

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

Monday, June 9, 1969

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

Prayer by Father John McVicar of Gardiner.

The members stood at attention during the playing of the National Anthem.

The journal of the previous session was read and approved.

**Papers from the Senate
Conference Committee Report**

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

Resolve Proposing an Amendment to the Constitution Pledging Credit of State for Loans of Maine School Building Authority (S. P. 97) (L. D. 307)

reporting that the House recede and concur with the Senate in passing the Resolve to be engrossed.

(Signed)

KATZ of Kennebec
MINKOWSKY

— Committee on part of Senate.
BIRT of East Millinocket
RICHARDSON

of Stonington
BRAGDON of Perham
— Committee on part of House.

Came from the Senate with the Report read and accepted.

In the House, the Report was read and accepted in concurrence. The House voted to recede and concur.

**Reports of Committees
Leave to Withdraw**

Report of the Committee on Towns and Counties on Bill "An Act Increasing Salaries of County Officials of Cumberland County" (S. P. 181) (L. D. 583) reporting Leave to Withdraw, as covered by other legislation.

Came from the Senate read and accepted.

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

Ought to Pass in New Draft

Report of the Committee on State Government on Bill "An Act

Establishing the Governor's Committee on Employment of the Handicapped" (S. P. 94) (L. D. 277)

reporting same in a new draft (S. P. 487) (L. D. 1571) under title of "An Act relating to the Employment of the Handicapped" and that it "Ought to pass"

Report of same Committee on Bill "An Act to Create a State Housing Authority" (S. P. 352) (L. D. 1219)

reporting same in a new draft (S. P. 488) (L. D. 1572) under same title and that it "Ought to pass."

Came from the Senate with the Reports read and accepted and the New Drafts passed to be engrossed.

In the House, the Reports were read and accepted in concurrence, the New Drafts read twice and tomorrow assigned.

**Ought to Pass with
Committee Amendment**

Report of the Committee on Judiciary on Bill "An Act relating to Interest on Judgments" (S. P. 107) (L. D. 314) reporting "Ought to pass" as amended by Committee Amendment "A" (S-228) submitted therewith.

Report of same Committee on Bill "An Act relating to Powers and Duties of the Attorney General" (S. P. 142) (L. D. 424) reporting "Ought to pass" as amended by Committee Amendment "A" (S-229) submitted therewith.

Report of same Committee on Bill "An Act to Authorize Limited Supervised Practice by Third-Year Law Students on Behalf of Certain State Agencies and Legal Aid Organizations Pursuant to Court Rules" (S. P. 335) (L. D. 1133) reporting "Ought to pass" as amended by Committee Amendment "A" (S-230) submitted therewith.

Report of the Committee on Legal Affairs on Bill "An Act relating to Creation of Professional Service Corporations" (S. P. 378) (L. D. 1288) reporting "Ought to pass" as amended by Committee Amendment "A" (S-226) submitted therewith.

Came from the Senate with the Reports read and accepted and

the Bills passed to be engrossed as amended by Committee Amendment "A."

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

Divided Report

Majority Report of the Committee on State Government reporting "Ought not to pass" on Bill "An Act to Regulate the Removal and Disposition of Certain State-owned Objects and Specimens" (S. P. 216) (L. D. 624)

Report was signed by the following members:

Messrs. LETOURNEAU of York
BELIVEAU of Oxford
— of the Senate.

Messrs. STARBIRD
of Kingman Township
MARSTALLER

of Freeport
Miss WATSON of Bath

Messrs. DONAGHY of Lubec
RIDEOUT of Manchester
D'ALFONSO of Portland
— of the House.

Minority Report of same Committee on same Bill reporting same in a new draft (S. P. 489) (L. D. 1573) under same title and that it "Ought to pass"

Report was signed by the following members:

Mr. WYMAN of Washington
— of the Senate.

Mr. DENNETT of Kittery
— of the House.

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

In the House: Reports were read. On motion of Mr. Dennett of Kittery, the Minority "Ought to pass" Report in new draft was accepted in concurrence.

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

Divided Report

Special Order of the Day

Report "A" of the Committee on Public Utilities on Bill "An Act Creating the Maine Power Commission" (S. P. 351) (L. D. 1217) reporting same in a new draft (S. P.

471) (L. D. 1536) under same title and that it "Ought to pass"

Report was signed by the following members:

Messrs. VIOLETTE of Aroostook
BOISVERT
of Androscoggin
— of the Senate.

Messrs. LAWRY of Fairfield
EMERY of Auburn
BERNIER of Westbrook
— of the House.

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

Report was signed by the following members:

Mr. MOORE of Cumberland
— of the Senate.

Messrs. WILLIAMS of Hodgdon
CLARK of Wells
MOSHER of Gorham
RAND of Yarmouth
— of the House.

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

In the House: Reports were read. On request of Mr. Richardson of Cumberland, by unanimous consent was made a Special Order of the Day for 10:00 A.M. tomorrow, the pending question being acceptance of either Report.

Non-Concurrent Matter

Bill "An Act relating to the Statute of Limitations for the Malpractice of Physicians" (S. P. 85) (L. D. 279) which was passed to be engrossed as amended by Committee Amendment "A" as amended by House Amendment "A" thereto in non-concurrence in the House on June 5.

Came from the Senate with that body voting to insist on its former action whereby the Bill was indefinitely postponed in non-concurrence, and asking for a Committee of Conference.

In the House: On motion of Mr. Berman of Houlton, the House voted to insist and join in a Committee of Conference.

Non-Concurrent Matter

Bill "An Act to Provide that Charging More Than the Maximum Legal Rate of Interest is a Felony" (H. P. 434) (L. D. 558) which was passed to be engrossed as amended by Committee Amendment "A" in the House on June 3.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

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

Mr. JALBERT: Mr. Speaker and Members of the House: This was my measure and I would like to thank the Judiciary Committee for its work on this bill and having reported it out unanimously "ought to pass." I find, however, that it could inadvertently hit off at some innocent parties. It would take a great deal of time and effort to draft the proper amendments to it. At this late date I will now not make such an attempt; I will move that we recede and concur.

Thereupon, the House voted to recede and concur with the Senate.

Non-Concurrent Matter

Bill "An Act relating to Municipal Conservation Commissions" (H. P. 749) (L. D. 967) which was passed to be engrossed as amended by House Amendment "A" and House Amendment "B" in non-concurrence in the House on June 4.

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

In the House: The House voted to recede and concur with the Senate

Non-Concurrent Matter

Report of the 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) reporting that it be referred to the next legislature which Report was accepted in the House on May 28.

Came from the Senate with the Bill substituted for the Report and passed to be engrossed in non-concurrence.

In the House: On motion of Mr. Scott of Wilton, the House voted to recede and concur with the Senate.

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

Non-Concurrent Matter

Bill "An Act relating to Services of Premises not Licensed under the Liquor Laws" (H. P. 1223) (L. D. 1555) which was passed to be engrossed in the House on June 4.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Eliot, Mr. Hichens.

Mr. HICHENS: Mr. Speaker, I move that we adhere.

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

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

Whereupon, Mr. Hichens of Eliot requested a vote.

The SPEAKER: The gentleman from Madawaska, Mr. Levesque moves that the House recede from its former action and concur with the Senate. A vote has been requested. All in favor of receding and concurring will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

67 having voted in the affirmative and 42 having voted in the negative, the motion to recede and concur did prevail.

Non-Concurrent Matter

Report of the Committee of Conference on Resolve in favor of Town of Harrington for Medical Care of an Indigent (H. P. 543) (L. D. 722) which Report was accepted in the House on May 29.

Came from the Senate with the Report rejected and that body voting to further insist, and asking for a second Committee of Conference.

In the House: On motion of Mrs. Lincoln of Bethel, the House voted to further insist and join in a second Committee of Conference.

Messages and Documents

The following Communication:
THE SENATE OF MAINE

Augusta

June 6, 1969

Honorable Bertha W. Johnson
Clerk of the Maine House of

Representatives
104th Legislature

Dear Madam Clerk:

The Senate has voted to Insist and join in a Committee of Conference on the disagreeing action of the two branches of the Legislature on Resolve, Proposing an Amendment to the Constitution Pledging Credit of the State for Guaranteeing Portions of Certain Home Mortgages and Housing Development. (S. P. 390) (L. D. 1315).

The Senate has voted to Insist and join in a Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill, An Act Relating to Neglect of Official Duty by Municipal Officers. (H. P. 528) (L. D. 699).

The Senate has voted to Insist and join in a Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill, An Act Relating to Bids for Contractual Services Under the Auburn City Charter. (H. P. 963) (L. D. 1243).

