

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fourth
Legislature*

OF THE

STATE OF MAINE

Volume II

May 9, 1969 to June 17, 1969

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Wednesday, May 28, 1969

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

Prayer by Father John Curran of Augusta.

The journal of yesterday was read and approved.

Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on

Bill "An Act Providing for a Presidential Preference Primary" (H. P. 516) (L. D. 687) reporting that it be referred to the 105th Legislature.

(Signed) ROSS of Bath

HENLEY of Norway

WATSON of Bath - Committee on part of House.

ANDERSON of Hancock

LETOURNEAU of York

HOFFSES of Knox - Committee on part of Senate.

Report was read and accepted and sent up for concurrence.

The Bill was referred to the 105th Legislature and sent up for concurrence.

**Papers from the Senate
Ought to Pass in New Draft**

Report of the Committee on State Government on Resolve Proposing an Amendment to the Constitution Regulating the Size of the State Senate (S. P. 44) L. D. 147) reporting same in a new draft (S. P. 463) (L. D. 1537) under same title and that it "Ought to pass"

Came from the Senate with the Report read and accepted and the New Draft passed to be engrossed as amended by Senate Amendment "A".

In the House, the Report was read and accepted in concurrence and the New Draft read once. Senate Amendment "A" (S-193) was read by the Clerk and adopted in concurrence, and the New Draft assigned for second reading tomorrow.

Ought to Pass

Report of the Committee on Transportation reporting "Ought

to pass" on Bill "An Act to Provide for Registration of Snowmobile Trailer Dealers" (S. P. 185) (L. D. 587)

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

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

**Ought Not to Pass
Bill Substituted for Report**

Report of the Committee on Business Legislation reporting "Ought not to pass" on Bill "An Act relating to the Small Claims Act" (S. P. 246) (L. D. 755)

Came from the Senate with the Bill substituted for the Report and passed to be engrossed.

In the House, the Report was read.

On motion of Mr. Scott of Wilton, the "Ought not to pass" Report was accepted in non-concurrence and sent up for concurrence.

Indefinitely Postponed

Report of the Committee on State Government reporting "Ought not to pass" on Bill "Act Providing for a Legislative Program Evaluation Division" (S. P. 385) (L. D. 1297)

Came from the Senate with the Bill substituted for the Report and passed to be engrossed.

In the House, the Report was read.

The SPEAKER: The Chair recognizes the gentleman from Manchester, Mr. Rideout.

Mr. RIDEOUT: Mr. Speaker and Ladies and Gentlemen of the House: I am in complete accord with the motives of the sponsor of this L.D. However, this function is now being done, albeit in its infancy, by the Legislative Research Committee. Earlier the sponsor and I discussed this at length and I thought that an understanding that would give the Subcommittee on Governmental Operations a chance to function and accomplish what he is intending to accomplish by this L.D. So on that basis I move that this bill and its accompanying papers be indefinitely postponed.

Thereupon, the matter was indefinitely postponed in non-concurrence and sent up for concurrence.

Divided Report

Majority Report of the Committee on Appropriations and Financial Affairs on Bill "An Act to Authorize General Fund Bond Issue in Amount of Fifty Million Dollars for Planning, Construction and Equipment of Pollution Abatement Facilities" (S. P. 343) (L. D. 1209) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Mr. DUQUETTE of York
—of the Senate.
Messrs. BRAGDON of Perham
BENSON
of Southwest Harbor
LUND of Augusta
JALBERT of Lewiston
BIRT of East Millinocket
MARTIN of Eagle Lake
—of the House.

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

Report was signed by the following members:

Mr. DUNN of Oxford
—of the Senate.
Mr. SAHAGIAN of Belgrade
—of the House.

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

In the House: Reports were read. On motion of Mr. Bragdon of Perham, the Majority "Ought to pass" Report was accepted in concurrence.

The Bill was given its two several readings.

Committee Amendment "A" (S-190) was read by the Clerk and adopted in concurrence and the Bill assigned for third reading tomorrow.

Divided Report Tabled and Assigned

Majority Report of the Committee on Health and Institutional Services on Bill "An Act to Require Fluoridation of Water Supplies Used for Public Purposes"

(S. P. 134) (L. D. 418) reporting same in a new draft (S. P. 475) (L. D. 1553) under same title and that it "Ought to pass"

Report was signed by the following members:

Mr. STUART of Cumberland
—of the Senate.
Mr. SOULAS of Bangor
Mrs. PAYSON of Falmouth
Messrs. FRASER of Mexico
BINNETTE of Old Town
NOYES of Limestone
—of the House.

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

Report was signed by the following members:

Mr. MINKOWSKY
of Androscoggin
—of the Senate.
Mrs. WHITE of Guilford
Mr. CARRIER of Westbrook
—of the House.

Came from the Senate with the Reports and Bill indefinitely postponed.

In the House: Reports were read.

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

Mr. CARRIER: Mr. Speaker, I now move that this bill and the report be indefinitely postponed in concurrence with the Senate.

The SPEAKER: The gentleman from Westbrook, Mr. Carrier now moves that the Bill and Report be indefinitely postponed in concurrence.

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

Mr. VINCENT: Mr. Speaker and Members of the House: There is at present an amendment being drawn up in the Legislative Research office and I would respectfully ask that this be tabled for one day.

Whereupon, on motion of Mr. Rideout of Manchester, tabled pending the motion of Mr. Carrier of Westbrook to indefinitely postpone in concurrence and specially assigned for tomorrow.

Non-Concurrent Matter Tabled and Assigned

Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act to Provide for the

Interception of Wire and Oral Communications" (H. P. 769) (L. D. 1002) which Report and Bill were recommitted to the Committee on Judiciary in the House on May 23.

Came from the Senate with the Report accepted in non-concurrence.

In the House: On motion of Mrs. Payson of Falmouth, tabled pending further consideration and specially assigned for tomorrow.

Non-Concurrent Matter

Majority Report of the Committee on Transportation on Bill "An Act Revising the Motor Vehicle Dealer Registration Law" (H. P. 752) (L. D. 970) reporting same in a new draft (H. P. 1184) (L. D. 1505) under same title and that it "Ought to pass" and Minority Report reporting "Ought not to pass" on which the House insisted on May 22 to its former action whereby the Minority Report was accepted.

Came from the Senate with that body voting to insist on its former action whereby the Majority Report was accepted and the Bill passed to be engrossed, and asking for a Committee of Conference.

In the House:

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

Mr. FINEMORE: Mr. Speaker, I move that we further insist and join in a Committee of Conference.

The SPEAKER: The Chair recognizes the gentleman from Van Buren, Mr. Lebel.

Mr. LEBEL: Mr. Speaker, I ask for a division on this and I hope that you will vote against that motion please, and I will make another motion.

Whereupon, Mr. Finemore of Bridgewater requested the yeas and nays.

The SPEAKER: The gentleman from Bridgewater, Mr. Finemore further moves that when the vote is taken it be taken by the yeas and nays. For the Chair to order a roll call vote it must have the expressed desire of one fifth of the members present and voting. All members desiring a roll call vote will vote yes; those opposed

will vote no. The Chair opens the vote.

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

The SPEAKER: The pending question is on the motion of the gentleman from Bridgewater, Mr. Finemore, that the House further insist and join in a Committee of Conference. All in favor of the motion will vote yes; those opposed will vote no. The Chair opens the vote.

ROLL CALL

YEA — Allen, Bedard, Benson, Bernier, Bragdon, Buckley, Carey, Chandler, Chick, Clark, C. H.; Clark, H. G.; Coffey, Cote, Crosby, Curran, Curtis, Dennett, Donaghy, Durgin, Dyar, Emery, Erickson, Evans, Farnham, Finemore, Foster, Fraser, Good, Hanson, Hardy, Harriman, Haskell, Hawkens, Heselton, Immonen, Jalbert, Johnston, Kelley, K. F.; Kelley, R. P.; Loberge, Lewin, Lewis, Lincoln, MacPhail, Marsteller, Millett, Moreshead, Mosher, Noyes, Page, Pratt, Rand, Richardson, G. A.; Richardson, H. L.; Rideout, Ross, Scott, C. F.; Scott, G. W.; Shaw, Tanguay, Tyndale, Wight, Williams.

NAY — Baker, Barnes, Berman, Binnette, Boudreau, Bourgoin, Brennan, Bunker, Burnham, Carrier, Cottrell, Cox, Crommett, Croteau, Cummings, Cushing, Driogtas, Dudley, Eustis, Fecteau, Fortier, A. J.; Gauthier, Gilbert, Giroux, Hall, Hewes, Hichens, Huber, Hunter, Jameson, Jutras, Kelleher, Keyte, Kilroy, Lawry, Lebel, Lee, LePage, Levesque, Lund, Marquis, Martin, McKinnon, McNally, Meisner, Mills, Mitchell, Morgan, Nadeau, Ouellette, Porter, Quimby, Ricker, Rocheleau, Sheltra, Soulas, Stillings, Susi, Temple, Thompson, Trask, Vincent, Watson, Waxman, Wheeler, White, Wood.

ABSENT — Birt, Brown, Carter, Casey, Corson, Couture, D'Alfonso, Dam, Danton, Faucher, Fortier, M.; Henley, Leibowitz, McTeague, Norris, Payson, Sahagian, Santoro, Snow, Starbird.

Yes, 63; No, 67; Absent, 20.

The SPEAKER: Sixty-three having voted in the affirmative and

sixty-seven in the negative, the motion does not prevail.

The Chair recognizes the gentleman from Van Buren, Mr. Lebel.

Mr. **LEBEL**: Mr. Speaker, I move that we adhere.

The **SPEAKER**: The gentleman from Van Buren, Mr. Lebel moves that the House adhere to its former action.

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

Mr. **FINEMORE**: Mr. Speaker, could I have this tabled until the next legislative day?

The **SPEAKER**: The gentleman from Bridgewater, Mr. Finemore moves that this matter be tabled until the next legislative day pending the motion of the gentleman from Van Buren, Mr. Lebel that the House adhere.

Whereupon, Mr. Lebel of Van Buren requested a vote.

The **SPEAKER**: A vote has been requested on the tabling motion. All members in favor of this matter being tabled will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken. 50 having voted in the affirmative and 75 having voted in the negative, the motion to table did not prevail.

The **SPEAKER**: The pending question is on the motion of the gentleman from Van Buren, Mr. Lebel that the House adhere. Is it the pleasure of the House to adhere?

A viva voce vote being taken, the motion prevailed.

Non-Concurrent Matter

Bill "An Act Revising the Motor Vehicle Dealer Registration Law" (H. P. 1185) (L. D. 1506) which was passed to be engrossed in the House on May 22.

Came from the Senate indefinitely postponed in non-concurrence.

In the House: On motion of Mr. Lebel of Van Buren, the House voted to insist on its former action.

Messages and Documents

The following Communication:
THE SENATE OF MAINE
Augusta

May 27, 1969

Honorable Bertha W. Johnson
Clerk of the House
of Representatives
104th Legislature
Dear Madam Clerk:

The President has appointed the following members of the Senate to the Committee of Conference on the disagreeing action of the two branches of the Legislature on Resolve, Proposing an Amendment to the Constitution to Provide for Temporary Assignments of Justices of the Superior Court to the Supreme Judicial Court. (S. P. 171) (L. D. 545):

Senators:

TANOUS of Penobscot
VIOLETTE of Aroostook
BELIVEAU of Oxford

The President has appointed the following members of the Senate to the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill, An Act Relating to Molesting Game Animals by Snowmobiles. (H. P. 890) (L. D. 1149):

Senators:

BARNES of Aroostook
BERNARD
of Androscoggin
MARTIN of Piscataquis

The President has appointed the following members of the Senate to the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill, An Act Relating to Contracts for Support. (H. P. 863) (L. D. 1105):

Senators:

MILLS of Franklin
QUINN of Penobscot
KELLAM of Cumberland

Respectfully,

(Signed) **JERROLD B. SPEERS**
Secretary of the Senate

The Communication was read and placed on file.

Orders

Tabled and Assigned

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

Mr. **JALBERT**: Mr. Speaker, I move that we reconsider our action of yesterday whereby we insisted and named a Committee of Conference on House Paper 1084, L. D. 1405, Bill "An Act Providing for Androscoggin County Funds for

Child and Family Mental Health Services.”

The SPEAKER: The paper is in the possession of the House and the gentleman from Lewiston, Mr. Jalbert moves that the House reconsider its action of yesterday whereby it voted to insist on its former action and ask for a Committee of Conference.

Whereupon, on motion of Mr. Marquis of Lewiston, tabled pending the motion of Mr. Jalbert of Lewiston to reconsider and specially assigned for tomorrow.

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

Mr. MARTIN: Mr. Speaker, I would ask if the House is in possession of Senate Paper 412, L. D. 1368, Bill “An Act Prohibiting the Expenditure of Public Funds to Promote or Oppose Measures to be Voted on at Elections”?

The SPEAKER: The answer is in the affirmative.

On motion of the same gentleman, the House reconsidered its action on yesterday whereby it passed the Bill to be enacted.

On further motion of the same gentleman, under suspension of the rules, the House reconsidered its action on May 22 whereby the Bill was passed to be engrossed as amended by House Amendment “B”.

On further motion of the same gentleman, under suspension of the rules, the House reconsidered its action on May 22 whereby House Amendment “B” was adopted.

The same gentleman then offered House Amendment “A” to House Amendment “B” and moved its adoption.

House Amendment “A” to House Amendment “B” (H-414) was read by the Clerk and adopted. House Amendment “B” as amended by House Amendment “A” thereto was adopted and the Bill was passed to be engrossed as amended in non-concurrence and sent up for concurrence.

Mr. Scott of Wilton presented the following Joint Order and moved its passage:

ORDERED, the Senate concurring, that the Legislative Research Committee be, and hereby is, directed to study the subject matter of the Bill: “An Act Relating to Non-profit Hospital or Medical Service Organizations”, House Paper No. 808, Legislative Document No. 1047, introduced at the regular session of the 104th Legislature, to determine whether the best interests of the State would be served by the enactment of such legislation; and be it further

ORDERED, that the State Department of Insurance is requested to provide the Committee with technical advice and other needed assistance in this study; and be it further

ORDERED, that the Committee report its findings and recommendations at the next regular or special session of the Legislature. (H. P. 1225)

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

Mr. Scott of Wilton presented the following Joint Order and moved its passage:

ORDERED, the Senate concurring that the Legislative Research Committee be, and hereby is, directed to study the subject matter of the Bill: “An Act to Provide for Taxation and Regulation of the Associated Hospital Service of Maine”, House Paper No. 885, Legislative Document No. 1144 introduced at the regular session of the 104th Legislature, to determine whether the best interests of the State would be served by the enactment of such legislation; and be it further

ORDERED, that the State Bureau of Taxation and Department of Insurance are requested to provide the Committee with information, technical advice and such other needed assistance as they deem necessary to carry out the purposes of this Order; and be it further

ORDERED, that the Committee report its findings and recommendations at the next regular or special session of the Legislature. (H. P. 1226)

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

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

Mr. BIRT: Mr. Speaker, I would ask if the House is in possession of Senate Paper 364, L. D. 1246, Resolve to Appropriate Funds for the Construction of an International Ferry Terminal at Portland, Maine?

The SPEAKER: The answer is in the affirmative.

On motion of the same gentleman, the House reconsidered its action of yesterday whereby the Leave to Withdraw Report was accepted in concurrence.

Whereupon, on motion of Mr. Tyndale of Kennebunkport, tabled pending the acceptance of the Report in concurrence and specially assigned for tomorrow.

Mr. Martin of Eagle Lake was granted unanimous consent to address the House.

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: I am sure some of you may have noted in yesterday's Bangor Daily the article which appeared on one of the pages, indicating the passing of a former member of this House who actually occupied the seat and served for the community which I now represent. This of course was the former Michael C. Burns who died at Eagle Lake at the age of 94.

He served in Augusta from 1919 to 1934 for eight consecutive terms and during that time he occupied one of the seats in the front of the House and was always well respected among his legislator friends. After he left the legislature he continued to be active in community and municipal affairs. He served on the board of the local hospital, he served as a member of the Town Council, the School Board, he served as Town Treasurer, and during all his life and I can still remember the last couple of years his asking me what we were doing in Augusta and his youthful remark was, "I assume things haven't changed too much since I left."

He was a member of the Catholic Order of Foresters for a total of 75 years out of his 94, and I

think it is indeed appropriate for us to note his passing because he was such an important member of this House and I might point out that he was one of the few Democrats to serve in the Maine House of Representatives from 1919 to 1934.

House Reports of Committees Leave to Withdraw Covered by Other Legislation

Mr. Dennett from the Committee on State Government on Bill "An Act Creating a Second Assistant County Attorney for the County of York" (H. P. 302) (L. D. 378) reported Leave to Withdraw, as covered by other legislation.

Same gentleman from same Committee reported same on Bill "An Act to Provide for a Second Assistant County Attorney for Kennebec County" (H. P. 1018) (L. D. 1326)

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass Tabled and Assigned

Mr. Rideout from the Committee on State Government reported "Ought not to pass" on Bill "An Act to Clarify the State Museum Law" (H. P. 296) (L. D. 372)

Report was read.

(On motion of Mr. Birt of East Millinocket, tabled pending acceptance of Report and specially assigned for tomorrow.)

Ought to Pass in New Draft New Drafts Printed Tabled and Assigned

Mr. Chandler from the Committee on Liquor Control on Bill "An Act relating to Services of Private Clubs under Liquor Laws" (H. P. 1004) (L. D. 1306) reported same in a new draft (H. P. 1223) (L. D. 1555) under title of "An Act relating to Services of Premises Not Licensed under the Liquor Laws" and that it "Ought to pass"

Report was read.

(On motion of Mr. Martin of Eagle Lake, tabled pending acceptance of Report and specially assigned for tomorrow.)

Tabled and Assigned

Mr. Stillings from the Committee on Liquor Control on Bill "An Act to Revise the Liquor Laws" (H. P. 773) (L. D. 1006) reported same in a new draft (H. P. 1224) (L. D. 1556) under same title and that it "Ought to pass"

Report was read.

(On motion of Mr. Hichens of Eliot, tabled pending acceptance of Report and specially assigned for tomorrow.)

**Ought to Pass with
Committee Amendment
Tabled and Assigned**

Mr. Scott of Wilton from the Committee on Business Legislation on Bill "An Act relating to Contracts of Loans under Small Loan Agency Law" (H. P. 622) (L. D. 810) reported "Ought to pass" as amended by Committee Amendment "A" (H-406) submitted therewith.

Report was read.

(On motion of Mr. Scott of Wilton, tabled pending acceptance of Report and specially assigned for tomorrow.)

Mr. Cote from the Committee on Legal Affairs on Bill "An Act to Amend the Charter of the City of Saco" (H. P. 695) (L. D. 895) reported "Ought to pass" as amended by Committee Amendment "A" (H-407) submitted therewith.

Mr. Cushing from same Committee on Bill "An Act Revising the Charter of the City of Biddeford" (H. P. 996) (L. D. 1298) reported "Ought to pass" as amended by Committee Amendment "A" (H-411) submitted therewith.

Mrs. Wheeler from same Committee on Bill "An Act Providing for a Council-Manager Charter for the Town of Scarborough" (H. P. 736) (L. D. 954) reported "Ought to pass" as amended by Committee Amendment "A" (H-408) submitted therewith.

Mr. Hanson from the Committee on Towns and Counties on Bill "An Act to Authorize Lincoln County to Raise Money for Court House Capital Improvements" (H. P. 750) (L. D. 968) reported "Ought to pass" as amended by

Committee Amendment "A" (H-412) submitted therewith.

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

Divided Report

Majority Report of the Committee on Legal Affairs on Bill "An Act Revising the General Laws Governing the Town Manager Form of Government" (H. P. 900) (L. D. 1161) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. TANOUS of Penobscot
CONLEY of Cumberland
KELLAM of Cumberland
— of the Senate.

Mr. COX of Bangor
Mrs. WHEELER of Portland
Messrs. CUSHING of Bucksport
SHAW of Chelsea

Mrs. BAKER of Orrington
Mr. NORRIS of Brewer
— of the House.

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

Report was signed by the following member:

Mr. COTE of Lewiston
— of the House.

Reports were read.

On motion of Mrs. Baker of Orrington, the Majority "Ought to pass" Report was accepted.

The Bill was given its two several readings.

Committee Amendment "A" (H-409) was read by the Clerk and adopted and the Bill assigned for third reading tomorrow.

Divided Report

Majority Report of the Committee on State Government reporting "Ought not to pass" on Resolve Proposing an Amendment to the Constitution to Abolish the Council and Make Changes in the Matter of gubernatorial Appointments and Their Confirmation (H. P. 447) (L. D. 571)

Report was signed by the following members:

Messrs. WYMAN of Washington
 LETOURNEAU of York
 — of the Senate.
 Messrs. DONAGHY of Lubec
 DENNETT of Kittery
 MARSTALLER
 of Freeport
 RIDEOUT of Manchester
 — of the House.

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

Report was signed by the following members:

Mr. BELIVEAU of Oxford
 — of the Senate.
 Miss WATSON of Bath
 Messrs. D'ALFONSO of Portland
 STARBIRD
 of Kingman Township
 — of the House.

Reports were read.

On motion of Mr. Dennett of Kittery, the Majority "Ought not to pass" Report was accepted and sent up for concurrence.

Divided Report

Majority Report of the Committee on State Government reporting "Ought not to pass" on Bill "An Act relating to State Historian" (H. P. 710) (L. D. 924) which was recommitted.

Report was signed by the following members:

Messrs. LETOURNEAU of York
 BELIVEAU of Oxford
 — of the Senate.
 Messrs. DONAGHY of Lubec
 D'ALFONSO of Portland
 MARSTALLER
 of Freeport
 Miss WATSON of Bath
 Mr. RIDEOUT of Manchester
 — of the House.

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

Report was signed by the following members:

Mr. WYMAN of Washington
 — of the Senate.
 Messrs. STARBIRD
 of Kingman Township
 DENNETT of Kittery
 — of the House.

Reports were read.

On motion of Mr. Rideout of Manchester, the Majority "Ought not to pass" Report was accepted and sent up for concurrence.

Divided Report

Report "A" of the Committee on Legal Affairs on Bill "An Act Authorizing Municipalities to Voluntarily Consolidate" (H. P. 1068) (L. D. 1397) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. CONLEY of Cumberland
 KELLAM of Cumberland
 TANOUS of Penobscot
 — of the Senate.
 Mr. NORRIS of Brewer
 Mrs. BAKER of Orrington
 — of the House.

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

Report was signed by the following members:

Messrs. COX of Bangor
 COTE of Lewiston
 CUSHING of Bucksport
 Mrs. WHEELER of Portland
 Mr. SHAW of Chelsea
 — of the House.

Reports were read.

On motion of Mrs. Baker of Orrington, Report "A" "Ought to pass" was accepted.

Committee Amendment "A" (H-410) was read by the Clerk and adopted and the Bill assigned for third reading tomorrow.

Passed to Be Engrossed

Bill "An Act Appropriating Funds to Establish Renal Dialysis Centers" (S. P. 292) (L. D. 972)

Bill "An Act relating to Juvenile Offenses" (S. P. 404) (L. D. 1357)

Bill "An Act to Correct Errors and Inconsistencies in the Fish and Game Laws" (S. P. 464) (L. D. 1543)

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

Third Reader Amended

Bill "An Act to Provide a Uniform Fiscal Year for Municipalities" (H. P. 98) (L. D. 106)

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

Mr. Williams of Hodgdon offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-413) was read by the Clerk and adopted and the Bill was passed to be engrossed as amended in non-concurrence and sent up for concurrence.

Bill "An Act relating to Excise Tax on Motor Vehicles" (H. P. 841) (L. D. 1079)

Resolve to Reimburse Clyde Rollins of Rumford for Damage by Highway Construction (S. P. 132) (L. D. 416)

Resolve Proposing an Amendment to the Constitution to Provide for Direct Initiative to Amend the Constitution (S. P. 239) (L. D. 714)

Resolve in Favor of Matinicus Isle Plantation (H. P. 1213) (L. D. 1545)

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

Amended Bills

Bill "An Act to Conform the Statutes to the Rules of Civil Procedure" (S. P. 168) (L. D. 542)

Bill "An Act to Authorize Bond Issues in the Amount of \$50,000,000 to Provide Funds for School Building Construction" (H. P. 158) (L. D. 197)

Bill "An Act to Permit the Payment of School Construction Aid Upon the Completion of a Project" (H. P. 376) (L. D. 485)

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

Third Reader

Tabled and Assigned

Bill "An Act Regulating Snowmobiles" (S. P. 455) (L. D. 1501)

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

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

Mr. CROMMETT: Mr. Speaker, I wish some member would table this for one day, there are amendments being drawn up for this.

Whereupon, on motion of Mr. Dudley of Enfield, tabled pending passage to be engrossed and specially assigned for tomorrow.

