kilroy, Knight, LaPointe, Lawry, LeBlanc, Lynch, MacLeod, Maddox, Mahany, Martin, Maxwell, McKernan, MacMahon, McTeague, Merrill, Morin, L.; Morton, Mulkern, Najarian, Norris, O'Brien, Perkins, Peterson, Pontbriand, Pratt, Rolde, Rollins, Ross, Shaw, Silverman, Simpson, L. E.; Smith, D. M.; Smith, S.;

Soulas, Sproul, Talbot, Theriault, Tierney, Trask, Tyndale, Wheeler, White, Whitzell, Willard

ABSENT — Bunker, Cressey, Crommett, Curran, Donaghy, Evans, Faucher, Hobbins, Jacques, Jalbert, Kelleher, Kelley, La-Charite, Murray, Palmer, Santoro, Sheltra, Stillings, Susi, Walker

Yes, 46; No, 84; Absent, 20.

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

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

Mr. FINEMORE: Mr. Speaker, Members of the House: I am a good loser, I move now that it be enacted.

Thereupon, the Bill was passed to be enacted, 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 Create the Department of Business Regulation" (S. P. 350) (L. D. 1102)

Tabled — June 11, by Mr. Simpson of Standish.

Pending — Passage to be enacted.

On motion of Mr. Simpson of Standish, tabled pending passage to be enacted and specially assigned for Friday, June 15.

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

Bill "An Act Relating to Service Retirement of State Mental Institution Employees" (H. P. 181) (L. D. 223) (H. "A" H-522).

Tabled — June 11, by Mr. Birt of East Millinocket.

Pending — Motion by Mr. Sproul of Augusta to indefinitely postpone bill and all accompanying papers.

On motion of Mr. Simpson of Standish, tabled pending the motion to indefinitely postpone and tomorrow assigned.

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

Bill "An Act to Establish a Revenue Bonded State Flexible Interest Rate Mortgage Program" (H. P. 457) (L. D. 606) Emergency.

Tabled — June 12, by Mr. Farnham of Hampden.

Pending — Acceptance of Committee Report "Ought to pass" in New Draft (H. P. 1596) (L. D. 2022) under new title "An Act Authorizing the State Housing Authority to Establish Capital Reserve Funds."

Thereupon, the "Ought to pass" Report was accepted, the New Draft read once, and assigned for second reading tomorrow.

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

Bill "An Act to Implement Section 14-D of Article IX of the Constitution of Maine" (S. P. 651) (L. D. 1995).

Tabled — June 12, by Mr. Simpson of Standish.

Pending — Passage to be enacted.

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

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

Bill "An Act to Increase Benefits and Reduce Waiting Period Under Workmen's Compensation" (H. P. 618) (L. D. 816) (C. "A" H-463).

Tabled — June 12, by Mr. Martin of Eagle Lake.

Pending — Acceptance of Committee Report "Ought to pass."

On motion of Mr. Martin of Eagle Lake, tabled pending acceptance of the "Ought to pass" Report and tomorrow assigned.

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

Joint Order Relative to Environmental Study (H. P. 1604).

Tabled — June 12, by Mr. Simpson of Standish.

Pending — Passage.

On motion of Mr. Simpson of Standish, tabled pending passage and tomorrow assigned.

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

Bill "An Act Relating to Applicability of Workmen's Compensation Law to Employers" (S. P. 618) (L. D. 1934)

Tabled — June 12, by Mr. Finemore of Bridgewater.

Pending — Motion by Mr. McTeague of Brunswick that the House adopt House Amendment "A" (H-545).

Mr. McTeague of Brunswick requested permission to withdraw House Amendment "A", which was granted.

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

House Amendment "B" (H-562) was read by the Clerk.

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

Mr. McTEAGUE: Mr. Speaker and Members of the House: The gentleman from Bridgewater, Mr. Finemore, brought to our attention some possible confusion in the language of House Amendment "A" which was offered the other day. We think he had a good point and we were in error and for that we apologize to the gentleman.

The question was whether a bill that we had passed in this House had been passed in the other body, and we found out after the session the other day that it was still on the Appropriations Table.

You will recall the purpose of this bill, which is basically a compromise agreed to by the various interests involved, is not to provide mandatory workmen's compensation benefits for farm employees, but rather to allow the farm employer the option of either workmen's compensation or medical payments and insurance.

I now move the passage of House Amendment "B."

Thereupon, House Amendment "B" was adopted.

The Bill was passed to be engrossed as amended by House Amendment "B" in non-concurrence and sent up for concurrence.

The Chair laid before the House the following matter:

Bill "An Act to Clarify and Simplify the Administration of the Mechanic's Lien Law" (H. P. 1361) (L. D. 1817) which was tabled earlier in the day and later today assigned, pending passage to be engrossed.

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

Mr. McTEAGUE: Mr. Speaker, Ladies and Gentlemen of the House: This bill, if you will recall, we voted on yesterday by a heavy margin, which would seek to provide the fringe benefits to employees in the construction industry. We were particularly concerned about medical fringe benefits, and other benefits.

Although the House gave a heavy vote in favor of the bill, I think it was roughly 90 to 25, we felt there were some points raised by the opponents that had some degree of legitimacy and which did not interfere with the basic intention of the bill.

So I would now offer, Mr. Speaker, House Amendment "A" under filing 561, and if I may, would speak briefly to it.

House Amendment "A" (H-561) was read by the Clerk.

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

Mr. McTEAGUE: Mr. Speaker and Members of the House: The amendment has two purposes. Number one, to make the change in the law entirely inapplicable in the case of homes, in the case of houses. We define them as houses containing four family units or less. Secondly, we wanted to clarify the point raised by the gentleman from South Portland, Mr. Perkins, as to the time limits being 60 days under this law, just like it is under the present law.

Mr. Speaker, if I haven't already, I move the adoption of the House Amendment before us.

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

(Off Record Remarks)

On motion of Mr. Simpson of Standish,

Adjourned until nine o'clock tomorrow morning.