Respectfully,

(Signed) JERROLD B. SPEERS

Secretary of the Senate

The Communication was read and ordered placed on file.

Petitions, Bills and Resolves Requiring Reference

The following Bill, approved by a majority of the Committee on Reference of Bills for appearance on House Calendar, was received and referred to the following Committee:

State Government

Bill, "An Act to Allow the Chief Liquor Inspector to Continue in his Position Beyond the Mandatory Retirement Age" (H. P. 1253) (Presented by Mr. Dennett of Kittery)

The SPEAKER: Is it the pleasure of the House that this Bill be referred to the Committee on State Government, ordered printed and sent up for concurrence?

Whereupon, Mr. Binnette of Old Town requested a vote.

The SPEAKER: A division has been requested on the reference. All members in favor of this matter being referred to the Commit-

tee on State Government, ordered printed and sent up for concurrence will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken. 80 having voted in the affirmative and 30 having voted in the negative, the Bill was referred to the Committee on State Government, ordered printed and sent up for concurrence.

Orders

Mr. Benson of Southwest Harbor presented the following Joint Resolution and moved its adoption:

WHEREAS, the Legislature learned with sorrow on June 6, 1969 of the sudden death of Rodney E. Ross, Sr., of Bath, father of our esteemed colleague; and

WHEREAS, under his wise and careful management, the Hyde Windlass Company, of which he was president and treasurer for 45 years, has become world renowned in the manufacture of marine machinery an invaluable credit to his native state; and

WHEREAS, his success as an attorney and business man and privately as a husband and father can only be complemented by his selfless attention to the needs of his community; and

WHEREAS, the passing of Rodney E. Ross, Sr., is a great and tragic loss to his friends, his family and the people of the State of Maine; now, therefore, be it

RESOLVED: That we the Members of the One Hundred and Fourth Legislature of the State of Maine extend our deepest sympathy to each member of his family and our full understanding to others who share the loss: and be it further

RESOLVED: That a suitable copy of this Resolution be forwarded to Mrs. Gladys Clifford Ross, Mrs. Barbara Ross Brewer, and the Honorable Rodney E. Ross, Jr., wife and children of the deceased, in token of our condolence. (H. P. 1257)

The Joint Resolution was adopted and sent up for concurrence.

Mr. Benson of Southwest Harbor presented the following Joint Order and moved its passage:

WHEREAS, uncertainty has arisen regarding the proper policies and priorities of Pineland Hospital and Training Center which will express the desires of the people with respect to the care and training of the mentally retarded, and as to the acceptance of new admissions for custodial care, and as to the proportion of manpower, space, facilities and appropriations which for the greatest benefit to the State and the people should be allocated to those whose needs are custodial care or lifetime residential care, and those who are generally called educable or trainable; now, therefore, be it

ORDERED, the Senate concurring, that the Legislative Research Committee study the needs and obligations of the State with regard to its mentally retarded of all classifications including lifetime care, the responsibilities, capabilities and potential of Pineland Hospital and Training Center to meet these needs and alternative state-owned, state-operated facilities for the care and training of the retarded, and report its findings and recommendations to the next regular session of the Legislature regarding the formulation of policies and priorities with respect thereto, together with any legislation it deems advisable. (H. P. 1258)

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

House Reports of Committees Leave to Withdraw Covered by Other Legislation

Mr. Hanson from the Committee on Towns and Counties on Bill "An Act Increasing Payments to Sagadahoc County Law Library" (H. P. 153) (L. D. 179) reported Leave to Withdraw, as covered by other legislation.

Same gentleman from same Committee reported same on Bill "An Act Increasing Payments to Hancock County Law Library" (H. P. 259) (L. D. 335)

Same gentleman from same Committee reported same on Bill "An Act Increasing Payments to Kennebec County Law Library" (H. P. 499) (L. D. 653)

Same gentleman from same Committee reported same on Bill "An Act Increasing Payments to Piscataquis County Law Library" (H. P. 649) (L. D. 837)

Reports were read and accepted and sent up for concurrence.

Ought to Pass in New Draft New Drafts Printed

Mr. Richardson from the Committee on Education on Bill "An Act to Provide a More Equitable Method of Distributing School Subsidy" (H. P. 512) (L. D. 683) reported same in a new draft (H. P. 1254) (L. D. 1586) under same title and that it "Ought to pass"

Mr. Curran from the Committee on Natural Resources on Bill "An Act Creating Civil Liability to the State for Pollution of Waters" (H. P. 479) (L. D. 633) reported same in a new draft (H. P. 1255) (L. D. 1587) under same title and that it "Ought to pass"

Mr. Rideout from the Committee on State Government on Resolve Proposing an Amendment to the Constitution Affecting the Apportionment of the House of Representatives" (H. P. 1015) (L. D. 1323) which was recommitted, reported same in a new draft (H. P. 1256) (L. D. 1588) under same title and that it "Ought to pass"

Reports were read and accepted, the New Drafts of Bills read twice, the New Draft of Resolve read once, and tomorrow assigned.

Ought to Pass with Committee Amendment

Mr. Curran from the Committee on Natural Resources on Bill "An Act Revising the Water and Air Environmental Improvement Laws" (H. P. 905) (L. D. 1166) reported "Ought to pass" as amended by Committee Amendment "A" (H-501) submitted therewith.

Report was read and accepted and the Bill read twice. Committee Amendment "A" (H-501) was read by the Clerk and adopted, and the Bill assigned for third reading tomorrow.

**Third Reader
Tabled Until Later in
Today's Session**

Bill "An Act Exempting Water and Air Pollution Control Facilities from Sales and Use Taxes" (S. P. 117) (L. D. 326)

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

(On motion of Mr. Dam of Skowhegan, tabled pending passage to be engrossed and assigned for later in today's session.)

**Third Reader
Tabled and Assigned**

Bill "An Act relating to Salaries of Jury Commissioners and County Officers in the Several Counties of the State and Court Messenger of Cumberland County" (H. P. 1231) (L. D. 1564)

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

Mr. Meisner of Dover-Foxcroft offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-471) was read by the Clerk.

Whereupon, on motion of Mr. Kelley of Machias, tabled pending adoption of House Amendment "A" and specially assigned for tomorrow.

Passed to Be Engrossed

Bill "An Act relating to Civil Service Commission in City of Auburn" (H. P. 1248) (L. D. 1583)

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

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

Mrs. BAKER: Mr. Speaker, I move the indefinite postponement of this bill and I would speak to my motion.

The SPEAKER: The gentlewoman from Orrington, Mrs. Baker moves the indefinite postponement of L. D. 1583.

The gentlewoman may continue.

Mrs. BAKER: Mr. Speaker and Members of the House: For the benefit of the members of the House I would like to make some comments on this L. D. L. D. 1583 is a new draft. The Civil Service provisions in the Auburn City

Charter were modified by the Legislature in 1967 to remove such details as height and weight of applicants, the questionnaire form to be used and so forth. This action has been recommended by the Auburn Charter Study Commission which felt that a charter like a constitution is a simple, basic framework for the operation of a municipal government, leaving out the nuts and bolts of day to day operations.

Ordinances were accordingly drawn up by the Auburn City Solicitor after review of similar ordinances by other communities. Comments were obtained from both fire and police department personnel, including the Firemen's Union, and a number of changes were accordingly made. The final draft was approved by the Firemen's Union and its attorney. On April 7, 1967 the Auburn City Council unanimously passed the ordinance which has been in effect ever since. This L. D. would reinstate all of the detail material which was purposely deleted by the last Legislature. It would freeze the situation so that even changes agreed to by the Firefighters' Union resulting from oversight in drafting could not be made until the next legislative session. This L. D. contains provisions applicable only to firemen and not to policemen.

I would further comment on some of the statements that were made at the hearing on this bill, and I am reading from one. "It may be of interest to note that the charter which was effective until September of 1967 contained in principle the contents of L. D. 1302 which was the original bill. I might also add that it contained the pension plans for both the police and fire departments. Charles Adrian, an eminent authority on state and local government defines a charter in his book entitled, 'State and Local Government.' He says, 'A charter is the fundamental law of a corporation which establishes, one, the structure or form of local government; two, the powers that may be exercised by it; and three, the general manner in which the powers grants may be exercised.'"

In relating this definition to the proposal here under discussion it

would seem that only the first three paragraphs of L. D. 1302 come within the scope of the definition as to be properly included in the City Charter. All remaining provisions belong in municipal ordinance. In other words it would seem that the present City Charter is appropriate and adequate under the above definition.

