

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Third
Legislature*

OF THE

STATE OF MAINE

1967

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Tuesday, March 21, 1967

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

Prayer by the Rev. Mr. Wilfrid A. Jordan of North Whitefield.

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

The journal of the previous session was read and approved.

Papers from the Senate

From the Senate:

Bill "An Act Creating a Council-Manager Form of Government for the City of Saco." (S. P. 552) (L. D. 1505)

Came from the Senate referred to the Committee on Legal Affairs.

In the House, referred to the Committee on Legal Affairs in concurrence.

Senate Reports of Committees

Leave to Withdraw

Report of the Committee on Agriculture on Bill "An Act Repealing the Law Relating to Sardine Packers" (S. P. 443) (L. D. 1123) reporting Leave to Withdraw.

Came from the Senate read and accepted.

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

Covered by Other Legislation

Report of the Committee on Business Legislation reporting Leave to Withdraw on Bill "An Act relating to Securities Dealers and Securities" (S. P. 255) (L. D. 635), as covered by other legislation.

Came from the Senate read and accepted.

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

Ought Not to Pass

Report of the Committee on Business Legislation reporting "Ought not to pass" on Bill "An Act relating to Assigned Risks in Motor Vehicle Liability Insurance" (S. P. 78) (L. D. 159)

Came from the Senate read and accepted.

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

Ought to Pass

Report of the Committee on Claims reporting "Ought to pass" on Resolve in Favor of Fairview Hospital and Doctors Swett, Kemzys and Jordan (S. P. 426) (L. D. 1080)

Report of the Committee on Legal Affairs reporting same on Bill "An Act relating to Malfunctioning Sewage Disposal Units" (S. P. 181) (L. D. 371)

Report of same Committee reporting same on Bill "An Act relating to Immunization of Dogs to Control Rabies" (S. P. 271) (L. D. 652)

Report of same Committee reporting same on Bill "An Act Conferring Additional Powers Upon Proprietors of Union Wharf" (S. P. 303) (L. D. 742)

Report of the Committee on Natural Resources reporting same on Bill "An Act relating to Mining License and Rental Fees on State Lands" (S. P. 365) (L. D. 961)

Report of the Committee on Public Utilities reporting same on Bill "An Act Amending the Charter of the Augusta Sanitary District" (S. P. 195) (L. D. 429)

Came from the Senate with the Reports read and accepted and the Bills and Resolve passed to be engrossed.

In the House, Reports were read and accepted in concurrence, the Bills read twice. Resolve read once, and tomorrow assigned.

Non-Concurrent Matter Tabled and Assigned

Bill "An Act to Clarify State Aid for School Construction Purposes and Borrowing in Anticipation Thereof" (S. P. 63) (L. D. 107) which was passed to be engrossed as amended by Committee Amendment "A" and House Amendments "A" and "B" in non-concurrence in the House on March 14.

Came from the Senate passed to be engrossed as amended by Committee Amendment "A", House Amendment "A" as amended by Senate Amendment "A" thereto, and House Amendment "B" in non-concurrence.

In the House:

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

Mr. BRAGDON: Mr. Speaker and Members of the House: A meeting has been called for four o'clock this afternoon, a joint meeting of the Education and Appropriations Committees together with Minority and Majority leadership in both houses, the purpose of which I believe is to discuss this whole area of construction aid to the municipalities. Because of this I hope that someone will see fit to table this bill until after we have had an opportunity to talk this over jointly.

Thereupon on motion of Mr. Richardson of Cumberland, tabled pending further consideration and specially assigned for tomorrow.

Petitions, Bills and Resolves Requiring Reference

The following Bills, approved by a majority of the Committee on Reference of Bills for appearance on House Calendar, less than one tenth of the members present objecting, were received and referred to the following Committee:

Judiciary

Bill "An Act relating to Evidence in Prosecutions for Perjury" (H. P. 1078) (Presented by Mr. Richardson of Cumberland)
(Ordered Printed)

Bill "An Act Creating the State Witness Immunity Act" (H. P. 1079) (Presented by same member)
(Ordered Printed)

Sent up for concurrence.

The following Joint Resolution presented by Mr. Levesque of Madawaska and approved by a majority of the Committee on Reference of Bills for introduction in accordance with Joint Rule 12:

WE, your Memorialists, the Senate and House of Representatives of the State of Maine in the One Hundred and Third Legislative Session assembled, most respectfully present and petition your Honorable Body as follows:

WHEREAS, the people of Maine throughout the years have supported the concept of developing

Passamaquoddy Bay for electric power purposes as indicated by a great number of favorable and sometimes unanimous Acts of the State Legislature, and earlier by a state-wide referendum that favored Quoddy by nearly ten to one; and

WHEREAS, the need for vast quantities of reasonably priced power to satisfy the future needs of Maine, the Northeastern States, and the Eastern Provinces of Canada has been established without question; and

WHEREAS, development of electric power from the Upper Saint John River and Passamaquoddy Bay can be very valuable as peaking power and for base load power; and

WHEREAS, other substantial benefits such as increased numbers of tourists, increased recreational uses of the Bay and River, down stream power benefits on the Saint John River, flood control benefits and much needed construction job opportunities in the site areas will result; and

WHEREAS, the platforms of both the Republican and Democratic Parties of Maine advocate the development of the electric power potential of Passamaquoddy Bay and Upper Saint John River, now therefore, be it

RESOLVED: That the 103rd Legislature recommends the full development of the electric power potential of Passamaquoddy Bay and such supplemental development of the electric power potential of the Upper Saint John River as may be recommended as economically feasible by studies now under way by the Department of the Interior without substantial destruction of the recreational and industrial advantages now recognized as existing in the Saint John River area, and that necessary interconnecting transmission facilities be provided between the projects and the load centers of the Northeast to provide the optimum benefits to the United States and Canada; and be it further

RESOLVED: That this 103rd Legislature respectfully asks that required action be taken to start the projects at the earliest possible

time in the most economic and practical sequence of development; and be it further

RESOLVED: That a copy of this Memorial, duly authenticated by the Secretary of State be immediately transmitted by the Secretary of State to the Senate and House of Representatives in Congress and to the members of the said Senate and House of Representatives from this State. (H. P. 1080)

The Resolution was adopted and sent up for concurrence.

Orders

Mr. Allen of Caribou was granted unanimous consent to address the House.

Mr. ALLEN: I have been asked to perform a pleasant duty, to try to fulfill an obligation.

Last Friday, St. Patrick's Day, the ladies and the gentlemen of this House were each presented with a very pretty green-tinted carnation. One of the charming and competent ladies, on behalf of the other charming and competent ladies of this House, thanked the men for the flowers we gave them commemorating that day.

As the ladies are so well aware, even the most understanding man has his forgetful moments. Tardily, I now, on behalf of the gentlemen, thank you ladies for the gifts of carnations you so thoughtfully made to us on that occasion.

We hope that you and St. Patrick will forgive us for waiting until, "the beginning of the next legislative day" to respond.

Belatedly, but sincerely, we thank you. (Applause)

The SPEAKER: And the Speaker commends the gentleman for correcting an obvious oversight.

On motion of Mr. Lewin of Augusta, it was

ORDERED, that Lt. Col. Charles M. Massey, Jr., Assistant Chief of Chaplains of the U. S. Army, of Washington, D. C., be invited to officiate as Chaplain of the House on Friday, March 24, 1967.

On motion of Mr. Ross of Bath, it was

ORDERED, that Mr. Humphrey of Augusta be excused from

attendance for the duration of his illness.

House Reports of Committees Leave to Withdraw

Mr. Hewes from the Committee on Judiciary on Bill "An Act relating to Authority of Constables to Serve Writs and Precepts" (H. P. 449) (L. D. 624) reported Leave to Withdraw.

Report was read and accepted and sent up for concurrence.

Ought Not to Pass Tabled and Assigned

Mr. Berman from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act Repealing the Law on Comparative Negligence in Civil Actions" (H. P. 318) (L. D. 452)

Report was read.

(On motion of Mr. Dennett of Kittery, tabled pending acceptance of the Committee Report and specially assigned for Wednesday, March 29.)

Mr. Foster from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act Increasing Charges of Bail Commissioners" (H. P. 411) (L. D. 577)

Mrs. Kilroy from the Committee on Transportation reported same on Bill "An Act relating to List of Recipients of Aid to the Blind for Determining Eligibility for Motor Vehicle Operators' Licenses" (H. P. 174) (L. D. 237)

Reports were read and accepted and sent up for concurrence.

Ought to Pass in New Draft New Drafts Printed

Mr. Bernard from the Committee on Election Laws on Bill "An Act to Revise the Election Laws" (H. P. 445) (L. D. 620) reported same in a new draft (H. P. 1076) (L. D. 1539) under same title and that it "Ought to pass"

Report was read.

(On motion of Mrs. Boudreau of Portland, tabled pending acceptance of the Committee Report and specially assigned for Tuesday, March 28.)