Passed to Be Enacted Emergency Measure

An Act Amending the Municipal, Industrial and Recreational Obligations Act (H. P. 599) (L. D. 780)

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. 114 voted in favor of same and 2 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Authorize the Town of Swan's Island to Form a School Administrative District (H. P. 1082) (L. D. 1403)

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. 119 voted in favor of same and 3 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Bond Issue

An Act Providing a Bond Issue in the Amount of One Hundred Thousand Dollars for Docking Facilities for Passengers and Freight at Matinicus Island (S. P. 374) (L. D. 1284)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. In accordance with the provisions of Section 14 of Article IX of the Constitution a two-third vote of the House being necessary, a total was taken. 108 voted in favor of same and 13 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 Increasing Salaries and Duties of Liquor Commissioners

Other than the Chairman (S. P. 151) (L. D. 432)

An Act Revising the Laws Relating to the Law Court (S. P. 170) (L. D. 544)

An Act to Prohibit Possession of Machine Guns (S. P. 298) (L. D. 991)

An Act Licensing Administrators of Medical Care Facilities other than Hospitals (S. P. 311) (L. D. 1026)

An Act relating to Liability of Landowners to Operators of Snow Traveling Vehicles (H. P. 285) (L. D. 361)

An Act relating to Trial and Ratio Evidence in Appeals for Abatement of Property Taxes (H. P. 449) (L. D. 572)

An Act Revising Certain Probate Laws (H. P. 522) (L. D. 693)

An Act relating to Admission to the Pineland Hospital and Training Center (H. P. 550) (L. D. 729)

An Act Revising the Short Form Deeds Act (H. P. 556) (L. D. 737)

An Act Appropriating Funds for the Operation of the Maine Mining Commission (H. P. 882) (L. D. 1141)

An Act relating to the Men's and Women's Correctional Centers (H. P. 934) (L. D. 1195)

An Act Regarding the Membership of School Committees and Boards of School Directors (H. P. 981) (L. D. 1265)

An Act relating to Boilers and Unfired Steam Pressure Vessels (H. P. 1100) (L. D. 1417)

An Act to Make Allocations from Bond Issue for Construction and Equipment of Pollution Abatement Facilities (H. P. 1187) (L. D. 1511)

An Act to Exempt Unremarried Widows of Certain Paraplegic Veterans from Property Taxation (H. P. 1206) (L. D. 1533)

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.

Enactor

Tabled and Assigned

Resolve Authorizing the Estate of David L. Hilton, Formerly of Wells, Maine, to Sue the State of Maine (S. P. 209) (L. D. 618)

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

(On motion of Mr. Berman of Houlton, tabled pending final passage and specially assigned for tomorrow.)

Finally Passed

Resolve Changing Name of Louse Island, Penobscot County, to Thoreau Island (S. P. 457) (L. D. 1503)

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

The SPEAKER: The Chair recognizes the gentleman from Cumberland, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker and Members of the House: Since I am anxious to avoid driving a breach between the harmonious relations existing between the members of the Republican leadership I am going to speak on this bill in my individual capacity. I think it is appropriate that we note today the passing of a unique island from a name that I think signifies a great deal for a courageous citizen into an area where we are giving one more island a name that we feel is perhaps more acceptable. We today malign the lowly louse who has had an honored place in history and when we take this action I know that we will be carrying out one of the principal legislative objectives of the sponsor and will make him very happy.

The SPEAKER: The Chair recognizes the gentleman from Manchester, Mr. Rideout.

Mr. RIDEOUT: Mr. Speaker and Members of the House: Earlier this session there was a bill before the State Government Committee sponsored by the good lady from Bethel, Mrs. Lincoln and it did provide that the name of Mud Pond be changed to Twilight Lake. Now I felt it should be amended to change the name of Mud Pond to Mud Lake; however, because of the sponsor I let that one go. Then we had a bill to establish a State rock and I really wanted to amend that to establish the State bug, but we had a split committee report, 5 to 5, five for the black fly and five for the no-see-ums.

Now in this bill I wanted to amend this to change the name of Louse Island to Pediculus Island.

Now *Pediculus* is a type of genus of common lice, any louse of the genus *Pediculus*. Now it has a certain all American ring to it and because the good Senate President is sponsor of this I let that one go too and I am kind of sorry about it.

The SPEAKER: The Chair recognizes the gentlewoman from Newport, Mrs. Cummings.

Mrs. CUMMINGS: Mr. Speaker and Members of the House: I think the times have changed and I am not sure that I think it is good. In 1957 Independence Island changed its name to Cabbage Island, which I think has perhaps a little more flavor. In 1959 they changed from Appalachian Mountain Range in Maine was named Longfellow Mountain, which is all right but it doesn't sound quite as mountainous. In 1967 Mud Pond in Old Town was changed to Perch Pond, Muddy River Pond was changed to Sebago Cove, Long Pond was changed to Beaver Mountain Lake, which doesn't seem to make much difference. Then in 1965 Muddy Pond in Damariscotta was changed to Paradise Pond. It seems that the anti-pollutionists have really made a Paradise of Muddy Pond and filled in another mud hole with Perch and turned a Muddy River into alluring Sebago Cove! Having cleaned up the waters of the State the campaign now moves ashore, the target being Louse Island. I think perhaps I could shed more crocodile tears for that much neglected body of water—the .22 square miles in size that is officially named No Name Pond.

The SPEAKER: The Chair recognizes the gentleman from Southwest Harbor, Mr. Benson.

Mr. BENSON: Mr. Speaker and Members of the House: On behalf of the International Association for the Preservation of the Louse I would merely report to you a deep concern that they have for the future of the summer colony in Maine for the louse. They have had a convention, it was a rather turbulent convention and they have arrived at a decision; it is a very reluctant decision, but they are willing now to allow this island to be renamed with one reservation however, that they

continue to be allowed to use it.

The SPEAKER: The Chair recognizes the gentleman from Houlton, Mr. Berman.

Mr. BERMAN: Mr. Speaker, Members of the House: Some of us have been a little busy this session down in the Judiciary Committee so we haven't had an opportunity to give some of these matters the consideration that perhaps we might have given them had we not been so occupied, but I would like to pose a question through the Chair to the gentleman from Cumberland or anyone else who may know the answer. How did this island get its name in the first place?

The SPEAKER: The Chair recognizes the gentleman from Manchester, Mr. Rideout.

Mr. RIDEOUT: Mr. Speaker, I think I can answer that. It used to be two islands and they called them Lice Island. (Laughter)

The SPEAKER: The Chair could stand corrected but it understood the gentleman from Houlton, Mr. Berman moving that this be returned to the Committee on Judiciary.

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

Mr. FINEMORE: Mr. Speaker, Ladies and Gentleman of the House: I can tell you how to get rid of this island, the same as the old woodsman used to get rid of the lice in the woods. They used to take their shirt off in the morning and lay it in the sun. The sun moved around in the afternoon and the lice floated around and they got up and stole their shirts and so you better get rid of this island in the same way.

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

Mr. PORTER: Mr. Speaker and Members of the House: I am very much disturbed by this hilarity this morning. I find myself in a minority group here. I object seriously to changing the name of this island. I have fished around it a good many times and have caught a good many fish. I fished there last Saturday and Sunday and told you yesterday about seeing that sign on the island and I am here

to report that the fishing was lousy.

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

Mr. CROMMETT: Mr. Speaker, Ladies and Gentlemen of the House: I did not intend to speak on this. But perhaps with the exception of the gentleman from Lincoln, Mr. Porter, so many people that have been talking about Louse Island I really don't know whether they know what they are talking about. I do. I have picked blueberries on that island.

To the question posed by the gentleman from Houlton, Mr. Berman, where it got its name. It is where the lumbermen went ashore not to merely get rid of the lice but they scraped them off from their clothing and finally the lice became so numerous, before my time, they ate the blueberries, but fortunately the island was sprayed with DDT and it eliminated the lice, so now in my time they came back and the blueberries are very good. And I will agree with the gentleman from Lincoln, Mr. Porter, that this changing of the name should not be so and in fact I move the indefinite postponement of this bill.

The SPEAKER: The gentleman from Millinocket, Mr. Crommett, now moves the indefinite postponement of item twenty, L. D. 1503.

Whereupon, Mr. Rideout of Manchester requested a roll call.

The SPEAKER: The yeas and nays have been requested. For the Chair to order a roll call vote it must have the expressed desire of one fifth of the members present and voting.

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

Mr. LEVESQUE: Mr. Speaker, would I be in order to ask the House to briefly recess to have joint caucuses on this matter?

The SPEAKER: The gentleman is not in order.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I thought it would be appropriate since I come from Penobscot and live near this place that I say a few kind

words in favor of the name that is there. Let me begin by telling you the town in which I live they changed the name on it some 150 years ago. It was Montague and now it is Enfield, but the oldtimers all around still call it Montague. Regardless of what we do here this morning this island is always going to be called Louse Island in my area and I have been there too for several purposes. I would just as soon see it—I have even dug bait there.

But let me tell you, regardless of what we do here this morning I would just soon see it stay Louse Island and I am sure the oldtimers in that area will always call it Louse Island regardless of what we do here this morning.

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

Mr. FARNHAM: Mr. Speaker and Members of the House: I wonder if the gentleman from Millinocket, Mr. Crommett would withdraw his motion because this Louse Island is in Grand Lake Mattagamon Lake, not Millimagassett.

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

Mr. BINNETTE: Mr. Speaker and Members of the House: After hearing a lot of this conversation here and being from Penobscot County I would like to get more acquainted with it. I would like to have some kind soul table that for another day.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Millinocket, Mr. Crommett that item twenty—

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

Mr. LEVESQUE: Mr. Speaker, may I approach the rostrum please?

The SPEAKER: The gentleman may do so.

(Conference at rostrum)

The SPEAKER: The House will come to order. A roll call has been ordered. All in favor of indefinite postponement of Senate Paper 457, L. D. 1503, Resolve Changing Name of Louse Island, Penobscot County, to Thoreau Island, will vote yes; those opposed will vote no. The Chair opens the vote.

ROLL CALL

YEA — Allen, Bedard, Bernier, Binnette, Birt, Bragdon, Brennan, Buckley, Carrier, Carter, Chick, Clark, H. G.; Corson, Couture, Cox, Crommett, Croteau, Curran, Dennett, Drigotas, Dudley, Dyar, Eustis, Fortier, A. J.; Fraser, Gilbert, Hall, Hanson, Harriman, Hawkens, Henley, Hichens, Jalbert, Jutras, Kelleher, Kelley, R. P.; Keyte, Laberge, Lawry, Lewin, Lund, Marstaller, Martin, McKinnon, McNally, McTeague, Millett, Mitchell, Morgan, Mosher, Nadeau, Page, Quimby, Ricker, Rocheleau, Santoro, Snow, Starbird, Susi, Temple, Trask, Wight, Wood.

NAY—Barnes, Benson, Berman, Boudreau, Bourgoin, Bunker, Carey, Chandler, Clark, C. H.; Coffey, Cote, Cottrell, Crosby, Cummings, Curtis, Cushing, Durgin, Emery, Evans, Farnham, Faucher, Fecteau, Finemore, Gauthier, Giroux, Good, Hardy, Haskell, Heselton, Hewes, Hunter, Jameson, Johnston, Kelley, K. F.; Kilroy, Lebel, Lee, LePage, Levesque, Lewis, Lincoln, MacPhail, Marquis, Meisner, Mills, Morehead, Norris, Noyes, Ouellette, Payson, Porter, Pratt, Rand, Richardson, G. A.; Richardson, H. L.; Rideout, Scott, C. F.; Scott, G. W.; Shaw, Sheltra, Stillings, Tanguay, Thompson, Tyndale, Vincent, Watson, Waxman, Wheeler, Williams.

ABSENT—Baker, Brown, Burnham, Casey, D'Alfonso, Dam, Danton, Donaghy, Erickson, Fortier, M.; Foster, Huber, Immonen, Leibowitz, Ross, Sahagian, Soulas, White.

Yes. 63; No, 69; Absent, 18.

The SPEAKER: Sixty-three having voted in the affirmative and sixty-nine in the negative, the motion does not prevail.

Thereupon, the Resolve was finally passed, signed by the Speaker and sent to the Senate.

Resolve to Reimburse William E. Hodgdon of Embden for Well Damage by Highway Maintenance (H. P. 263) (L. D. 339)

Resolve to Reimburse Tilton Davis of Solon for Damage by Highway Construction (H. P. 264) (L. D. 340)

Resolve to Reimburse Irving M. Greenleaf of Rome for Well Damage by Highway Maintenance (H. P. 596) (L. D. 777)

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

Orders of the Day

The Chair laid before the House the first item of Unfinished Business:

Bill "An Act Transferring Arson Investigation Authority from Insurance Department to the Department of the Attorney General" (H. P. 1190) (L. D. 1509)

Tabled—May 23, by Mr. MacPhail of Owls Head.

Pending — Passage to be engrossed.

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

Mr. TEMPLE: Mr. Speaker, Ladies and Gentlemen of the House: This morning I hope that you will be in a more serious mood than we were on the last piece of legislation and give this piece of legislation some very serious thought. This bill before you this morning is one of the most lobbied bills that I have seen before the Legislature this session. It has been lobbied by a special group; that special group is the insurance group.

There is much more to this piece of legislation than meets the eye. There are many unanswered questions. Some of these are expansion of departments, cost and monies from the General Fund, and so forth.

I would like to read to you at this time a piece from the State Fire Marshal's report about fire marshals on duty. During the past several months the Executive Office of the Fire Marshals' Association of North America has conducted a survey of the activities of state and the following report is based on the part of the survey concerned with State Fire Marshals:

"State Fire Marshals Organization. There are 44 states with State Fire Marshals. In the six states without Fire Marshals Arizona, Colorado, Idaho, Missouri, New Jersey and New York, the fire protection responsibilities for the state may be scattered throughout many agencies of the state government. The offices of fire marshals are organized in many different ways, partly for reasons of precedence, partly for convenience and partly for economy. In 11 states the fire marshal's office is a separate governmental entity. In 7 states it is part of the Department of Public Safety and in 16 states it is a division of the Insurance Department.

"In many states the Insurance Commissioner serves as an ex officio Fire Marshal. In 5 states the Fire Marshal is the head of a division of the State Police. 2 states have the office as a division of the Attorney General." I will repeat this again, only two states. "One state has the office as a division of the State Treasury, another state as a division of the Department of Commerce and another state as a division of the Department of Regulatory Agencies."

We all know that in the State of Maine our towns and cities are creatures of our State. We also know that our fire departments, our fire chiefs and our fire fighters also are part of our state government. The fire chiefs at this time are very concerned about this piece of legislation. They have tried to come up with something to go along with it but today they still feel that this legislation is not proper.

I hope this Legislature will consider the fire chiefs and the fire

fighters of the State of Maine. These are the boys that lay their lives on the line when it comes to an arson case. It is not the insurance representatives. And I hope that you will go along with me when I make the motion for indefinite postponement and ask for a division.

The SPEAKER: The Chair recognizes the gentleman from Manchester, Mr. Rideout.

Mr. RIDEOUT: Mr. Speaker and Ladies and Gentlemen of the House: I have complete confidence in our Attorney General and also in our Insurance Commissioner, Mr. Hogerty. They both agree that this is a proper bill and a proper approach to the problem of arson investigation. With this confidence and faith I would ask you to support them and vote against the indefinite postponement motion.

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

Mr. SCOTT: Mr. Speaker, Ladies and Gentlemen of the House: I am sorry that we have to debate this once more. L. D. 1509 was the considered recommendation of the Insurance Commissioner, Frank M. Hogerty, the man who is now presently charged with the responsibility of arson investigation. Contrary to the lobbying of the people against this, no present employees will lose their jobs—none, that goes for the Fire Prevention Department. No employees of the Prevention Department will lose their investigative duties or ability or responsibility. No employees will be transferred from one department to the other. This does not increase the men in the Prevention Department, which incidentally if it did would have no price tag because the Prevention Department is wholly supported from dedicated funds paid for by the fire insurance companies.

The only thing this bill does would give these men of the Prevention Department, who I admit are hard working men, the legal advice and coordination which they so richly deserve when arson is suspected, right from the start and not when it is too late. Presently the law gives the Crime Division

of the Attorney General's department the authority over and power to coordinate homicide cases resulting from arson. All that this bill does is bring the same authority on all arson cases.

The statement was made that this was the biggest lobbying that had ever been done. Well I must submit to you that if it is, it is wholly on the part of the eight men of the Prevention Department who misunderstood this bill from the beginning. I feel if many of the fire chiefs really understood this bill they would withdraw their objection, and I hope when the vote is taken that you will vote against the motion of my friend from Portland, Mr. Temple.

The SPEAKER: Is the House ready for the question? The pending question is on the motion of the gentleman from Portland, Mr. Temple, that L. D. 1509 be indefinitely postponed. If you are in favor of the indefinite postponement motion you will vote yes; if you are opposed you will vote no. The Chair opens the vote.

A vote of the House was taken.

43 having voted in the affirmative and 73 in the negative, the motion did not prevail.

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

The Chair laid before the House the second item of Unfinished Business:

HOUSE REPORT—"Ought not to pass"—Committee on Judiciary on Bill "An Act to Give the Attorney General Authority to Require Certain Telephone Records" (H. P. 386) (L. D. 496)

Tabled—May 23, by Mrs. Payson of Falmouth.

Pending—Acceptance.

On motion of Mrs. Payson of Falmouth, retabled pending acceptance of Report and specially assigned for tomorrow.

The Chair laid before the House the third item of Unfinished Business:

HOUSE REPORT — "Ought not to pass" — Committee on Legal Affairs on Bill "An Act relating to Bids for Contractual Services under

the Auburn City Charter" (H. P. 963) (L. D. 1243)

Tabled — May 23, by Mr. Mills of Eastport.

Pending — Acceptance.

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

Mr. EMERY: Mr. Speaker and Ladies and Gentlemen of the House: I move that we substitute the Bill for the Report and I wish to speak to my motion.

The SPEAKER: The gentleman from Auburn, Mr. Emery moves that the House substitute the Bill for the Report. The gentleman may proceed.

Mr. EMERY: L. D. 1243 is a bill that is intended to return to the elected councilmen of the City of Auburn the powers to confirm bids for contracts and for equipment. This right was eliminated from the City Charter that was granted by the 103rd Legislature.

I place this question before the honorable members of the House: How would you like it if your elected members of your town or city council did not have, I repeat, did not have a veto or confirming vote on the bids for many thousands of dollars' worth of equipment or contracts each year? I presume there is a question as to where this power lies today. In my city it rests in the City Manager's office and leaves the present or any future elected city council at the mercy of any future city manager who may not be as reputable as the present Auburn City Manager.

The existing situation would be corrected if this bill receives favorable passage. This L.D. is designed to correct inadequacies at our city level only, and returns to the elected representatives in our City Council the just rights that they should have as responsible governing powers.

I move the favorable passage of the motion.

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

Mrs. BAKER: Mr. Speaker, I would ask for a division.

The SPEAKER: A vote has been requested on the motion of Mr.

Emery of Auburn to substitute the Bill for the Report. All in favor of substituting the Bill for the Report will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken, 71 having voted in the affirmative and 35 having voted in the negative, the motion did prevail.

Thereupon, the Bill was given its two several readings and tomorrow assigned.

The Chair laid before the House the fourth item of Unfinished Business:

HOUSE REPORT — Committee on Business Legislation on Bill "An Act relating to Nonprofit Hospital or Medical Service Organizations" (H. P. 808) (L. D. 1047) reported that it be referred to the next legislature.

Tabled — May 23, by Mr. Levesque of Madawaska.

Pending — Acceptance.

The **SPEAKER**: The Chair recognizes the gentleman from Southwest Harbor, Mr. Benson.

Mr. **BENSON**: Mr. Speaker, I move that we substitute the Bill for the Report.

The **SPEAKER**: The gentleman from Southwest Harbor, Mr. Benson moves that the House substitute the Bill for the Report. The gentleman may proceed.

Mr. **BENSON**: Mr. Speaker and Members of the House: The Blue Cross-Blue Shield movement started in the State of Maine in 1939. For thirty years, Associated Hospital Service of Maine has served the people of Maine in bringing Blue Cross-Blue Shield plans to them. The last thirty years have seen tremendous changes in the quality and type of health care. Our hospitals have become more complex, medical costs have risen sharply and indeed the ideas of medical care have changed radically. The growing public concern over the rapidly rising cost of hospitalization has led to a re-evaluation of the type of institutions necessary for health care. This has been recognized by the planners in the health care field, by the Federal Government through its Medicare program and by the lay-

men interested in the problems of health care who serve on hospital boards and various charitable agencies.

Increasingly the public has become aware that more and more health care can be given in nursing homes, in doctors' offices and even in the patient's own home. These steps create a dramatic decrease in the cost of health care, since the hospital itself represents the most expensive facility for treatment. Blue Cross-Blue Shield is attempting to change with the times, to remain flexible enough to be able to give the people of Maine the health care protection which they desire. This was the purpose of this bill. The commercial insurance industry is well aware of the fact that if Blue Cross-Blue Shield cannot supply the protection the people need, then they must buy it from the insurance carriers. For this reason they want to restrict Blue Cross-Blue Shield to the powers they had in 1939, to deprive them of the ability to change with the times, and incidentally, to deprive the people of the State of Maine of the protection they desire. On April 30, 1969, the Business Legislation Committee heard testimony concerning the public need for the expansion of the powers of Blue Cross-Blue Shield. Dr. Niles Perkins, representing the State Department of Health and Welfare, emphasized the need for Blue Cross-Blue Shield to be able to provide protection for comprehensive health care.

Sister Ann Cohan, Director of the Mercy Hospital in Portland, told of the recent work of the Mercy Hospital in developing home care and how people needed Blue Cross coverage for this type of service.

Allen Bridges, Director of the Health Facilities Planning Council, pointed out to the Committee the changes in health care over the last few years and the urgency to have these changes implemented by being able to provide to the people of Maine this type of protection.

Robert Jordan of the firm of Jordan & Jordan, the firm that

does most of the accounting work for hospitals for the State of Maine, pointed out to the Committee the well-known economic fact that the average person will seek treatment where he has protection through either commercial insurance or Blue Cross benefits. If the 400,000 people in the State of Maine who are protected by Blue Cross have only in-hospital benefits, they will tend to go to the hospital for their treatment, rather than go to the less expensive institutions which may be medically proper for them. Mr. Jordan stressed the urgency of the passage of this bill as a step toward halting the sky-rocketing costs of health care.

Mark Shibles, representing the Maine Teachers Association and spokesman for a large group enjoying Blue Cross protection, pointed out the need for more comprehensive coverage by Blue Cross to satisfy the needs of the consumer.

There were a number of others who came before the Committee, including Edward Sweet, Associate Director of the Maine Medical Center and he pointed out that utilization studies have been made and indicate that up to 30% of hospital patients do not need acute medical care and whose needs could be adequately cared for in a less expensive facility.

All the various segments of the health field declared the urgency of the problem. Blue Cross-Blue Shield is devoted to providing better protection against the expense of health care. It stands ready to attack the problem immediately if allowed to do so through this legislation. To delay the resolution of the problem for two more years would be unfair to the people of Maine who are being caught by the rapidly increasing cost of health care.

Ladies and gentlemen, I ask you to support this bill by substituting the Bill for the Report and allow this bill to be properly considered. If in the final analysis you feel that there is merit in the contents of this bill it will finally be passed; if your consideration is otherwise, it will not, but for the moment I ask

your support of the motion to substitute the Bill for the Report.

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

Mr. SCOTT: Mr. Speaker and Members of the House: I must oppose the motion to substitute the Bill for the Report by the gentleman from Southwest Harbor, Mr. Benson. I feel that it is my duty as House Chairman of Business Legislation to convey to you the feelings of my Committee on this issue as nearly as possible.

There are two bills on this subject which are interrelated. The one before us at the moment is L. D. 1047 sponsored by that fine gentleman from Southwest Harbor, Mr. Benson, and expands the powers of Blue Cross to write extended care, dental coverage and so forth. If there is any question of conflict of interest here I might add that the gentleman from Southwest Harbor, Mr. Benson is a life insurance agent and he sells health care insurance directly in conflict to the Blue Cross.

The second bill is the next item on the calendar L. D. 1144, sponsored by the gentleman from Brewer, Mr. Norris. This deals with hospital discounts for regular insurers the same as Blue Cross and will require the payment of premium taxes by Blue Cross.

You can see by now that this legislation is sort of a family squabble. The hearing on these two bills was quite emotional and confusing to say the least. There are violently opposing views on this subject of Blue Cross versus the free enterprise or regular insurance.

After the hearing, all of the testimony from the proponents and opponents, it was obvious to the Committee that a special study should be made to give both sides the opportunity to present their views in public hearing with the good possibility of arriving at an agreeable solution. My Committee did not have the time to do this and this is the reason we referred the matter to the next legislature.

I have already presented Orders for this study which directs Legislative Research to report their

findings to the next special or regular session.

The real issue here, as I understand it, is one of taxation. Are we going to expand the authority of Blue Cross to write extended health care in the State of Maine without paying premium taxes to the State the same as any other insurance company?

You have all been lobbied over the weekend by the doctors and hospitals. They really know how to put on the pressure. I am sure you are aware of this. However, I think we should be honest with everyone concerned, research the entire subject and then act responsibly.

I don't want to take up much of the time but I feel that I should mention the advertising that you have seen in the newspapers by Blue Cross, which states that commercial insurance companies are attempting to deprive them of the right to offer extended coverage at this time. I recall the testimony at the hearing to the effect that Blue Cross had organized a company known as Blue Alliance Mutual which could write this coverage, the only drawback, of course, they would be under regulation of the Insurance Department and required to maintain reserves and pay premium taxes.

You all received this little piece of literature that is so simple anyone can understand it, with a small Bandaid showing their present coverage, then the large Bandaid shows the coverage which they would like to write, which I must submit I noticed was full of holes. Very conspicuous by the absence, there was no mention made of the Blue Alliance Mutual which could write this same coverage that they want to write.

Ladies and gentlemen, I hope you will oppose the gentleman to substitute the Bill for the Report.

The SPEAKER: The Chair recognizes the gentleman from Manchester, Mr. Rideout.

Mr. RIDEOUT: Mr. Speaker, I rise in support of Mr. Benson. This legislation seeks to allow the Blue Cross-Blue Shield movement to answer the obvious needs of the people of Maine. All persons con-

nected with health care recognize the need and have repeatedly urged that Blue Cross-Blue Shield be allowed to help solve it.

The only recognizable objection appears to come from the commercial insurance personnel themselves who sell accident and health insurance to the public of Maine. Undoubtedly they have a direct financial interest in preventing Blue Cross-Blue Shield for answering the needs of the people of Maine. They say that commercial insurance can solve the problem; that Blue Cross-Blue Shield does not need to help out. The cold facts are that the problem exists, it is getting rapidly worse and the insurance companies which say they can solve this problem have not solved it.