I do not feel that this belongs in the charter. It covers only the fire department and not the police department and furthermore the City Solicitor is at the present time in the process of preparing ordinances that would cover this very situation.

Therefore I move the indefinite postponement of this bill.

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

Mr. ROCHELEAU: Mr. Speaker and Members of the House: I would urge all members to vote against the indefinite postponement of this bill. I would ask that the members of the House be consistent with the vote of last Friday. Whereas this bill has a referendum clause I believe that the citizens of Auburn should be entitled to a vote on this. I ask that you vote against indefinite postponement. I ask for a division.

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

Mr. EMERY: Mr. Speaker and Ladies and Gentlemen of the House: This bill only places back in our '67 charter what was present in our old charter for 53 years. The Chairman of the Legal Affairs Committee in 1967 left open to the Auburn firemen the right to return to the 1969 Legislature if they did not believe they could get along with this new charter. I remind this House that when a certain group gets in power it is terribly hard to improve your position if you are in a minority. We have had many bills before this House this year and the same group, I repeat, the same group that originally harassed these firemen are the same people that are in power today. I as a Councilman in Auburn support this bill 100%. I move the favorable passage of the bill. Thank you.

The SPEAKER: Is the House ready for the question? The pending question is on the motion of the gentleman from Orrington, Mrs. Baker that the Bill 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.

A vote of the House was taken.

46 having voted in the affirmative and 64 having voted in this negative, the motion did not prevail.

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

**Amended Bills
Third Reader
Indefinitely Postponed**

Bill "An Act Providing Notice or Severance Pay by Employers" (S. P. 156) (L. D. 474)

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

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

Mr. JALBERT: Mr. Speaker and Members of the House: Last Friday I stated that if the House would extend the courtesy of passing this bill I would make moves to go to the law court with it. I was told rightfully so that to do so would take a period of some three to four weeks. I am going back to the words now of one of Maine's outstanding labor leaders and also one of Maine's outstanding labor attorneys that this measure could present some problems, so at this late stage of the game I see no other recourse but to move that this bill and its accompanying papers be indefinitely postponed.

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

**Third Reader
Tabled and Assigned**

Bill "An Act to Provide for the Construction and Improvement of Airports Throughout the State; for a Tourist Information Building at Kittery; the Repair, Planning and Improvement of Certain State-owned Buildings and Institutions and Provide for other Essential

Improvements to Facilities for the Department of Adjutant General, Finance and Administration, Veterans Services and the Maine Port Authority by Issuing Bonds in the Amount of \$1,940,000" (H. P. 307) (L. D. 394)

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

(On motion of Mr. Jalbert of Lewiston, tabled pending passage to be engrossed as amended and specially assigned for tomorrow)

Bill "An Act relating to Credit Card Crimes" (H. P. 563) (L. D. 744)

Bill "An Act relating to Lease of School Facilities by School Administrative Units" (H. P. 1109) (L. D. 1430)

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.

Passed to Be Enacted Bond Issue

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)

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-thirds vote of the House being necessary, a total was taken. 99 voted in favor of same and 27 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Enactor Tabled and Assigned

An Act Providing for a Feasibility Study of Alternative Methods for Crossing Fore River (S. P. 472) (L. D. 1544)

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

(On motion of Mr. Richardson of Cumberland, tabled pending passage to be enacted and specially assigned for tomorrow.)

Enactor Tabled Until Later in Today's Session

An Act Appropriating Moneys for a State Vocational and Technical Institute in Waterville (S. P. 477) (L. D. 1554)

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

(On motion of Mr. Birt of East Millinocket, tabled pending passage to be enacted and assigned for later in today's session.)

Passed to Be Enacted

An Act Altering Formula for Retirement under State Retirement System (S. P. 480) (L. D. 1538)

An Act relating to Safety Devices for Railroad Utilities (H. P. 440) (L. D. 564)

An Act relating to Weekly Benefits for Total Unemployment under Employment Security Law (H. P. 694) (L. D. 894)

An Act to Provide for Discovery Procedures in Workmen's Compensation Hearings (H. P. 930) (L. D. 1191)

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

An Act Providing Additional Penalty for Commission of a Felony while Carrying a Firearm (H. P. 1031) (L. D. 1361)

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

(On motion of Mr. Carter of Winslow, tabled pending passage to be enacted and specially assigned for tomorrow.)

An Act relating to Inspection and Advertising of Farm Products (H. P. 1219) (L. D. 1552)

An Act relating to Allowance for Widows of Justices of the Supreme Judicial Court and the Superior Court (H. P. 1228) (L. D. 1561)

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.

Orders of the Day

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

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

Tabled — June 4, by Mr. Susi of Pittsfield.

Pending — Motion of Mr. Fecteau of Biddeford to reconsider passage to be engrossed as amended by House Amendment "A" (H-398).

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

Mr. RIDEOUT: Mr. Speaker and Members of the House: This was fully debated at length here a few days ago and I would ask you to vote against the motion to reconsider.

The SPEAKER: Is the House ready for the question? All in favor of reconsideration will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

41 having voted in the affirmative and 74 having voted in the negative, the motion to reconsider did not prevail.

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 Provide for the Interception of Wire and Oral Communications" (H. P. 769) (L. D. 1002) (In House, recommitted to the Committee on Judiciary) (In Senate, Report accepted)

Tabled — June 4, by Mr. Berman of Houlton.

Pending — His motion to recede and concur.

On motion of Mr. Berman of Houlton, tabled pending his motion to recede and concur and specially assigned for tomorrow.

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

SENATE REPORT — Committee on Taxation on Bill "An Act to Give Relief to Elderly Persons from the Increasing Property Tax" (S. P. 283) (L. D. 916) reporting

same in a new draft (S. P. 474) (L. D. 1550) under same title and that it "Ought to pass"

Tabled — June 5, by Mr. Lesvesque of Madawaska.

Pending — Acceptance in concurrence.

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

Miss WATSON: Mr. Speaker and Ladies and Gentlemen of the House: L. D. 1550 has become notorious in a relatively short time. Its reputation is not undeserved. I have already described it as a bill which insults the elderly, and I must repeat that description today.

The bill grants property tax relief in the most grudging and inhumane way. The elderly apply for abatement of any increases in their property tax after they reach a certain age. If the municipality grants such abatements, the municipality may file a tax lien mortgage against the property of the elderly. Upon the death of the person who has received an abatement, the municipality has a claim against his estate, allowable in probate court.

I believe that the gross unfairness of this procedure is self-evident. The elderly are offered property tax relief only if they are willing to become public debtors. But there are other equally fundamental objections to this bill:

1. The bill does nothing to relieve the present burden of property taxes. Relief, if that is what you can call it, is available only for future property tax increases.

2. The bill does nothing to help the elderly who rent their homes. These people desperately need relief, too.

3. The bill further undermines the property tax base of our communities, at a time when these communities find it increasingly difficult to meet even minimal obligations.

4. The bill would involve our communities in probate court litigation which I am sure they want no part of, and which could prove very expensive.

In short, this bill does everything wrong. It ignores the needs of our

elderly citizens and impairs the revenue sources of our communities. I urge this House to decisively reject this unfortunate piece of legislation. And I now move that L. D. 1550 and all its accompanying papers be indefinitely postponed.

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

Mr. FORTIER: Mr. Speaker and Members of the House: I do not enjoy opposing Miss Watson on this bill because I do know that she is very conscientious in suggesting this help to the elderly, but I would not like to see this great piece of legislation be enacted without everybody being fully aware of what it does.

The substitute bill which is presented in opposition to this in the first place would cost \$1.5 million — but the question of giving to the elderly begrudgingly, the only difference that the other bill would make, it would permit our elderly to give free of charge at the expense of the State something to younger people who could not or would not help them in their hour of need. I do not believe that this bill is perfect or ideal. If it wasn't this late in the session I believe something could be worked out probably more beneficial to the elderly than this particular one, but at least there is no price tag on it and it does not permit anyone to make a gift, and it is a gift which the elderly would give to younger people. Consequently, it is not the elderly that would really get the benefit of this \$1.5 million, but it would be younger people who have refused or could not contribute to the support of these elderly people.

Consequently I hope you vote against the indefinite postponement.

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

Mr. SUSI: Mr. Speaker and Members of the House: In support of the arguments made by Mr. Fortier, I too would urge that you vote against the indefinite postponement of this bill. Regardless of the desirability of the alternative bill which deals with this same problem our basic situation is this,

that we are having difficulty coming up with the financing for other commitments which we have already signed up to meet and we see right now practically no possibility of funding the alternative bill or this — and again, as Mr. Fortier has said, I hope for what good this bill can do, and I believe that it can do some good around, that we do enact this bill and vote against the indefinite postponement. Thank you.