Mr. Williams from the Committee on Public Utilities on Bill "An

Act to Incorporate the Bethel Water District" (H. P. 281) (L. D. 401) reported same in a new draft (H. P. 1075) (L. D. 1510) under same title and that it "Ought to pass"

Mr. Edwards from the Committee on Retirements and Pensions on Bill "An Act relating to Retirement Benefits to Widows of State Police Members Retired under Noncontributory Statute" (H. P. 543) (L. D. 775) reported same in a new draft (H. P. 1077) (L. D. 1540) under same title and that it "Ought to pass"

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

Ought to Pass Printed Bills

Mr. Danton from the Committee on Judiciary reported "Ought to pass" on Resolve Permitting R. Dean Seguin of South Paris to Take the Examination for Admission to Practice Law (H. P. 514) (L. D. 727)

Same gentleman from same Committee reported same on Bill "An Act relating to Filing Abstract of Record of Divorce with Superior Court" (H. P. 684) (L. D. 955)

Mr. Hewes from same Committee reported same on Bill "An Act relating to the Guardianship of Mentally Retarded Persons" (H. P. 408) (L. D. 574)

Mr. Quinn from same Committee reported same on Resolve Authorizing Attorney General to Convey Interest of the State in Certain Islands in Little Sebago Lake to Merton A. Look (H. P. 367) (L. D. 514)

Mr. Cushing from the Committee on Legal Affairs reported same on Resolve to Change the Name of Long Pond, Sandy River Plantation, Franklin County, to Beaver Mountain Lake (H. P. 324) (L. D. 458)

Mr. Shaw from same Committee reported same on Bill "An Act relating to Investment of Funds of Credit Unions" (H. P. 414) (L. D. 580)

Mr. Carrier from the Committee on Retirements and Pensions reported same on Resolve Providing for a Retirement Allowance for

Lois Blackwell Goodwin (H. P. 721) (L. D. 1016)

Mrs. Giroux from the Committee on Retirements and Pensions reported same on Bill "An Act relating to Retirement Benefits for Police Officers Under State Retirement System" (H. P. 719) (L. D. 1014)

Reports were read and accepted, the Bills read twice, Resolves read once, and tomorrow assigned.

Referred to Next Legislature Tabled and Assigned

Mr. Berman from the Committee on Judiciary on Bill "An Act relating to Creation of Professional Service Corporations" (H. P. 366) (L. D. 513) reported that it be referred to the One Hundred and Fourth Legislature.

Report was read.

(On motion of Mr. Soulas of Bangor, tabled pending acceptance of the Report and specially assigned for Wednesday, March 29.)

Ought to Pass with Committee Amendment

Mr. Berman from the Committee on Judiciary on Bill "An Act to Correct Errors and Inconsistencies in Uniform Commercial Code and to Amend Certain Statutes to Conform Thereto" (H. P. 582) (L. D. 814) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 582, L. D. 814, Bill, "An Act to Correct Errors and Inconsistencies in Uniform Commercial Code and to Amend Certain Statutes to Conform Thereto."

Amend said Bill in section 5 by striking out in the 5th line (same in L. D. 814) the underlined comma after the underlined word "been"

Further amend said Bill in section 6 by inserting after the underlined word "interest" in the 5th line (same in L. D. 814) the underlined punctuation,'

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Mr. Quinn from the Committee on Judiciary on Bill "An Act relating to Divorce Actions by Military Nonresidents Stationed in Maine" (H. P. 104) (L. D. 131) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 104, L. D. 131, Bill, "An Act Relating to Divorce Actions by Military Nonresidents Stationed in Maine."

Amend said Bill by striking out in the last line (same in L. D. 131) the underlined word "resided" and inserting in place thereof the underlined word 'sojourned'

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Mr. Clark from the Committee on Public Utilities on Bill "An Act to Create the Solon Water District" (H. P. 595) (L. D. 832) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 595, L. D. 832, Bill, "An Act to Create the Solon Water District."

Amend said Bill by striking out all of the last sentence of the first paragraph of section 14 (same in L. D. 832) and inserting in place thereof the following:

'Said rates shall be established subject to the approval of the Public Utilities Commission and shall provide revenue for the following purposes:'

Further amend said Bill by adding at the end of subsection 3 of section 14 (same in L. D. 832) the following:

'Provided, however, that the trustees may, in their discretion, and in lieu of the establishment of a sinking fund, issue the bonds of the district so that not less than 1% of the amount of the bonds so

issued shall mature and be retired each year.'

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Mr. Williams from the Committee on Public Utilities on Bill "An Act Creating the Paris Utility District" (H. P. 640) (L. D. 906) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 640, L. D. 906, Bill, "An Act Creating the Paris Utility District."

Amend said Bill in section 1 by inserting after the words "sewerage facilities" in the 8th line (7th line in L. D. 906) the words and punctuation 'for domestic, commercial and industrial wastes, other than for storm or surface water'

Further amend said Bill in section 2 by striking out in the 11th line (9th line in L. D. 906) the words "and drainage" and inserting in place thereof the word 'facilities'

Further amend said Bill in the 2nd paragraph of section 4 by striking out in the 2nd and 3rd lines (2nd line in L. D. 906) the words "system of sewerage and drainage" and inserting in place thereof the words 'sewerage system'

Further amend said Bill by striking out all of section 7 (same in L. D. 906) and inserting in place thereof the following:

'**Sec. 7 Trustees; how elected; meetings; officers.** All the affairs of said district shall be managed by a board of trustees composed of 5 members who shall be bona fide residents of the Town of Paris and who shall be chosen as hereinafter provided.

As soon as may be after the acceptance of this Act as hereinafter provided, the selectmen of the Town of Paris shall appoint 5 trustees of said district to hold office as follows: Two to serve

until the first annual town meeting of the Town of Paris following the acceptance of this Act; 2 to serve until the 2nd annual town meeting of said town following such acceptance; and one to serve until the 3rd annual town meeting of said town following such acceptance. At each annual town meeting of said town, beginning with the first annual town meeting following the acceptance of this Act, the number of trustees whose terms expire at such annual town meeting shall be elected by the town in the manner of voting followed at the town meeting for the election of selectmen, to serve until the annual town meeting occurring 3 years thereafter and until their successors are elected and qualified.

Whenever any trustee ceases to be a resident of said district, he vacates the office of trustee. All trustees, if resident of said district, shall be eligible for reelection. Vacancies in the office of trustee shall be filled by the selectmen until the next annual town meeting of the Town of Paris, and at such annual town meeting the unexpired portion of said term, if any, shall be filled in the same manner as the trustees are elected.

As soon as convenient after their appointment, the first board of trustees shall hold a meeting at some convenient place in the district, to be called by any member thereof in writing, designating the time and place and delivered in hand to the other 4 members, not less than 2 full days before the meeting; provided that they may meet by agreement without such notice. They shall then organize by electing from their own number a chairman and a clerk and, not necessarily from their own number, a treasurer. They shall adopt a corporate seal and may adopt bylaws and perform any other acts within the powers delegated to them by law.

Following each annual town meeting of said Town of Paris, the trustees shall elect from their own number a chairman and a clerk and, not necessarily from their own number, a treasurer to

serve until the next annual town meeting of said Town of Paris and until their respective successors are elected and qualified.

The trustees from time to time may choose and employ and fix the compensation of any other necessary officers and agents, who shall serve at their pleasure. The treasurer shall furnish bond in such sum and with such sureties as the trustees shall approve, the cost thereof to be paid by the district. Members of the board of trustees shall be eligible to any office under the board. The trustees, as such, shall receive as compensation for their services, an amount to be determined by them not to exceed \$500 each per year; but the treasurer may be allowed such compensation as the trustees shall determine.

The trustees shall be sworn to the faithful performance of their duties as such, which shall include the duties of any member who shall serve as clerk or clerk pro tem.'

Further amend said Bill in the 2nd paragraph of section 9 by striking out in the 6th and 7th lines (5th and 6th lines in L. D. 906) the words and punctuation "water, sewerage or drainage" and inserting in place thereof the words 'water or sewerage'

Further amend said Bill in section 10 by striking out in the 7th and 8th lines (6th line in L. D. 906) the words "and drainage"

Further amend said Bill in section 11 by adding at the end (same in L. D. 906) the following paragraph:

'Nothing contained herein shall prohibit the district from making contracts with the Town of Paris for the construction, operation and maintenance of facilities by the district for collecting, conveying and disposing of storm and surface waters within the public ways.'

Further amend said Bill in section 11 by striking out in the 15th line (12th line in L. D. 906) the words "and drainage" and inserting in place thereof the word 'or' ; and by striking out all of the first sentence of the 2nd paragraph

(same in L. D. 906) and inserting in place thereof the following sentence: 'Said bonds, notes and evidences of indebtedness may be issued to mature serially or made to run for such periods as the trustees may determine.'; and by striking out all of the 3rd paragraph and inserting in place thereof the following paragraph: 'All such bonds, notes and evidences of indebtedness so issued by the district shall be legal obligations of the district, which is declared to be a quasi-municipal corporation within the meaning of the Revised Statutes of 1964, Title 30, section 5053, and all provisions of said section shall be applicable thereto.'

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Mr. Pendergast from the Committee on Transportation on Bill "An Act relating to Permits for Motorcycle Operation" (H. P. 566) (L. D. 798) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 566, L. D. 798, Bill, "An Act Relating to Permits for Motorcycle Operation."