The testimony before the Business Legislation Committee on April 30 made this very clear. The problem is not being solved by the indemnity insurance. Now is the time to let Blue Cross-Blue Shield tackle the problem and see if they can solve it. The health needs of the State of Maine are more important to this Legislature than any competitive battle between Blue Cross-Blue Shield and the insurance companies. The people of Maine should be entitled to their own free choice of the type of protection they want against the increasing costs of health care. Those who wish to buy an indemnity contract from the insurance companies, which puts cash directly in the pockets of the insured when a member of the family needs health care, should be allowed to buy it. Equally those persons who prefer through a prepayment plan to have health care benefits guaranteed to them in the event of illness should equally be allowed to buy that protection.

The issue here is not whether or not Blue Cross-Blue Shield is like an insurance company. The issue is whether or not the people of Maine should have the freedom of choice which the health care industry demands that they should have. Blue Cross-Blue Shield presently extends some form of coverage to some 400,000 people in this state. They should not be deprived of the protection they need

simply so the insurance companies can sell more policies.

The fact that Blue Cross-Blue Shield plans to return a far higher percentage of the premium dollar to the subscriber in the form of benefits than do the commercial insurance companies is well known. There may be good reason why 400,000 people have chosen to protect themselves against the health costs through the Blue Cross and Blue Shield. These are the people who need the additional protection which can be given them by the passage of L. D. 1047. I urge you to support Mr. Benson's motion and substitute the bill for the report.

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

Mr. DENNETT: Mr. Speaker and Members of the House: I rise in opposition to the motion made by the gentleman from Southwest Harbor, Mr. Benson, and strongly in support of the remarks made by the gentleman from Wilton, Mr. Scott. I don't think the issue here this morning, despite the heart-rending pleas made by the gentleman from Manchester, Mr. Rideout, is a matter of where people can buy insurance. There is no quarrel with the Blue Cross as such. But the issue I believe before us this morning is a simple little matter of taxation. Is one group going to be allowed a certain type of insurance and being exempt from taxation while another is taxed for selling the same?

Now if we are getting down to ever talking about discrimination, this is about the rankest discrimination that we can impose upon anyone. Again, I will agree with the gentleman from Wilton that this too is a very serious matter and should be subject to a great deal of study and we should not attempt at the moment to make any snap judgment.

I would further remind all who are within hearing that we have in the State of Maine one of the largest companies that deals in this field that there is in New England, and their future too could be quite at stake by being taxed where others were tax free.

Now to clarify things, I would tell you that I too am in the insurance business, but this type of insurance that is being battered about this morning is a type of a business in which I do not engage. I have no personal interest or any conflict in any way, shape, or manner. I simply wish to remind you that this is a matter of the State receiving a tax or an institution being exempt for that which they are selling in competition with an industry that is taxed.

I would hope that under these circumstances you would reflect upon it and vote against the proposition.

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

Mr. MEISNER: Mr. Speaker and Members of the House: Having been connected as a trustee with a small hospital for many years, I have seen the working of Blue Cross-Blue Shield. I am not in a position to debate this subject this morning and I am very sorry to have to take exception with my friends in the insurance business, but I have been sitting here wondering just what would happen to our hospital—what would have happened to it—if it had not been for Blue Cross-Blue Shield. And as far as perhaps bringing some revenue into the State I can also think of many cases where the State would have had to come in and pay for these folks who have had care in the hospital but were unable to pay.

We all know that Blue Cross-Blue Shield is a non-profit organization and whatever money they make during the year or certain times during the year they return to the hospitals. Last weekend I was up to our hospital. They had just received a check for \$2,000 which really bailed them out of a very serious situation. I do not believe that they would get this kind of help from any other organization that might take over in place of Blue Cross-Blue Shield.

The hospital is very much worked up over this situation. They wonder what they would do if any change were made. The only conclusion that they can come to is that it would add ex-

pense to the hospital which would have to be put on to those who are there for medical care. We all know that a great many people in this state are being helped all the time and Blue Cross-Blue Shield is being administered by people who are doing it at a sacrifice. One of the doctors in our town is on the Blue Cross-Blue Shield Board. Every so often he goes to Portland for a meeting, he makes no charge, receives nothing for his expense. He is glad to do this, he as many others are doing.

I hope that you will go along with Mr. Benson.

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

Mr. HARRIMAN: I had not intended to speak on this particular item. I intended to speak on the next one but they as they have both been interwoven here this morning, I think maybe I should speak at this time.

I am not an insurance agent; I am a hospital trustee. I think my actions of the last two legislatures against some of the bills which were put through by insurance people proves to this House that I am not inclined to give the insurance people all they want.

This is a complicated problem and I think that as we consider the two bills as one, that I should bring out all of the factors involved. I am not taking any position either way. I just want to give you the facts and the reasons why we in the Business Legislation Committee felt that this should go to a study committee and be reported to the 105th.

Blue Cross as such pays no personal property taxes, they pay no real estate taxes, they write about \$20 million worth of insurance in the State of Maine for which any domestic insurance company would pay a premium tax of \$200,000 and they pay none. Our income tax as written applies to domestic insurance companies but does not apply to Blue Cross and the average hundred thousand dollars that is taken in the hospital, \$100,000 of gross income, about 40% comes from Blue Cross, and about 40% from Medicare, and about 20% from private sources, private

insurers or people who have no insurance who pay cash.

Now the Blue Cross has contracts with these hospitals varying from 91% of the hospitals' cost up to 95%. It seems to depend on how good an operator you are, the better operator you are the less you get back from Blue Cross and the less amount you have at the end of the year. Now let's assume for instance that in this \$100,000 of gross income that Blue Cross pays an average of 93% of the hospital cost with a contract rather than a hundred.

So 7% of \$40,000 is about \$2800. Now this \$2800 has to be picked up by the people other than the Blue Cross, it has to be picked up by the people who are paying 20% of the bill or by Medicare. One or the other has got to pick up the cost. Now Medicare costs are rising. It could be entirely possible that they would take the attitude that if Blue Cross is going to pay on the basis of a contract with the hospital that Medicare will pay on the basis of a contract with the hospital. So then you could lose 14%. So eventually you get the cost of the discounts which are high, that you put an overload on the 20% of the people that are paying their own bills, and they can't go along and pay any longer to take care of the so-called discount people.

Now other states have the same problem and I would like to read to you what has happened in 1969 in the various legislatures. In New Hampshire they have proposed a 2% premium tax on Blue Cross; it got killed. In Kansas they proposed to remove a property tax exemption from Blue Cross; it has passed the House. In Utah they have passed a law—this is now a law—to provide Blue Cross with regulation, including company licensing, examinations, maintenance of reserves and deposits, annual statement filing, payment of fees, agents' licensing, and the 2½% premium tax. Wyoming would subject the Blues to regulation and taxation as insurers.

As we go along, Maryland would require the same filing fees for Blues as other insurers. This is

a bill before the House. Nebraska would remove the premium tax on the Blues and make them subject to state income tax. Wisconsin would subject the Blues to all laws applicable to insurers authorized to write disability insurance. And the same thing goes along here for Missouri, Rhode Island, New Jersey, Texas, Washington, Alabama, and so forth.

Now in addition to this contract they have with the hospitals they also have a contract with the doctor. They will pay a certain percentage of their bills. Now this percentage that is given back has to be taken care of in the operating costs. Ladies and gentlemen, this is a complex situation. We in the Business Legislation did not feel competent of making a decision, and I would certainly hope that this Legislature places the whole thing in the Study Committee. Thank you very much.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I think it has been pointed out quite definitely this morning to the members of the House that the increased cost of hospitalization or the increased cost of getting sick in this day and age has been almost unbearable to a large segment of our society. I think it has been pointed out by the previous gentlemen that the cost has been going up and also that this is a very complicated piece of document. Granted, it is. But I think any action that the members of the House can take this morning to try to alleviate some of these problems to some of the members of our population by giving them the extended service care that would be provided in this document at a somewhat reduced rate for these unfortunate people of our society that are unable to get equal coverage under other insurance policies.

I think it would be well for us this morning to look at this bill very good because I think it certainly provides that type of service which is needed in this present day and age to have somewhat of a

good coverage although at a reduced rate or at a rate which we think will better serve the general public that need the help. We all hope that these people will never have to use the insurance. But as you and I very well know these people when they get sick it is always beyond their control. We would like to see them be provided with the amount of insurance that they will at least get a fair treatment at somewhat of a better rate than is presently feasible under the Blue Cross-Blue Shield plan.

I am neither an insurance agent or have no association with any of the hospitals or other associations, so I think probably I speak more or less as John Q. Citizen as to how I feel about this document because I can very readily see the needs that this will afford the people of our state in the very near future and if not the immediate present. Thank you.

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

Mr. FRASER: Mr. Speaker and Members of the House: Mr. Harriman just about said what I had in mind regarding discounts and I believe an interim study would serve some purpose. I am wondering if these discounts are being picked up by people who have no insurance or who are insured by other companies. There are some people who will pay their hospital bills out of their savings, others who will borrow money enough to pay. Do they have to make up for this difference, are they charged extra because of the discount given by the Blue Cross people? I have no quarrel with Blue Cross. I believe that they have a good record behind them and they can look ahead with confidence. But I don't believe it is fair to charge others for benefits derived by people who are insured under Blue Cross.

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

Mr. SANTORO: Mr. Speaker and Ladies and Gentlemen of the House: I am in favor of Mr. Benson's motion and I urge you to support it. We need this legislation now and not two years from

now. I want to stress the situation of no capacity for beds in many of the hospitals today. Any doctor has a hard time to put a patient in a hospital because we haven't got enough beds available.

With the passage of this bill this situation would be cleared. Many beds will be available for immediate surgical care, immediate medical care, and other purposes.

I urge that you go along with Mr. Benson's motion for the passage of L. D. 1047 now.

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

Mr. GAUTHIER: Mr. Speaker, Ladies and Gentlemen of the House: As a member of the Business Legislation Committee I would like to support what Mr. Harriman and Mr. Scott have said, and I also agree with Mr. Meisner that the Blue Cross are doing a good job at the present time; I am a member of it. But I feel that when they want to extend and go into the commercial phase of it that this has to be studied and it should go to a study committee to be studied further. In fact over the weekend in the major newspapers of this state was an open letter to Maine subscribers of Associated Hospital Service of Maine, more generally known as Blue Cross-Blue Shield.

This ad said and I quote: "Some commercial insurance companies are attempting to deprive us of the right to offer you extended coverage at this time for non-hospital health care services, such as nursing home care, home care, prescriptions, drugs and so forth." This statement is not true. At the present hearing before the Business Legislation Committee at the time this was heard representatives of the commercial insurance companies indicated that they were not against Blue Cross-Blue Shield entering into extended coverage, but that because Blue Cross-Blue Shield has an insurance company known as Blue Alliance Mutual that could provide these services and because there is still a bill in the Legislature to provide for taxation and regulation of the Blue Cross-Blue Shield, the matter became so complex that we recommended the whole matter be referred to a study committee. And

I hope you will vote against the measure of my friend, Mr. Benson, and let the study committee look on this matter extensively.

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

Mr. HARRIMAN: Mr. Speaker and Members of the House: I would like to remind the House that Blue Cross has the vehicle right now to do what they want to do with extending this hospitalization to dental, out-patients and so forth. I would also at this time like to answer Mr. Fraser of Mexico in this manner. If you are doing \$100,000 worth of business and it costs you \$100,000 to operate, which is the basis most hospitals are set—practically none of them make any money, and you give away part of your income, whether it be 2, 3, 4 or 5%, it has to be picked up from the other patrons. That is regardless of what business you may be in.

The SPEAKER: The Chair recognizes the gentleman from Southwest Harbor, Mr. Benson.

Mr. BENSON: Mr. Speaker and Members of the House: I want to make the record indelibly clear. I am in the insurance business and I do sell accident and health insurance and this is not a commercial. I am in probably direct opposition to my industry and therefore probably will be marked a maverick. But it is my feeling that if the commercial insurance industry does not wish to raffle with this problem, I see no reason why they should be opposed to Blue Cross-Blue Shield raffling with it and going ahead. I think the action should be affirmative.

As to the tax question I believe that this is a separate question and should be considered separately. We are talking on this bill, we are talking about the benefits to the policy holders of the State of Maine and it is on this question alone that I address myself. I feel the time is now, not two years from now, to take the bull by the horns and offer the people of the State of Maine the protection that I feel they deserve through this vehicle, to allow them the benefits which will I think free up a lot of the acute care beds

in our hospitals which are desperately overcrowded at the present time.

I once again urge you to support the motion to substitute the Bill for the Report, the Report being referring this question to the 105th Legislature, a delay of two years, substitute the Bill for the Report today. We will give this further consideration and if I have not convinced you that this is a proper measure obviously it will not pass. But at least for the moment let us give it further consideration and do so by substituting the Bill for the Report.

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

Mr. SCOTT: Mr. Speaker and Ladies and Gentlemen of the House: I want to make it perfectly clear this morning also that since I am in the insurance business I do not sell this type of insurance. I also want to make sure that the House understands that this study would be done right away as soon as we adjourn by the Legislative Research and that their findings would be reported to the next special or regular session and I am quite sure that we will have a special session; we have for the last several years. So the delay will be very slight. The gentleman from Southwest Harbor mentioned two years. I think it will be more in the order of six months, and I submit to you six months is a short time and it will be done in the right manner if we have the study.

As far as the coverage being offered at the present time, it is being offered by commercial carriers and Blue Cross-Blue Shield has the vehicle to offer the coverage if they want to use it. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Kennebunkport, Mr. Tyndale.

Mr. TYNDALE: Thank you Mr. Speaker. Ladies and Gentlemen of the House: I rise to support the motion of my good friend, Mr. Benson from Southwest Harbor. As a director of a large hospital, we are very concerned with this problem and I think at this point

we should be concerned with the patient in the bed. He needs this service and I assure you that we are in complete accord with the passage of this bill. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Lubec, Mr. Donaghy.

Mr. DONAGHY: Mr. Speaker and Members of the House: This isn't a commercial, but I am in the insurance business. I do sell this type of coverage on a group basis. I urge you not to be emotional, and in this case I think probably a far better explanation of this situation has been given by the gentleman from Hollis than any of your insurance men here in the place. I urge you to go along with him on the indefinite postponement.

The SPEAKER: The Chair recognizes the gentleman from Jefferson, Mr. Clark.

Mr. CLARK: Mr. Speaker and Ladies and Gentlemen of the House: As a member of this same Committee on Business Legislation I listened carefully to the evidence presented on both sides and I feel that this non-profit organization should have the right and privilege to expand. Therefore I support the motion of the gentleman from Southwest Harbor, Mr. Benson.

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

Mr. BINNETTE: Mr. Speaker, Ladies and Gentlemen of the House: This morning we have heard a lot in regard to this hospitalization insurance from the insurance agents; we have heard a lot from others. We haven't heard from the little fellow, the person who really needs this type of legislation. How many times have you and I heard people say, "We cannot afford to be sick; we cannot go to the hospital. It costs too much." Here is a means whereby they can get some relief and I certainly am going to support my good friend from Southwest Harbor, Mr. Benson.

Mr. Harriman of Hollis was granted permission to speak a third time.

Mr. HARRIMAN: Mr. Speaker and Members of the House: I would like to get it on the record that I am not opposed to Blue Cross as such. I do not think—as a matter of fact I know, that if we put this to the Legislative Research Committee that we are not harming Blue Cross in any way. They have a vehicle to do everything they want to do up until such time as the report comes in. It will do nothing to disturb any insurances now in force or that are put in force up to that time. The only thing at issue is, shall they pay a 1% domestic premium until such time as the Legislature brings back a report? And this is a complicated subject and I hope you defeat the motion.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: Very briefly, I think you have all seen the sheets of paper that are circulated at every legislature of how a bill becomes law. I think probably another item of interest should be referred to this morning here is, how to kill a bill. And this is listed as three items. You refer it to the next legislature or you refer it for further study to Legislative Research or you claim that it is unconstitutional. Though I think this morning that the people of Maine are very much in need of this type of legislation, not for further study, I think the people that have been working with this type of document are very much interested in the welfare and the medical welfare of the people of the State of Maine and I think we should substitute the Bill for the Report. I now request the yeas and nays when the vote is taken.

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

Mr. GAUTHIER: Mr. Speaker and Members of the House: I would like again to defend my position on this Legislative Committee in regard to the statement that was just made by my leader, Mr. Levesque. When I took and voted for this to go to Research I didn't vote to kill it. I voted to—

we didn't have the time to look into this matter very thoroughly and we felt, myself and the members of the Committee, that we were honestly doing the job to us, the people themselves.

And I would like to further state that I am not selling this kind of insurance even though I am an insurance agent.

The SPEAKER: Is the House ready for the question? The pending question is on the motion of the gentleman from Southwest Harbor, Mr. Benson, that the House substitute the Bill for the Report. The gentleman from Madawaska, Mr. Levesque moves that when the vote is taken it be taken by the yeas and nays. For the Chair to order a roll call vote it must have the expressed desire of one fifth of the members present and voting. All members desiring a roll call vote will vote yes; those opposed will vote no. The Chair opens the vote.

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

The SPEAKER: The pending question is on the motion of the gentleman from Southwest Harbor, Mr. Benson, that the House substitute Bill "An Act relating to Nonprofit Hospital or Medical Service Organizations," House Paper 808, L. D. 1047 for the Report. If you are in favor of substituting the Bill for the Report you will vote yes; if you are opposed you will vote no. The Chair opens the vote.

ROLL CALL

YEA—Allen, Baker, Barnes, Beardard, Benson, Berman, Bernier, Binnette, Birt, Boudreau, Bourgoin, Bragdon, Brennan, Buckley, Bunker, Burnham, Carey, Carrier, Chandler, Chick, Clark, C. H.; Clark, H. G.; Corson, Cote, Cottrell, Couture, Cox, Crommett, Croteau, Cummings, Curran, Cushing, Drigotas, Dyar, Emery, Eustis, Evans, Farnham, Faucher, Finemore, Fortier, A. J.; Gilbert, Good, Hall, Hanson, Hardy, Haskell, Hawkens, Henley, Heselton, Hewes, Huber, Hunter, Immonen, Jalbert, Jameson, Johnston, Jutras, Kelley, K. F.; Kelley, R. P.;

Keyte, Kilroy, Laberge, Lebel, Lee, LePage, Levesque, Lewin, Lewis, Lincoln, Lund, MacPhail, Marsteller, Martin, McKinnon, Meisner, Millett, Mills, Mitchell, Morgan, Mosher, Noyes, Ouellette, Page, Payson, Pratt, Quimby, Richardson, G. A.; Richardson, H. L.; Rideout, Ross, Santoro, Shaw, Sheltra, Soulas, Starbird, Stillings, Susi, Tanguay, Temple, Thompson, Tyndale, Vincent, Watson, Waxman, Wheeler, White, Wight, Williams, Wood.

NAY — Carter, Coffey, Crosby, Curtis, Dennett, Donaghy, Dudley, Durgin, Fecteau, Fraser, Gauthier, Giroux, Harriman, Hichens, Kelleher, Lawry, Marquis, McNally, McTeague, Nadeau, Norris, Porter, Rand, Ricker, Rocheleau, Scott, C. F.; Scott, G. W.; Task.

ABSENT—Brown, Casey, D'Alfonso, Dam, Danton, Erickson, Fortier, M.; Foster, Leibowitz, Morehead, Sahagian, Snow.

Yes, 110; No, 28; Absent, 12.

The **SPEAKER**: One hundred ten having voted in the affirmative and twenty-eight in the negative, the motion does prevail.

Thereupon, the Bill was given its two several readings and tomorrow assigned.

The Chair laid before the House the fifth item of Unfinished Business:

HOUSE REPORT — Committee on Business Legislation on Bill "An Act to Provide for Taxation and Regulation of the Associated Hospital Service of Maine" (H. P. 885) (L. D. 1144) reported that it be referred to the next legislature.

Tabled — May 26, by Mr. Scott of Wilton.

Pending — Acceptance.

Thereupon, the Report was accepted the Bill referred to the next legislature and sent up for concurrence.

The Chair laid before the House the sixth item of Unfinished Business:

JOINT ORDER relative to Proposed Consumer Code for State of Maine to be presented to the 105th Legislature (S. P. 465) (In Senate, passed as amended by Senate Amendment "A" S-183)

Tabled — May 26, by Mr. Richardson of Cumberland.

Pending — Passage in concurrence.

The **SPEAKER**: The Chair recognizes the gentleman from Cumberland, Mr. Richardson.

Mr. **RICHARDSON**: Mr. Speaker and Ladies and Gentlemen of the House: This involved joint order would set up a special Commission to study the Consumer Code and to report to the next session of the Legislature legislation dealing with the question of consumer credit regulation.

I am opposed to the order for two reasons. First of all, it circumvents an already existing body, the Legislative Research Committee, which can and does have the necessary funds to acquire professional assistance to carry out studies. I would remind you, for example, that it is the Legislative Research Committee of the last session of the Legislature which using professional assistance drafted the complicated but I think essentially meritorious Municipal Employee Bargaining Law.

So if we follow this joint order we are going to set up a separate Commission, we are going to spend \$15,000, and I think we are not going to get the result that we want. It is for this reason that I have discussed this matter with the sponsor of this order, who has indicated that he has no objection at all to this being indefinitely postponed. At some later time we will have an order directing Legislative Research to carry out this program.

Therefore, Mr. Speaker and members of the House, I move the indefinite postponement of this order and its accompanying amendment.

Thereupon, the Joint Order was indefinitely postponed in non-concurrence and sent up for concurrence.

The Chair laid before the House the seventh item of Unfinished Business:

MAJORITY REPORT (7) — "Ought not to pass" — Committee on Highways on Bill "An Act Providing for a Bond Issue in the Amount of Thirty Million Dollars

to Reconstruct Route 6" (S. P. 358) (L. D. 1222) and MINORITY REPORT (3) reporting "Ought to pass" (In Senate, Minority Report accepted and Bill passed to be engrossed)

Tabled — May 26, by Mr. Susi of Pittsfield.

Pending — Motion of Mr. Wood of Brooks to accept Minority Report in concurrence.

On motion of Mr. Susi of Pittsfield, tabled pending the motion of Mr. Wood of Brooks to accept Minority Report in concurrence and assigned for later in today's session.

The Chair laid before the House the eighth item of Unfinished Business:

An Act Permitting Attendance Promotions by Liquor Licensees (H. P. 1198) (L. D. 1519)

Tabled—May 26, by Mr. Curtis of Bowdoinham.

Pending — Motion of Mr. Cote of Lewiston to reconsider failure of passage to be enacted.

Thereupon, the House reconsidered the failure of passage to be enacted of the Bill.

The SPEAKER: The pending question is passage to be enacted.

On motion of Mr. Cote of Lewiston, under suspension of the rules, the House reconsidered its action on May 19 whereby the Bill was passed to be engrossed.

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

House Amendment "A" (H-403) was read by the Clerk and adopted and the Bill was passed to be engrossed as amended in non-concurrence and sent up for concurrence. (Later Reconsidered)

The Chair laid before the House the ninth item of Unfinished Business:

HOUSE REPORT — "Ought not to pass" — Committee on Legal Affairs on Bill "An Act to Establish a State Department of Family Relations" (H. P. 1051) (L. D. 1382)

Tabled — May 26, by Mr. Ouellette of South Portland.

Pending—Acceptance.

Thereupon, the "Ought not to pass" Report was accepted and sent up for concurrence.

The Chair laid before the House the tenth item of Unfinished Business:

HOUSE REPORT — "Ought to pass" — Committee on Judiciary on Bill "An Act relating to Posting Bonds by Defendants under the Uniform Paternity Act" (H. P. 817) (L. D. 1056)

Tabled — May 26, by Mr. Foster of Mechanic Falls.

Pending — Acceptance.

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

Mr. McTEAGUE: Mr. Speaker and Members of the House: Mr. Foster has tabled this matter in the past and I have spoken to him and there is an Amendment "B" prepared which we hope to offer to it in the future.

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

The Chair laid before the House the eleventh item of Unfinished Business:

MAJORITY REPORT (6) — Committee on Education on Bill "An Act Creating a School Administrative District for the City of Portland" (H. P. 805) (L. D. 1044) reporting "Ought to pass" as amended by Committee Amendment "A" (H-389) and MINORITY REPORT (4) reporting "Ought not to pass"

Tabled — May 26, by Mr. Waxman of Portland.

Pending — His motion to accept Majority Report.

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

Mr. COTTRELL: Mr. Speaker and Members of the House: We all know that education makes its demands and our cities are hard pressed for money. I can see many advantages in this particular legislation for the City of Portland where I am a resident. In the first place it would make it possible for the school committee to borrow up to 12½% of the City's valuation on the school construction, raising the borrowing capacity of Portland up to 20%. I think

though that there is another bill before the Legislature to legislatively increase the 7½% borrowing capacity.

I do know that getting into a district, too, that you receive a 10% bonus, although I am not certain about this, but I have been told that Portland in order to get into a district would not take the 10% bonus for two years. And then too it does give the school committee autonomy in fiscal affairs.

On the other hand, we would have divided fiscal responsibility in the City of Portland, which seems to me a point that could be questioned. The City Council has to make its budget for the needs of the citizens in many respects. The school committee could have absolute autonomous power in making its budget and ordering the Treasurer of Portland to assess the rate of taxation to meet their budget.

We also know that the minute the community becomes a member of the district the City must deed all of its school property to those nine directors of the SAD. I cannot vote for this bill at this point and I am simply stating my reasons. Perhaps there is a need in the country for more autonomy in school management, fiscal autonomy in the school directors management of the educational process. But it seems to me that this particular vehicle was not set up for a city like Portland. The SAD was set up for the joining of smaller communities into one larger community, so I think the original purpose of SAD is not being carried out in this situation in Portland.