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

Mr. SHAW: Mr. Speaker, Ladies and Gentlemen of the House: This bill isn't anything that is startlingly new. It is common practice in the towns at least if you have an old person who can't pay his taxes, who runs out of money, then you get a matured lien on his place. You are not going to throw him out of the house or put him out in the street. So you carry the lien until he dies and then you get what you can out of the property. I know one instance I was involved in, an old lady, she was in her eighties, we carried her lien and she objected to it violently but we did, and when she died her nephew who would never come near her when she was alive came in and wanted the property and at least he had to pay the taxes before he got it. So I think this bill doesn't cost anybody anything and I think it is going to help out and I oppose the motion to indefinitely postpone.

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

Mr. FORTIER: Mr. Speaker and Members of the House: I don't know what bill we are debating but it appeared that the sponsors of this legislation were debating another bill and my good friend from Rumford, Mr. Fortier, said that there was no price tag and I suggested that if we debate this bill and there is no price tag on it that is probably all it is worth.

The SPEAKER: Is the House ready for the question? The pending question is on the motion of the gentleman from Bath, Miss Watson that L. D. 1550 be indefinitely postponed. All in favor will

vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

35 having voted in the affirmative and 83 having voted in the negative, the motion did not prevail.

Thereupon, the "Ought to pass" Report in new draft was accepted in concurrence and the New Draft was read twice.

Senate Amendment "B" (S-220) was read by the Clerk and adopted in concurrence and the New Draft assigned for third reading tomorrow.

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

Bill "An Act relating to the Taxation of Farm Machinery" (H. P. 1216) (L. D. 1548) (In House, passed to be engrossed as amended by House Amendment "A" H-394) (In Senate, passed to be engrossed)

Tabled—June 5, by Mr. Bragdon of Perham.

Pending—Motion of Mr. Susi of Pittsfield to recede and concur.

Thereupon, the House voted to recede and concur with the Senate.

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

HOUSE REPORT — Committee on State Government on Bill "An Act Establishing a Full-time Administrative Hearing Commissioner" (H. P. 1010) (L. D. 1312) reporting same in a new draft (H. P. 1242) (L. D. 1577) under same title and that it "Ought to pass"

Tabled—June 5, by Mr. Rideout of Manchester.

Pending—Acceptance.

Thereupon, the "Ought to pass" Report in new draft was accepted, the New Draft read twice and tomorrow assigned.

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

MAJORITY REPORT (8)—Committee on Legal Affairs on Bill "An Act relating to Civil Actions for Negligent Misstatements" (H. P. 898) (L. D. 1159) reporting

same in a new draft (H. P. 1247) (L. D. 1582) under title of "An Act relating to Credit Reports" and that it "Ought to pass" and MINORITY REPORT (2) reporting "Ought not to pass"

Tabled—June 5, by Mrs. Boudreau of Portland.

Pending — Acceptance of either Report.

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

Mrs. BAKER: Mr. Speaker, I move the acceptance of the Minority "Ought not to pass" Report and would speak to my motion.

The SPEAKER: The gentlewoman from Orrington, Mrs. Baker moves the acceptance of the Minority "Ought not to pass" Report. The gentlewoman may proceed.

Mrs. BAKER: Mr. Speaker and Members of the House: As the result of the hearing on this bill, the original bill, we found out that this is a very complex matter and it is something that probably will take some study and the people signing the Minority Report felt that it was, since this matter is under consideration in the federal government and hearings have already started in that direction, that any action that we might take here now could be in conflict with the results of the federal hearings. Therefore I support the "Ought not to pass" Report.

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

Mrs. BOUDREAU: Mr. Speaker and Ladies and Gentleman of the House: I am very concerned about this bill and its effect on the economy of the State of Maine. As you know, this deals with credit granting and this could curtail much of the credit business because it would be impossible to get the necessary information to extend credit. Our local credit bureau is a non-profit service organization owned wholly by member businesses. Each business pays a yearly fee depending upon the size of the business.

Information obtained is used basically for opening new accounts. Now let's be realistic. When a customer goes to open a new account he knows his paying

record is going to be checked. Dealers' standards for extending credit vary from dealer to dealer; what is acceptable to one might not be acceptable to another. If this L. D. was enacted, in the event credit was not extended, the business concerned would be required to notify in writing the customer that was turned down and also notify in writing anyone who had given any credit information. The credit reporting would also have to notify the customer and send him a copy of the report.

Can you imagine the expense and time involved especially if some of these people—especially if their credit is not good, might go to four or five different dealers in the local area all in the one day. And to be effective and to prove compliance with the law these reports would have to be mailed registered, return receipt. This expense would naturally fall on the dealer and consequently on all other customers. I can't see any benefit to anyone by this legislation, with probably the exception of the United States Post-office. I feel there is no need for this bill and it would not do any good. Therefore I hope you will go along with the "ought not to pass" report.

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

Mr. DYAR: Mr. Speaker and Members of the House: Evidently from the discussion here this afternoon there are a lot of misinformed people on this particular piece of legislation. The original bill as presented to the Committee concerned negligent misstatements in credit reporting and would take away the right to assert the defense of qualified and conditional privilege. This particular piece of legislation would affect every man, woman and child in business in the State of Maine as to their credit.

The lobbyists against this representing 25 or 30 businesses in the State of Maine, namely the credit bureaus of the state, have worked extremely hard to get this bill redrafted and changed from the meeting. I would like to cite sev-

eral examples. At the present time—possibly the word Gestapo is a harsh word to use, we have Gestapos in practically every town in the State of Maine, individuals who sneak, snoop, gather credit information on their neighbors. I would like to point out two particular ones that happened recently.

Two young gentlemen applied for a credit card with the American Oil Company. Both gentlemen are upright members in their community, both bachelors, pay their bills and mind their business. And the report came back "unacceptable." Another case, a gentleman went into Lewiston here three weeks ago to buy a new car on a Saturday, asked that the car be delivered Monday if his credit was all right. He was called Monday morning and they told him he had poor credit. They asked for more references. He gave them five more references. These were checked out; only one out of the five proved to be for his benefit. Upon further checking he found out that the credit agency had checked another gentleman and given the report on another gentleman who happened to have a different middle initial but the same first and last name. This gentleman has absolutely no recourse under the laws at present of the State of Maine.

If any business or any person in the State of Maine was denied credit through an error he has no right to appeal, no right to ask questions of the credit bureau involved, and he has no right to have a day in court. Because once he brings suit against the credit agency or credit reporting bureau they hide behind this conditional privilege clause or qualified privilege.

Section 1402 in the redraft which the gentlewoman from Portland, Mrs. Boudreau has referred to, was not a part of the original bill. I feel it is a very confusing section; it is unnecessary. As the gentlewoman from Orrington, Mrs. Baker stated, there is federal consideration being given this at the present time but Congress does act slow. I have done quite a lot of research on this in the State of Maine in talking with people

with small businesses and multi-million dollar businesses, and through neglect of the individuals and the credit bureaus here in the state they have issued fraudulent reports injuring the credit of these companies and these people have absolutely no recourse whatsoever.

Another thing brought out which disturbs me considerably, we hear these credit bureaus referred to as non-profit corporations, but a very very high percentage of their business is credit collection, the collection of bills. If Joe Smith wants to buy a new TV, he asks for a credit check, it is checked out, the credit bureau finds he owes Smith's Esso \$50; the credit bureau contacts the person and says you are \$50 overdue at the station, you pay your bill and you will get a good credit report. I think there is a little conflict here.

I certainly hope that when you vote to accept or reject the Minority "ought not to pass" that you give this due consideration and vote against the motion, and if this motion should be voted down I will add an amendment restoring the right to be entitled to a defense which would nullify the qualified or conditional privilege. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Belgrade, Mr. Sahagian.

Mr. SAHAGIAN: Mr. Speaker and Members of the House: I rise in support of the motion made by the gentle lady from Orrington, Mrs. Baker. This new draft would be class legislation because it discriminates against just one segment of a very broad industry which would not be affected. Such agencies that handle personnel reports or insurance investigations would not come under this Act.

It would be impossible for a credit bureau to comply with this Act because they do not know when a person is declined credit. They just report facts in the file and the judgment to decline an account is up to the inquiring member.

They do not notify the bureau at the time of inquiry that they will accept or reject the applicant, and it would be impossible for the bu-

reau's reporting department to determine this because each bank or retailer has his own standards by which he makes his judgment. What one store would reject, another would accept.