Amend said Bill by striking out in the first line of the 7th paragraph (same in L. D. 798) the underlined punctuation and words "**holding a valid driver's license and**"

Further amend said Bill by striking out in the 2nd and 3rd lines of the 8th paragraph (same in L. D. 798) the underlined figure "90" and inserting in place thereof the underlined figure '120'

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Divided Report Tabled and Assigned

Majority Report of the Committee on Judiciary reporting "Ought to pass" on Bill "An Act relating to Equal Fault of Claimant Under

Comparative Negligence Law" (H. P. 605) (L. D. 849)

Report was signed by the following members:

Messrs. MILLS of Franklin
HARDING of Aroostook
—of the Senate.

Messrs. BRENNAN of Portland
BERMAN of Houlton
QUINN of Bangor
DANTON
of Old Orchard Beach
DAREY

of Livermore Falls
—of the House.

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

Report was signed by the following members:

Mr. HILDRETH
of Cumberland
—of the Senate

Messrs. FOSTER of Mechanic Falls
HEWES of Cape Elizabeth
—of the House.

Reports were read.

(On motion of Mr. Hewes of Cape Elizabeth, tabled pending acceptance of either report and specially assigned for tomorrow.)

Pased to Be Engrossed

Bill "An Act to Repeal the Androscoggin Game Preserve" (S. P. 316) (L. D. 839)

Bill "An Act relating to Certain Participation Loans by Savings Banks" (S. P. 325) (L. D. 835)

Bill "An Act relating to Social Security Payments to Beneficiaries after Death of Individual" (H. P. 137) (L. D. 201)

Bill "An Act Providing for Voluntary Foster Home Placement of Children" (H. P. 184) (L. D. 273)

Bill "An Act Repealing Noncontributory Pension Plan for Police Department of City of Brewer" (H. P. 452) (L. D. 627)

Bill "An Act Increasing Fees for Registration of Barbers" (H. P. 487) (L. D. 700)

Bill "An Act relating to Definition of the Practice of Barbering" (H. P. 488) (L. D. 701)

Bill "An Act relating to Salaries of Members of Board of Optometry and Increasing License Renewal Fees of Optometrists" (H. P. 492) (L. D. 705)

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

Bill "An Act Repealing the Law Relating to Labeling of Imported Meats Sold in Retail Stores" (H. P. 652) (L. D. 907)

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

The SPEAKER: The Chair recognizes the gentleman from Biddeford, Mr. Fecteau.

Mr. FECTEAU: Mr. Speaker and Members of the House: As sponsor of this bill I was able to find a copy of a bill that's been introduced in Congress, really making this bill in force country-wide, and I feel that I would like to see this bill recommitted to the Committee on Agriculture so they could study this bill, then if they feel that the repeal is good then they can bring it back.

The SPEAKER: The gentleman from Biddeford, Mr. Fecteau, now moves that this matter be recommitted to the Committee on Agriculture.

The Chair recognizes the gentleman from Durham, Mr. Hunter.

Mr. HUNTER: Mr. Speaker and Members of the House: As a member of the Committee on Agriculture we listened to this bill for two hours one afternoon. Previously two years ago we listened to it also, and we're of the opinion—well, as a matter of fact it can't be enforced anyway, so it doesn't make any difference to me one way or the other.

The SPEAKER: Is the House ready for the question? The question before the House is relative to this matter being recommitted back to the Committee on Agriculture. All those in favor will say yes; those opposed will say no.

A viva voce vote being taken, the motion did not prevail.

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

The SPEAKER: The Chair recognizes the gentleman from Limerick, Mr. Carroll.

Mr. CARROLL: Mr. Speaker and Members of the House: I re-

quest this item be tabled until the next legislative day.

The SPEAKER: The gentleman will need to reconsider the disposition of this bill where it was passed to be engrossed and ordered sent to the Senate. Does the gentleman request that this matter be reconsidered?

Thereupon, Mr. Carroll of Limerick withdrew his motion to table.

Amended Bills

Bill "An Act Establishing Long Lake Game Management Area, Aroostook County" (H. P. 501) (L. D. 714)

Resolve Designating U. S. Route No. 1-A in Maine as a Blue Star Memorial Highway (H. P. 628) (L. D. 884)

Resolve Providing Funds for Fisheries Instruction and Literature Publication and Dissemination (H. P. 641) (L. D. 896)

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

Emergency Measure Tabled and Assigned

An Act relating to a Compact for Education (H. P. 55) (L. D. 80)

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

(On motion of Mr. Jalbert of Lewiston, tabled pending passage to be enacted and specially assigned for Thursday, March 23.)

Passed to Be Enacted Emergency Measure

An Act relating to Financial Matters of the Mount Desert Island Regional School District (H. P. 442) (L. D. 617)

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, 133 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act to Eliminate the Straight Party Ballot in the Election Laws (S. P. 1) (L. D. 4)

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

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

Mr. BRENNAN: Mr. Speaker and Ladies and Gentlemen of the House: I would like to make a few remarks why I think this bill should not pass.

First, if one is unfamiliar with the candidates, by voting a straight ticket one can vote for a party philosophy. Secondly, there are real problems at present, at least in the cities, as to crowded conditions at the polls. I know I waited in line for an hour to vote at the last election, and I am sure if the straight ticket had not been permitted at that time I would have had to wait probably two or three hours. I would suggest that if this bill is to pass a serious study should be made as to improving the facilities in the local areas so that these long waits would not have to take place.

Again in the cities the working man usually casts his vote in the evening after work. Without the straight ticket, a privilege a great many of these people elect to take advantage of, I feel that votes cast in this segment of the population would be cut down. I suspect that this is a factor motivating many proponents for this measure, although certainly not all.

Further I wonder if anyone has studied the implication of passage of this bill on the crowded precincts. Are we really putting the cart before the horse? Shouldn't we first assure ourselves that there will be sufficient polling places available and time for all to vote if this bill is passed?

To give an independent view on this bill I would like to read a quote from an enlightened editorial in the Portland Evening Express, dated January 25, 1967, less than two months ago.

"Proponents of the ballot change argue that voting for individuals would promote greater responsibil-

ity in balloting. The voter would at least be required to note the names. Now it is contended some voters merely X the straight ticket without even knowing who the candidates for lesser offices may be. That isn't necessarily all bad, as the opponents of the change point out. In voting a straight ballot, citizens are at least voting the party of their choice. If they are unfamiliar with all the candidates individually, they at least vote for the ones they prefer by party allegiance. With individual voting the chance for error, voting for the wrong candidate, may be greater since the voter may not inform himself any better with name voting than under a ticket voting system.

Despite the necessity for party enrollment for participation in primary election voting, many believe that the termination of the ticket voting in a general election would reduce enthusiasm for party affiliation, and turn more voters toward independent status. We are not convinced that abolishing straight ticket voting would produce either greater voter responsibility or fewer errors. The voters are not denied the opportunity to choose by name now if they wish, so we see no great advantage in the proposed change."

I move that this bill and all its accompanying papers be indefinitely postponed.

The SPEAKER: The gentleman from Portland, Mr. Brennan, now moves that item 3, An Act to Eliminate the Straight Party Ballot in the Election Laws, Senate Paper 1, L. D. 4, be indefinitely postponed.

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

Mr. ROSS: Mr. Speaker and Members of the House: We debated this bill at great length last week, and I would only reiterate a few points very briefly.

Our consideration should not be based today on whether or not this would help one political segment or another. It is only logical, progressive government reform. I believe that there are four basic reasons why this is good legislation. It is a recognition of the in-

telligence and common sense of the voters of our State of Maine. It eliminates the possibility of unfair pressures which are often exerted during the heat of political campaigns. It is much fairer to all candidates to give them a chance to earn the right to office on their own merits. It will promote better government by encouraging more intelligent, individual participation.

In conclusion, let me summarize an article which appeared in the Portland Press Herald on Friday, February the 19th, 1965, reporting on a hearing that we had during the last session. And the article said in summary: "The issue of eliminating the straight ticket voting produced party harmony. The bill was co-sponsored by Senator Snow, a Democrat, and Senator Willey, a Republican, and it was supported at the hearing by Representatives Ross, and Jalbert."

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

Mr. BEDARD: Mr. Speaker and Ladies and Gentlemen of the House: I contend too that the big square will not do any good to the voters of the State of Maine. When the primary election comes nobody has any problem about the big square, they vote for who they want to and there is no problem there, and there's no problem by leaving the big square there.

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

Mr. JALBERT: Mr. Speaker and Members of the House: In jovial comment as to my feeling on the bill two years ago, as I was leaving the committee room of course I was asked by someone—I was speaking on another bill, if I favored the elimination of this square, and I said, "Of course I do." Now, I'm somewhat surprised at the gentleman from Bath, Mr. Ross, who really is a very dear friend of mine—that last week he called the Republican Party a pack of old moss backs. Today he makes the comment that if we eliminated the square it would bring about better government by participation at the polls. Now it behooves

me that everybody here, exclusive of possibly myself, has a very high IQ, and I think that insofar as I am concerned that the elimination of the box can bring no better body of people, and I am sure you would agree, than the present body that I am serving with now.