Now I know the school committee will not look upon me with great favor after making these remarks up here on this bill, but I think for the total fiscal situation in Portland that it would be much better to maybe have a special type of bill for Portland's needs in this direction. I think that is all I have to say.

The SPEAKER: The Chair recognizes the gentleman from Monmouth, Mr. Chick.

Mr. CHICK: Mr. Speaker and Ladies and Gentlemen of the House: I stand in opposition to the accepting of the Majority Report.

I have two main objections to the bill. Number one, I object to having an SAD formed with lessening of restrictions which are required of other SAD districts. Namely in this particular bill, the City of Portland will not be transporting the secondary school pupils.

Now one of the purposes of the State offering a bonus of 10%, two of the major things was to transport all students within the school system, and another one was to provide broader courses of education, which Portland already has. But I don't think that it is good policy to exempt any municipality from transporting secondary pupils and then receiving a 10% bonus.

The thing I object to most seriously in this bill has already been brought out by the previous speaker; namely, that the school board will be set up without any review of its budget. For instance, the school board would prepare the budget on or before April 1 of each year, issue their warrant which will be presented to the assessors of the City of Portland, and it will be assessed for tax purposes without having any chance to review such as all other SAD's have at the present time — or for that matter any city or town that is not in a SAD has to conform to review of their budgets and be passed on either at a town meeting, or if they have a charter form of government, by the proper council.

And I think that this is a principle that I would hate to see deviated from in the City of Portland, because I feel it will be just a matter of time before this same deviation will be asked for by other cities and even towns. And I think that even though I am vitally interested in schools, I think that a budget must be reviewed by a disinterested party each year to weigh the needs of the schools, the highways, and the fire departments and other needs for money within the municipality.

So I think that this bill is not needed and if Portland wants to form a SAD under the statute as we now have it, they can apply to the Board of Education and it is my understanding that the

Board has indicated that they would object to a SAD in Portland. So I see no need for this bill and I hope that you will not accept the "Ought to pass" Report.

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

Mr. CAREY: Mr. Speaker and Members of the House: There is one thing that concerns me about this thing. In Section 5 it mentioned that "the school directors shall hold a public hearing on said budget, and at said meeting said budget shall be thoroughly explained and the public shall be given an opportunity to be heard. Thereafter, the school directors shall prepare a final budget." So in fact the people have no voice in the expenditures of this thing.

There is another thing which scares me which is in Section 4. "Said School Administrative District may establish a reserve fund for capital outlay purposes" and unfortunately if this is included in the budget, then the townspeople won't have a thing to say about what the limit of the capital reserve fund can be.

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

Mr. WAXMAN: Mr. Speaker and Members of the House: This bill seems to have stirred up a hornet's nest because it introduces into the State of Maine a somewhat novel concept for solving and dealing with our educational problems, and that novel concept is fiscal autonomy.

I think it should be pointed out that although this is new to the State of Maine, somewhat new to New England because of our long-standing tradition on town meetings, it is not new, novel, frightening or dangerous for most of the rest of the country. In fact, in 23 states 100% of all school boards are fiscally autonomous, and out of 15 states 90% of the school boards are fiscally autonomous.

So in other words, ladies and gentlemen of the House, in 38 of the 50 states of this country, 90% or greater of our school boards are fiscally autonomous. I don't suggest that we follow blindly the

example of our sister states, but I would suggest that this particular concept just as a proving ground has been shown to be workable and practical, and I would hope that we wouldn't view this with as much alarm as a few of the previous speakers have.

In addition, I would point out a few of the safeguards involved with this particular bill. First of all, there are nine directors, three of whom are up for election every single December. If any of them get out line, I needn't remind the ladies and gentlemen of this House how sensitive people can be to irresponsibility among public officials. Certainly the three of them can be knocked down very very readily at any municipal election. And in addition, within a period of thirteen months, from one December to another, the entire majority complexion of that school board can be changed with the election of six new members.

But in addition to this check the voters have, they also have the recall amendment which at any time can be utilized if they so desire. As a matter of fact, not three years ago seven out of the nine members of the Portland School Board were recalled for election. It so happens it was not with regard to a financial matter, it had to do with the appointment of a principal of one of the high schools. But I think this clearly indicates that the citizens of Portland are responsive to the action of their school committee or school board, they will take action if they do not like what is going on; and therefore I would suggest to you ladies and gentlemen that we can, with safety and peace of mind, pass this particular piece of legislation.

I would just comment briefly upon some of the remarks of Mr. Cottrell. He said that we could increase our borrowing capacity under a separate bill presently being considered by the Legislature. As I understand it, a committee or a task force that looked into the matter of municipal finance recommended that this bill not be passed, that individual communities if they wished to expand their

borrowing capacity do so on their own, that at the present time that no statewide bill applicable to all communities be passed. As far as the bonus is concerned, we would not get it in the first year; we would get it in the second year of the biennium.

Mr. Cottrell talked about the original purpose of the Sinclair Act. As I understand it, it was to better the education in Maine, to provide greater opportunity for our youngsters and to equalize educational opportunity for our youngsters.

I know this particular dissertation is getting to be quite lengthy, but there are a number of things that should be covered in this bill if the members are to understand all the ramifications.

If I may just comment on the aspects of that 10% bonus. As far as equalizing educational opportunity is concerned, we at present in the City of Portland are embarking on three federally financed programs. One is used as a resource center which is shared by Cumberland, Scarborough, Falmouth, Windham, Gorham, South Portland, Cape Elizabeth, Yarmouth, Freeport and Westbrook for the daily delivery service of audio-visual materials.

I needn't remind the members of this House how much more effective teaching can be if you can illustrate through movie projection or sound or films to youngsters of what they are learning in their daily classroom. This particular project was funded by federal funds. However, we are going to receive a tremendous cutback of close to \$75,000 this year. Certainly the bonus could help us continue this program.

We have another program which we call Ethics, experimental program in curriculum, which is again a federally funded program. It attempts to take potential school dropouts, youngsters in the seventh and eighth grade at one of our junior high schools, and through field trips, through revision in curriculum, encourage them to stay in school rather than become dropouts and a burden to our society. Attendance has been

notably up since this program was introduced in the classes that are using this program and I submit this is an indication of its success.

But here again we are going to suffer a federal cutback, from an original allocation request of \$161,000 we are only going to receive \$100,000—another \$60,000 we're going to have to make up on our own, another very worthwhile program that would tend to equalize educational opportunity that will have to be either cut back or diminished unless we receive some additional help. And finally we have a program which is helping emotionally handicapped youngsters, again an effort to equalize educational opportunity. I would submit that we are certainly justified with these such programs in requesting a bonus.

Mr. Chick talked about the transportation aspect, how we would not be compelled to pay for the transportation of our youngsters. The last fifteen years in the City of Portland we have had a system whereby youngsters pay their own way ten cents each way on the bus. It is a very satisfactory system. No one objects to it and I can't see why this money should be used for transportation if it can be better put to use in other areas.

As far as the question of no review, perhaps the City Council should take a look at our school budget. I am informed that bond counsel will not approve any bonds issued under this new agreement if the City Council has anything to do with it. It has to be a separate governmental entity.

As far as the effort we make generally toward education in the City of Portland, I would just point out that our effective tax rate is 35 mills while the state average is only 24, and I am told that we are making a greater tax effort than the 450 other communities in the State of Maine. Obviously we have dire financial need. Obviously we are embarking on some very courageous and exciting programs that we need help on, and quite certainly the idea of fiscal autonomy shouldn't frighten anybody.

I would just finally submit that this is a referendum item. There are people opposed to it; there

are people in favor of it. But I would hate to see the fate of 14,000 school children decided in a half hours' debate when in essence it should be debated far more thoroughly on all sides and in the City of Portland. It is a local option and I would hope that you would grant the people of the City of Portland the privilege of voting on it as such.

The SPEAKER: The Chair recognizes the gentleman from Cumberland, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker and Ladies and Gentlemen of the House: As an individual I would like to support the gentleman from Portland, Mr. Waxman, in his remarks and he touched in the latter part of his comment on I think the significant issue. There are many many people in Portland who have objections to this concept. There are many others who support it. I believe that this House should be consistent, first of all, in approving the formation of SAD's under individual circumstances where there are very compelling reasons to permit it. And secondly, and most important of all, of giving individual citizens of the city or town involved the right to decide their own fate, and this is exactly what the issue is here today.

Now I have reservations about the bill, but I feel that the people of the City of Portland deserve an opportunity after a full, fair, public debate of this issue, to decide whether or not they want to invest their elected directors with fiscal autonomy. And if they make that decision, they have a right to exert some very strong pressure at the ballot box and all of us are certainly aware of that. So I hope that you will go along and allow the people of the City of Portland the same opportunity that you granted to community citizens all over the State of Maine, to decide their fate with respect to a significant public issue that really does affect hundreds and hundreds of young people in the State's largest city. Thank you.

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

Mr. BRENNAN: Mr. Speaker and Ladies and Gentlemen of the

House: I think Mr. Waxman has very ably covered the reasons for the acceptance of the Majority Report and I won't bore the House with any further reasons. So as a Representative of the City of Portland, I urge the acceptance of the Majority Report and I support the position taken by the Majority Leader that the people of Portland, 72,000 people in the City of Portland, ought to be able to make this decision. Thank you.

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

Mr. GAUTHIER: Mr. Speaker and Members of the House: I rise in support of this bill. I feel like the two previous speakers have said, it is up to the City of Portland to decide for themselves if they would like this or if they want to defeat it. So I move that we go along with Mr. Waxman.

Thereupon, Mr. Vincent of Portland requested that when the vote was taken it be taken by the yeas and nays.

The SPEAKER: The Chair recognizes the gentleman from Monmouth, Mr. Chick.

Mr. CHICK: Mr. Speaker and Members of the House: I didn't intend to rise again, but I would like to make a comment in response to the remarks of the gentleman from Cumberland, Mr. Richardson. I too have no objection to Portland forming an SAD. However, I do not see any reason why Portland should be allowed to form an SAD any different than the other 70-odd SAD's which are already formed. If Portland wants to form an SAD similar to that of the other SAD's and receive the benefits derived therefrom, I have no objection. But I do have objection to setting up a special SAD for any municipality, whether it be Portland or any other municipality.

Now we did pass the one in regard to Sanford, but I would like to point out that Sanford's SAD was set up in conformity to all the other SAD's that have been formed. This one is not, and that is why I object to this bill.

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

Mr. COTTRELL: Mr. Speaker and Members of the House: I thought I emphasized a point that I thought that fiscal autonomy to a certain degree was very beneficial for school districts and I do not throw out that idea entirely. It has been mentioned that many other states have fiscal autonomy in their school districts, but their districts are not like our SAD districts, and their autonomy is limited and not under the same restrictions.

Mr. Waxman mentioned the fact that we are accepting and introducing many new programs and that is very admirable, but my point is this—that a great deal of time and scrutiny should be placed on the programs that we already have in operation which are not working out too well.

Another thing about Portland. It may be surprising to some of you that in this day of exploding population we have around 13,000 and maybe six or seven hundred students, which is a pupil enrollment of only 200 more than we had twenty years ago. That may be surprising. But our educational cost has escalated and escalated and escalated. With less pupils in Deering High School today than we had twenty years ago, instead of having one principal we have three principals, one principal just looking after the disciplinary problems. Instead of having one superintendent we have four superintendents.

And to me it is wonderful to have new programs, but I would suggest not only to our own community but to communities everywhere that we do a little more scrutinizing of just what our educational programs are producing. And we know, for the first time now in ten years, the superintendents have resisted an opportunity put on by Ford Foundation to test the product. I know I am outnumbered, but I want to bring some of the facts before the minds of this body.

Another thing is, on these SAD's you can get in with one vote, a majority; but to get out, if you don't like it, if you don't like the restrictions that are imposed by

the State Board of Education, it takes a two-thirds vote to get out. Thank you.

The SPEAKER: Is the House ready for the question? The pending question is on the motion of the gentleman from Portland, Mr. Waxman, that the House accept the Majority "Ought to pass" Report. The yeas and nays have been requested by the gentleman from Portland, Mr. Vincent. For the Chair to order the yeas and nays it must have the expressed desire of one fifth of the members present and voting. All members desiring a roll call vote will vote yes; those opposed will vote no. The Chair opens the vote.

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

The SPEAKER: The pending question is on the motion of the gentleman from Portland, Mr. Waxman, that the House accept the Majority "Ought to pass" Report on Bill "An Act Creating a School Administrative District for the City of Portland," House Paper 805, L. D. 1044. All in favor of accepting the Majority Report will vote yes; those opposed will vote no. The Chair opens the vote.

ROLL CALL

YEA—Allen, Bedard, Berman, Bernier, Boudreau, Brennan, Buckley, Bunker, Burnham, Chandler, Clark, C. H.; Cote, Cox, Crosby, Croteau, Curran, Drigotas, Dyar, Emery, Eustis, Farnham, Fecteau, Fraser, Gauthier, Good, Hall, Hawkens, Hewes, Huber, Hunter, Jalbert, Jutras, Kelley, R. P.; Keyte, Kilroy, Lawry, LePage, Levesque, Lewis, Lund, MacPhail, Marquis, McKinnon, McTeague, Mills, Mitchell, Moreshead, Nadeau, Norris, Noyes, Ouellette, Payson, Richardson, H. L.; Rick-er, Rideout, Rocheleau, Ross, Santoro, Snow, Soulas, Starbird, Stillings, Tanguay, Temple, Tyndale, Vincent, Watson, Waxman, Wheeler.

NAY—Baker, Barnes, Benson, Binnette, Birt, Bourgoin, Bragdon, Carey, Carrier, Carter, Chick, Clark, H. G.; Coffey, Corson, Cottrell, Crommett, Cummings, Curtis, Dennett, Dudley, Durgin,

Evans, Finemore, Fortier, A. J.; Gilbert, Hanson, Hardy, Harriman, Haskell, Hanley, Heselton, Hichens, Immonen, Jameson Johnston, Kelleher, Kelley, K. F.; Laberge, Lebel, Lee, Lewin, Lincoln, Marstaller, McNally, Meisner, Millett, Morgan, Mosher, Page, Porter, Pratt, Quimby, Rand, Richardson, G. A.; Scott, C. F.; Scott, G. W.; Shaw, Sheltra, Susi, Thompson, Trask, Wight, Williams, Wood.

ABSENT—Brown, Casey, Couture, Cushing, D'Alfonso, Dam, Danton, Donaghy, Erickson, Faucher, Fortier, M.; Foster, Giroux, Leibowitz, Martin, Sahagian, White.

Yes, 69; No, 64; Absent, 17.

The SPEAKER: Sixty-nine having voted in the affirmative and sixty-four in the negative, the motion does prevail.

The Bill was given its two several readings.

Committee Amendment "A" (H-389) was read by the Clerk and adopted and the Bill assigned for third reading tomorrow.

On motion of Mr. Cote of Lewiston, the House reconsidered its action of earlier in the day whereby House Paper 1198, L. D. 1519, Bill "An Act Permitting Attendance Promotions by Liquor Licensees" was passed to be engrossed as amended by House Amendment "A".

On further motion of the same gentleman, the House reconsidered its action of earlier in the day whereby House Amendment "A" was adopted; and on further motion House Amendment "A" was indefinitely postponed.

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

House Amendment "B" (H-415) was read by the Clerk and adopted and the Bill was passed to be engrossed as amended in non-concurrence and sent up for concurrence.

The Chair laid before the House the twelfth item of Unfinished Business:

MAJORITY REPORT (7) — "Ought not to pass" — Committee on Judiciary on Bill "An Act relating to Period of Real Estate Mortgage Foreclosure" (H. P. 555) (L.

D. 736) and MINORITY REPORT (3) reporting "Ought to pass" as amended by Committee Amendment "A" H-388.

Tabled — May 26, by Mr. Benson of Southwest Harbor.

Pending—Motion of Mr. Berman of Houlton to accept Majority Report.

The SPEAKER: The Chair recognizes the gentleman from Houlton, Mr. Berman.

Mr. BERMAN: Mr. Speaker and Members of the House: I hope that you will go along with the 7 to 3 Majority "Ought not to pass" Report of your Committee, and I would like to tell you why I think that you should. This is an item that has been around the legislative halls for at least ten years and I recall that at one time in the 101st Legislature this Legislature unwisely passed an item which contained provisions that the mortgagees account for the proceeds after foreclosure. Well when this law had been on the books over the objections of some of us who didn't want to see it get there in the first place, the same people who wanted the bill then came in—I think it was the special session, and asked us to repeal it; and we repealed it.

Now sometime during the last session of the Legislature this bill was in together with another to me personally distasteful bill, which would incorporate the power of a sale in these mortgages, which really wouldn't give the little fellows of this state much of a show. While at that time the proponents said to some of us, if we can get this power of sale we will forget about the shortening of the foreclosure period. While the power of sale really was worse than the shortening of the foreclosure period, so we couldn't go along with that. Well finally some went along with the compromise, and that was to restrict the power of sale to the mortgages in which the mortgagor was a corporation. So we wouldn't be hurting the little people of the state.

Well I thought that this was a foot in the door approach and during the discussion in the House I think that somewhere along the line it was read into the record

that this was a compromise and for the sake of a compromise maybe we would go along with it today. Well, what happened? Here we are in the 104th Legislature and the same people are back with the same item again.

Now I don't think that we should shorten the period of foreclosures in Maine. Maine I think is about the only state in the Union that has very strict foreclosure laws and those foreclosure laws are there to protect both the creditor and the debtor, and they have worked reasonably well in the State of Maine for a long long time now. I don't say that our present law regarding foreclosures is perfect, but I do say that when I look around some of the other states—and I have made a small study of this matter this winter because I knew that some of the people that wanted this bill are going to try awfully hard to lower the period of redemption, and I really think that if seven members of your committee felt that this was not good legislation for the small people of Maine that this 104th Legislature ought to go along with the "ought not to pass" report of the majority of the committee.

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

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

The SPEAKER: The gentleman from Bangor, Mr. Cox moves that L. D. 736 be tabled until the next legislative day pending the motion of the gentleman from Houlton, Mr. Berman that the House accept the Majority "Ought not to pass" Report.

Whereupon, Mr. Berman of Houlton requested a vote on the tabling motion.

The SPEAKER: A vote on the tabling motion has been requested. All in favor of this matter being tabled until tomorrow will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

55 having voted in the affirmative and 49 having voted in the negative, the motion to table did prevail.

The Chair laid before the House the thirteenth item of Unfinished Business:

MAJORITY REPORT (9) — "Ought not to pass"—Committee on Taxation on Bill "An Act relating to Requirements for Recording Deeds and Other Instruments" (H. P. 532) (L. D. 703) and MINORITY REPORT (1) reporting "Ought to pass"

Tabled—May 26, by Mr. Dennett of Kittery.

Pending — Acceptance of either Report.

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

Mr. DENNETT: Mr. Speaker, Members of the House: I think that everyone in this House knows that during this session I have assiduously endeavored to refrain from introducing any controversial legislation — without effect. However, we have before us today a piece of legislation which I considered most innocuous. I certainly didn't think that there would be any difficulty with it.

It was introduced by me at the request of some of my town officials who thought a bill such as this would be very beneficial to the assessors of the town, when assessing the various properties when they receive the deeds from the register's office. However, the members of the Committee apparently felt differently and despite my earnest and careful pleas they remained unmoved. They insisted on passing this out with a Majority "Ought not to pass" Report. However, one member of the Committee decided that inasmuch as I was a close friend and despite he said the legislation was awful, he would sign an "ought to pass" report.

So, ladies and gentlemen, in light of the committee report and due to the fact that if I should attempt to substitute this bill for the report, this Legislature might be here at least two weeks longer, I will move that we accept the Majority "Ought not to pass" Report of the Committee and hope that perhaps, too, that many of you might follow my example so that we could go home in due season.

The SPEAKER: The gentleman from Kittery, Mr. Dennett, moves that the House accept the Majority "Ought not to pass" Report.

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

Mr. SUSI: Mr. Speaker, and Members of the House: I would hope that you would support Mr. Dennett's motion.

Thereupon, the "Ought not to pass" Report was accepted and sent up for concurrence.

The Chair laid before the House the fourteenth item of Unfinished Business:

Bill "An Act to Establish Revised Boundaries for the Master Plan of the Capitol Complex Area at Augusta" (H. P. 577) (L. D. 758)

Tabled—May 26, by Mr. Lund of Augusta.

Pending — Passage to be engrossed.

On motion of Mr. Lund of Augusta, retabled pending passage to be engrossed and specially assigned for tomorrow.

The Chair laid before the House the fifteenth item of Unfinished Business:

Bill "An Act to Relieve Certain Elderly Householdors from Extraordinary Property Tax Burdens" (H. P. 1017) (L. D. 1325)

Tabled—May 26, by Miss Watson of Bath.

Pending—Motion of Mr. Susi of Pittsfield to indefinitely postpone.

The SPEAKER: The Chair recognizes the gentlewoman from Bath, Miss Watson.

Miss WATSON: Mr. Speaker and Ladies and Gentlemen of the House: I rise this morning to speak in opposition to the motion to indefinitely postpone L. D. 1325 and also in opposition to L. D. 1550 "An Act to Give Relief to Elderly Persons from the Increasing Property Tax," which we are told is the reason for reporting L. D. 1325 leave to withdraw.

I have already explained why I believe that L. D. 1325 is the best possible legislation we could enact. I would like now to explain why I do not believe that L. D. 1550 is a proper substitute. But I wish to make it very clear at the outset that I do not oppose this

new measure simply because it is presented as a Committee substitute for the property tax relief proposal which I have sponsored and which is before us. I oppose the new draft because first of all I believe it insults our elderly citizens, not purposely I am sure, but very clearly nevertheless.

In the introductory section of the bill we find this language:

"This relief must be granted to insure that thousands of persons now retired on fixed incomes can remain in possession of their homes, thus not becoming a burden on state or local government." Undoubtedly this is careless language, referring to our elderly people as a possible burden on local or state government. But this language betrays the fundamental lack of sympathy for the plight of the elderly that characterizes this entire new draft.

In other words, we are saying in effect the elderly should keep their homes, not because their homes may be precious to them, not because eviction from a lifelong home is cruel, but because the elderly in leaving their homes might require public support. Such thinking, such lack of compassion, is unworthy of this Legislature. But this thinking becomes even more prominent in the last section of the bill.

L. D. 1550 would grant property tax relief by allowing elderly people to apply for abatement of any increases in their property taxes after they reach a certain age. The last section of the bill makes it clear that if the municipality in which the elderly person lives grants such abatements, the municipality, upon the death of the person, shall have a claim against his estate with interest at the rate of 6% a year from the date of abatement.

I realize that there are precedents for this approach and in some situations it may be justified. But we are saying to the elderly, "We will give you a break now, but after you are gone we will get our money back and then some." We are telling them they can apply for property tax relief only if they are willing to jeopardize the future interests of their family and incur embarrassing

liens on their property. In short we are telling them that their needs are a nuisance and that relief is being offered reluctantly.

Secondly, I oppose the new draft because it does too little for too few people. Present property taxes are far higher than many of the elderly can afford. Yet this bill would do nothing to relieve this burden since it would apply only to property tax increases after the effective date of the Act.

I recently gave you an example of an 86-year old woman living on \$55 a month and paying \$246 a year in property taxes. This woman is left with \$7.95 a week to live on and yet under L. D. 1550 she would receive absolutely no relief unless her taxes go up. She is paying an exorbitant tax now and we are offering her nothing except the promise that her taxes won't get any higher. Under L. D. 1325 she would receive a \$181.25 rebate from the state.

Moreover, the new bill offers no relief to elderly people who rent their homes and who feel the bite of the property tax through increased rents charged by landlords. These people need help just as much as those who are fortunate enough to own their own homes. Yet this bill does nothing for them. However, L. D. 1325 considers 20% of gross rent to constitute property taxes accrued and relief is granted accordingly.

Third, I oppose this bill because it offers our elderly citizens woefully inadequate relief at the expense of communities that simply cannot afford to have their property tax bases eroded any further.

This legislation assumes that a sufficient number of our elderly will die each year so that the municipality can recover and does not take into consideration that the municipalities could become involved in numerous litigations when they try to recover from the estates. In many cases the towns could conceivably pay out more in legal fees than they could recover.

The financial crisis confronting our cities and towns is almost overwhelming. They must raise their property taxes or cut back essential services. L. D. 1550 would

simply intensify their dilemma. But L. D. 1325 would not affect the local tax base since our senior citizens would pay their taxes and then be reimbursed by the state a certain percentage depending on the level of income and the property taxes paid.

It is obvious, I think, that L. D. 1550 has only one attractive feature, at least to some people. Unlike L. D. 1325 it does not cost the state any money. As such, this bill is symbolic of a regressive attitude that evaluates the worth of a proposal simply on its cost. This attitude threatens hope for progress on many fronts and blinds us to the needs of our people. It fosters legislation like L. D. 1550 which pays lip service to a problem and then coldly ignores it.

In meeting the property tax problems of our elderly citizens, we are faced with a difficult challenge, giving them adequate relief while protecting the property tax base of our communities. The bill I presented to the Legislature met this challenge though at some cost to the state. Now it is being rejected. In its place we find L. D. 1550, a bill which insults the elderly and hurts our communities. Our elderly people deserve fairer treatment than this from their Legislature.

I therefore respectfully urge you to vote against the motion to indefinitely postpone L. D. 1325 and I ask that when the vote be taken, it be taken by the yeas and nays.

The SPEAKER: The Chair recognizes the gentleman from Strong, Mr. Dyar.

Mr. DYAR: Mr. Speaker and Members of the House: This morning I have to agree wholeheartedly with the gentlewoman from Bath, Miss Watson, especially in the section pertaining to liens. I think if this bill is passed, if the redraft is passed and this bill is killed that we are on now, it will be pulling one of the dirtiest and shadiest deeds on the old people of the State of Maine that we could possibly think of.