Even if they did send out copies of the report and in the event there was an error, that person would have to go to the credit bureau to enable them to correct it. The doors of the many Maine credit bureaus are always open to any person to review his credit record.

This would burden the credit grantors with an extremely heavy expense if the credit corporation were able to do what is required of this new draft. They would have to duplicate every report, written or oral, and be paid for just one plus postage and so forth. This additional expense would have to be passed on to the credit grantor who, in turn, would pass the charge on to the customer, the very person this draft proposes to help.

Many times the credit bureau will receive four or five calls on the same person in one day. To comply with this draft the credit bureau would have to send out four or five written reports on this same individual on the same day. I feel that if this type of legislation is passed, it would slow up free flow of credit information, that it would have a very serious effect on the economy of the State of Maine.

Figures show that there is a small percentage of hard core credit risks and if they are required to send copies of their report to them it would open the flood gates to nuisance suits against credit grantors which would result in many cases of credit grantors being reluctant to give information to the credit bureau and would require them to be severely restricted in granting credit because of this lack of information. The direct result of this would be that the marginal risk, many in the low income area, would lose valuable sources of credit which is now available to them.

The credit bureau guidelines, which all Maine credit bureaus adopted, clearly points out that we

are concerned about the consumer and that he does have access to his credit record to review it, to correct it or to have it updated.

This new L. D. 1159 clearly would not be effective unless these reports are sent out by certified mail and return receipt requested. Without this we would have no proof that in fact a copy was sent. This would again incur more expense in mailing and keeping records on the returns. The cost again would be passed on to the consumer.

So therefore I hope everybody will join with me in favor of this motion made by the lady, Mrs. Baker from Orrington. Thank you.

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

Mr. BERMAN: Mr. Speaker, like Mr. Dyar of Strong I am very much in favor of protecting the consumer public. Frankly I am not at all impressed about the arguments against this measure, the Majority Report. We all have felt or many have felt that there is a credibility gap in government and there certainly is a credibility gap in credit reporting.

Now if you would read this very simple bill it says fairly briefly that, "Any written or oral information, furnished for a consideration, concerning financial resources, number and amount of outstanding financial obligations, personal habits or other data calculated to aid the person to whom the report is furnished in determining whether to extend credit to the person, firm, corporation or other legal entity who is the subject of the report; or a written or oral opinion, furnished for a consideration which by rating symbol, or otherwise, estimates the degree of risk involved in extending credit to any person, firm, corporation or other legal entity."

Now the next section which is very brief concerns what I think is the real bite of the matter, which I am very much in favor of and which will do quite a bit to doing away with the credibility gap that presently exists in credit reporting. "Notification—Whoever receives a credit report shall, if he determines, as a result of his examination and consideration of

the same, not to extend credit to the subject thereof, forthwith notify in writing such subject and the furnisher of the report. Upon receipt of such notification, the furnisher of the report shall send to the subject a copy of the substance of the report, if oral, or a conformed copy of such report, if written."

Now this is very simple. This is very brief. It makes very good sense to me. Now possibly there may be some bugs in it but it strikes me that protecting the consuming public, if a credit report is adverse then the person who applies for the credit should be given only fair consideration and he should be notified that the report is adverse and should be given a copy of the report.

So I hope you would go along with the majority of the Committee and I certainly urge you to support Mr. Dyar's position.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: This piece of legislation has been described by the gentleman from Houlton, Mr. Berman, as being simple, brief. I would say that it is not only simple and brief but it is also deadly.

This will make a credit bureau responsible for the expression of an opinion regarding a credit risk which is frequently based on the subject's reputation for truth, for paying his bills, his reputation as a law abiding citizen and the like in such credit reports.

I support the gentlewoman from Orrington, Mrs. Baker, and when the vote is taken I request it be taken by yeas and nays.

The SPEAKER: The Chair recognizes the gentleman from Belgrade, Mr. Sahagian.

Mr. SAHAGIAN: Mr. Speaker and Members of the House: I want to call the attention of every member in this House that there wouldn't be enough court houses left in the State of Maine to try everyone who would try to sue the business and the credit bureau.

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

Mr. COTE: Mr. Speaker and Ladies and Gentlemen of the House: As a signer of the Majority Report of the Committee on Legal Affairs I want to give my reasons why I signed it as such.

It seems that these credit bureaus get their information not direct but very indirectly by going to the neighbors of the person who they wish to make a report against and if they have a very very nosy neighbor or if you have a neighbor who for some reason or other that doesn't like you, the report that they give on you is not too too good. If you should happen to come home some evening and make a little noise, they would have you down in the report as a public nuisance in the neighborhood, that you are inebriated most every night and such and such reports.

I don't think it is very fair to an individual who is looking for credit to have reports made on him without his knowing about it. And we have to bear in mind that these reports are only made on those people who are denied, and the reasons why they are denied, and they should know those reasons so they would have a chance to at least declare themselves if they were accused of something that they were not guilty of.

And that is my reason for signing the "ought to pass report" because I feel that the little fellow once again should have as much protection, probably more so, than the credit bureau itself or those individuals who made the investigation, probably sometimes by telephone, by telephoning a neighbor and getting all kinds of false information and not verifying this information. And I imagine that many many people have been hurt in this state over the years and this is my reason why I signed the Majority "ought to pass" report.

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

Mr. RIDEOUT: Mr. Speaker and Members of the House: I rise in support of the gentlewoman from Orrington, Mrs. Baker on the "ought not to pass" side of this. I disagree completely with Mr. Cote on the way that the credit

bureau goes about finding out the reputation of a client.

Now I deal in the fuel business and I don't think there is any business in the state that is any more involved in credit than the fuel business. I just use the credit report as one determination of the judgment of whether or not I am going to furnish the applicant with credit. Now if for some other reason, other than what the report was, if my accounts receivable are too high, if for some other reason I just don't want to grant any more credit, should I then notify, have to notify this client? I don't think so. I think, as Mr. Richardson said, this is deadly and I hope you will support the gentlewoman's motion to accept the "ought not to pass" report.

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

Mr. COX: Mr. Speaker and Ladies and Gentlemen of the House: If you will look at the amendment that will be proposed by Mr. Dyar under H-496 you will note that no retail business will be required to file any reports on anybody, they won't even be required to make them up. All this bill does and all that it intends to do is remove one of those privileges that these bandits have been standing behind.

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

Mr. NORRIS: Mr. Speaker and Ladies and Gentlemen of the House: These bureaus are a problem nationally and a problem locally. Do we have to wait for national legislation to curtail somewhat this method of collection by blackmail? I urge you to vote against the gentlewoman from Orrington.

The SPEAKER: The Chair recognizes the gentleman from Scarborough, Mr. LePage.

Mr. LePAGE: Mr. Speaker, Ladies and Gentlemen of the House: I would like to concur with Mrs. Baker because you might as well abolish credit bureaus if this bill is passed. Thank you.

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

Mr. COTE: Mr. Speaker, Ladies and Gentlemen of the House: I have to say that in the State of New York they have a bill similar to this and no credit bureau has been closed.

The SPEAKER: The pending question is on the motion of the gentlewoman from Orrington, Mrs. Baker to accept the Minority "Ought not to pass" Report. 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 Orrington, Mrs. Baker that the House accept the Minority "Ought not to pass" Report on Bill "An Act relating to Civil Actions for Negligent Misstatements," House Paper 898, L. D. 1159. If you are in favor you will vote yes; if you are opposed you will vote on. The Chair opens the vote.

ROLL CALL

YEA — Allen, Baker, Barnes, Benson, Boudreau, Brown, Buckley, Bunker, Burnham, Carey, Carter, Chandler, Chick, Clark, C. H.; Clark, H. G.; Coffey, Corson, Cottrell, Crosby, Croteau, Cummings, Curtis, Dam, Dennett, Donaghy, Drigotas, Dudley, Durgin, Farnham, Fecteau, Finemore, Fortier, A. J.; Fortier, M.; Gauthier, Giroux, Good, Hall, Hanson, Hardy, Harriman, Haskell, Hawkens, Hewes, Huber, Immonen, Jameson, Jutras, Kelley, K. F.; Kelley, R. P.; Kilroy, Lawry, Lebel, Lee, Leibowitz, LePage, Levesque, Lewin, Lewis, Lincoln, Lund, MacPhail, Martin, McTeague, Meisner, Millett, Moreshead, Morgan, Nadeau, Ouellette, Page, Payson, Porter, Pratt, Rand, Richardson, G. A.; Richardson, H. L.; Rideout, Sahagian, Scott, C. F.; Scott, G. W.; Shaw, Snow, Soulas, Stillings, Susi, Temple, Thompson, Tyndale, Vincent,

Watson, Waxman, Wheeler, White, Wight, Williams, Wood.