Now I stated last week that personally it would make no difference to me, as a matter of fact personally at the polls it would help me if we eliminated the square. I said that politically I was for it. Now I would have a great deal more respect than I have now, and I have a great deal of respect for my very, very dear friend from Bath, Mr. Ross, if he would come out and say so, that's all. No argument with me. I mean as far as I am concerned, some of my party leaders feel and they probably have convinced me, that this is better for the Democratic Party. I know it's better for the sinking ship, because if it wasn't better now, why didn't you present it many semesters ago when you had 138 in the House, 32 in the Senate and a Republican Governor? Why didn't the newspapers and the press and TV editorialize it then? That's perfectly all right for me to have your thinking, and I am proud of you for it, but say so. I have no argument. I have no compulsion or thoughts of grandeur here. I think I answered properly two years ago when I was asked how we were going to do things. We will do it in the same manner that they were done eighteen years previously I said, and right now I am back in business. I have got a warm seat in a brand new room; a glass that I don't want, a machine that I don't want, but a change, and I am accepting it, and I get three or four checks a week; perfectly all right with me.

However, I would take issue with some people who would write editorials stating in the Waterville Sentinel to the effect that Governor Curtis hadn't said so, but the Sunday Telegram reports he has made up his mind to veto the bill eliminating straight ticket voting. Until he became Governor, Mr. Curtis had favored the elimination of the big X as had many

other important Democratic figures. It is doubtful that Governor Curtis really has had a change of heart. If he does, as the Sunday Telegram predicts, and vetoes the bill, it will be evidence not of a change of heart, but that the Lewiston Democratic machine has the party over a barrel and is pretty much able to decide which way it will roll. It is well known that the Lewiston machine doesn't like the bill because its leaders feel that if it were passed some of their poorer candidates might occasionally lose rather than being carried in by straight ticket voting. We hope that the Sunday Telegram is wrong, and so on.

On Sunday, the very capable Donald Hansen in his Maine Political Column indicated that the Democratic Governor would prefer to have his program intact than run afoul of some of the proponents of the removal of the big X. I will not read the article because I know that you all have read it as I have and do read it every Sunday.

Now somewhere along the line here somebody is enjoying the smoking of opium because as far as I am concerned, in twenty years as a legislator I have never gone into a Governor's office of either party and indicated to him that I was opposed to a certain measure which had passed and I would like to have him veto it. I didn't do it then and I shall not do it now. I know, as all of us do, that our Governor can think for himself very capably; he can act for himself and he can present himself very, very well. It is not my intention to try to influence him in any way, shape or manner.

Insofar as the measure is concerned, there are big, big arguments pro and con. True now we are going to eliminate having to vote every two years on liquor questions and we are going to possibly eliminate the voting on bond issues unless we are petitioned to do so, it will cut down on the time that one person would stand in the polls. However, in my own area for instance, we have some thirteen precincts. To get larger quarters to vote would make it mandatory for us to go find

these thirteen larger places to vote, and they are not available. We do not find them. We did not change from ward to precincts for many years because we could not find suitable places for people to go vote, and even now people will stand outside the polling places in bad weather for an hour and a half or two hours because they want to exercise the cherished right of voting. Many, many, many of our people coming out of the mills and shoe shops and their places of enjoyment will not go to the polls until they go home and put on their Sunday best to exercise that cherished right.

On the other hand, it might be that it would give an individual a longer time for him to decide as to whom he would want to vote for. By the same token, I don't think the privilege of voting for one X should be taken away from him, but that of course is beside the point. Now in my humble opinion, my primary reason for being for the retaining of the X is that I believe in party discipline. I don't say that you should be led around by the nose on completely all issues, but I do say that when you are on a ticket you should be with that ticket, and in my opinion this will bring about crossing over lines and possible deals being made between representatives of both parties.

I did not, however, get up this morning to necessarily debate the pros and cons of this measure. I did get up to state this, that insofar as the Lewiston delegation is concerned, I am speaking for myself of course, but I think that the thinking of the delegation might be the same or as far as I am concerned any of the members of my Party that I have spoken with, this is not a hammer being held over anyone's head. I intend to vote my way on this measure, and I know that the Governor of Maine will cope with it with the intelligence that I know he possesses.

The Chair recognizes the gentleman from Solon, Mr. Hanson.

Mr. HANSON: Mr. Speaker and Members of the House: The gentleman from Portland, Mr. Brennan, and the gentleman from Lewiston,

Mr. Jalbert, have raised a question of time, the time involved in order to vote, particularly in these larger cities. I would humbly suggest that possibly they might seek to implement the legislation which would cause a redistricting in legislative districts so that, like in Portland, instead of having to vote for eleven representatives there might be left only one. That would certainly cut down a lot of time at the polls. Thank you.

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

Mr. BINNETTE: Mr. Speaker and Members of the House: This bill has been before us on many an occasion. I would like to state that when one registers to vote, he or she must either enroll as a Republican or Democrat or remain as an Independent. So when the June primaries roll around one must be either a Republican or a Democrat in order to cast a ballot for the candidate of their choice. The big square is not on that ballot and the voter makes his choice at that time. An Independent cannot vote in the primaries unless there is an Independent candidate on the ballot. This is the first step in choosing a final candidate. This is where we choose a capable candidate out of the many. The thousands of Independent voters cannot vote in the primaries unless they enroll as Republican or Democrat. In the general election one has the choice of voting for the candidate whom he desires, or, he may vote a straight party vote by using the big square. The chances are the voter has made his mind up long before he will come to the polls to vote.

In this day and age we are all striving to do everything within our power to ease our day's work by utilizing all the short cuts possible, trying to save footsteps, cutting corners wherever it is suitable. Therefore, I do believe that leaving this big square on the ballot is a convenience for the voter and is appreciated as such by many.

By the removal of this big square we are depriving the voter of his choice. We are restricting the voter by forcing him to do something which he may not care to do. Therefore, please do not deprive the voter of his choice.

At the present time there are many bills in this Legislature introduced in the hope that by passage the counting and sorting of ballots will be shortened.

It seems that after every election the press and the news media are trying to speed up the returns. They advocate the change of election clerks which they believe will speed up the counting. It is true that many of these election clerks are tired after a hard day's work and therefore there is a little bit of inaccuracy on their returns. Everybody has some human frailties.

Have any legislators here present today ever witnessed the counting of ballots? Did you notice how easily and speedily the straight ballots are counted and handled?

Now, I have heard on many occasions that we would have better legislators if the big square was removed. That statement has been said over and over again. Well, let me tell you, I believe you are all very good legislators present here today, and the removal of the big square would not have improved your quality.

In the last general election our Governor, Kenneth M. Curtis, proved that people knew how to vote intelligently. I am sure that, by the returns, they were not all coattail riders, for if they had been we surely would have had a really nonpartisan group.

I sincerely believe that we should not deprive the voter of his right to use the big square, and therefore, when the vote is taken I request it be taken by the yeas and nays. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Sanford, Mr. Nadeau.

Mr. NADEAU: Mr. Speaker, Ladies and Gentlemen of the House: When you choose a doctor and many other fine professional

people, I know we often do this from advice of others; that is a choice we have, we could have gone directly but someone recommended him. Again in the primaries I feel that we select, and this is a method of choosing and receiving advice from the majority of the others. Why not on voting? In all the other avenues we seem to stress one major thing that is missing here, and that's education. I haven't heard anyone come up and say, why don't we educate the people to vote? We know the majority of them do know how to vote. My point in this is that this is the point we ought to stress, not eliminating the box, but teaching the word that we are backing up in every avenue—that's education, so let's educate them the proper way to vote.

The elderly, for instance, there was a time when I know your own mothers and possibly yourselves you went into a grocery store or wherever you went and you would compare, you would see two for thirty-nine or whatever the situation was. After so many years you know you yourselves or your wives no longer do this, they don't have time, they don't want to do it, they don't want to take time. It is known also that when you go to the polls sometimes only the first four or five names are chosen, people don't want to go down to the bottom. This is still their privilege. Some people will only vote for the top of the list. Take a look at your own club attendance. How many of you can honestly say that you have been attending your own club functions, your own town doings?

There are too many things going on any more. That goes to show that the people are busy, they don't want to take time. People we know do not take time that don't go to the polls, look at the small turnouts as printed in the newspapers that we have on our own town issues. So if only one person and only one individual alone feels that because of the primary someone has made a choice and because they don't want to wait or for whatever the reasons may be, if they want to put that blasted X

in that box, I feel that his or her right should be preserved.

The SPEAKER: The Chair recognizes the gentlewoman from Portland, Mrs. Boudreau.

Mrs. BOUDREAU: Mr. Speaker and Members of the House: As a freshman Legislator, I have sat and listened to debate on this issue, and even as a freshman I feel I must add my thought.

First, let me say as an individual I have no strong feelings one way or another, but when I accepted the nomination as a member of the 103rd I accepted the responsibility of viewing all the facts before voting on an issue. In previous debate, we heard the remark that it would be an insult to the intelligence of the voter to eliminate — to retain the big box. Now I ask you, do you wish to go to your constituents and tell them they were stupid to elect you? I think not.

But I think there are a few things you should tell them before voting on this issue. In areas where people have stood in line for half an hour, tell them it will be an hour. Where it has been an hour, tell them it will be two. Have you done this? Go to your ward workers and tell them they will have to count from thirty to fifty per cent more ballots individually and they can plan on working another two, three or four hours. Have you done this? As a member of the Election Laws Committee, I know legislation has been passed to allow counting referendum ballots the following day, but remember this, this was permissive legislation only, and from the remarks of the town clerks present, storing the ballots in a safe place overnight would present a problem. By doing away with the big box at this time, we are creating a hardship on the voter, the ward worker, and we are adding expense to the cities and towns.