I have seen this act used in the case of welfare here in the state. Elderly people sign over their rights and their property to the state in order to get a few dollars

handout from the state. I think that this is one of the most severest sins that we can commit in this session is to kill L. D. 1325 and pass the redraft.

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

Mr. SUSI: Mr. Speaker and Ladies and Gentlemen of the House: It is a very difficult thing to support an indefinite postponement motion on a bill sponsored by Representative Watson. I think it boils right down to the question of cost. The sponsor of this bill has indicated the lack of ability of the municipalities to carry the cost of this abatement program.

If this Legislature is in the frame of mind to support the taxes which would produce the revenue which would make possible the passage of this bill, in all seriousness I will support the bill. I think there is a real need here. I am not at all sold that the substitute bill which we have coming before us is adequate, but for the apparent lack of funds to implement such legislation I feel that we should confine our efforts to a bill which is perhaps attainable in some form, perhaps requiring an amendment, but at any rate, a practical step towards accomplishing something in a field which needs attention.

For that reason I would hope that you will support indefinite postponement that we can consider the strengths and weaknesses of 1550 when it is before us and get something done in this field which needs attention. Thank you.

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

Mr. HENLEY: Mr. Speaker and Ladies and Gentlemen of the House: I rise in support of Miss Watson's bill for two or three reasons. I had the good fortune to attend the convention on taxation at the University of Maine last summer, and this method of relief for the elderly, not only the elderly but for retirees, people who had built themselves a nice home through the years and their income at retirement necessarily dropped, some way of evening up the property tax burden on people

who in their declining years had a very comfortable, well-situated home but a much depreciated income.

We discussed this at great length. The Wisconsin plan, which was something similar to this, was discussed and greatly favored. We realize there is quite a cost, which would be established and taken care of at the state level where the tax base is broader. I am in no position to say just where this money would derive from. I do say that this is the only real relief for the elderly person whose income is reduced.

The idea of merely freezing the tax base which is now real high, to a lot of elderly people it isn't going to be of very much help. We realize that through the years, because of inflation, the valuation is going to rise and the impossible taxation which is now evident in a good many cases is going to become even more impossible. But so many people in contacting us relative to relief for the elderly on property taxes and the taxes of homes say, "How can our burden be reduced?" Now the freezing of valuation isn't going to reduce that taxation. They are going to pay just as much as they are paying now.

I feel that somewhere we can possibly cut some of the other expenses of state government. We can have a little bit less on our highways; we can even maybe cut down a little bit on some of our welfare costs and find the money for this type of relief for the elderly. This is almost exactly the plan which several states are investigating, including Wisconsin who is using this plan on a percentage basis. I don't know in looking at 1325 here, the percentages, and I don't know if this is exactly the same, but it is on a sliding scale depending upon the gross income of the individual. I think the Wisconsin plan uses zero to \$3,500 and they use a tax abatement from 75% to zero to utilize all the way up and down the line.

So I feel that we should keep this bill alive and possibly look it over some more, because I think it is the only thing produced so far

that is really an aid to the elderly on their tax situation, and I urge you to vote against indefinite postponement.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: I support this type of a plan over the other plan that came out of the Taxation Committee because I don't think the other plan goes far enough. When we voted that we would go along with the other plan, we had not seen the redraft. But those of us who are going to vote for this bill today must realize that we must support a revenue measure and this might even be some sort of a modified income tax plan and I am willing to state publicly that I would be willing to do that.

The SPEAKER: The Chair recognizes the gentleman from Rumford, Mr. Fortier.

Mr. FORTIER: Mr. Speaker and Members of the House: We have been told that the leading feature of the substitute bill was a sin against our elderly people. Well I am just about to commit this sin. I think that this is the one feature which we should incorporate and which we should enact. I have been an official in the town who for a great many years was very liberal with their abatements to widows and to elderly people. In fact they were so liberal that any widow, almost regardless of her financial situation, could come in and get a substantial abatement; and this ladies and gentlemen was the result. It simply enables them to leave to their children or some other heir property which these other heirs were not interested enough to help the elderly people pay their taxes.

I am not talking about situations where they would be forced out of their homes. I am talking about situations, for example, of one son who was paid 50% on his federal income tax, but his mother would come every year regularly and ask for an abatement. This is what you are going to get into. I remember another daughter who would come in and then drive off

with a new Buick car, go to the bank and draw from her saving account to pay the small balance. This is what we are running into.

I am not wholly in accord with that substitute bill. I would agree to some extent with Mr. Ross who says it doesn't go far enough, but at least the means are within our reach and I do think that unless there is some protection, and whether we are talking protection to the State or to the municipality, it comes pretty near coming out of the same pocket. And for that reason I would certainly hope that you would endorse the motion to indefinitely postpone.

The SPEAKER: The Chair recognizes the gentleman from Turner, Mr. Gilbert.

Mr. GILBERT: Mr. Speaker and Members of the House: I am pretty much in sympathy with my colleague over here from Rumford, Mr. Fortier. I would like to ask each and every one of you this question. Regardless of what the home is, and as referred to sometimes they build a new home and it is a nice home, I have no intentions of ever putting anyone out of their home. I have right now a young family in my town who should be put out of their home, but I don't intend to do it. But in the case of an old couple with a nice home, I am perfectly willing for them to live there as long as they live, but what do you propose to do with that home once they are through with it? Do you propose to give it to the children who refused to help them so they can sell it and buy a new car or go to the races and gamble, or what do you propose to do with it? That home is rightfully yours, you have supported it while they refused to, and that is the objection that I have to the bill.

The SPEAKER: The pending question is on the motion of the gentleman from Pittsfield, Mr. Susi, to indefinitely postpone. The yeas and nays have been requested. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All members desiring a roll call vote will vote yes; those opposed will vote no. The Chair opens the vote.

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

The SPEAKER: The pending question is on the motion of the gentleman from Pittsfield, Mr. Susi, that House Paper 1017, L. D. 1325, Bill "An Act to Relieve Certain Elderly Householders from Extraordinary Property Tax Burdens, be indefinitely postponed. If you are in favor of indefinite postponement you will vote yes; if you are opposed you will vote no. The Chair opens the vote

ROLL CALL

YEA — Allen, Baker, Bedard, Birt, Bragdon, Buckley, Carrier, Chick, Clark, C. H.; Clark, H. G.; Corson, Cottrell, Crosby, Croteau, Curran, Dennett, Dudley, Durgin, Farnham, Fecteau, Fine-more, Fortier, A. J.; Fraser, Gilbert, Good, Hall, Hanson, Hardy, Harriman, Haskell, Hawken, Hewes, Huber, Immonen, Johnston, Kelley, K. F.; Kelley, R. P.; Lee, Lewin, Lewis, Lincoln, Lund, MacPhail, Marsteller, McNally, Millett, Morgan, Mosher, Nadeau, Noyes, Ouellette, Page, Payson, Porter, Pratt, Quimby, Rand, Richardson, G. A.; Richardson, H. L.; Rideout, Scott, C. F.; Scott, G. W.; Shaw, Sheltra, Snow, Susi, Thompson, Trask, Wight.

NAY—Barnes, Berman, Bernier, Binnette, Boudreau, Bourgoin, Brennan, Bunker, Burnham, Carey, Carter, Chandler, Coffey, Cote, Cox, Crommett, Curtis, Cushing, D'Alfonso, Drigotas, Dyar, Emery, Eustus, Faucher, Giroux, Henley, Heselton, Hichens, Hunter, Jalbert, Jameson, Jutras, Kelleher, Keyte, Kilroy, Laberge, Lawry, Lebel, LePage, Levesque, Marquis, Martin, McKinnon, McTeague, Meisner, Mills, Mitchell, Norris, Ricker, Rocheleau, Ross, Soulas, Starbird, Stillings, Tanguay, Temple, Tyn-dale, Vincent, Watson, Waxman, Wheeler, White, Williams, Wood.

ABSENT — Benson, Brown, Casey, Couture, Cummings, Dam, Danton, Donaghy, Erickson, Evans, Fortier, M.; Foster, Gauthier, Leibowitz, Moreshead, Sahagian, Santoro.

Yes, 69; No, 64; Absent, 17.

The SPEAKER: Sixty-nine having voted in the affirmative and sixty-four in the negative, the motion does prevail.

Sent up for concurrence.

The Chair laid before the House the sixteenth item of Unfinished Business:

Bill "An Act Prohibiting the Conducting of Contests and Games by Retail Sellers" (H. P. 1207) (L. D. 1534)

Tabled — May 26, by Mr. Drigotas of Auburn.

Pending — Motion of Mr. Scott of Wilton to indefinitely postpone.

The SPEAKER: The Chair recognizes the gentleman from Owls Head, Mr. MacPhail.

Mr. MacPHAIL: Mr. Speaker, I offer House Amendment "A" to L. D. 1534 and would speak to the motion.

House Amendment "A" (H-404) was read by the Clerk.

The SPEAKER: The gentleman may continue.

Mr. MacPHAIL: Mr. Speaker and Members of the House: The bill in its present form is too restrictive and some of the promotional things have been used for the past hundred years sponsored by Chambers of Commerce. Boards of Trade, et cetera. I think the intent of this bill originally was to curtail this use of some of the newer gimmicks which are known perhaps as games of chance in a way, the matching of coins, matching of certificates and so forth, which was promoted by some company operating on a national scope whose sole interest in this is profit, and I believe that this amendment will take care of the original intent of this bill.

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

Mr. SCOTT: Mr. Speaker, I would like to pose a question through the Chair to anyone who may answer.

The SPEAKER: The gentleman may pose his question.

Mr. SCOTT: Mr. Speaker, do I understand this amendment to put the original bill back to apply only to gasoline service stations?

The SPEAKER: The gentleman from Wilton, Mr. Scott poses a question through the Chair to any member who may answer if they choose.

The Chair recognizes the gentleman from Owls Head, Mr. MacPhail.

Mr. MacPHAIL: Mr. Speaker, the amendment says "Strike out in the sixth line the underlined words 'goods at retail' and insert in place thereof the underlined words 'motor vehicle fuel.'"

The SPEAKER: The Chair recognizes the gentleman from Houlton, Mr. Berman.

Mr. BERMAN: Mr. Speaker, Members of the House: I had no particular interest in this bill one way or the other but I would like to call to the attention of the members of the House that if we do adopt this amendment and while I have no war with the intent of the amendment I think we are running into serious legal problems.

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

Mr. SCOTT: Mr. Speaker and Members of the House: I feel the same way as the gentleman from Houlton feels on this particular matter. We already have an opinion from the Attorney General's office saying he feels there is an excellent chance that the courts of this State will rule this unconstitutional if we pass it in its present form.

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

Mr. NORRIS: Mr. Speaker, may I have this item tabled for one legislative day?

The SPEAKER: The gentleman from Brewer, Mr. Norris moves that item sixteen, L. D. 1534, be tabled until the next legislative day pending the adoption of House Amendment "A". Is this the pleasure of the House.

The motion prevailed and the matter was so tabled.

The SPEAKER: The Chair recognizes the gentleman from Cumberland, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker, I move that the House be in recess until three o'clock this afternoon.

Thereupon, the House recessed until three o'clock.

After Recess
3:00 P.M.

The House was called to order by the Speaker.

The SPEAKER: The Chair recognizes the gentleman from Kingman Township, Mr. Starbird.

Mr. STARBIRD: Mr. Speaker, would it be too late to reconsider the acceptance of the Conference Committee Report, item one on the first page of today's House calendar?

The SPEAKER: The gentleman from Kingman Township, Mr. Starbird, moves that the House reconsider its action whereby it accepted the Conference Committee Report on Bill "An Act Providing for a Presidential Preference Primary," House Paper 516, L. D. 687, reporting that it be referred to the 105th Legislature.

Is it the pleasure of the House to reconsider our action whereby we accepted the Committee of Conference Report? It's a vote.

The pending question is the acceptance of the Report.

Mr. STARBIRD: Mr. Speaker, I move that we reject the Committee Report and I request a new Committee of Conference.

The SPEAKER: The gentleman from Kingman Township, Mr. Starbird, moves that we reject the Committee of Conference Report.

Whereupon, on motion of Mr. Rideout of Manchester, tabled pending the acceptance of the Report and specially assigned for tomorrow.

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

Bill "An Act Providing for Regulating Water Well Construction and Pump Installation" (H. P. 1214) (L. D. 1546)

Tabled — May 26, by Mr. Curtis of Bowdoinham.

Pending — Motion of Mr. Shaw of Chelsea to adopt House Amendment "A" (H-391).

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

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen of the House: I tabled this bill the other day. It popped into my mind that I have down in my town a fairly new well driller, a young man in his twenties and he has only been at it a year or so and I didn't know but what this grandfather clause might do some harm to him. So I stopped in to see him on my way home and asked him if he knew about this bill and he said he knew about it, he belongs to the Well Drillers Association, but he was unable to attend the hearing and I myself didn't attend the hearing, which I was unable to, and I asked him if there was anything about the bill that he didn't like and he said there were some things he didn't like about it but he thought he would go along with it. I have looked it over and I am not sure whether I like anything about it or not.

I notice that the original bill had a nice little price tag on it of \$28,500 but in the redraft this has been removed. I am wondering if not at some future date, if we should happen to pass this legislation, that this price tag might pop back on here and be an added expense to the taxpayers of the state. This added expense was to cover the salary for a Sanitary Engineer, a typist and for travel for members of the board.

I have been told that there are some abuses of well drillers throughout the state and this is a main concern of well drillers why they wanted this board. I have also been told also the Department of Health and Welfare is in favor of this bill. It seems to me that the abuses, if there are any, could be controlled without developing another board such as the well drillers here, which is something like the Plumber's Board that we have now. I am reminded of when the plumbers code went into practice, I know of a plumber, he and his helper had to come down and take the examination in order that he be

a Master Plumber and he also had his helper come and take the examination, and the plumber was unable to pass the examination but his helper did. So consequently he went back home and the plumber went to work for his helper. This is an actual case.

I really don't believe that we need this well drilling code and it is for a whole group of members that will be necessary to carry this out. The price of drilling wells over the past twenty years has been fairly constant and I don't believe it has gone up more than a dollar a foot since I can remember. The two largest well drillers in my area are probably two of the biggest well drillers in the state and I can remember when these were just one-man operations. In fact one of them was just a common, everyday working man like myself and he has done very well and I think the well drillers — it is a good business, there is money to be made in it and I do think why they want this board that they are a little jealous group, they don't want any other members in it. They don't want any new members to come into this, and I believe in free competition and if there are some well drillers that are unscrupulous in their dealings with the public in the State of Maine, I believe that competition will take care of it and also that the Health and Welfare Sanitary Engineering Department can set up some regulations without going to all this expense. The only thing that I think will come out of this, I am quite sure this will happen, that if this bill is passed that the price of wells will go up and I think that we are paying a fair price now and with the good competition that we have that this price will remain fairly stable.

So Mr. Speaker I wish to move indefinite postponement of this bill.

The SPEAKER: The Chair will advise the gentleman that the only thing pending before the House is House Amendment "A", the adoption of House Amendment "A".

The Chair recognizes the gentleman from Bristol, Mr. Lewis.

Mr. LEWIS: Mr. Speaker and Members of the House: As sponsor of this bill I feel I have got

to get up and protect it, I was asked to introduce this bill by the Well Drillers Association of the State of Maine. Two years ago a similar bill appeared before us, was heard before the Legal Affairs Committee and at that time they felt that there were discrepancies in the bill and it didn't get very far.

Now during the interim the well drillers of the State of Maine organized themselves and now they are coming forward with this proposal. Now I might state that at the hearing there was not one single objector to this measure. There were probably 25 or 30 well drillers in attendance and naturally they were all in favor of this bill. You will note that the bill came out of Committee unanimous "ought to pass." Now I think the well drillers in attempting to get this bill passed are making a sincere attempt to put their house in order. They are also making a sincere attempt to protect the general public, you and me, who might want their services. The Department of Health and Welfare, the Sanitation Division of that Department were in favor of this bill and I would certainly ask for a division on Mr. Curtis' motion.

The SPEAKER: The gentleman from Bowdoinham, Mr. Curtis' motion was not entertained because the only matter before the House at this time is House Amendment "A".

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

Mr. FARNHAM: Mr. Speaker and Members of the House: I would remind the gentleman from Bowdoinham, Mr. Curtis, that there are fees established in here that the well drillers will have to pay, I believe it is \$40 a year, which should amply pay for any board expense. I would also call attention to the House that for the first time there are restrictions in this bill which protect people, or protect the person having a well drilled, in that it stipulates the well must be so far away or a certain distance away from sources that could pollute the well, and as has been stated this was done by the Well Drillers Association and I think it is a good bill to protect the public

and as of now I would move the adoption of House Amendment "A".

The SPEAKER: Is the House ready for the question? Is it the pleasure of the House to adopt House Amendment "A"? It's a vote.

The pending question is the engrossment of this Bill as amended.

The Chair recognizes the gentleman from Bowdoinham, Mr. Curtis.

Mr. CURTIS: Mr. Speaker, I move the indefinite postponement of this bill and its accompanying papers.

The SPEAKER: The gentleman from Bowdoinham, Mr. Curtis, now moves that L. D. 1546 be indefinitely postponed.

Whereupon, Mr. Lewis of Bristol requested a vote on the motion.

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

Mr. SHAW: Mr. Speaker and Ladies and Gentlemen of the House: Two years ago, as Mr. Lewis has mentioned, the Department of Health and Welfare and a few well drillers brought in a bill to the Legal Affairs Committee and it had a great many holes in it, so many holes in fact that some of us prevailed on them to withdraw the bill and come up with a redraft. Well, in the last two years they have done a great deal of work. The original bill conflicted with the farmers, conflicted with the contractors, it conflicted with people all over the state. So now they have got it broken down so that it ties in entirely with the well drilling industry and that is your drinking water. I think they did a good job and I think they deserve to have this bill passed and I hope that the House will vote against indefinite postponement.

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

Mr. LUND: Mr. Speaker and Members of the House: The suggestion has been made that the bill previously submitted had some holes in it and I would wonder whether perhaps the bill as it is presently drawn still has some holes in it. I would call your attention to the last page of L. D.

1546 where it provides for penalties in the event of violation of various things that are set forth. As I look at it though, it appears to say that only unlicensed persons shall be penalized. It would appear therefore that if a person gets the license he can violate the various provisions as set forth without being penalized. I am sure this wasn't their intention in drawing the bill but sometimes when you see a bill like this you wonder if the bill really is designed to protect the public or to protect somebody who is already in business.

The SPEAKER: The Chair recognizes the gentleman from Hodgdon, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker, I would like to inquire from somebody who has the answer, who pays this \$40, the well driller or the person who has the well drilled?

The SPEAKER: The gentleman from Hodgdon, Mr. Williams, poses a question through the Chair to any member who may answer if they choose.

The Chair recognizes the gentleman from Bowdoinham, Mr. Curtis.

Mr. CURTIS: Mr. Speaker, in answer to the gentleman from Hodgdon, Mr. Williams, I believe that I said that the only sure thing out of this bill was that the price of wells will go up and certainly the well driller is not going to take this \$40 out of his pocket, he is going to take it out of the person who is having the well drilled.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: For many years in the State of Maine we have had wells drilled; I have had some drilled myself. I don't see the necessity, I really don't and I hope you don't see the necessity of any more boards. I just think we have got enough boards and commissions and what have you today, and I don't like to do anything here that would increase the number of people on these boards and so forth.

Now let me say too that this bill before you, I am sure a similar one was before Judiciary and didn't meet very good reception. I am

sure that if this bill had gone to Judiciary it probably would have been reported out "Ought not to pass." If you will kindly take time to read the bill, I am sure you will agree with me. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Kingman Township, Mr. Starbird.

Mr. STARBIRD: Mr. Speaker and Members of the House: My remarks that I was about to make would have been very similar to those just made by Representative Dudley. We have boards and commissions to regulate just about everything. It seems that practically every trade in the state wants its own little kingdom and make its own rules to govern its practices, and whether this is justified or not. In some professions of a technical nature there is no question but what there must be some rules and regulations laid down for guidance, but I do not believe that well drilling is of such a technical nature that this is necessary.

I have not thoroughly gone through the bill. However, I would assume that if I wished to go out with a pick and shovel and dig a well in my own back yard I might not be able to under this bill. This would be rather ridiculous.

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

Mr. SHAW: Mr. Speaker and Members of the House: As I mentioned before they overhauled this pretty much and this affects only drilled wells. If you want to dig your own well, you can do it. If farmers want to dig their wells, they also can do it. And as for the provision that Representative Lund brought out, under the Act this \$100, any person who is a well driller who doesn't comply with the regulations can have his license lifted and that would surely cost him more than any \$100 fine he could get.

The SPEAKER: The Chair recognizes the gentleman from Fort-Kent, Mr. Bourgoin.

Mr. BOURGOIN: Mr. Speaker and Members of the House: I wish to mention that the \$40 they pay for a license a year would certainly be paid by the fellow who gets a well driven.

In 1928 the U. S. Government built a building at St. Francis where I was an inspector. There was an allotment of \$1200 made for well drilling. At 18 feet below the surface of the ground we struck a vein but the well diggers went down to 80 feet to eat up the \$1200.

The SPEAKER: The Chair recognizes the gentleman from Strong, Mr. Dyar.

Mr. DYAR: Mr. Speaker, I have one question I would like to put through the Chair to anybody who can answer it. Under Section 7, page 2 of L. D. 1546, under "pump installation contractor." It says: "Pump installation contractor" means an individual, firm, partnership or corporation engaged in installation, removal, alteration or repair of water pumping equipment in connection with a water well." To my knowledge there is many small independent businesses here in the State of Maine, small hardware stores who do repair water pumps. Under this bill, if passed, would this put these people out of the water pumping repair business or would they have to be licensed under the statute?

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

The Chair recognizes the gentleman from Freeport, Mr. Marstaller.

Mr. MARSTALLER: This bill I believe is for the main benefit of the well drillers and for no one else. The real test is when you have a water supply in your house and you get it analyzed and it's pure water, then that is what you want. It isn't where they put the well or who puts it in but it's the supply of water that—what counts.

I talked to a couple of plumbers about this and about this installing pumps and they in general feel this is a bad bill. They do recognize that some people install pumps that do not install them right but they say this is a different problem and that it shouldn't be tied in with this well drilling thing at all. It's just a means to get the thing passed. So I think I will go along

with the indefinite postponement. Thank you.

The SPEAKER: Is the House ready for the question? The pending question is the motion of the gentleman from Bowdoinham, Mr. Curtis, that House Paper 1214, L. D. 1546, Bill "An Act Providing for Regulating Water Well Construction and Pump Installation," be indefinitely postponed. The Chair will order a vote. All in favor of indefinite postponement will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken. 94 having voted in the affirmative and 32 in the negative, the motion did prevail.

Sent up for concurrence.

The Chair laid before the House the eighteenth item of Unfinished Business.

Bill "An Act Increasing the Gasoline Tax" (H. P. 1217) (L. D. 1549)

Tabled — May 26, by Mr. Rideout of Manchester.

Pending — Passage to be engrossed.

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

Mr. SUSI: Mr. Speaker, I move that this Act be passed to be engrossed.

Mr. Rideout of Manchester offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-398) was read by the Clerk.

The SPEAKER: The pending question is the adoption of House Amendment "A".

The Chair recognizes the same gentleman.

Mr. RIDEOUT: Mr. Speaker and Members of the House: A two-cent increase in the gas tax rate would very effectively tie Maine with the State of Washington with the highest motor fuel tax in the Nation. As a matter of fact, the only other states in the nation right now with a gas tax rate higher than Maine are Washington, Alaska, Louisiana, Vermont and Rhode Island with eight cents; and Arkansas and Nebraska with 7½c. Four states, including nearby Massachusetts, have a 6½c rate; eight states have a 6c tax rate and four

others still tax gasoline at the rate of only 5c a gallon.

You can talk about gas taxes in terms of pennies, but it adds up to a lot of dollars to those who pay the tax. Right now the total 11c tax we pay, including the 4c federal gas tax, is equivalent to a sales tax of almost 45% when you realize that the price of the product is only 27 or 28c for regular grade.

I don't think Maine wants the reputation as the high gas tax state such as Washington State enjoys. A 1c gas tax increase is enough.

It is my opinion that it appears there are not enough votes to pass the 2c tax increase, as it needs a two-thirds vote. I believe this amendment is a reasonable compromise and if we want to contribute more to the Highway fund, this is the best solution for a moderate progress.

The Governor has iterated, and as lately as Monday at his press conference, has reiterated that he favors a 1c increase in the gas tax. I am happy to report to you that this is the one time that the Chief Executive and I can agree.

This 2c increase represents a 28% plus increase in the state gas tax. We have other bills which could increase the excise taxes, as you saw yesterday, license and registration fees, we have passed the automobile trade-in tax. If we go along with the 2c increase, it seems to me that it is "sock-it-to-em" time for the Maine motorist. A 1c tax is enough. I hope you agree and will vote for this amendment.

When the vote is taken, Mr. Speaker, I request the yeas and nays.

The SPEAKER: The Chair recognizes the gentleman from Brooks, Mr. Wood.

Mr. WOOD: Mr. Speaker and Members of the House: I want to take a few minutes at this time to try to explain to the members here what this 2c gas tax will mean to the State of Maine.

We have a Highway budget this year that has been inflated by higher salaries, higher costs of operation for the Commission, higher costs of constructing high-

ways to the tune of about \$27 million. When we started working on this budget, the Commission had asked for \$41 million and that had been cut by the Governor from I think around \$47 million. We have worked a good many weeks on this budget. We have cut salaries. We have cut construction. We have cut services. And we have cut about another \$14 million out of the budget.

At the present time the budget stands at about \$125 million for the biennium and I believe it is time that the people realize if we have roads suitable to travel over that we better begin to pay for them instead of going in debt every two years with further bond issues and further costs.