NAY — Bedard, Berman, Bernier, Bourgoin, Carrier, Casey, Cote, Couture, Cox, Crommett, Curran, Cushing, Dyar, Eustis, Faucher, Fraser, Henley, Hichens, Hunter, Jalbert, Kelleher, Keyte, Laberge, Marstaller, McKinnon, Mills, Mitchell, Mosher, Norris, Sheltra, Trask,

ABSENT — Binnette, Birt, Bragdon, Brennan, D'Alfonso, Danton, Emery, Erickson, Evans, Foster, Gilbert, Heselton, Johnston, Marquis, McNally, Noyes, Quimby, Ricker, Rocheleau, Ross, Santoro, Starbird, Tanguay.

Yes, 96; No, 31; Absent, 23.

The SPEAKER: Ninety-six having voted in the affirmative and thirty-one in the negative, the motion does prevail.

Sent up for concurrence.

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

Bill "An Act to Provide Protection for the Consumer Against Unfair Trade Practices" (H. P. 770) (L. D. 1003)

Tabled — June 5, by Mr. Berman of Houlton.

Pending — Passage to be engrossed.

On motion of Mrs. Payson of Falmouth, retabled pending passage to be engrossed and specially assigned for tomorrow.

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

Bill "An Act relating to the Water and Air Environmental Improvement Commission" (S. P. 322) (L. D. 1084) (In Senate, passed to be engrossed as amended by Committee Amendment "A" S-177 and Senate Amendment "A" S-211)

Tabled — June 5, by Mr. Snow of Caribou.

Pending — Passage to be engrossed as amended by Committee Amendment "A" and Senate Amendment "A".

On motion of Mr. Snow of Caribou, under suspension of the rules, the House reconsidered its action on June 4 whereby Committee Amendment "A" was adopt-

ed. On further motion of the same gentleman, Committee Amendment "A" was indefinitely postponed.

On further motion of the same gentleman, under suspension of the rules, the House reconsidered its action on June 4 whereby Senate Amendment "A" was adopted. On further motion of the same gentleman, Senate Amendment "A" was indefinitely postponed.

Mr. Snow then offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-491) was read by the Clerk and adopted and the Bill passed to be engrossed as amended in non-concurrence and sent up for concurrence.

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

Bill "An Act Establishing a State Municipal Government Revenue Sharing Program" (H. P. 1174) (L. D. 1498)

Tabled — June 5, by Mr. Richardson of Cumberland.

Pending — Passage to be engrossed as amended by House Amendment "A" (H-450).

On motion of Mr. Snow of Caribou, retabled pending passage to be engrossed as amended by House Amendment "A" and specially assigned for tomorrow.

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

Resolve Proposing an Amendment to the Constitution Providing for Convening of the Legislature at Such Times as the Legislature Deems Necessary (H. P. 21) (L. D. 24)

Tabled — June 5, by Mr. Levesque of Madawaska.

Pending — Final Passage.

On motion of Mr. Levesque of Madawaska, tabled pending final passage and specially assigned for tomorrow.

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

An Act to Create the Mountain Resorts Airport Authority (S. P. 368) (L. D. 1281)

Tabled — June 5, by Mr. Benson of Southwest Harbor.

Pending — Passage to be enacted.

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

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

Bill "An Act to Extend Registration Coverage and to Provide Increased Fees in Lieu of Personal Property Tax on Certain Watercraft" (H. P. 1236) (L. D. 1569)

Tabled—June 5, by Mr. Kelley of Southport.

Pending — Passage to be engrossed.

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

Mr. SUSI: Mr. Speaker, inasmuch as the sponsor of this bill isn't present here today, I would hope that someone would table it.

Whereupon, on motion of Mr. Kelley of Southport, retabled pending passage to be engrossed and specially assigned for tomorrow.

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

Bill "An Act relating to Small Loan Company Licensees" (S. P. 396) (L. D. 1352) (In Senate, "Ought not to pass" report accepted)

Tabled—June 5, by Mr. Scott of Wilton.

Pending — Passage to be engrossed.

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

Mr. SCOTT: Mr. Speaker and Ladies and Gentlemen of the House: Last week while I was absent from the House the Bill was substituted for the unanimous "ought not to pass" report of the Business Committee. Now this is perfectly all right as far as I am concerned, but I feel that you should understand just what you're doing. This bill will prohibit small loan companies from selling insurance to their borrowers. Being an insurance man I agree with this principle, because I don't

like to see automobile dealers, bankers or anyone else infringing on the insurance business. However, I think that these people should have some protection.

Prior to 1967 there were many abuses by small loan companies in this area of insurance. The law previous to the last session prohibited excess charges beyond the legal interest and if such charges were made the loan was declared null and void. However, for some unknown reason insurance premiums were exempted. This was interpreted to mean that excessive insurance premiums did not render a loan void even if the companies took advantage of the borrower, which they did as we all know. In 1967 the Legislature corrected the law, so that if there is an illegal charge of insurance premium the loan is rendered void. The law also provided that a borrower shall be awarded attorneys fees and his note cancelled.

The insurance on the loans is term insurance and written on a group basis. The going rate is around fifty cents per hundred. These rates are controlled by the Insurance Commissioner and must be justified as fair and reasonable. Under the new insurance code the Commissioner will have plenty of authority to keep the rates in line.

We should understand a little bit about the person who goes to these small loan companies. Obviously they are in financial difficulty and not too well schooled in the business of financing. They arrive at the small loan company and they want the money then and there. If the loan company can provide the insurance coverage on this bought at a reasonable rate, this is good service and good protection for these borrowers. He certainly will not go elsewhere and shop for insurance after he gets his hands on the money and probably wouldn't know where to go in the first place.

If anyone here in this House goes to the bank and secures a mortgage on their home, as we all undoubtedly do, they can purchase insurance there to protect their family as well as free the

obligation if anything happens to them. It seems to me that these small loan borrowers are entitled to the same protection so long as the premiums are charged at a reasonable level.

In view of these reasons, Mr. Speaker, I move indefinite postponement of this measure.

The SPEAKER: The gentleman from Wilton, Mr. Scott moves that item thirteen, L. D. 1352, be indefinitely postponed.

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

Mr. BRENNAN: Mr. Speaker and Ladies and Gentlemen of the House: In regards to this bill, first I would like to give the House a little background. I am sorry I missed most of Mr. Scott's debate as I was out.

However, under our present laws small loan licensees are permitted to charge 30% a year interest on the first \$300 loaned, and 18% interest on the next \$2200. These are obviously very high rates even in these days of high interest rates. Except for licensees the maximum interest rates for lenders of up to \$2500 is 12% a year, so the licensees are in a privileged class. However, the small loan industry has not been satisfied with these rates and has in effect been able to get more money out of the borrowers with unconscionable overcharges and profiteering in credit insurance.

In a nutshell, the loan industry has charged exorbitant rates for credit insurance on these loans and most of these loans do involve insurance; it is a neat little scheme in which the loan company is often not only the lender but in fact also the insurer, the co-insured, the chief beneficiary, the insurance agent and the adjuster, and often the insurance is bought through a wholly owned subsidiary.

These high insurance rates allow the loan companies to avoid and evade the restrictions that were placed on them as to rates, even though they are in a privileged class as to rates at any rate. Since 1961 reports submitted by some of the small loan companies to the Maine Bank Commissioner disclosed that over \$2 million in profits have been re-

ceived from the sale of credit insurance. Now this is from companies that are supposed to be in the lending business and not the insurance business.

Now it is the Maine public which was taken advantage of by this scheme. If we pass this bill before us today then the loophole to get around the interest rates will be plugged to some extent and we will stop the public from being bilked. This bill would prohibit the licensee from profiteering from the sale of insurance, and this is not just a Maine problem but it is something that has been brought to the attention of the United States Senate and on which Senator Hart of Michigan has spoken. He stated in a committee hearing a few months ago, that consumers are paying \$175 million too much yearly for credit life insurance.

In 1964, according to a report to the Maine Banking Commission, \$144,000 was paid in premiums for credit insurance and health insurance and only \$20,000 was paid out in claims. This resulted in a loss rating of 14.2%. This means that—and there are many insurance people in the House I think that can appreciate this, this means that 86 cents out of every dollar collected was retained as income. If this isn't an example of avoiding the interest rates I don't know what is.