I believe the big box should be eliminated at the proper time, but before we do this I believe the voters of the State of Maine have a right to expect us to provide voting machines or some other means to alleviate some of the hardships. These are a few of the

reasons why I hope the motion will prevail.

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

Mr. GILL: Mr. Speaker and Ladies and Gentlemen of the House: I in part agree with a lot of these people that feel we have got to do away with this big box. I have seen a great number of the Democratic candidates defeated at the polls who were very well qualified. I have seen the same thing on the Republican side, and I don't believe at this time we should be concerned too much about the mechanics of it, I think our chief aim is to get the best individuals up here to serve the people of the State of Maine regardless whether they are Republicans or Democrats, and I feel in this manner they would be able to do this by removing the big box.

The Chair recognizes the gentleman from Old Orchard Beach, Mr. Danton.

Mr. DANTON: Mr. Speaker and Ladies and Gentlemen of the House: I realize that what I have to say this morning will not change the mind of one individual in this House. However, I think that I should point out that much has been stressed regarding the intelligence and the common sense of the voters, and that the elimination of the box will immediately increase their intelligence, and increase their common sense, and prepare them to make a better selection insofar as candidates are concerned. I think that this is being very unrealistic. I think that the two parties have recognized that this is unrealistic for they have set up their procedure in such a fashion which indicates that they present the candidates for election that will best serve the intention of the parties.

We, and when I say we I mean both parties, have issues conferences. We nail planks and adopt platforms at our conventions, and we as a party are dedicated and committed to these platforms. And all this is based on teamwork not individualism but teamwork; and while I am talking about teamwork, if I may digress for a moment, I

noticed yesterday, or day before yesterday in the Sunday paper, there was a column in regard to the big square, and then right next to it there was an article which wrote about a member of the other body, and the article went on to say that this member of the other body today is a better member of the party because he is more of a team man than he was during his first session. So, everything that we do here today will be based mostly on teamwork. We are committed to our platforms; we are committed to the issues; we are committed and dedicated to better government. The only difference between the two parties is that we feel that we have the better way of doing things.

We have the primary elections, we have the issues conferences. We have our platforms enacted and adopted during the conventions. And then finally the day comes, the day of election and the voter goes to the polls, and he has very well made up his mind as to which party's philosophy he likes or dislikes. And if this person who necessarily does not have the time to study the biography of each and every candidate on that ticket, because in many cases it would require that he go through thirty biographies—about fifteen candidates on each side—what is wrong with him adopting the philosophy of each party as being the party of his choice and voting for the team that he likes? Not for the individual because we have found out that individualism is not necessarily the best representative in state government; it's the man who can play together with the team that really counts, and this applies just as well to sports as well as any other activity.

I can't in any way imagine why a man or a woman of intelligence should feel compelled to use the big box if they have certain mental reservations regarding the parties. They could very well go down the line and choose the candidate that they consider to be the best able. I feel that it is ludicrous to even assume that by the elimination of this big square we are going to have better government. I think that anyone who thinks this

way is not really enlightened, but really is politically frightened.

The SPEAKER: The Chair recognizes the gentleman from Union, Mr. Hawes.

Mr. HAWES: Mr. Speaker and Members of the House: I don't want to belabor this too much longer, but there are two facts that I would like to bring out.

At the hearing, a much smaller hearing than this, there was about five to one of those who were in favor of eliminating the big box. And the other thing is, in listening to this debate here and thinking about it, we've heard an awful lot about time.

It's my feeling, and I think it should be your concern too, that rather than trying to hurry the people through the polls, getting them out, the vote counted, and back again, we should take serious consideration to the quality of the person we are putting in here. Thank you.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: As was very well pointed this morning, and I shall not belabor those points any longer, by the gentleman from Lewiston, Mr. Jalbert, that it seems to me at this time that the Majority Party has had for many years a more than two-thirds vote in both branches of the Legislature, and has taken no action. Why should this document be one of the reasons of the Majority Party's support at this particular time? It just seems to me that this has boiled down to a strictly partisan bill, because certainly just a few short years ago a majority party would never have thought of bringing such an issue before a legislature when they were representing better than two thirds of the people of the State of Maine.

So I am wondering this morning if this is going to be truly a partisan issue.

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

Mr. ROSS: Mr. Speaker and Members of the House: Because of the remarks just made I feel

that I must rise now. But for the record I would state for the benefit of my extremely intelligent friend from Lewiston, Mr. Jalbert, I realize that he has always been an opponent for doing away with the straight box at the top of the ticket. But the newspaper article that I quoted, I quoted properly; but I do believe that they were misinformed because I didn't even believe then that he had been quite that reenlightened on the subject. But, however, since he accused me of calling the Grand Old Party "moss backs" I felt that I had to quote from this article which said that he and I both favored this. But now to answer the specific question as to why we haven't sponsored this before—ten years ago I was in this Legislature, I happened to be a member of the other body, and I sponsored this same type of legislation and I worked just as hard then to get it through as I am working now to get it through. Thank you.

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

Mr. SOULAS: Mr. Speaker, Ladies and Gentlemen of the House: I would like to call your attention to House Advance Journal and Calendar, 13th Legislative Day document, dated February 1, 1967. At that time the Justices of the State of Maine on the Constitution, there was a recount of ballots between Laberge versus Snowe. There were seven ballots that were under question. The straight ballot was the only ballot of the seven that was accepted. This gave the Honorable Peter Snowe the opportunity to have a special election. At that time I was positively convinced that the straight ticket was definitely here to stay. However, at the special election Peter Snowe ran as an individual and at that time he was elected. So I just leave this with you to think about.

Mr. Snowe of Auburn then moved the previous question.

The SPEAKER: The previous question has been moved. For the Chair to entertain a motion for the previous question it must have the consent of one third of the

members present. All those in favor of the Chair entertaining the motion for the previous question will now vote yes and those opposed will vote no. The Chair will open the vote.

A vote of the House was had.

94 voted in the affirmative and 43 voted in the negative.

The SPEAKER: Obviously, more than one third having voted the motion for the previous question is now entertained. The question now before the House is, shall the main question be put now? Which is the indefinite postponement of this measure. This is debatable for five minutes by any one member.

The SPEAKER: The Chair recognizes the gentleman from Limerick, Mr. Carroll.

Mr. CARROLL: Mr. Speaker and Members of the House: In regard to this question being put now, I am certain that it is too important a question to be pushed aside lightly and to be hurried. And I object to debate being cut off at any time in such a manner as this. I think that this is the time to debate this issue here and now before this House and I don't think the newspapers are running the State of Maine. I think that we should debate this thing good and proper and settle it once and for all.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: It is my feeling that this document, where it comes up before us for final enactment, should be given a full chance of any member of this House that wishes to debate it, a chance to do so at length. Thank you.

The SPEAKER: Shall the main question be put now? All those in favor of the main question being put now will answer yes; those opposed, no.

A viva voce vote being doubted by the Chair, a vote of the House was taken.

70 having voted in the affirmative and 68 having voted in the negative, the main question was ordered.

The SPEAKER: A request for the yeas and nays has been made. For the Chair to order the yeas and nays it must have the expressed desire of one fifth of the members present. All those in favor of the yeas and nays will vote yes; those opposed will vote no, and the Chair will open the vote.

137 voted in the affirmative and 3 voted in the negative.

The SPEAKER: Obviously, more than one fifth having requested a roll call, a roll call is ordered, and the pending question is the motion of the gentleman from Portland, Mr. Brennan, that An Act to Eliminate the Straight Party Ballot in the Election Laws, Senate Paper 1, L. D. 4, be indefinitely postponed.

The Chair recognizes the gentleman from Limerick, Mr. Carroll.

Mr. CARROLL: Mr. Speaker, I request that this item be tabled until Friday.

The SPEAKER: The gentleman from Limerick, Mr. Carroll, now requests that this matter be tabled until Friday, March 24.

Mr. Richardson of Cumberland then asked for a division on the tabling motion.

The SPEAKER: A division has been requested on the tabling motion. All those in favor of this matter being tabled will vote yes; those opposed will vote no. For what purpose does the gentleman rise?

Mr. JALBERT of Lewiston: On the tabling.

The SPEAKER: The gentleman may debate the time of tabling.

Mr. JALBERT: I would debate the time of tabling, Mr. Speaker, based on the fact that if we table this thing until Friday, Good Friday, and it comes on this Friday, and on this very important matter if we should table this item until Friday there might be several members here who would not be present; and for that reason I would object to the time set on Friday and would prefer that the thing be debated now, fully. That's why I object to the time of Friday and think possibly we would decide to debate this item today fully.

The SPEAKER: All those in favor of this item being tabled until Friday, March 24, will vote yes; those opposed will vote no. The Chair will open the vote.

A vote of the House was taken. 12 having voted in the affirmative and 126 having voted in the negative, the tabling motion did not prevail.

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

Mr. JALBERT: Mr. Speaker, I would make a parliamentary inquiry. Is the motion that we will entertain the previous question before us now, and if so would that preclude any further debate today?