If we pass a 2c gas tax we will still have to bond the state to the tune of \$12 million to carry out this Act. One cent will be \$21½ million. \$21½ million is plus one million dollars' interest in the biennium. In two bienniums that would take one whole cent gas tax just to pay the interest on those bonds.

If we pass a gas tax of less than 2c and fail to pass bonds, there is just two places left that this budget can be cut and that is in our federal highway system or the money that our towns and cities get to keep their roads. We can cut state aid, we can cut the town road improvement or we can cut the maintenance to our town state-aid roads, continue to drive in the potholes that we still have and will be more so, and I think that that is where it will have to come out of because I don't believe we can cut the federal highway system without losing our matching funds and delay the system over a period of years.

Now if the people in the State of Maine want the roads suitable to travel over — and I believe they do, then I believe it is time that we began to realize that the only way to have them is to pay for these current services out of taxes. We have to pass some bond issues to build some pieces of road. I believe in it, some of our long-term projects, but I don't believe that we can continue to maintain our roads and pay salaries and

do it without raising taxes and stay on a sound financial basis.

I hope that this amendment is defeated and we pass the 2c gas tax.

The SPEAKER: The Chair recognizes the gentleman from Fort Kent, Mr. Bourgoïn.

Mr. BOURGOIN: Mr. Speaker and Members of the House: I believe the State of Washington and the State of Maine both have the same problem of having highway construction in the summer and heavy snow removal in the winter and for that purpose I would move to indefinitely postpone the amendment.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I served on the Highway Committee and this wasn't my first term; I have served there several terms. It is true, we did cut this some millions of dollars and it's true that we could have cut it several more millions of dollars. Let me tell you we didn't cut it some of the places I thought it should be cut. The administration wasn't cut one penny and that is where a lot of it is going. We still left it so they could buy some more of these yellow trucks that weigh about ten ton to pick up beer bottles with and if we pass one cent on the gas tax, one cent which this amendment allows you to do, they will be employing then about another 50 personnel and I am against extra personnel in any department. However, I will be liberal enough to go along with one cent and they will probably employ up to 50 men extra on this one cent.

Now there's plenty of places to be cut and if we give them too much money, in my opinion they could spend up to 7 cents on a gallon, but they would probably have to build some more roads just for the yellow trucks to run on because there would be no place for us to run. And I hope that the House will be considerate of the people who are paying these taxes and vote for this amendment, this one cent, because it is realistic. It gives them some \$4.4

million per cent on a gallon of gas and what no other speaker has told you in the gasoline tax, if we don't raise it any, goes up by virtue of two family cars in extra travel to the tune of some \$1,004,000 a year in anticipated increases that we've been getting year after year, and I think that this year looks like a good sunny year and it may be a million five that we'll get on tax as it now is.

Now this should take care of any slack in the industry and any increases that they have to have in pay, just the normal increases, of what we're getting from increased sales. Today there's an awful lot of two-car families and there's getting to be more tourists. I think we are being realistic if we pass this one cent, not two, and I can say a lot more but I don't think it is necessary. You people know what is good for your area.

Thereupon, Mr. Carey of Waterville requested a roll call vote on the indefinite postponement motion.

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

Mr. SUSI: Mr. Speaker and Members of the House: This two cent gas tax as the bill provides for without the amendment would produce \$9 million a year, \$18 million for the biennium.

Now the basic situation is that either we're going to pay for our road program in taxes, or we're going to pay for it in bonding. So this is our basic question before us here today.

Now the amendment would take one cent off leaving a one cent tax increase and Mr. Wood has pointed out that that would mean a \$9 million increase in the amount of the bonds. If we have the two cents, or the two cents plus an increase in the registration, we will still need bonding to support our highway program. So there's no program being offered to you here that doesn't provide for some bonding to finance the Highway Department for this coming biennium.

So when we are considering bonding, let's consider what has happened to our state bonding in

recent years. Ten years ago Maine's total bonded indebtedness was \$37 million. In December of 1968, including industrial and recreational loans, our bonded indebtedness for Maine was \$282 million. Now it has increased some eight times in a period of ten years.

I was thinking about this today and looked at our calendar and right today, on today's calendar, we have \$130 million of bond issues that we are considering. Yesterday we enacted a \$22 million bond issue. I don't know as anyone on the premises knows how much in bond issues we're considering for this session of the Legislature and we're talking now about reducing taxes here so as to increase this bonded indebtedness. This is our basic problem.

Now this 7-cent rate has been in effect for thirteen years. As Mr. Wood has pointed out earlier, our highway budget this year, I doubt that he mentioned the exact figure, was somewhere in \$137 million and as he said, it represented an increase of \$41 million and it has been cut back to \$27 million, and for that I think the Highway Committee should be highly commended by us. I understand that they have made a conscientious effort to cut back and this is as far, apparently, as we can plan on this highway budget being cut back during this session. So let's not be misled by any implications that there will be further cuts, because there is no evidence so far as I can find that this is going to happen.

If we were to adopt a 2-cent and a 20% registration apparently we'd need something in the range of a \$35 million bond issue. Two cents would require \$12 million, one cent around \$21 million and so forth. So the level of bonding is the question. These are current expenses that we're talking about. Now there's been no debate on the floor here today, but in the past we have fed ourselves the idea that this is all right to bond for highways because these are highways that are going to be around a while and so forth.

Now apparently we have around the State of Maine, and the estimated life of a particular piece of highway is around 25 years, indicating that our highways are deteriorating at the rate of around 160 miles a year.

Now ten years ago we were doing a decent job of keeping up with this deterioration. We were rebuilding at the rate of 125 miles a year. In 1968 we rebuilt 30 miles so we went behind about 130 miles on reconstruction, and we were bonding to do this. The budget which is proposed this year I understand provides for reconstruction of 30 miles again. So we're going behind about another 130 miles; and to bond while at the same time you are going behind, you aren't even keeping current, to me is the height of fiscal irresponsibility.

In my opinion, it is at least cowardly if not dishonorable to consistently and increasingly rely on bonding to meet Current Service expenses. These are not hard times nor have we experienced any recent natural disaster which has destroyed bridges or highways, a situation which, in my opinion, might warrant a bond issue for this unusual situation.

Now if we can't cut our level of expenditures—and I think this is quite evident—for highways any more, then I suggest that we pay for the expenditures that we approve in this session of the Legislature. To continue to do otherwise, in my opinion, will eventually lead us into serious trouble. I hope you vote against the amendment and leave the bill intact.

THE SPEAKER: The Chair recognizes the gentleman from Manchester, Mr. Rideout.

MR. RIDEOUT: Mr. Speaker and Members of the House: I have no quarrel with the Highway Committee. I think they have done an excellent job. However, obviously some people question the practice of bonding for highways. But I would like to point out that borrowing for long-term capital improvements such as roads makes good sense. Not many of us pay cash when we buy our automobiles. Why should we pay

cash for the high-cost roads they ride upon?

At the present time only 12 states in the nation have a lower highway debt than Maine. Of the New England states, only New Hampshire has a lower level of highway bonds outstanding. Vermont, with only 20% of Maine State highway mileage and less than half of our population, has a highway debt more than double that of Maine. In Maine right now we could go as high as \$20 million in new highway bonds, match all the federal monies coming along and our annual debt service would be increased by only \$1 million. By 1975 if we issued as much as \$20 million in bonds we will have retired enough bonds in accordance with the present retirement schedule so that our level of debt service would be below that of 1969.

We haven't gone head over heels in debt in Maine. We're in pretty good shape. A sensible bond program has to be part of our highway financing picture. And remember our highway debt is a separate matter when we are speaking of Maine's outstanding debt. The highway bonds are paid off with highway funds and highway funds alone. The annual debt service requirement on current highway bonds outstanding and authorized will peak in 1971 at \$5.7 million, principal of \$3.3 million and interest of \$1.4 million. One cent is enough.

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

Mr. FINEMORE: Mr. Speaker and Members of the House: Very briefly, it will only be one minute. I wonder if we all know that we are doing to the—I'm not speaking for the truckers, but for the small truckers out of Aroostook County and the farmers. If you take a ten wheeler out of Aroostook County and give them this two cent gas tax, it would be \$1,092 a year on a five-day week. You give them the L. D. 413, raising the registration up to 50,000 pounds at \$75, you give them the excise tax that was talked over here yesterday, L. D. 1665, is an increase on that one truck alone of \$1,183.65 a year. I wonder if that is what we want to do.

The SPEAKER: The Chair recognizes the gentleman from Cumberland, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker, Ladies and Gentlemen of the House: I regret that this bill comes before you simply as a tax measure rather than a combined bill where you could see exactly what is involved in the way of expenditures for continuation of highway maintenance as opposed to the amount of money that you are going to generate.

I think that Mr. Susi is absolutely correct when he tells you that if you do adopt this amendment and reduce the gas tax to 1 cent you are going to—just as sure as anything is—be required to start talking about bonding, that is borrowing money, to pay for Current Services in the highway program.

Now as one of those in the 103rd Legislature who swallowed his conscience and voted to bond Current Services items in the highway budget, I want to tell you that I for one am not about to do it again. There is a very important principle involved here and I think that Mr. Susi was not overstating when he said that it is almost dishonorable to start talking about bonding Current Services in any program, particularly in the highway program which is a growing business and which is very much involved in the growing economy.

Someone asked about how many bonds we have outstanding, or how many we are talking about, rather, in this session. Just in rough figures, not including highway bonds, we're talking about \$172,268,000 in proposed bonding in other areas of our governmental effort.

Now if you want to accept this proposition to reduce the gas tax, that's all right with me. But remember, that you are going to end up having to swallow the very ugly pill of bonding Current Services, and I for one think that is a very very unwise thing to do.

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

Mr. McNALLY: Mr. Speaker and Members of the House: There isn't much more I can say, but I will throw out a few figures for

the members of the Legislature to be thinking over.

The State of Maine has 21,000 miles of road. 10,000 of it is maintained by the state. They plow 3,000 of it, and the towns do the remainder. Now we had in the original program \$3 million that goes in the skinny mix that you see which smooths up the terrible holes that you have in just your secondary roads around, and we've cut that thing right in two.

But you hear tell about the excise tax and the removing of the exemption of the sales tax on sales—that doesn't have anything to do with the highway program; that's gone into the General Fund. The figures that you have been told, you can think over but it is just a case of if the bond is too large when it goes before the people, they aren't going to vote for it and you aren't going to have much for the roads and I am afraid that some of these oil trucks will just simply have to suffer.

The SPEAKER: The Chair recognizes the gentleman from Hope. Mr. Hardy.

Mr. HARDY: Mr. Speaker and Ladies and Gentlemen of the House: We're talking about item 18 on page 11 and I call your attention to item 22 on page 11 and I suggest that there is a lot of money involved in item 22, and I think we should be considering these together. I am somewhat in sympathy with the 2 cent proposal, but I am hedging on the 2 cent proposal at this point with number 22 on this sheet facing me also at the same moment practically. I wish some member of the Highway Committee could explain the amount of money involved in item 22 as involved in the other cent on item 18.

The SPEAKER: The Chair recognizes the gentleman from Brooks. Mr. Wood.

Mr. WOOD: Mr. Speaker and Members of the House: If we increase the motor vehicle registration fee as proposed in this bill it will be approximately \$4½ million. In our budget we haven't taken into consideration at all this bill. It came out of the committee split—I don't know what it was—but if

the 2c gas tax should pass and the increase on the motor vehicles was defeated this would stand, as I said before, we would need a bond issue of about \$12 million. But if for some reason this House wanted to pass both of them and they finally went to the Governor to be signed, we could cut the bond issue that much, about \$4½ million more and just about bond the state this year for what bonds we are retiring. And I think that is a good thing. I think if we can cut it to about what we are retiring this year it would be good for the state.

The SPEAKER: The Chair recognizes the gentleman from Albion. Mr. Lee.

Mr. LEE: Mr. Speaker and Members of the House: I would like to explain a few things. Right now I wish this microphone wasn't in front of me and I was standing out in front of a construction shack with a stick in my hand and drawing pictures in the dirt, because I can talk better and my mind works better.

Now the Highway Department gets its money from fuel taxes, licenses and registrations. Those are two items for dedicated funds. I stand four square behind them.

Let me give you just a little history of the gas tax. Two cents became effective in 1925, one increase in 1927, a 2c increase in 1947, and a 1c increase in 1955. That is the way the gas tax has been increased. For three terms now gas tax has been introduced and defeated for various reasons.

In our highway program we have tried our best to put out a decent program. We have cut the program presented by the Highway Department; therefore, we risk the wrath of the Highway Department. I realize that. But we have helped the towns in several areas—cities too, I'm not including this as state aid. In snow—we have increased the snow removal in the towns and cities. We have passed out—this is already passed—passed out of committee favorably a 40% bonus in place of a 20% bonus on state aid. We have increased the amount of units that can be raised under the state-aid program from four to six in this passage. Now we have included this money in our program

and still we have had a resultant decrease of something over \$15 million.

Now I don't want to belabor this thing, but our construction program is one of the things that keeps the State of Maine going. I don't know where people are going to take advantage of the education we get and the industries we get and one thing and another, and the travel from the tourist and one thing or another, if we don't raise money and keep a good highway program going.

I will just read to you a statement from Leon Williams who lives down on the airline. Most of you folks know him. He made the remark that he saw these people rushing down that road just to get to Canada to pay 21c for the gas tax.

I believe the overwhelming majority of the Highway Committee stands four square to put this 2c tax increase to pay our way as we go. I believe it is high time for us to rear back the shoulders and take the responsibility of the full 2c gas tax. Therefore, I hope that you will defeat this amendment. Thank you.

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

Mr. CROSBY: Mr. Speaker and Members of the House: Apparently this is "sock-it-to-me" time for the motoring public. Already we have done away with the auto trade-in exemption, we have upped the excise taxes, the registration fees, and now we are asking for a 30% increase in the gas tax. I think that one cent is enough. I am in a very fortunate position because I can still drive into New Hampshire and buy my gas.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: Just a few small points I would like to make. First of all when you are talking about bonded indebtedness on the state services you are talking about the General Fund. The Highway Fund is a separate fund. Now nobody has told you that we are retiring about \$7 million of these bonds and the most that

could happen to us would be to float some more bonds for up to 10, but I think they should get by pretty nicely if they passed the 1c gas tax and floated \$5 million in bonds and they are retiring \$7 million in bonds—now this is a separate account. This is not affiliated with the General Fund.

Now another thing that has been pointed out here, there was a little less construction. That is true. They have been building a lot of garages and buying a lot of equipment and building a little less highway every year and they have got these garages and these district offices put in their bill. I understand there is just one more, so we will soon be rid of that.

There were some other things I thought of in rebuttal here, but I am sure that one cent would do a pretty good job and we would have to have a small bond but it wouldn't be at the most much more than we are retiring this year. And another thing that I wanted to tell you is that they are speaking about current services. This money we are talking about is really not current services in the sense of the word because it is construction. It is building new highways and new facilities and that is not current services. Current services in my opinion would be maintenance and snow plowing and this is well taken care of prior to this. So we are talking about not current services but construction of new bridges and new roads.

The SPEAKER: The Chair recognizes the gentleman from Naples, Mr. Burnham.

Mr. BURNHAM: As a member of the Highway Committee I would like to go on record in favor of the 2c gas tax. Mr. Dudley just stated that if we had a 1c gas tax that we could bond for about 5 million, but he is in error. The bond would have to be 21,500,000 so I am in favor of the 2c gas tax.

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

Mr. HALL: Mr. Speaker and Members of the House: As a member of the Highway Committee, I too would like to go on record as being in favor of a 2c gas tax.

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

Mr. NADEAU: Mr. Speaker and Members of the House: You are the judge. If you want to go further in debt, vote for the amendment. But remember, the interest you will have to pay on the bonds will be money you take away from the Highway Department to build and repair your roads in the years to come.

The SPEAKER: Is the House ready for the question? A roll call has been requested. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All members desiring that the vote be taken by roll call will vote yes; those opposed will vote no. The Chair opens the vote.

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

The SPEAKER: The pending question is the adoption of House Amendment "A" to Bill "An Act Increasing the Gasoline Tax," House Paper 1217, L. D. 1549. All in favor of the adoption of House Amendment "A" will vote yes; those opposed will vote no. The Chair opens the vote.

ROLL CALL

YEA—Barnes, Berman, Binnette, Bourgoin, Brennan, Buckley, Bunker, Carey, Carrier, Carter, Chandler, Chick, Clark, H. G.; Coffey, Corson, Cote, Cottrell, Cox, Crommett, Crosby, Curran, Curtis, Cushing, D'Alfonso, Dennett, Donaghy, Drigotas, Dudley, Dyar, Erickson, Eustis, Evans, Fecteau, Finemore, Fortier, M.; Fraser, Gauthier, Gilbert, Giroux, Good, Hanson, Hardy, Henley, Heselton, Hunter, Immonen, Jalbert, Jameson, Johnston, Kelleher, Kelley, K. F.; Kelley, R. P.; Keyte, Kilroy, LePage, Lewis, MacPhail, McKinnon, Meisner, Millet, Mills, Mitchell, Morehead, Mosher, Noyes, Ouellette, Pratt, Quimby, Rand, Rideout, Rocheleau, Soulas, Starbird, Stillings, Vincent, Watson, Waxman, Wheeler.

NAY — Allen, Baker, Bedard, Benson, Bernier, Birt, Boudreau, Bragdon, Burnham, Clark, C. H.;

Croteau, Cummings, Dam, Durgin, Farnham, Faucher, Fortier, A. J.; Hall, Haskell, Hawkens, Hewes, Hichens, Huber, Laberge, Lawry, Lebel, Lee, Levesque, Lewin, Lincoln, Lund, Marstaller, Martin, McNally, McTeague, Morgan, Nadeau, Norris, Page, Payson, Porter, Richardson, G. A.; Richardson, H. L.; Ross, Scott, C. F.; Scott, G. W.; Shaw, Snow, Susi, Temple, Thompson, Trask, Tynedale, White, Wight, Williams, Wood.

ABSENT — Brown, Casey, Couture, Danton, Emery, Foster, Harriman, Jutras, Leibowitz, Marquis, Ricker, Sahagian, Santoro, Sheltra, Tanguay.

Yes, 78; No, 57; Absent, 15.

The SPEAKER: Seventy-eight having voted in the affirmative and fifty-seven in the negative, House Amendment "A" has been adopted.

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

The Chair laid before the House the nineteenth item of Unfinished Business.

Resolve Proposing the Acceptance of a Master Plan Prepared by the Capitol Planning Commission (H. P. 578) (L. D. 763)

Tabled — May 26, by Mr. Ross of Bath.

Pending — Passage to be engrossed.

On motion of Mr. Lund of Augusta, retabled pending passage to be engrossed and specially assigned for tomorrow.

The Chair laid before the House the twentieth item of Unfinished Business.

HOUSE REPORT — Committee on Judiciary on Bill "An Act to Provide Protection for the Consumer Against Unfair Trade Practices" (H. P. 770) (L. D. 1003) reported "Ought to pass" as amended by Committee Amendment "A" H-364.

Tabled — May 26, by Mrs. Payson of Falmouth.

Pending — Acceptance.

On motion of Mr. Birt of East Millinocket, retabled pending acceptance of the Report and specially assigned for tomorrow.

The Chair laid before the House the twenty-first item of Unfinished Business:

HOUSE REPORT — Committee on Judiciary on Bill "An Act Concerning the Adoption of State Wards" (H. P. 760) (L. D. 980) reported "Ought to pass" as amended by Committee Amendment "A" H-365.

Tabled — May 26, by Mr. Ouellette of South Portland.

Pending — Motion of Mrs. Lincoln of Bethel to indefinitely postpone.

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

Mr. OUELLETTE: Mr. Speaker and Members of the House: Since the tabling action of L. D. 980 the other day I have had the opportunity to obtain some vital statistics, information, which would support the tabling motion.

Two evenings ago a family drove over 100 miles to submit to me in writing some information that they had previously given me over the phone. L. D. 980 is a bill sponsored primarily to place the Department of Health and Welfare and one of its social workers on trial for repercussions surrounding their decision handling a particular case. If passed, L. D. 980 of course would affect many other cases.

It is regrettable that this specific case would be the one involved, because this is a sad story and if fully heard would open old wounds and subject you to a lot of emotional testimony.

I am sure that if L. D. 980 were passed, a court would soon have its first case of this nature in the state. Child care cases in my opinion do not belong in the courts. I certainly hope you will choose to keep them under the Department of Health and Welfare and support the motion of Mrs. Lincoln of Bethel to indefinitely postpone.

Now some of this information that I have received is in the form of a letter. It has been requested of me that this information be kept confidential and after discussing it further with the party I asked them "If I were asked here or in the halls of the House later if I could submit some of the informa-

tion to those who were questioning it of me, could I use it if I removed the names? They agreed to do so.

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

Mr. MILLS: Mr. Speaker and Ladies and Gentlemen of the House: What Representative Ouellette has testified to here before you today I am partially conversant with and it is absolutely true and it is entirely horrible to go into the details of the thing. I support the lady from Bethel, Mrs. Lincoln, for indefinite postponement.

The **SPEAKER**: The Chair recognizes the gentleman from Houlton, Mr. Berman.

Mr. BERMAN: Mr. Speaker and Members of the House: I think you will be making a very serious mistake if you indefinitely postpone this measure. As I told you on one previous occasion, I for one, and I think the other members of the Judiciary Committee, weren't trying to legislate on any one particular case. We were concerned with the administration of justice in the State of Maine.

Now I have always believed that one of the cornerstones of our American tradition of justice is that no man or woman is infallible and that no department is infallible and that a person's decision or a department decision should be appealable to another, an impartial source.

Now one of the first things a dictator usually does is to deny the right of appeal. I am not for any form of dictatorship. I hope this House is not for any form of dictatorship. And I hope you will not go along with the well-intentioned but really wholly misguided attempt to dump a very good bill.

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

Mr. COTTRELL: Mr. Speaker and Members of the House: I did not choose to debate the merits or demerits of this particular case. This is a little bill but in my opinion it contains a great principle. Our Constitution doesn't say we have the right to appeal but it does say we have the right to

petition for a redress of grievances and that has been enlarged in our history by our Federal Legislature, Congress, setting up a structure of courts and including among them the Court of Appeals.

Now this is simply a bill which would permit a citizen to have a judicial review of an opinion handed down by one of our departments, a department which was established by us for the welfare of the people.

Now I can assume that most departments and any department in most of its decisions can render justice. I cannot assume that every department and every bureau in our growing bureaucracy is perfect.

Now yesterday two of the speakers who spoke against this bill did not realize that the committee amendment did not give final judgment to the judge who might review any case. His opinion, after hearing the case, would be simply advisory. There is no emergency preamble in this bill and it is most probable that this particular case will never be reviewed by Judge Nat Haskell of Portland, the probate court judge there.

It has been said that our probate judges are not capable of handling or even having an opinion about adoption practices or procedures. I would like to remind this House that Nathaniel Haskell is a very long-practicing and distinguished lawyer. He served in this Legislature, he has been Speaker of the House, he has served in the Senate, he has been President of the Senate, and it seems to me that any complaint about his competence to simply give an advisory opinion in an appeal hearing would be unfounded.

It seems to me in a different area this afternoon we have already recognized that a department can prepare a bill one year with holes in it and prepare a similar bill another year with imperfections in it. And I would humbly plead this little bill not be indefinitely postponed.

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

Mr. McTEAGUE: Mr. Speaker and Members of the House: I don't intend to discuss the overall merits

in regard to this bill this afternoon, but I conversed with Mr. Cottrell in the lobby before the session and I fear that one of us is under a misapprehension as to the meaning of the bill, in regard to the role of the probate judge in an appeal from the decision of the Department of Health and Welfare. I have the bill, which is L. D. 980, before me and Committee Amendment "A", which is H. P. 760, also before me.

As I understand Committee Amendment "A" it strikes out both the emergency preamble at the beginning of the bill and the emergency clause at the end of the bill. Additionally, it strikes out the last sentence in Section 533A which reads, "The decision of the judge of probate shall be final." If I understand Mr. Cottrell correctly, he believes that striking out this last sentence results in the decision of the judge of probate being advisory only rather than binding. This is not my understanding at all by striking out that last sentence. I would understand it rather to mean that there could be an appeal from the decision of the judge of probate to the superior court sitting as the supreme court of probate. If I am erroneous in regard to this, I would ask that some member of the Judiciary Committee correct me.

The other point I would like to make about the bill is that the standard to be employed by the judge of probate in reviewing the decision of the Department of Health and Welfare is not the standard which is very common in the review by the courts of the decisions of administrative departments of government. That common standard is called abusive discretion. As I understand this bill it does not provide for abusive discretion standard but rather it provides for a de novo, that is an entirely new decision.

I would like to finish by saying, Mr. Speaker, that I share certainly with Mr. Cottrell a great admiration for Judge Nathaniel Haskell of our Cumberland County Probate Court.

The SPEAKER: The Chair recognizes the gentlewoman from Bethel, Mrs. Lincoln.

Mrs. LINCOLN: Mr. Speaker and Ladies and Gentlemen of the House: There are several other points I would like to make other than those I stated on Monday of why I feel L. D. 980 should be indefinitely postponed. The bill does not provide for protecting plans already being made for a given child, perhaps very well defined plans such as replacing a child with its own parents who have been rehabilitated, which could of course seriously jeopardize the department's rehabilitated efforts with own parents and intensive planning or even adoptive placement with another set of adoptive parents.

Also, the matter of own parents' rights, which are not in any way protected under L. D. 980 because they are not involved in the probate hearing. They would not be notified of the hearing and it does not in any way recognize these parents may be rehabilitating themselves so the children can be returned to them.