A United States district court judge for the District of Maine said in a recent decision in regard to this matter that "Abuses on the part of lenders and insurers involved cry out for immediate and effective regulatory action." It is for the Maine Legislature, not this court, to enact remedial legislation. Ladies and gentlemen of the House, L. D. 1352 is the necessary remedial legislation. I urge you to vote against the pending motion and when the vote is taken I ask that it be taken by the yeas and nays.

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

Mr. HARRIMAN: Mr. Speaker, Ladies and Gentlemen of the House: We are talking about in this bill the difference between a rate as high as 65 cents a hundred for

term insurance and 38 cents a hundred, roughly 38 cents per hundred dollars of insurance. For a \$1,000 loan this would be three or four dollars plus the interest.

Now both the borrower and the person making the loan want this type of insurance, and the borrower in most instances would be very reluctant to go somewhere else to try to get this insurance because credit again would possibly be involved with them, and although I am not too much in favor of small loan companies I think the small loan buyer has to be protected and therefore I shall support Mr. Scott.

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

Mr. DONAGHY: Mr. Speaker and Ladies and Gentlemen of the House: Grant you I am an insurance man. I haven't too much truck with small loan companies, but you have been given complete misinformation by the gentleman Mr. Brennan from Portland. This law has been changed. I would suggest that he check his law books. There is complete control on the rates, handled by the Insurance Department. And this was an abuse, but it has been done away with. This is a type of coverage that insurance men don't sell in general; it is handled by a large brokerage outfit usually, out-of-state actually.

But I still think that it is a fine thing to allow the small loan companies to be able to give this coverage or sell this coverage along with their loans, because these people couldn't get it any other way—and the rates are controlled.

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

Mr. BRENNAN: Mr. Speaker, Ladies and Gentlemen of the House: I submit that this abuse has not been corrected. The small loan industry is still buying some of their insurance from wholly owned subsidiaries and making unconscionable profits through this. And I agree with Mr. Harriman that the borrowers should have protection. We're not opposed to that. What we opposed to is that the loan industry or the lending companies make an additional profit out of

insurance. They are in the lending business, not in the insurance business.

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

Mr. SCOTT: Mr. Speaker and Members of the House: Two years ago I served on the committee that heard all of the Small Loan bills and the Truth in Lending bills and today listening to the gentleman from Portland, Mr. Brennan, I felt that I was back two years ago. These were exactly the same words that we had two years ago before our committee and which I feel we did considerably about. We passed several Small Loan bills and the Truth in Lending bill.

This bill is a bad bill. It harms the very people it is supposed to help. I have seen too many cases where the bread winner in the family dies and the widow with this credit life insurance is helped. I am not involved in this situation at all, so I can be impartial in this.

The tightening up of the regulation of small loan companies I think is far better than the gentleman believes. I even tagged an amendment on at the last session that forced by statutes the Banking Department to immediately notify the Insurance Department when these infractions were found and then work together.

I cannot see where this action, which prohibits these poor people from having this coverage, is in their interest at all and I will support the gentleman from Wilton, Mr. Scott.

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

Mr. McTEAGUE: Mr. Speaker and Members of the House: Although it has happened before during this session, I think for the first time today I would like to admit that I am a bit confused as to what is going on. It doesn't seem to me that there are too many folks here that are working in the lobby for the small borrower. Perhaps there are some for the finance companies, but in any case, Mr. Brennan seems to feel that it is still a problem; Mr. Scott and some of the other gentlemen feel that it is not.

I was interested in Mr. Brennan's reading from Judge Gignoux's decision, and apparently the federal judge thought it was a problem. But in order that this matter be cleared up — for example we can find the date of the federal judge's decision when he very clearly stated that he felt it was a problem — I would hope that someone would table this for one day.

Thereupon, on motion of Mr. Donaghy of Lubec, tabled pending the motion of Mr. Scott of Wilton to indefinitely postpone and specially assigned for tomorrow.

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

Resolve Proposing an Amendment to the Constitution to Provide for Municipal Home Rule (H. P. 343) (L. D. 451)

Tabled — June 5, by Mr. Levesque of Madawaska.

Pending — Motion of Mr. Cote of Lewiston to indefinitely postpone.

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

Mr. RIDEOUT: Mr. Speaker and Ladies and Gentlemen of the House: I sponsored a similar bill to this as did Mr. Sahagian. My bill was the thinking of the Maine Municipal Association and his was an outgrowth of the hearings and recommendations of the Intergovernmental Relations Committee. This present bill is a compromise between the two that we have all agreed to and all subscribed to. The bill is brief and to the point and I will read the new section in total.

"Section I. Municipal home rule. Municipal corporations shall have the exclusive power to alter and amend their charters on all matters which are local and municipal in character." And I repeat that "on all matters which are local and municipal in character."

I submit to you also that this is a constitutional amendment and must be approved by a majority of the voters of this state. I also submit that in my opinion as a twelve-year veteran of local government, the matters pertained to in this bill would also go to the

local referendum. I ask you to vote against the indefinite postponement motion.

The SPEAKER: The Chair recognizes the gentleman from Belgrade, Mr. Sahagian.

Mr. SAHAGIAN: Mr. Speaker and Members of the House: I rise in opposition of the motion made by the gentleman from Lewiston, Mr. Cote. During my several years in the Legislature, I have always felt that the Legislature should pass a Municipal Home Rule bill. It makes no sense to me that the Legislature should determine what charter changes should be made by the cities and towns of our state. Passage of this bill would certainly mean a better government on the local level if the citizens of our state would turn in a favorable vote. I would therefore urge each and every one in the House to go against indefinite postponement of this Rule. And finally, I believe if this bill is passed, it will retard the Legislature's work by anywhere from two to three weeks because then the towns and cities will be altering and putting their home in order rather than coming here to the Legislature every time they want to alter their charter.

If you will permit me to say, I believe we have at least 70 or 77 charter changes in this Legislature which takes a lot of time, a lot of energy and a lot of cost. Thank you.

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

Mr. COTE: Mr. Speaker and Ladies and Gentlemen of the House: We have been here since January 1, 1969 and time and time again when we had charter changes on the floor of this House which regarded the municipality, the municipality alone, they were voted down. Motions were made to indefinitely postpone, some survived and some didn't, and this leads me to believe that this House is not ready to vote for a constitutional amendment for home rule.

Now the towns and the cities of this state were created by the Legislature and are responsible to the Legislature. And if we want to surrender all of our powers that

we have in this House, we might as well give home rule to everything. Why should we have a session of the Legislature? Let the Governor's Council and the Governor make the decisions as far as taxes are concerned. Why should we? This is home rule, home rule at the executive end of it. I feel that as these municipalities were created by the Legislature, that they are responsible to the Legislature, and I am afraid at some time or other in the future, if we do let this constitutional amendment go by, that many of our towns and cities will have chaos. So we should be very very careful of what powers we give to our cities and towns and what powers we as legislators should relinquish.

If I remember right, last Friday afternoon the gentleman from Eagle Lake, Mr. Martin, gave an oration on the Floor of this House that pertained to a change in the Constitution — I don't remember just what the bill was now — and he won out. We were surrendering powers to the people who could have called a constitutional amendment and he felt that we should not relinquish those powers, and today — I am not as eloquent as he is in my speech, in my talking — but I feel that if we do relinquish these powers, we will be sorry in the future.

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

Mr. LUND: Mr. Speaker and Members of the House: During the first portion of the remarks of the gentleman from Lewiston, Mr. Cote, I thought he was going to debate in favor of the bill because during the course of a legislative session it seems to me that there are many many issues of statewide importance, of importance to each one of us and to the communities that we represent, but issues which we fail to deal with as effectively as we would like to because we do not have the time to do so.

One of the reasons that we are not able often times to devote adequate attention to these matters of statewide importance — I think you can all think of some of these issues — but one of the reasons

is the volume of legislation that we handle during the course of a legislative session. In the previous session of the Legislature, as I recall it, we had over thirty bills, charter amendment bills, originating from the City of Lewiston. This session, the malady seems to be spreading to Auburn.

I am not suggesting that these issues are not important to the City of Lewiston, or important to the City of Auburn, but I do think that they are not of burning importance to the inhabitants of every community in the state, at least not as important to the state as a whole as are matters of water pollution, resource development and conservation and the mechanics of state government itself.

I am not going to suggest to you that if the Legislature eventually carries out a home rule program that this will solve all of our problems, because it won't. But I think that home rule is one logical and effective way of cutting down on the number of local issues that divert a good deal of the attention and time of the Legislature. Passage of this constitutional resolve and approval of the people would be one step in carrying out the job of easing this burden of local matters. I say one step because it should be pointed out to you that this constitutional resolve will not be effective until acted upon by the Legislature at a session following the vote of the people. That is to say, the Legislature will by statute prescribe the means by which communities may amend their charters so that the mechanics of the charter amendment will be left to the eventual decision of the Legislature as to how it may be done.