The SPEAKER: The Chair will not entertain the motion for the previous question at this time. Sufficient time has not elapsed between the last debate. A roll call has been ordered relative to the indefinite postponement. The Chair recognizes the same gentleman.

Mr. JALBERT: The matter is still before the House for debate?

The SPEAKER: The matter is still before the House for debate.

The Chair recognizes the gentleman from Portland, Mrs. Carswell.

Mrs. CARSWELL: Mr. Speaker and Members of the House: I don't like to bring up unpleasant subjects but the gentleman from Bangor, Mr. Soulas, mentioned about the individuals and I think that we can think of that great man, Mr. Tupper. He too was an individual.

Now we must consider the real question and that is whether or not the voters know who they are voting for, whether or not they know how to split their ticket. I say they do. I say there is no need of getting rid of the straight party box, because if somebody is in a hurry and they want to go in and vote their party philosophy they can do so. If an individual wants to go in and split his ticket, he can do so. I think the proof of the pudding is in the tasting. I think we have all had a taste of whether or not the voters know how to vote. I think we are call-

ing them ignorant and stupid if we eliminate this box and we are depriving them of a privilege which they now have, and I hope that the straight box is not eliminated.

The SPEAKER: The Chair apologizes to the House and the Speaker is not infallible as has been reported. The motion for the previous question did pass, 70 to 68. It was so narrow that the Chair overlooked the fact, and the main question shall be put. A roll call has been ordered. All those in favor of indefinite postponement will vote yes; those opposed will vote no. And the Chair will open the roll call vote.

ROLL CALL

YEA—Bedard, Belanger, Bellevau, Bernard, Binnette, Boudreau, Bourgoin, Bradstreet, Breanan, Burnham, Carey, Carrier, Carroll, Carswell, Champagne, Cote, Cottrell, Couture, Crockett, Crommett, Curran, D'Alfonso, Danton, Drigotas, Dudley, Fecteau, Fraser, Gaudreau, Gauthier, Giroux, Harnois, Harvey, Healy, Hennessey, Hunter, Jalbert, Jameson, Jewell, Keyte, Kilroy, Lebel, Levesque, Lowery, Martin, Minkowsky, Nadeau, J. F. R.; Nadeau, N. L.; Rocheleau, Scribner, Starbird, Sullivan, Tanguay, Truman, Wheeler, Williams.

NAY—Allen, Baker, R. E.; Benson, Berman, Birt, Bragdon, Brown, Buck, Bunker, Clark, Conley, Cookson, Cornell, Crosby, Cushing, Dennett, Dickinson, Drummond, Dunn, Durgin, Edwards, Eustis, Evans, Ewer, Farrington, Fortier, Foster, Fuller, Gill, Hall, Hanson, B. B.; Hanson, H. L.; Hanson, P. K.; Harriman, Hawes, Haynes, Henley, Hewes, Hichens, Hinds, Hodgkins, Hoover, Huber, Immonen, Jannelle, Kyes, Lewin, Lewis, Lincoln, Littlefield, Lycette, Maddox, McMann, McNally, Meisner, Miliano, Mosher, Noyes, Pendergast, Philbrook, Pike, Porter, Prince, Quimby, Quinn, Rackliff, Richardson, G. A.; Richardson, H. L.; Rideout, Robertson, Robinson, Ross, Roy, Sahagian, Scott, C. F.; Scott, G. W.; Shaw, Shute, Snow, P. J.; Snowe, P.; Soulas, Susi,

Thompson, Townsend, Trask, Waltz, Watts, White, Wood.

ABSENT—Baker, E. B.; Darey, Humphrey, Payson, Wight.

Yes, 55; No, 89; Absent, 6.

55 having voted in the affirmative and 89 having voted in the negative, the motion to indefinitely postpone did not prevail.

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

An Act Permitting the Establishment of Commercial Shooting Areas (S. P. 107) (L. D. 178)

An Act relating to Approval of Legislative Expenses When Legislature Not in Session (S. P. 119) (L. D. 248)

An Act relating to Gasoline Distributors, Importers and Exporters (S. P. 127) (L. D. 256)

An Act relating to Conveyance of Reservation Lands for Penobscot Tribe of Indians (S. P. 138) (L. D. 633)

An Act relating to Definition of Workshop under Labor Laws (S. P. 217) (L. D. 480)

An Act relating to School Administrative District's Borrowing for Investment Purposes (S. P. 258) (L. D. 638)

An Act relating to Part-time Liquor Licenses (S. P. 304) (L. D. 743)

An Act Revising the Law Governing the Taxation of the Business of Raising Domestic Fowl (H. P. 46) (L. D. 65)

An Act relating to Refund of Sales Tax on Goods Removed from State (H. P. 201) (L. D. 290)

An Act relating to Sales Tax Exemption of Ships' Stores (H. P. 202) (L. D. 291)

An Act relating to Uninsured Motorist Coverage in Insurance Policies (H. P. 211) (L. D. 301)

An Act Appropriating Funds to Aid in Dredging Chauncey Creek Extension of Pepperrell Cove, Kittery Harbor (H. P. 259) (L. D. 380)

An Act relating to Advertising and Promotion of Tourism into the New England Region (H. P. 342) (L. D. 490)

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

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

An Act relating to Part-time Liquor Licenses for Class A Restaurants (H. P. 415) (L. D. 581)

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

On motion of Mr. Pendergast of Kennebunkport, passed to be enacted, signed by the Speaker and sent to the Senate.

An Act to Include Oysters in Shellfish Shipping and Shucking Laws (H. P. 420) (L. D. 601)

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

Enactor

Tabled and Assigned

An Act relating to Fishing for Bass in Sheepscot River and Tributaries, Lincoln County (H. P. 500) (L. D. 713)

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

(On motion of Mr. Bernard of Auburn, tabled pending enactment and specially assigned for Tuesday, March 28.)

An Act relating to Death Caused by Violation of Law by Operator of Motor Vehicle (H. P. 508) (L. D. 721)

An Act relating to Sale of Malt Liquor in Retail Stores (H. P. 532) (L. D. 762)

An Act relating to Guaranty Requirements of Domestic Mutual Insurance Companies and Capital Stock Requirements of Domestic Stock Insurance Companies (H. P. 573) (L. D. 806)

An Act relating to Time of Terms of the Superior Court in Sagadahoc County (H. P. 694) (L. D. 975)

Finally Passed

Resolve Authorizing the Attorney General to Convey a Certain Lot of Land in Bangor to Bangor Hydro-Electric Company (S. P. 349) (L. D. 933)

Resolve Providing Moneys for Cerebral Palsy Clinics for Home Care Programs (H. P. 23) (L. D. 44)

Resolve relating to Treatment of Portion of New Meadows Lake to Eliminate Aquatic Growth (H. P. 546) (L. D. 778)

Resolve in favor of Mrs. Nellie Packard of Guilford (H. P. 625) (L. D. 881)

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

Orders of the Day

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

HOUSE REPORT — Ought Not to Pass — Committee on Agriculture on Bill "An Act to Prohibit the Sale or Use of the Chemical Compound Known as DDT" (H. P. 197) (L. D. 286)

Tabled—March 17, by Mr. Evans of Freedom.

Pending—Motion of Mr. Crommett of Millinocket to reconsider acceptance of Report.

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

Mr. CROMMETT: Mr. Speaker, Members of the House: This is too important a piece of legislation to be taken lightly. I think it should be thoroughly discussed and voted on by the entire membership of the House.

This bill was heard before a hostile committee, or at least a majority of that committee, as indicated to me by its chairman. Certainly my brief remarks were too long and boring to those who had made their judgment previous to the hearing.

The effect of DDT on marine life, insects and wildlife is well known. Unfortunately, the effects on humans is not fully known. Of great concern to the sponsors of L. D. 286 is the effects of DDT on the reproductive systems.

I am glad to report now that the Town of Millinocket for the first time in thirteen years, voted at their annual town meeting not to use DDT. They also voted not

to spray the town with any pesticide for the control of flies and mosquitoes.

The Pesticides Committee of the State Biologists' Association opposes the use of DDT and other persistent pesticides in massive treatments. Knowing full well the attitude of many members of this House, the endorsement of the State Biologists' Association might well be the "kiss of death" for this bill. However, ladies and gentlemen, this is a conservation measure, conservation for our fisheries and wildlife and human life as well.

The Natural Resources Council of Maine is opposed to the use of DDT, the Department of Inland Fisheries and Game is opposed to the use of DDT, sportsmen's clubs throughout the state are opposed to the use of DDT, the National Audubon Society is opposed to the use of DDT. From the Portland Sunday Telegram dated February 19, 1967, I quote:

"The fifth Bald Eagle survey in Maine conducted by Charles Brookfield of the National Audubon Society, indicated a drastic drop in young eagles hatched. Complete failures in all nests west of the Penobscot River, two-thirds of the state, Hancock County, one young eaglet out of 16 nests and Washington County, seven young eaglets.

"There seems to be little doubt any more that DDT causes sterility in eagles, causing the eggs to be infertile."

And, from Senator Gaylord Nelson's speech in the United States Senate dated July 12, 1966: "DDT has a tendency to accumulate in the yolk sac of eggs of birds and fish and these higher concentrations cut fertility and the ability to reproduce." This might well happen to humans, and it is not a pleasant thought.