I would like to ask how many of our foster parent constituents have contacted us regarding their dissatisfaction with their relationship with the Department of Health and Welfare in terms of their adopting state wards. I think we would find out there are few if any concerns which have been registered with legislators by constituents in their areas.

I do not wish to take any more of your time as this bill was well debated on Monday. I would like to say that I am not being misguided and don't think that the adoption laws which have been on the books for many many years should be drastically changed because of one case. I also feel that the Health and Welfare Department's adoptive laws should be treated exactly the same as the private ones are, the private institutions are. I hope you will vote to indefinitely postpone this bill.

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

Mr. HUNTER: Mr. Speaker, I move the previous question.

The SPEAKER: The gentleman from Durham, Mr. Hunter moves

the previous question. For the Chair to entertain the motion for the previous question it must have the consent of one third of the members present and voting. All members desiring the previous question will vote yes; those opposed will vote no.

A vote of the House was taken.

The SPEAKER: A sufficient number having voted for the previous question, the question will be entertained. The question now before the House is, shall the main question be put now? This is debatable for five minutes by any one member.

The Chair recognizes the gentleman from Houlton, Mr. Berman.

Mr. BERMAN: Mr. Speaker and Members of the House: I won't take too much of your time. I have great admiration for the gentleman from Durham, Mr. Hunter. I did see several members of the Judiciary Committee up to speak on this bill. I don't think we should foreclose debate, it's an important matter. I would like to see Mr. Moreshead and Mr. Brennan given a chance to speak on the bill. So I hope that the main question won't be put now.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: Certainly out of respect to the gentleman from Durham, Mr. Hunter in his move for the previous question, it is still my contention that any member and all members of this House, which is the highest court in our state, should not deny any other member that wished to state something either beneficial or detrimental to the case, should be denied that right to be able to have the time to express his opinion. So therefore I am again in opposition for the question to be put at this time.

The SPEAKER: The question before the House is, shall the main question be put now? The Chair will order a vote. All in favor of the main question being put now will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

36 having voted in the affirmative and 72 having voted in the negative, the main question was not ordered.

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

Mr. BRENNAN: Mr. Speaker and Members of the House: First I want to thank the members of the House for the courtesy, and very briefly, the committee supported the measure unanimously. Apparently the social workers have lobbied very effectively against the bill.

The bill only provides for judicial review which is the basic ingredient in any fair system of government. And that is just about all that I am going to say on it. I urge you though to support the concept of keeping the courtroom doors open to resolve grievances and that is all that this bill does. Consequently, I urge you to vote against the pending motion.

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

Mr. OUELLETTE: Mr. Speaker and Members of the House: I can assure that there were no social workers involved insofar as the lobbying that was mentioned by Mr. Brennan was concerned, on my part or that of several others who have spoken on this bill. In conclusion I would like the vote to be taken by the yeas and nays.

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

Mr. MORESHEAD: Mr. Speaker, I will be brief. Under the existing law it is possible for foster parents to have a child living in their home for a number of years, and over the years if these foster parents become attached to this child and desired to adopt the child, under the present law if this child was placed in the home by the Health and Welfare Department, it would apply to the Department for an adoption, and under present law if the Health and Welfare Department did not feel that these foster parents should adopt the child they could refuse these parents the right to adopt the child without really giving any valid

reasons and that would be it. There would be no recourse in the courts for these parents to come in and show that they were treated in an arbitrary fashion.

All this bill does is allow these parents in the rare instances when it might occur a day in court to try to appeal to a body other than the Health and Welfare Department, have an appeal, and have a right to show their side of the case. Right now the Health and Welfare Department is the body that investigates, they are the body that determines, and they are the body that makes the final decision. And I just feel that this places all the eggs in one basket and it certainly runs contrary to the concept of having your day in court to present your side of any particular matter.

I therefore urge that you vote against the motion to indefinitely postpone.

The SPEAKER: Is the House ready for the question? The pending question is the motion of the gentlewoman from Bethel, Mrs. Lincoln, to indefinitely postpone item 21, L. D. 980, "An Act Concerning the Adoption of State Wards." The yeas and nays have been requested. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All members desiring a roll call vote will vote yes; those opposed will vote no. The Chair opens the vote.

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

The SPEAKER: The pending question is on the motion of the gentlewoman from Bethel, Mrs. Lincoln, that L. D. 980 be indefinitely postponed. If you are in favor of indefinite postponement you will vote yes; if you are opposed you will vote no. The Chair opens the vote.

ROLL CALL

YEA — Allen, Baker, Barnes, Bedard, Bernier, Birt, Buckley, Bunker, Carey, Carter, Chandler, Chick, Clark, C. H.; Clark, H. G.; Corson, Crosby, Croteau, Cummings, Curtis, Dam, Durgin, Dyar, Erickson, Fecteau, Good, Hall,

Hardy, Harriman, Haskell, Hawkens, Henley, Hichens, Huber, Hunter, Immonen, Jalbert, Jameson, Johnston, Kelley, K. F.; Kelley, R. P.; Lawry, Lebel, LePage, Lewin, Lewis, Lincoln, Lund, MacPhail, Marstaller, Martin, McKinnon, McTeague, Meisner, Mills, Morgan, Mosher, Nadeau, Ouellette, Payson, Porter, Pratt, Rand, Richardson, G. A.; Richardson, H. L.; Ross, Scott, C. F.; Scott, G. W.; Snow, Soulas, Stillings, Susi, Thompson, Trask, Tyndale, Watson, Waxman, Wight, Williams, Wood.

NAY — Benson, Berman, Binnette, Bragdon, Brennan, Burnham, Carrier, Coffey, Cote, Cottrell, Crommett, Curran, Cushing, D'Alfonso, Dennett, Drigotas, Dudley, Eustis, Evans, Faucher, Fine-more, Fortier, A. J.; Fortier, M.; Fraser, Giroux, Hanson, Heselton, Hewes, Kelleher, Keyte, Kilroy, Lee, Levesque, McNally, Millett, Mitchell, Moreshead, Norris, Page, Quimby, Shaw, Starbird, Temple, Vincent, Wheeler.

ABSENT — Boudreau, Bourgoin, Brown, Casey, Couture, Cox, Danton, Donaghy, Emery, Farnham, Foster, Gauthier, Gilbert, Jutras, Laberge, Leibowitz, Marquis, Noyes, Ricker, Rideout, Rocheleau, Sahagian, Santoro, Sheltra, Tangay, White.

Yes, 79; No, 45; Absent, 26.

The **SPEAKER**: Seventy-nine having voted in the affirmative and forty-five in the negative, the motion does prevail.

The Chair recognizes the gentleman from South Portland, Mr. Ouellette.

Mr. **OUELLETTE**: Mr. Speaker, I now move that we reconsider our action whereby we indefinitely postponed L. D. 980, and I hope you will vote against my motion.

The **SPEAKER**: The gentleman from South Portland, Mr. Ouellette, moves that we reconsider our action whereby this bill was indefinitely postponed.

The Chair recognizes the gentleman from Madison, Mr. Corson.

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

The **SPEAKER**: The gentleman from Madison, Mr. Corson, now

moves that the reconsideration motion be tabled until the next legislative day.

Thereupon, Mr. Curtis of Bowdoinham requested a vote.

The **SPEAKER**: All in favor of tabling the reconsideration motion will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

32 having voted in the affirmative and 85 having voted in the negative, the tabling motion did not prevail.

The **SPEAKER**: The pending question is reconsideration. All in favor of reconsideration will say yes; those opposed will say no.

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

The Chair laid before the House the twenty-second item of Unfinished Business.

MAJORITY REPORT (6) — "Ought to pass"—Committee on Taxation on Bill "An Act Increasing Certain Motor Vehicle Registration Fees" (H. P. 326) (L. D. 413) and **MINORITY REPORT (4)** reporting "Ought not to pass"

Tabled—May 26, by Mr. McNally of Ellsworth.

Pending—Motion of Mr. Dudley of Enfield to accept Minority Report.

On motion of Mr. Binnette of Old Town, retabled pending the motion of Mr. Dudley of Enfield to accept the Minority Report and specially assigned for tomorrow.

The Chair laid before the House the twenty-third item of Unfinished Business.

Bill "An Act Increasing Certain Fish and Game Fines" (H. P. 1204) (L. D. 1531)

Tabled—May 26 by Mr. Hunter of Durham.

Pending—Motion of Mr. Wood of Brooks to adopt House Amendment "D" H-395.

Thereupon, House Amendment "D" was adopted.

Mr. Hunter of Durham offered House Amendment "E" and moved its adoption.

House Amendment "E" (H-400) was read by the Clerk.

The **SPEAKER**: The pending question is the adoption of House Amendment "E". The Chair rec-

ognizes the gentleman from Durham, Mr. Hunter.

Mr. HUNTER: Mr. Speaker and Ladies and Gentlemen of the House: This—this section here of this bill—and incidently I compliment the Fish and Game Department in wantin' to conserve our deer herds, but this particular section has to do with farm dogs, farm dogs that roam where deer is apt to be. Now it's gettin' so that you really can't have a dog on the farm because the dog might be on your own property but he wanders a little bit away from home, and I always like to have a dog around in case you're washin' your feet in the kitchen or somethin' like that, the dog will bark and let you know that somebody's around, but these dogs roam a little bit and anything sudden—if a heifer comes along or anything like that, naturally they'll chase and bark at him.

And along about Christmastime I play Santa Claus a lot at places and I know that when I'm dressed up in my Santa Claus suit going down the road gettin' near a school house where there's always lots of dogs hangin' around the schoolhouse and I kinda begin "Ho, Ho, Ho, Merry Christmas" and dogs will come runnin' at me. But it isn't only the dogs that startles a person, adults are the same way.

I usually hide my car up the rud and I'll be awalkin' down the rud and a car will come around the fence and see me and stop and don't hardly dare go by me, so it's anything strange that everybody gets worked up about. And that's worked that way with the dogs and now the committee had in there a 50 to 100 dollar fine for keeping the dogs that might be out around and I talked with the committee and my amendment here cuts it back to 25 to 50 dollars, which I would think would be aplenty, and I certainly hope that you vote with me in acceptin' this amendment.

Thereupon, House Amendment "E" was adopted.

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

Mr. MARTIN: Mr. Speaker and Members of the House: I know it's very difficult to follow the gentleman from Durham, Mr. Hunter, but I would like to pose a question to any member of the Fish and Game Committee. I notice that every time that they refer to an increase in the violation fine that they do not necessarily issue or write in what it is for and I wonder if anyone from the Committee would be able to tell us as to what fines they are increasing, because I note in certain instances it would be more expensive to kill a deer than it would be to kill a human being.

The SPEAKER: The gentleman from Eagle Lake, Mr. Martin, poses a question through the Chair to any member of the Committee who may answer if they choose. The Chair recognizes the gentleman from Augusta, Mr. Lewin.

Mr. LEWIN: Mr. Speaker and Ladies and Gentlemen of the House: In answer to Mr. Martin, I might say that in order to answer his question fully I would have to have the good book with me. I'll see that he gets a book tomorrow and we'll go over it together and save the time this afternoon.

The SPEAKER: The pending question is the passage of this bill to be engrossed as amended.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I don't know if I have any objection to the bill as such or not but I am a bit concerned about Amendment "D", the first offense. I think—there is a little poaching done in my area and I don't want to cause a massacre of any kind. However, I do think the people should be properly punished but I think if you will read Amendment "D" it might be a little stronger language than we would want to use. It's quite extensive. My bifocals are kind of dirty, but the penalty of not less than five days nor more than thirty days in jail, if this is for the first offense I think this is a bit strong and maybe someone ought to table it until we look into it a bit further.

However, I think they should be penalized, certainly; but on a first offense a jail sentence—I dislike

seeing my neighbors may be made a criminal for such a minor offense. I do think they should be made to pay and I think a reasonable penalty is good. I don't think they raise it any too much, but it seems to me after you have served a few days in jail—I never did—but it seems to me I would consider myself somewhat of a criminal had I served a few days in jail or even overnight in jail, and I think this House probably would want to give this a second thought and may be some one should table it and we'd take a good look at it, House Amendment "D". Thank you.

The SPEAKER: The Chair recognizes the gentleman from Brooks, Mr. Wood.

Mr. WOOD: This amendment "D" that I presented cuts out the compulsory jail sentence for the first amendment. The bill as it was written sets not less than five days nor more than thirty which fine, costs, and jail sentence shall not be suspended. But this cuts out the compulsory jail sentence for first offense.

Thereupon, the Bill was passed to be engrossed as amended by House Amendments "D" and "E" and sent to the Senate.

The Chair laid before the House the twenty-fourth item of Unfinished Business:

An Act relating to Discrimination on Account of Race or Religion (S. P. 397) (L. D. 1349)

Tabled—May 26, by Mr. Mills of Eastport.

Pending—Motion of Mr. Crosby of Kennebunk to indefinitely postpone.

On motion of Mr. Brennan of Portland, under suspension of the rules, the House reconsidered its action of May 20 whereby the Bill was passed to be engrossed as amended by Committee Amendment "A".

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

House Amendment "A" (H-402) was read by the Clerk.

The SPEAKER: The gentleman may proceed.

Mr. BRENNAN: Mr. Speaker and Ladies and Gentlemen of the

House: The passage of this bill would provide for the revocation of food and liquor licenses by any organization which withheld or denied membership to persons on account of race, religion or national origin with the exception of those which are oriented to a particular religion or which are ethnic in character. This is a very enlightened piece of legislation which is long in coming to this state. This measure had the unanimous support of the Committee on Judiciary. It had a long hearing with not one opponent to the bill.

Presently in the Portland area, the Cumberland Club and the Portland Country Club, apparently deny membership to certain minority groups. I know for a fact that many members of these clubs are personally opposed to the existing discrimination policies. However, it is very difficult for them to change that policy. Passage of this bill I think will facilitate some desired changes in that area. I urge you to support the bill with its amendment.

The SPEAKER: The Chair recognizes the gentleman from Houlton, Mr. Berman.

Mr. BERMAN: Mr. Speaker and Members of the House: This is a matter of some interest to me both as Republican and as State Representative. I can recall I think that it was in the 101st Legislature that a Republican House of Representatives first voted for an anti-discrimination bill and then reversed itself under some pressures and allowed an anti-discrimination bill to be torpedoed, and it was left for the other party in the succeeding legislature to right that wrong. So I hope my party won't make that mistake again and when the vote is taken, I request the yeas and nays.

The SPEAKER: The Chair recognizes the gentleman from Cumberland, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker and Ladies and Gentlemen of the House: So that there will be no confusion in the record, I was one of many members who voted during the 102nd Maine Legislature, and many Republican members included with those of the then majority party, who voted in favor

of the bill forbidding discrimination in the sale or rental housing. Secondly, I am going to support this bill, and I am going to do so even though as a member of the Cumberland Club I take violent offense to the statement made by the gentleman from Portland, Mr. Brennan. I don't believe it is fair to try people by accusation. I believe that this is a good and just law and it should be on the books. In voting for it I wish to make it absolutely crystal clear that I don't appreciate being tried by unsupported statements by those who propose legislation such as this. We are in a highly sensitive area and the question is whether or not we can by law try to correct a lot of the deficiencies that exist in the human spirit in this state. I think we can, and that is the reason that I am supporting the bill, and no other reason.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: Also to keep the record clear, it was not just the Democrats in the 102nd Legislature who favored the anti-discrimination bill in rental housing, because as a Republican member of that Legislature I was the co-sponsor of that bill; and I favor this bill today.

The SPEAKER: The pending question is the adoption of House Amendment "A" to Bill "An Act relating to Discrimination on Account of Race or Religion," Senate Paper 397, L. D. 1349. The yeas and nays have been requested on the adoption of House Amendment "A". For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All members desiring a roll call vote will vote yes; those opposed will vote no. The Chair opens the vote.

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

The SPEAKER: The pending question is on the adoption of House Amendment "A". All in favor of the adoption of House Amendment "A" will vote yes;

those opposed will vote no. The Chair opens the vote.

ROLL CALL

YEA — Allen, Barnes, Bedard, Benson, Berman, Bernier, Binnette, Birt, Boudreau, Bourgoin, Bragdon, Brennan, Buckley, Bunker, Burnham, Carey, Carter, Chandler, Chick, Clark, C. H.; Clark, H. G.; Coffey, Corson, Cottrell, Cox, Crommett, Croteau, Curran, Curtis, Cushing, D'Alfonso, Dam, Dennett, Drigotas, Dudley, Erickson, Eustis, Faucher, Fecteau, Finemore, Fortier, A. J.; Fortier, M.; Fraser, Giroux, Good, Hall, Hanson, Hariman, Haskell, Hawkens, Henley, Heselton, Hewes, Hichens, Huber, Hunter, Immonen, Jameson, Kelleher, Kelley, K. F.; Kelley, R. P.; Keyte, Kilroy, Lawry, Lebel, Lee, LePage, Levesque, Lewin, Lewis, Lund, MacPhail, Marstaller, Martin, McKinnon, McNally, McTeague, Meisner, Millett, Mills, Mitchell, Moreshead, Morgan, Mosher, Nadeau, Norris, Noyes, Ouellette, Page, Porter, Pratt, Quimby, Richardson, G. A.; Richardson, H. L.; Ross, Scott, C. F.; Scott, G. W.; Shaw, Snow, Soulas, Starbird, Stillings, Temple, Thompson, Tyndale, Vincent, Watson, Waxman, Wheeler, White, Wight, Wood.

NAY — Crosby, Cummings, Donaghy, Durgin, Gauthier, Hardy, Payson, Rand, Williams.

ABSENT — Baker, Brown, Carrier, Casey, Cote, Couture, Danton, Dyar, Emery, Evans, Farnham, Foster, Gilbert, Jalbert, Johnston, Jutras, Laberge, Leibowitz, Lincoln, Marquis, Ricker, Rideout, Rocheleau, Sahagian, Santoro, Sheltra, Susi, Tanguay, Trask.

Yes, 112; No, 9; Absent, 29.

The SPEAKER: One hundred twelve having voted in the affirmative and nine in the negative House Amendment "A" is adopted.

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

The Chair laid before the House the twenty-fifth item of Unfinished Business:

MAJORITY REPORT (6) — "Ought not to pass"—Committee

on Labor on Bill "An Act relating to Mediation Authority of State Employees Appeal Board" (H. P. 1035) (L. D. 1345) and MINORITY REPORT (4) reporting "Ought to pass"

Tabled—May 26, by Mr. Huber of Rockland.

Pending — Acceptance of either Report.

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

Mr. HUBER: Mr. Speaker and Members of the House: L. D. 1345 proposes to include the employees of the Maine Turnpike Authority in the group of state employees who may go to the newly established, in the last legislature, Mediation Authority of the State. Now, the mention of Maine Turnpike Authority employees raised a number of questions, and as a matter of fact not only raised a number of questions but we have had all kinds of opinions and even lots of free advice on the particular legislation.

May I read the last sentence of the opinion from the Attorney General's office. This opinion was solicited by the sponsor of the bill, Representative Crosby of Kennebunk, and I have his permission to quote from the letter:

"The enactment of L. D. No. 1345 to permit the employees of the Maine Turnpike Authority to have grievances adjusted by the State Employees Appeals Board would not either: (1) define the Maine Turnpike Authority as a State agency or make the employees of that Authority State employees; or (2) impair the obligations of contract existing between the Authority, its trustee and bond holders."

Mr. Speaker, I move that we accept the Minority "Ought to pass" Report.

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

The Chair laid before the House the twenty-sixth item of Unfinished Business:

An Act relating to Municipal Conservation Commissions (H. P. 749) (L. D. 967)

Tabled—May 26, by Mr. Casey of Baileyville.

Pending—Passage to be enacted. On motion of Mr. Mills of Eastport, retabled pending passage to be enacted and specially assigned for tomorrow.

The Chair laid before the House the twenty-seventh item of Unfinished Business:

Bill "An Act to Grant Adult Rights to Persons Twenty Years of Age" (H. P. 1162) (L. D. 1484)

Tabled—May 26, by Mr. Corson of Madison.

Pending — Passage to be engrossed.

The SPEAKER: The Chair recognizes the gentleman from Madison, Mr. Corson.

Mr. CORSON: Mr. Speaker, Ladies and Gentlemen of the House: I know that many of you are wondering why I and several of my young Turk colleagues have been tabling L. D. 802 and L. D. 1484, the bills concerned with lowering to 20 years the age at which our citizens attain the status, privileges and responsibilities of adulthood.

I should like to take a moment to explain what is happening. Many of us were concerned that the voting age would be reduced without a concurrent reduction in the age of adult responsibility. Therefore, L. D. 1484, the so-called "Adult Rights Bill" was introduced. However, consultation with the Director of Legislative Research and with the Office of the Attorney General disclosed that L. D. 1484, as it is now written, is not in proper form. For the past several weeks, the Attorney General's Office has been going through the Statutes of Maine page by page to come up with a redraft to be introduced as a House Amendment which will accomplish, in correct form, the intent of L. D. 1484. I was informed yesterday that the amendment will be ready in about ten days.

I ask that you bear with us that we may present for your consideration a bill that, when passed, will not create confusion and chaos in our statutes. I would hope that some young Turk will table this

matter until the next legislative day.

Whereupon, on motion of Mr. Tyndale of Kennebunkport, tabled pending passage to be engrossed and specially assigned for tomorrow.

The Chair laid before the House the twenty-eighth item of Unfinished Business:

Resolve Proposing an Amendment to the Constitution to Reduce the Voting Age to Twenty Years (H. P. 614) (L. D. 802)

Tabled—May 26, by Mr. Vincent of Portland.

Pending—Final Passage.

On motion of Mr. Tyndale of Kennebunkport, retabled pending final passage and specially assigned for tomorrow.

The Chair laid before the House the twenty-ninth item of Unfinished Business:

An Act Creating the Maine Meat Inspection Act (H. P. 306) (L. D. 493)

Tabled — May 26, by Mr. Bragdon of Perham.

Pending — Passage to be enacted.

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

Mr. BRAGDON: Mr. Speaker and Ladies and Gentlemen of the House: When we were discussing this bill the other day, I became fearful that it would not pass. Now I have looked upon on this as a good bill and a must for this session. I want to thank the members of the House for giving me the opportunity to table this bill and to look into it as to the needs for its passage.

I am still satisfied that the welfare of the meat producers of the state require that we enact this measure. Most of my information came from the Chairman of the Agriculture Committee and the head of the Consumer Protection Department of our own Department of Agriculture. At the risk of repeating some of the things already said on this bill in debate in this House, I would like to give

you my reasons for feeling this must be enacted. The story is pretty much this.

Apparently, the United States Department of Agriculture has issued orders to the states that they must come up with inspection acts which meet the approval of the United States Department of Agriculture before December 15 next, or else they will be subject to federal inspection. If this should come about, there would probably be only one meat slaughtering establishment in Maine that would meet with the requirements of the federal order, namely, that establishment operated by Aaron Levine. Under these conditions, this would create a virtual monopoly in the State of Maine. I have no doubt that Mr. Levine could handle this situation to good advantage. However, producers of meat products in the state would have no alternative but to truck their produce on the hoof to Mr. Levine's establishment or truck them out of the state.

If we pass this bill, thus setting up a state inspection program, the federal people have agreed that they will give us the next two years to get our house in order. At the present time there are in the State of Maine in the neighborhood of 135 small slaughter houses that I have said previously would be thrown out who could not qualify under the federal order. I believe that this two-year period will give us an opportunity to bring many of these smaller houses into the areas where we can meet the requirements of the federal order. It is my understanding that 35 of the other states have already passed bills similar to this.

The matter of cost of setting up this inspection service was the main topic of dissension in our previous debate. Mr. Osgood, head of the Consumer Protection Division in our Department of Agriculture, assures me that the only money that would be spent in getting this program in order during the next 2 years is the \$35,000 allocated for that purpose in the Part I budget. The Appropriations Committee, perhaps unwisely, turned down the Department's re-

quest for added funds in the Part II budget.

He further assures me that the federal people have assured him that in the first year of the biennium they will match this \$35,000 with an amount half that size and in the second year, match it with 90% of the \$35,000. Mr. Osgood also assures me, that with this amount of money and the force they presently have he can set up this inspection service thus preventing the closing of many of these smaller slaughter houses that are now doing a much needed service for the meat producers and consumers state-wide. In the matter of cost for the next biennium, which was discussed on a previous occasion, I would only say this, I would assume that the 105th Legislature would do what they must do to continue the service.

If I have left any hazy areas in the explanation of this program, I am sure there are others who will continue the debate from here on. As I said before, I believe this bill is a must for this session. Mr. Speaker and ladies and gentlemen of the House, I move that this bill be passed to be enacted.

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

The Chair laid before the House the thirtieth item of Unfinished Business:

Bill "An Act Providing for Impaired Consent Law for Operator of Motor Vehicles" (H. P. 1030) (L. D. 1339)

Tabled — May 26, by Mr. Richardson of Cumberland.

Pending — Motion of Mr. Birt of East Millinocket to reconsider passage to be engrossed as amended by House Amendment "A" (H-327).

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

Mr. BIRT: Mr. Speaker and Members of the House: This L. D. has been kept on the table for a couple of weeks during the period of time that the State Supreme Court has been giving considera-

tion to five questions which were posed to that court by an order from this House. The report from the Supreme Court was received yesterday and for that reason I now withdraw the motion to reconsider.

Thereupon, the motion of Mr. Birt of East Millinocket to reconsider was withdrawn.

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

Mr. BRENNAN: Mr. Speaker and Ladies and Gentlemen of the House: This is the controversial implied consent bill. I am opposed to this bill for several reasons. I will give a few of them now. First I am opposed to giving any additional power to the police of this—

The SPEAKER: The Chair would advise the gentleman that this matter is no longer before the House. It has been passed to be engrossed as amended.

Mr. BRENNAN: Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the gentleman from Houlton, Mr. Berman.

Mr. BERMAN: Mr. Speaker, I move that this matter be reconsidered.