From that same speech of Senator Nelson, he has this to say: "Although DDT residues accumulate in humans at levels not considered harmful at this time, levels in greenhouse workers, spray pilots, and others with occupational exposure reach levels high enough to be considered alarming.

"The report of the environmental pollution panel of the President's Science Advisory Committee noted that these exposed workers sometimes show marginal or definite impairment of an important bodily function as a result of this DDT exposure."

Those who would advocate the continued use of DDT are gambling on the long-range ill effects for their personal comfort and material gain at the present time.

Support for L. D. 286 "An Act to Prohibit the Sale or Use of the Chemical Compound Known as DDT" is consistent with recommendations of the highly regarded Presidential Panels that have reported in the last 3 years.

There is increasing evidence of the reluctance of public officials to resort to DDT in public pest control programs, a reluctance which is unfortunately by no means universal as yet.

Secretary Udall has banned the use of DDT on U. S. Department of the Interior lands.

Governor King of New Hampshire has banned the use of DDT on state lands. The use of DDT in New York is prohibited in its lake trout watersheds. The Wisconsin Conservation Department has ordered the discontinuance of the use of DDT on department lands. The President's Science Advisory Committee recommended elimination of persistent toxic pesticides in the environment. Persistent pesticides include such commonly used chemicals as DDT.

From the beginning of time, man has felt great pride in his achievements for posterity, knowing that his name will be carried on by succeeding generations. Those who have passed the age of reproduction and those who have lost the biological urge, which is so necessary to the accomplishment of reproduction of mankind, are doing a great disservice to their grandchildren and great grandchildren, if there are any, by advocating the continued use of DDT.

I do not know this to be so. From people more knowledgeable than I comes the report that it is possible.

I did not know my grandfather. I have great respect and admiration for him as told to me by a neighbor who knew the family well. Grandfather took pride in his achievements and was active in community affairs. Living several miles from the village he and Grandmother Sara rode into town two or three times a week. On election day Jim Crommett always walked. You see, Grandmother was a Republican.

If you are not interested in posterity, I am sure you would be horrified to learn some morning that the prime produce from Aroostook and Androscoggin Counties, the poultry from Waldo County and the lobsters from our coastal counties contain more DDT than is fit for human consumption, while I in my environment may rejoice in knowing that the forests from which I gain my livelihood are protected and will continue to yield.

It is said that man cannot live by bread alone. Yet, it is generally agreed that it takes more than faith to satisfy the inner man.

In closing I will leave this thought with you, I quote from Senator Nelson's remarks:

"We do not know the long-term effect of DDT on humans but the evidence of its devastating effect on wildlife should be due cause for alarm. What a great irony it would be in our frantic effort to kill insects, we eliminated man, making the world safe for bugs."

Mr. Speaker, I move we substitute the bill for the report and when the vote is taken I request the yeas and nays.

The SPEAKER: The Chair would advise the gentleman that the motion to reconsider must be resolved first.

The Chair recognizes the gentleman from Freedom, Mr. Evans.

Mr. EVANS: Mr. Speaker, I am sorry, I didn't know we was going to talk about family trees or I would have looked mine up and had a few incidents on it, but as Chairman of the Agriculture Committee, this bill L. D. 286 had a very fair hearing, fact is, a very long hearing, and we listened to

all the witnesses on this bill both ways, and after thoroughly discussing it we decided it wasn't a good bill for the farmers or the State in general at this time. Even the Commissioner of Agriculture, Mr. Dolloff, who I know is a very able man, did not think this bill should go through at this time. Our farmers have trouble enough as it is. If you don't think so, just read in the paper, we are having trouble with milk, we are having trouble with potatoes right here in this State, the price is too low. Well let's not saddle them with a block in their production because they will have to go to other things in place of DDT and if they do, there are more restrictions on things than there are on using this, and sometimes they are more dangerous.

Now there are a lot of dangerous chemicals that we have that we use, but they are used under proper restrictions. Two years ago the Legislature voted a Pesticide Committee, but they didn't manage to give it any money to work with and the consensus of opinion of most people is that this committee could handle it properly and cut down any danger from the DDT and I believe that we should accept the report of the Committee on Agriculture, so I move that we do not reconsider this bill.

The SPEAKER: The Chair recognizes the gentleman from Harpswell, Mr. Prince.

Mr. PRINCE: Mr. Speaker, I would like to concur with the gentleman from Millinocket, Mr. Crommett, in reminding the House not to be too hasty with this bill. It was brought to my attention this morning with these two pamphlets that have been left on our desks and if you would take the time to read paragraph 1 and 2 of this one here, it will tell you what DDT does to the human body. If this information that is in these two pamphlets is correct, and if they are on the Congressional Record, I am opposed to legislation that has a tendency to be harmful to the health of mankind. I am confused. I hold a great deal of respect for the Committee

on Agriculture. They are much more conversant on this thing than I am, but the mere fact that there is danger in the use of DDT endorsed by famous doctors, makes me wonder a bit. There is one paragraph here that I am tremendously interested and concerned about, and it is the paragraph which reminds us that California Marine Scientists collected several hundred samples of fish and shellfish from the Pacific, in both saltwater bays and the open sea. They reported 396 of the 400 samples analyzed contained measurable DDT residues.

I know what DDT will do to lobsters, I have had a lot of experience. One drop of DDT will kill two thousand pounds of lobsters within six hours. I am just wondering if we shouldn't hesitate a little bit and give this serious consideration. Is it because DDT is cheap and easy to apply? Is that issue greater than the safety of man's health? Thank you.

The SPEAKER: The Chair recognizes the gentlewoman from Portland, Mrs. Carswell.

Mrs. CARSWELL: Mr. Speaker and Members of the House: I didn't get too interested in this until I got a few pieces of mail, and I became very concerned about the problem. I agree with the gentleman from Harpswell, Mr. Prince, and I also think that I am going to have to go along with Doctor Paul Day, Scientific Director of Food and Drug Administration when he said with reference to chemicals in food: "The danger, where it exists, is usually not one of acute toxicity...but long-term toxicity, far more subtle and therefore more to be feared. DDT, for example, causes no obvious symptoms when ingested in small amounts, but may collect in the liver and do irrevocable damage." I think that I will take this opinion rather than the Agriculture Committee's opinion.

The SPEAKER: The Chair recognizes the gentleman from Freedom, Mr. Evans.

Mr. EVANS: Mr. Speaker, in reply to the gentlewoman from Portland, Mrs. Carswell, arsenic of lead does the same thing as far

as building up as DDT and if I am not mistaken we are allowed to use it. And there is one other consideration that you should think of, that this country has produced the most food of any country in the world and we haven't done it by banning all of our chemicals and our modern equipment and things to do our farming with, and if we are going to have to feed the world, we are not going to do it if we go to work and ban the chemicals that we have to use; restrict them, yes, but not ban them.

India they claim if they would use the chemicals and the modern equipment that we use could feed all their millions by 1971. Now at the present time they are importing a tremendous amount of food and they are not going to do it by just the mechanical way of doing it, they have got to use chemicals to kill the different insects, and it has been a question whether the human race would survive if we do not kill off the insects and I think this boils right down, are we going to feed the people of the world and keep them from starving or are we going to just protect the wildlife and fish for the sportsmen?

The SPEAKER: The Chair recognizes the gentleman from Solon, Mr. Hanson.

Mr. HANSON: Mr. Speaker, I rise at this time because I hope in rising that we may defeat this motion to reconsider and save considerable time later on. The Agriculture Committee did have a very lengthy hearing on this measure and I would question Mr. Crommett's remark that it was a hostile hearing. In fact, speaking for myself, and having read a lot of this literature, that I really was in favor of banning DDT, and after the proponents finished I was certain that I wanted to ban DDT because they presented a very, very sincere and a very, very effective case. However, I had not heard the opponents' side. We listened to the opponents' side for a lengthy time and they had a very, very sincere and a very, very effective case. We have to weigh things in context, and in

all things there is probably some ill. Automobiles certainly create more death and havoc than probably any other thing in the United States and yet we have automobiles. Fluoridation of water, there are proponents and opponents. There are very, very learned people who feel that fluoridation is very, very bad and there are others who feel that it is very good.

One of the prime things that was mentioned by the proponents of doing away with DDT was the Miramichi River in New Brunswick indicated how the fish and so forth had been killed by the application of DDT, I believe it was an entomologist afterward who indicated that use of DDT was stopped three or four years ago and since that time the fisheries had improved tremendously, in fact the fish catch of salmon this last year was three times greater than it had been before the application of DDT. Now what had happened was the DDT had killed the trash fish as well as the salmon and it created a vacuum and the desirable fish species moved into this vacuum.

I point out these few instances, examples, just to indicate to you that we did consider this at length and in balance the benefits of DDT far outweigh the bad aspects of it and I would hope that we would defeat the motion to reconsider.

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

Mr. QUINN: Mr. Speaker, there has been considerable material on this subject placed on my desk today. I am interested in the health of my constituents, and consequently I feel I should have more time to give this further consideration, and I move this matter be tabled until Thursday.

The SPEAKER: The pending question is the motion to reconsider, the Chair would understand and rule that the gentleman was debating his tabling motion.

Thereupon, on motion of Mr. Jalbert of Lewiston, tabled pending the motion of Mr. Crommett of Millinocket to reconsider acceptance of the "Ought not to pass" Report and specially assigned for Thursday, March 23.

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

HOUSE MAJORITY REPORT (9)—Ought to Pass with Committee Amendment "B" (H-84)—Committee on Business Legislation on Bill "An Act Prohibiting Fictitious Grouping in the Business of Insurance" (H. P. 474) (L. D. 687). **MINORITY REPORT (1)** Ought Not to Pass.

Tabled—March 17, by Mr. Starbird of Kingman Township.

Pending—Motion of Mr. Scott of Wilton to accept Majority Report.

The **SPEAKER**: The Chair recognizes the gentleman from Hollis, Mr. Harriman.

Mr. HARRIMAN: Mr. Speaker, Ladies and Gentlemen of the House: I have deliberated many times in the past few days as to whether or not I should support my minority position on this report, or let it be passed without any objection in this House on my part. The more thought I gave to this bill, the more I became convinced that the reasons I signed the Minority Report were valid and should be explained to this House.

This L. D. 687 to my mind regulates competition and is not in the best interest of the insuring public. This bill in effect says that all insurance except health, life and accident should not be sold to any fictitious grouping of persons as defined in this section, such grouping being defined and declared to be any grouping by other than common majority ownership of the risk to be involved. Webster defines fictitious as being imaginary, but I do not believe it imaginary when any of us engage in a particular industry or in a group want to buy insurance on a group basis to save on our costs. The insurance company only passes on to the group those savings made through decreased selling costs, billing costs, payment of premiums from one central source and so forth, rather than getting them from many sources.

There are various illustrations of this. Let's take one example, Workmen's Compensation, the rate has gone up in the last couple of years some thirty-five or forty

percent for all concerned and is a tremendous burden to the small businessman. Are we going to tell them that they cannot group together and buy this insurance as a group when they do not have common majority ownership of the risks involved? Is this Legislature going to tell any group in these days of increasing costs that they cannot buy together or ban together to buy insurance of any kind in order to lower their operating costs when the savings passed on to them are only savings made by the insurance company through decreased costs of handling their account? If this is good legislation why not apply it to the health field where most of the grouping is done, but under this bill it would be defined as a fictitious group.

I do not believe we in this Legislature have the right to tell any group of people they cannot buy insurance under a group plan. This type of legislation should not be passed for many reasons, the more important ones being number one, this type of legislation is not in the best interest of the insuring public. Two, we are being asked to regulate competition. Three, the Insurance Department did not appear for the bill, neither did they oppose it, but in view of the number of independent insurance agents at the hearing perhaps this had a bearing. All the attorneys I heard comment at this hearing were against this bill from a public viewpoint, and at another hearing before our committee an attorney took this L. D. as an example of legislation that he questioned and made this statement: "Should an admirable group such as the Independent Insurance Agents be protected but at the expense of the general insuring public?" This is the type of an industry problem, this is a fight among the various types of agents to my mind and perhaps should be taken care of under a revision of the state insurance laws which will come before this House at a later date. I do not think this "Ought to pass" Report should be accepted and I hope you gentlemen will all consider it well and vote ought not to pass. Thank you very much.

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

Mr. SCOTT: Mr. Speaker, Ladies and Gentlemen of the House: I hesitate to rise in opposition to my good friend from Hollis, Mr. Harriman. I have a great deal of respect for him, and I respect his judgment, but he does not go quite far enough. I feel that I should also go a little farther in explaining my position on this matter, because I am not only the sponsor of the bill I am also in the general insurance business. I considered abstaining on debate on this measure and also from voting for this very reason. However, since fictitious grouping of insurance would not be in the public interest, in the long run I feel it is my duty to bring out a few facts. Mr. Harriman says that this bill regulates competition. I would agree with him in part. It does regulate irresponsible competition which is not in the public interest. I think that perhaps I should give a definition of fictitious grouping. This is a term used in the insurance industry and the insurance departments of at least thirty-three states. Perhaps a mere descriptive term would be a fishy group. This law would prohibit any group of individuals from obtaining property, marine, casualty or surety insurance with any preferential treatment as to rates, forms, premiums or benefits unless there is a common majority ownership to be insured.

This law does not apply to Life, Accident and Sickness insurance. This type of group insurance is permitted by law, the reason being that this type of group accident and health is usually a fringe benefit given by an employer to an employee. The employer is required to pay a substantial portion of the premium.

For example, a true group would be the State of Maine vehicle fleet of some 3500 units. All these units are owned and operated by the State. Therefore, the State is entitled to a fleet discount and whatever experience discounts might involve.

An example of a "Fictitious Group" would be the individually-

owned vehicles of the State's 10,000 or more employees. There is no common majority ownership. To give these employees a preferential rate would be unfair—discriminating against the thousands of other Maine citizens who are not employees of the State.

Our existing law states many times that rates "shall not be excessive, inadequate or unfairly discriminatory."

One of the very basic principles of insurance is the "Law of Large Numbers." The larger the number of insureds in any given class, the greater the equity and fairness to all insureds in relating the cost of insurance to the degree of the hazard or exposure. Any fragmenting of this "Law of Large Numbers" will result in higher rates being charged to those not so privileged to belong to a select group.

This scheme of writing insurance for what is not a true group can only result in a complete collapse of state regulation. It could lead to a chaotic rating situation, and would inevitably invite federal control of the insurance industry, with the State of Maine losing some \$4,000,000. each year in tax revenue.

Insurance Commissioner George Mahoney in 1958 issued a bulletin to the effect that Fictitious Grouping would not be permitted in Maine. A ruling such as this could be reversed by the law court. Therefore, this law should be enacted to back up the Commissioner's ruling and prevent unorthodox companies from starting this practice in Maine. Ladies and gentlemen, I would like to remind you that this report came out of committee with a majority ought to pass report of nine to one, and I would urge your support in accepting the Majority Report. Thank you.

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

Mr. SCOTT: Mr. Speaker and Members of the House: I also am torn in having to oppose my good friend, the gentleman from Hollis, Mr. Harriman. It was a nine to one Majority Report and I think

rightly so, and I think there is some misunderstanding of the bill and I apologize to the gentleman from Hollis on that point. This is a good bill I believe. The principal reason why certain companies want to insure these fictitious groups is to circumvent the insurance laws of this State, and in order to do so they would have to violate existing laws. This is just a bill to improve perhaps a loophole in our present laws.

Now as to the members of the public, to allow this circumvention of the laws would in the end harm the public and make what we call in the insurance business a residual class of people who perhaps no insurance company would insure. We already have that situation in Maine in regards to our poultry industry and in regard to dwellings under \$8,000. The counter-signature laws and surplus line requirements of various states are constantly being invaded and this is just plugging one loophole in this regard. The gentleman from Hollis also mentioned Workmen's Compensation increase in rates. I am not involved in the Workmen's Compensation situation at all, but I do know that the reason for the increase in rates was that the past legislature greatly increased the benefits to the workers in this State under the Workmen's Compensation Laws in many respects, thereby the increase. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Sanford, Mr. Gauthier.

Mr. GAUTHIER: Mr. Speaker, Ladies and Gentlemen of the House: As a member, as one of nine who signed the ought to pass report, I would like to explain my stand. In all my years in the insurance business I have seen many of these fictitious groups organized. I assure you, if you feel the insurance rates on the individual are high now, certainly they will be hit much harder premium-wise if these fictitious groups are not stopped now. I hope the ought to pass report prevails.

The SPEAKER: The Chair recognizes the gentleman from Hollis, Mr. Harriman.

Mr. HARRIMAN: Mr. Speaker, all during this hearing I heard a lot of talk about fictitious groups but I didn't see much evidence other than a few mentioned wild-cat insurance schemes coming through the mail. Most of the competition for the insurance companies on these rates comes from the larger companies who write group policies. I still feel that this is strictly a bill for the benefit of the independent insurance agencies; it is against the public interest and I move for the indefinite postponement of the Report and all its accompanying papers.

The SPEAKER: The gentleman from Hollis, Mr. Harriman, now moves the indefinite postponement of both reports and Bill "An Act Prohibiting Fictitious Grouping in the Business of Insurance," L. D. 687.

Mr. Scott of Wilton requested a vote.

The SPEAKER: A vote has been requested. All those in favor of the indefinite postponement of the reports and bill will vote yes; those opposed to indefinite postponement will vote no. The Chair will open the vote.

A vote of the House was had.

35 having voted in the affirmative and 82 having voted in the negative, the motion did not prevail.

Thereupon, the Majority "Ought to pass" Report was accepted and the Bill read twice.

Committee Amendment "B" was read by the Clerk as follows:

COMMITTEE AMENDMENT "B" to H. P. 474, L. D. 687, Bill, "An Act Prohibiting Fictitious Grouping in the Business of Insurance."

Amend said Bill by striking out all of section 2 and inserting in place thereof the following:

'Sec. 2. Limitation. This Act shall not apply to any grouping organized prior to January 1, 1968.'

Committee Amendment "B" was adopted and the Bill assigned for third reading tomorrow.

On motion of Mr. Benson of Southwest Harbor,

Adjourned until ten o'clock tomorrow morning.