The SPEAKER: The Chair understands that the gentleman moves that the rules be suspended for the purpose of reconsideration. Is there objection?

(Cries of "Yes")

The Chair hears objection and the rules are not suspended.

The Chair laid before the House the thirty-first item of Unfinished Business:

Report "A" of the Committee on State Government on Bill "An Act Creating the Unclassified State Employees Salary Board" (H. P. 9) (L. D. 9) reporting same in new draft (H. P. 1212) (L. D. 1541) under same title and that it "Ought to pass" and Report "B" reporting "Ought not to pass"

Tabled — May 26, by Mr. Dennett of Kittery.

Pending — Motion of Mr. Donaghy of Lubec to reconsider acceptance of Report "B".

Thereupon, Mr. Donaghy of Lubec withdrew his motion to reconsider.

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

SENATE REPORT — "Ought not to pass" — Committee on Towns and Counties on Bill "An Act relating to County Advisory Organizations" (S. P. 118) (L. D. 328) (In Senate, Bill substituted for the Report and passed to be engrossed as amended by Senate Amendment "A" S-174)

Tabled — May 27, by Mr. Kelley of Machias.

Pending — Motion of Mr. Wight of Presque Isle to accept Report in non-concurrence.

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

Mr. KELLEY: Mr. Speaker and Members of the House: This is an Act relating to County Advisory Organizations, and I should like to have your indulgence for a few moments while I explain the mechanics of this bill. I shall be mercifully brief, because when I served as Sergeant-at-Arms in the 103rd Legislature I found that newspapers are an excellent barometer of audience appeal, and when throughout the House you see newspapers being opened during a long speech it is a pretty safe assumption that the speaker should rush to his point and sit down, because the number of opened newspapers is in direct ratio to the length of the speech.

First of all I would like to point out that this organization would do much the same for county government which the Maine Municipal Association now does for our communities.

1. It would establish a better system of communication and exchange of ideas each way between counties themselves, between counties and municipalities, between counties and the State and Federal Governments. 2. By taking advantage more fully of the various federal programs involving grants or matching funds to the counties. 3. By presenting a better public image through greatly

expanded public relation programs, involving in part, education of our citizens and the functions and services of our County Government. 4. By presenting constructive legislation for betterment of county government, rather than permitting others to assume leadership in this area. 5. By initiating a research program to better acquaint legislators and citizens with factual materials on any aspect of County Activities through an inquiry service, development of a library, and publication of a regularly scheduled research bulletin.

The cost of this program would be borne by the sixteen counties each contributing percentage wise to the State Valuation of each County. Original plans called for expenditure of \$20,000 for fiscal 1969 and \$25,000 for fiscal 1970. Now realizing that the 104th Legislature is faced with many financial headaches, the Committee has revised these figures downward. As 1969 will be three quarters over in the event this bill should pass before it would become effective, the new request for the balance of 1969 would be only \$3125. The contribution from the lowest valued county would be \$57.00; from the highest valued county, \$662. For the fiscal year 1970 the revised estimate would be reduced from \$25,000 to \$12,500 and the lowest valued county contribution in this case would be \$222.

These revised estimates have been reached by eliminating some of the items in original estimates such as conventions, janitor service, lights, national dues, public relations and legislative services. Through the generosity of the Board of County Commissioners of Kennebec County, quarters would be furnished with lights and janitor service and limited amount of secretarial and typing personnel.

It would seem that this proposal should be tried for the next two year period and if by that time the plan seems to have no real value, then we could easily abandon it. Incidentally, no part of this money would be used for a registered lobbyist.

Now admittedly this is not the most important bill to come be-

fore us in this session and in the interests of brevity and to get on with the business of state government I would hope that we would settle this matter today. I would therefore move that we substitute the bill for the report.

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

Mr. FINEMORE: Mr. Speaker and Members of the House: I would like to pose a question to Mr. Kelley from Machias, how he expects the counties that are on a line budget to get this money, this 3100 of this year and this 12,500 per year, for 1969 and 70, due to the fact that they are on line budget?

The SPEAKER: The gentleman from Bridgewater, Mr. Finemore poses a question through the Chair to the gentleman from Machias, Mr. Kelley, who may answer if he chooses. The Chair recognizes that gentleman.

Mr. KELLEY: In answer to the gentleman's question, I would remind him that since our counties are now on a line budget these small amounts could be taken from the contingent account.

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: We now have in existence today County Commissioners association, County Clerks association, the Sheriffs of Counties association, all of whom for which the taxpayers support. Now we are attempting to set up another organization which taxpayers will be supporting from county taxes. Let me remind you that county taxes are paid by the property owners in the end. Aroostook County had a request for \$3,000 each year of the biennium so that they could belong to this organization. We removed it from the budget because we felt that we didn't have to pay property taxes to have ourselves lobbied, to receive communication from another organization for which the taxpayers of this county and the rest of the state was going to pay.

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

and all of its accompanying papers.

The SPEAKER: The gentleman from Eagle Lake, Mr. Martin now moves the indefinite postponement of both Report and Bill.

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

Mr. BRAGDON: Mr. Speaker, I wish to endorse heartily the remarks of the gentleman from Eagle Lake, Mr. Martin and to confirm what he has said in what we will be faced when we come up with our consideration of our county budget, this amount, and I think this was in our other county budget. This is just a modified of a fund to lobby the county delegations and I am definitely — I was opposed to it then and I am still opposed to it.

The SPEAKER: The pending question is on the motion of the gentleman from Eagle Lake, Mr. Martin to indefinitely postpone both Report and Bill. Is the House ready for the question?

The Chair recognizes the gentleman from Presque Isle, Mr. Wight.

Mr. WIGHT: Mr. Speaker, I would ask that this be tabled for one day.

The SPEAKER: The gentleman from Presque Isle, Mr. Wight moves that L. D. 328 be tabled for one legislative day.

Thereupon, Mr. Bragdon of Perham requested a vote on the tabling motion.

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

A vote of the House was taken.

15 having voted in the affirmative and 82 having voted in the negative, the motion to table did not prevail.

The SPEAKER: The pending question is indefinite postponement. Is the House ready for the question? The Chair will order a vote. All in favor of indefinite postponement will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

96 having voted in the affirmative and 6 having voted in the

negative, the Bill was indefinitely postponed in non-concurrence and sent up for concurrence.

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

Bill "An Act relating to Approval of Refuse Disposal Areas" (H. P. 1196) (L. D. 1517) (In House, passed to be engrossed as amended by House Amendment "A" H-340) (In Senate, indefinitely postponed)

Tabled — May 27, by Mr. Dam of Skowhegan.

Pending — Motion of Mr. Evans of Freedom to recede and concur.

On motion of Mr. Eustis of Dixfield, retabled pending the motion of Mr. Evans of Freedom to recede and concur and specially assigned for tomorrow.

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

Bill "An Act to Create the Mountain Resorts Airport Authority" (S. P. 368) (L. D. 1281) (In Senate, passed to be engrossed as amended by Committee Amendment "A" S-129 and Senate Amendment "B" S-163) (In House, Committee Amendment "A" indefinitely postponed)

Tabled — May 27, by Mr. Farnham of Hampden.

Pending — Passage to be engrossed as amended by Senate Amendment "B" as amended by House Amendment "A" thereto H-386 in non-concurrence.

The SPEAKER: The Chair recognizes the gentleman from Lubec, Mr. Donaghy.

Mr. DONAGHY: Mr. Speaker and Members of the House: I was on the State Government Committee that heard this thing and I would ordinarily like to have this postponed until morning, because I know it's late. But since most of the papers have been read I will take a chance and ask for a few minutes of your time to listen to the reasons that I think that more consideration should be given to this before it is actually passed.

In the first place, this Authority in my opinion goes way too far in what it wants to do. If it is restricted to be an airport, an airport authority, that will be fine, but they want to go into shopping cen-

ters, residential developments, water, sewer, electric and telephone utility operation, casinos and any other unlimited type of operation. Now unlimited type of operation certainly takes in quite an area.

Now they took this back once to clean it up and the reason was that the State of Maine was not to get in on the lending part of it or the guaranteeing of bonds. Now they did take this part out, but now we find in there we still have the fact that of this board we have three state officials on the board. One is the director of the Maine Aeronautics Commission, another is the director of the Park and Recreational Authority and the third is the manager of the Maine Recreation Authority; and all these people are appointed by the Governor of the State of Maine. Now when a potential buyer of the bonds that they propose to issue looks at his prospectus, he will find all these names of respected citizens of the State of Maine, the officials of the State of Maine, and it certainly would imply that the State of Maine was behind this operation; and believe me this is quite a gem, to have the State of Maine involved in.

They have something that many other organizations would love to have and that is unlimited eminent domain powers. Now some of our own departments such as the Parks or Fish and Game and that sort of thing are definitely limited in what they can do, but this outfit is to have unlimited eminent domain powers.

I will skip down through here. There are a lot of things that could be brought out but I will just stick to the major ones.

They were supposed to have taken out the fact that Maine was going to guarantee the bonds; they did. But in the fine print you will find that the Maine Recreational Authority and the Maine Industrial revenue financing bonds are specifically authorized in financing this budget. So if the members of this board decide to use the funds of the State of Maine, it can be done. It goes on further, and in Section 7062 it eliminates any legal responsibility on bonds of the Authority. These bonds should be sub-

ject to all regulations applicable currently to the issuance of bonds in general. Why should they be special?

Further, the authority is tax exempt. It will pay no real estate taxes, no sales taxes, no other state, county, or local tax. In addition there is a unique feature included that any profit made on the sale of the bonds at any time and in any owners hands are tax exempt.

Now since these folks have failed to put their house in order, I would move indefinite postponement.

The SPEAKER: The gentleman from Lubec, Mr. Donaghy, moves the indefinite postponement of item 3, L. D. 1281 as amended.

The Chair recognizes the gentleman from Manchester, Mr. Rideout.

Mr. RIDEOUT: Mr. Speaker and Members of the House: I would just go over some of the provisions of this bill and I would read it to Mr. Donaghy particularly. "Revenue bonds issued under this chapter shall not be deemed to constitute a debt of the State of Maine nor a pledge of the credit of the State, but such bonds may be payable solely from the funds provided therefor, and a statement to that effect shall be recited on the face of the bonds."

Now as far as eminent domain is concerned, yes, there is an eminent domain provision in the bill. The eminent domain provision has been amended so that it can be exercised only with the complete procedural safeguards.

Now I could go into a long song and dance about this bill and I am sure you are not really interested, but I just want to impress on you if I may that this is something that is very very important for the Sugarloaf area. It has the endorsement of the Sugarloaf Mountain Corporation, The Saddleback Mountain Corporation, the Stratton-Eustis Chamber of Commerce, the Rangeley Lakes Chamber of Commerce, the Sugarloaf Area Association, and to use a time-worn phrase, this is a "good bill" and I would hope you would sustain me and vote against the motion for indefinite postponement.

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

Mr. MILLS: Mr. Speaker and Members of the House: I believe this bill here is one that is holding us up in industrial recreation and I would like to have it tabled one legislative day.

The SPEAKER: The Chair would advise the gentleman that his motion is not in order.

The Chair recognizes the gentleman from Strong, Mr. Dyar.

Mr. DYAR: Mr. Speaker and Members of the House: I represent the Saddleback and Sugarloaf area. I attended the initial meeting where there were over a hundred residents of that area in attendance to speak and to ask questions of the proprietors and sponsors of this bill, and I will tell you that what Mr. Rideout has stated is absolutely true and the people in my area aren't going to be taken over by any city slickers and when they are for it they mean it.

The SPEAKER: The pending question is on the motion of the gentleman from Lubec, Mr. Donaghy, that Bill "An Act to Create the Mountain Resorts Airport Authority," Senate Paper 368, L. D. 1281, be indefinitely postponed. The Chair will order a vote. All in favor of indefinite postponement will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

38 having voted in the affirmative and 62 having voted in the negative, the motion did not prevail.

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

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

Resolve Proposing an Amendment to the Constitution to Provide for Municipal Home Rule (H. P. 343) (L. D. 451)

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

Pending — Passage to be engrossed.

On motion of Mr. Shaw of Chelsea, tabled pending passage to be engrossed and assigned for later in today's session.

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

An Act to Authorize Bond Issue in the Amount of \$310,000 for the Construction of Water and Sewage Facilities at the Indian Reservations" (H. P. 312) (L. D. 399)

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

Pending—Passage to be enacted.

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: The gentlewoman from Orrington, Mrs. Baker has an amendment and she is not in her seat at this time and I would hope that someone would table this until later in today's session.

Whereupon, on motion of Mr. Bragdon of Perham, tabled pending passage to be enacted and specially assigned for tomorrow.

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

Bill "An Act Amending the Sanford Sewerage District" (H. P. 706) (L. D. 920)

Tabled—May 27, by Mr. Gauthier of Sanford.

Pending — Passage to be engrossed.

Mr. Gauthier of Sanford offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-380) was read by the Clerk and adopted and the Bill passed to be engrossed as amended and sent to the Senate.

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

Bill "An Act relating to Harness and Running Horse Races on Sunday" (H. P. 1069) (L. D. 1398) (In House, indefinitely postponed) (In Senate, passed to be engrossed as amended by Senate Amendment "A" S-161)

Tabled—May 27, by Mr. Kelleher of Bangor.

Pending—Motion of Mr. LePage of Scarborough to recede.

The SPEAKER: The Chair recognizes the gentleman from Scarborough, Mr. LePage.

Mr. LePAGE: Mr. Speaker, I wish to withdraw my motion to recede and I would like to say a few words on Senate Amendment "A".

The SPEAKER: The gentleman from Scarborough, Mr. LePage withdraws his motion to recede.

Mr. LePAGE: Mr. Speaker and Members of the House: I know that many of you are not familiar with the Scarborough Downs operations. Very briefly I would like to comment on this race track. During July and August the plant employs about 250 people. They have an annual payroll of \$500,000. They pay to the Town of Scarborough in taxes over \$30,000 and they are our biggest single taxpayer. Next year they are going to construct an 18-hole golf course and a new motel. They plan to spend another million and a half in new construction next year. Now we feel this legislation will be extremely beneficial to us and I certainly hope you will go along and vote to recede and concur.

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

Mr. KELLEHER: Mr. Speaker and Ladies and Gentlemen of the House: I had prepared rather a lengthy statement to give you people this afternoon but as Mr. Rideout has previously stated it is warm and the hour is late, but I would like to say this. This is just a commercial bill and Sunday means only money to them. Now they may be able to put Sunday into the dollars and cents category but I can't. Sunday is a day in the week that can still be called a family day and not a day to be spent at some race track gambling.

I hope that when you vote that you will vote against the recede and concur motion.

The SPEAKER: The Chair recognizes the gentleman from Manchester, Mr. Rideout.

Mr. RIDEOUT: Mr. Speaker and Ladies and Gentlemen of the House: First may I reiterate my

position on why I sponsored this legislation. I have a difficult time keeping abreast of my legislative duties such as doing my homework on the Louse Island bill and then attempting to figure out which horse is going to win a race is far beyond me. What I am saying to you is this. I have absolutely no interest in racing and approach this matter strictly as a business enterprise in which the State is engaged.

Sunday racing is not a novel idea, as it has been accepted in Canada, Mexico and the European countries for years. There are nine states in this country which allow Sunday racing and as I stated before, each state which allows Sunday racing has found it to be most profitable and desirable. The reason is very obvious in that Sunday is a day when most people have the opportunity to do as they desire. Football, baseball, golf and other sports have found Sunday to be their most lucrative day.

As it was stated in the last debate that Sunday should be a family day, and I agree with that theory, but I also believe that is a personal decision and I do not believe that I have the right to dictate to anybody how a person should spend his leisure time. I and thousands of other men and women play golf every Sunday during the summer and I do not feel I am neglecting my family.

As you know, by the Senate amendment, that this bill would now only allow racing at the running track which is Scarborough Downs. According to the information which I received from the management of Scarborough Downs, a substantial portion of their attendance is from out of state and if racing were held on Sunday there would be considerably more patrons coming from New Hampshire and Massachusetts only for the purpose of attending the track.

Now we are talking about money. Scarborough anticipates a mutual handle on Sundays in July and August in the amount of \$400,000 each Sunday. Ten Sundays of racing would add up to \$4 million and the State nets 5 per cent of this which would equal \$200,000 in taxes

to the State. This does not include sales taxes on food or beverages or gasoline taxes.

Now, let us assume as a result of Sunday racing they do not hold races on Monday for instance. The average handle on Monday nights would be in the vicinity of \$100,000. This still gives us a net gain of \$300,000. The operators of Scarborough Downs feel this legislation is in their best interest of course and their success will mean additional revenue to the State.

Now as I also stated before, and forgive me for repeating myself, when you all see that Appropriations table cleared at the session's end and we see so many of our worthy measures go galley west, \$300,000 is going to look awfully good to all of us. I hope you would support the motion to recede and concur.

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

Mr. KELLEHER: Mr. Speaker and Members of the House: The most prominent track in the United States that has Sunday racing is in the State of Vermont. I called the Racing Commission's office there last Monday and I talked to their Executive Secretary, Mrs. Viola Smith, and she told me that in 1968 there were 29 Sundays used for racing, four at the harness track and 25 at the running track. Now they didn't race seven days, they raced six and they didn't race on Monday. Now this year in 1969 they are not having any Sunday racing for the harness meet and they are going to have it for the running meet. Now last year they blacked out Mondays and this year they are only going five days, they have blacked out Mondays and Tuesdays because these days are poor days for profit for them and they are going—mark my words if this bill goes through they will do the same thing down there, they will eliminate one day. It is purely a commercial bill for them.

Now I am a little lost for words sometimes but I still maintain that Sunday is a day that should be spent anywhere but at a race track. We have been very liberal here in this House. This session

we passed Sunday liquor and I don't think that we ought to pass Sunday racing too.

The SPEAKER: The Chair recognizes the gentleman from Eliot, Mr. Hichens.

Mr. HICHENS: Mr. Speaker, the gentleman from Manchester has intimated that we are to make a lot of money on this deal and I would read from the paper that was passed to us encouraging us to vote for such a bill. It states that it would bring in thousands of dollars from sales taxes. Also that if all the tracks took advantage of the passage of this bill it could easily add \$250,000 to \$500,000 to the State's parimutual revenue in addition to the sales tax revenue.

I would like to read an editorial from the Portsmouth, New Hampshire Herald relating to actions being taken over in the State of New Hampshire and it is entitled "How Low Is State Legislature Willing to Go to Avoid New Taxes?"

"Prostitution was once regarded as one of the more disgraceful occupations, and a 'fallen woman' was more to be pitied than censured.

We bring the matter up because, at the moment, prostitution is about the only one of the old sins that the legislature isn't willing to consider as a way of avoiding new taxes.

Already on tap is a bill to turn the state into a gambling hell from the Seacoast to the White Mts., and the state will be the chief shill for all the craps, roulette and blackjack tables.

With that proposition out in the open, surely someone can be found who will 'pimp' a bill to legalize prostitution.

Just how the state would go about getting its share of the girls' income we're willing to leave to the tax-avoidance experts in the House of Representatives.

Lest someone think we speak in jest about this, it should be said that we do not.

When the time has come in the wonderful old State of New Hampshire that men will seriously think of gambling as a way of financing state business, instead of a legitimate tax program, then one more

step in the road of degradation should be easy to take.

Rep. Raimond Bowles described the voting against a broad base tax as 'a day of shame', but we defy even the eloquent Bowles to find words to fit the occasion if Mafia-operated gambling gets into the state.

And we flatly predict that no wise guy in Concord, or elsewhere, would be able to keep those parasitic lice out of the action, if casinos ever got started.

Merciful Jupiter, why has this state sunk so low that being controlled by the Mafia is preferable to paying taxes?"

I think I can add very little to that. I do not intimate that this bill would bring the Mafia into the state but it would be a good start, and as was intimated this morning in the name of this island I think this is a lousy bill.

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

Mrs. BOUDREAU: Mr. Speaker and Ladies and Gentlemen of the House: Being from Portland and I guess a horrible sinner, I would hope the members of this House would vote for passage of L. D. 1398 as amended. This limits Sunday racing to Scarborough Downs and I think it would be beneficial to the whole area and I can't see where it would affect anyone's attending religious services, they have plenty of time to do it in the forenoon.

The SPEAKER: The pending question is on the motion of the gentleman from Scarborough Mr. LePage, that the House recede from its former action and concur with the Senate.

Whereupon, Mr. Kelleher of Bangor requested a vote on the motion.

The SPEAKER: A vote will be taken. All in favor of receding and concurring with the Senate will vote yes; those opposed will vote no.

Whereupon, Mr. Berman of Houlton requested a roll call.

The SPEAKER: The yeas and nays have been requested. For the Chair to order a roll call it must have the expressed desire of one fifth of the members

present and voting. All members desiring a roll call vote will vote yes; those opposed will vote no. The Chair opens the vote.

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

The SPEAKER: The pending question is on the motion of the gentleman from Scarborough, Mr. LePage that the House recede from its former action and concur with the Senate. If you are in favor of this motion you will vote yes; if you are opposed you will vote no. The Chair opens the vote.

ROLL CALL

YEA — Bedard, Benson, Binnet, Boudreau, Bourgoin, Brennan, Burnham, Carey, Chandler, Chick, Clark, C. H.; Clark, H. G.; Coffey, Corson, Cottrell, Crommett, Croteau, Cummings, D'Alfonso, Dennett, Dudley, Dyar, Erickson, Eustis, Fecteau, Finemore, Fortier, M.; Fraser, Gilbert, Giroux, Haskell, Henley, Heselton, Huber, Hunter, Jalbert, Jameson, Johnston, Kelley, R. P.; Keyte, Kilroy, Lebel, LePage, Levesque, Lewis, MacPhail, Martin, McKinnon, McTeague, Mills, Moreshead, Morgan, Nadeau, Noyes, Ouellette, Pratt, Rand, Rideout, Shaw, Stillings, Temple, Thompson, Vincent, Watson, Wheeler.

NAY — Allen, Baker, Barnes, Berman, Bernier, Birt, Bragdon, Buckley, Bunker, Carter, Cox, Crosby, Curran, Curtis, Cushing, Donaghy, Drigotas, Fortier, A. J.; Good, Hall, Hanson, Harriman, Hawkens, Hewes, Hichens, Immonen, Kelleher, Kelley, K. F.; Lawry, Lee, Lewin, Lincoln, Lund, Marstaller, McNally, Meisner, Mitchell, Mosher, Norris, Page, Payson, Porter, Quimby, Richardson, G. A.; Richardson, H. L.; Scott, C. F.; Scott, G. W.; Snow, Soulas, Trask, Tyndale, Waxman, White, Wood.

ABSENT — Brown, Carrier, Casey, Cote, Couture, Dam, Dantor, Durgin, Emery, Evans, Farnham, Faucher, Foster, Gauthier, Hardy, Jutras, Laberge, Leibowitz, Marquis, Millett, Ricker, Rochelneau, Ross, Sahagian, Santoro,

Sheltra, Starbird, Susi, Tanguay, Wight, Williams.

Yes, 65; No, 54; Absent, 31.

The SPEAKER: Sixty-five having voted in the affirmative and fifty-four in the negative, the motion does prevail.

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

HOUSE REPORT — "Ought not to pass" — Committee on State Government on Bill "An Act Establishing a State-Municipal Government Revenue Sharing Program" (H. P. 1174) (L. D. 1498)

Tabled — May 27, by Mr. Chandler of Orono.

Pending — Acceptance.

On motion of Mr. Snow of Caribou, retabled pending acceptance of Report and specially assigned for tomorrow.

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

REPORT "A" reporting "Ought to pass"—Committee on Judiciary on Bill "An Act relating to Charitable Organization's Immunity in Civil Actions" (H. P. 558) (L. D. 739) and REPORT "B" reporting "Ought not to pass"

Tabled — May 27, by Mr. Berman of Houlton.

Pending — Acceptance of either Report.

On motion of Mr. Dennett of Kittery, retabled pending acceptance of either Report and specially assigned for tomorrow.

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

Bill "An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1970 and June 30, 1971" (S. P. 449) (L. D. 1483)

Tabled — May 27, by Mr. Levesque of Madawaska.

Pending — Motion of Mr. Richardson of Cumberland to reconsider failure of passage to be engrossed as amended by House Amendment "B" as amended by House Amendment "A" thereto. (H. "B"

-L. D. 1542) (H. "A" to H. "B" H-387)

On motion of Mr. Richardson of Cumberland, retabled pending the motion of that gentleman to reconsider failure of passage to be engrossed as amended and specially assigned for tomorrow.

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

HOUSE REPORT — "Ought not to pass"—Committee on Judiciary on Bill "An Act relating to Redemption by Owner and Sales of Tax Acquired Property" (H. P. 816) (L. D. 1055)

Tabled — May 27, by Mr. Henley of Norway.

Pending—Acceptance.

On motion of Mr. Norris of Brewer, retabled pending acceptance of Report and specially assigned for tomorrow.

The Chair laid before the House a matter tabled earlier and assigned for later in today's session:

MAJORITY REPORT (7) — "Ought not to pass" — Committee on Highways on Bill "An Act Providing for a Bond Issue in the Amount of Thirty Million Dollars to Reconstruct Route 6" (S. P.

358) (L. D. 1222) and MINORITY REPORT (3) reporting "Ought to pass" (In Senate, Minority Report accepted and Bill passed to be engrossed)

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

The Chair laid before the House a matter tabled earlier and assigned for later in today's session:

Resolve Proposing an Amendment to the Constitution to Provide for Municipal Home Rule (H. P. 343) (L. D. 451)

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

Pending — Passage to be engrossed.

Mrs. Baker of Orrington offered House Amendment "A" and moved its adoption

House Amendment "A" (H-416) was read by the Clerk and adopted and the Resolve passed to be engrossed as amended and sent to the Senate.

On motion of Mr. Richardson of Cumberland,

Adjourned until nine o'clock tomorrow morning.