I have indicated one of the advantages of our acting favorably on the home rule today. The second advantage I think is equally important and that is that it would encourage the resolving of local problems at the local level. It happens all too often that people who have a disagreement with a charter provision or with a city government or some officials within the city government, will not resolve their problem at the local level through local action and

through action at the ballot box, but will seek to go over the heads of the community representatives, elected officials, and will try to solve the problems here at the state level instead. I think these problems ought to be resolved and thrashed out at the local level and this bill provides the mechanics for doing so.

The bill was the outgrowth of the two years of study by the Intergovernmental Relations Commission of which a number of legislators participated actively. I think it does provide a constructive step in one incident in which I think has borne the stamp of approval of both of our party platforms, for at least the current platform, and I think in some cases previous to that, namely, the establishment of home rule in the state. So I hope the Legislature will act favorably upon this resolve in order to make it possible for laws to be enacted by which our communities can deal with their charter problems at the local level. So I hope you will vote in opposition to the motion for indefinite postponement.

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

Mr. JALBERT: Mr. Speaker and Members of the House: First I would like to set the record straight—and I am sure that the usually very alert and very knowledgeable gentleman from Augusta, Mr. Lund has his facts straighter when he rises to debate—at the last session of the Legislature, there were not thirty but there were five Lewiston charter bills. Three of them were enacted with not one word of debate in either branch. The fourth one had a referendum on it because there was some confusion in the House, and so that the referendum was put on the bill and when that went before the people the referendum passed.

The fifth bill—and you should remember, those who were here—the debate that was held between myself and the sponsor of the bill. I was against the measure. The bill the first time around was killed by one vote and the next time around, in my usual peace

offering, I agreed to the bill, but I did say that it was a bad piece of legislation. The sponsor of the bill now agrees that it was a bad piece of legislation because it left here and went into Lewiston, not into home rule, it went into Lewiston into the hands of a police commissioner who was in control and is now in control for another year under our commission form of government, so that a private in the Lewiston police department when this bad law was invoked suddenly woke up the next morning and found himself to be deputy chief of the police department; and so that many people in the department through this reorganization found themselves bypassed, people demoted, and others promoted. And the sponsor of the measure himself has told several of us within the earshot of my voice that he admits now that this was a bad piece of legislation.

If we lose all control here on the local level, and it would mean that we give possibly some factions within the local arena an opportunity to do exactly what you are trying to do now, and I am sure that there is at least a half dozen—particularly one gentleman here who could really attest to the statement that I am making now. We refused home rule through a bill that was also long and loudly studied by the Research Committee wherein it concerned giving home rule to the county government.

There was a bill that I presented, that was unanimously approved by all the county commissioners, that would allow the salaries of departmental heads to be set by the county commissioners and approved by the county delegation. This bill came out of committee "ought not to pass" and was referred back to committee and came out of committee with an "ought not to pass" decision. I didn't say anything. I went along with the judiciousness of the committee in thinking that would be too much home rule for county government.

Last Friday we debated loud and long on an amendment here that would provide direct initiative to amend the Constitution. That

was to give the right to the people to vote whether or not they wanted to initiate the Constitution, and we voted that down.

So on the basis of that I can hardly see in any event why we shouldn't stay on as the watchdog of the local charters, and also I would almost question the fact and put in question here what would happen to existing amendments that have been put on to all of the charters, all of the towns and cities, wherein it would concern itself with bank loans, wherein it concerns itself with contracts. I wonder whether or not we might not get ourselves enmeshed into a situation that we would be sorry that we did. I am not going to make the motion. The motion has already been made. But I just wanted to comment very briefly about being consistent.

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: It seems that this bill suddenly becomes embroiled for some reason with the bill and the debate that we had on Friday of last week. Two points I want to make and I want to make them brief before I discuss home rule and these points are about the bill that we debated on Friday. One, is that a Constitution should be brief and it should contain fundamental rights and fundamental principles that a state wants. And secondly, that I was opposed to the bill before us on Friday because it allowed for abuses of a right which I think may be justified if it is properly written.

Now in light of what has been said today I do want to say this to you: that as a result of some of the points that were made by me and some of the points that were made by others on Friday, an attempt is being made now—and I happen to be one of those people involved, of writing an amendment which could be acceptable and would prevent the abuses which I discussed with you last Friday.

I think there seems to be misunderstanding about what home rule is. Let me point out to you

that 35 states have this in their constitution. What would it do and what is it? Home rule would be given by the State of Maine to the cities and municipalities to draft and to adopt and to amend their charters. It would prevent the various communities from coming to the Legislature every two years. And the gentleman from Augusta, when he was referring to the number of bills which we had two years ago, was referring to the total number of bills which we had before us, and those of you who are here can well remember the number of bills we had, and we spent a great deal of time.

Some of you who have been here for a long time may remember the times when you used to debate fishing regulations. You may remember the time when you used to debate whether or not a small road should be town aid or state aid. We have done away with this. It is not because the Legislature has relinquished its power to a sub powerful organization, but it is because the Legislature realizes that we don't have time to deal with everything along that line.

Now let me make two points to you. Two years ago I introduced this bill at the request of the Governor. I did so because it happened to be in the Democratic Platform. A like bill was introduced by a Republican, if I remember correctly. The bills were referred to the Intergovernmental Relations Commission because it was felt that the State of Maine should have its own particular home rule rather than copying from another state, and so this was done. This time the bill has been introduced by my seatmate, the gentleman from Belgrade, Mr. Sahagian, on behalf of the Commission. It is in both the Democratic Platform and in the Republican Platform.

What are the four basic things which make home rule important and why should it become a part of the Constitution of the state? Number one, it permits the citizens of the state to determine the form and the administrative organization of their local government. Second, home rule would relieve the State Legislature of

the time consuming burden of special legislation dealing with the various cities and towns and would allow it to devote itself more fully to total state problems. As a matter of fact, you are already aware that we debated one this afternoon for some time.

Third, home rule would permit the citizens of the locality to have a greater voice in the determination of local governmental policies and I think would encourage more citizens to participate in local government. And under the home rule resolve, the local communities and the individuals could take care of their own problems in which they are interested in and therefore they would determine whether or not it would become final.

And finally, fourth, home rule would prevent a legislator or legislators who have a pet peeve or a pet friend within local government at home be getting things done which the local community might not want.

Now a couple of other points come to mind. Some people will argue that we are abolishing our rights. This is not so. Take a look at the resolve that is before you. Assuming that it goes to the people, what would it do? Number one, it would say that the local communities could decide the course of the local government upon laws passed by this Legislature—and by this Legislature, I am referring to, obviously, the next Legislature,—after this would become a part of the Constitution.

This Legislature would set down the ground rules as to how local communities would decide their local affairs. We would maintain all controls. We would not set up cities and towns as an entity of their own, because by all rights they are an entity of the state and should remain that way. And so I hope that when you vote you will vote against the motion for indefinite postponement and that you will vote for final enactment of the resolve.

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

Mr. JALBERT: Mr. Speaker, I was hoping that I would be spared another course in government to-

day. I was only speaking about consistency.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: In view that I was a supporter of the general public initiating the constitutional changes if the Legislature failed to react to their request or demands of which I supported last week. And again I support this important document because I feel that by far a great majority of the charter changes or additions or deletions of charter changes could very well be taken care of on the local level and probably with a greater and better participation of the general public.

This is something that is very important to most local municipalities and therefore should be very interested in. If the local municipalities fail to take any corrective action, if they have difficulties in their charter, then I don't think that the Legislature, in all its wisdom would pass a document and refer it back to the municipalities on a referendum, would fail to stir up too many people if it was so involved with the Legislature as to create political divisions.

So therefore I would hope that the members of the House today would vote against the motion of indefinite postponement and when the vote is taken, I would request that it be taken by the yeas and nays.

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

Mr. BINNETTE: Mr. Speaker and Ladies and Gentlemen of this House: I too believe a great deal in home rule. I think many members here will recall at the last session that we deliberated a lot on a very small issue which if we would have had home rule it would have saved a lot of time. And I believe that same condition exists in many communities where home rule could handle the situation very easily and we would not get into any difficulties in this House.

I approve of the Minority Leader's request for a roll call.

The SPEAKER: The pending question is the motion 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 on the indefinite postponement motion 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 having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is the motion of the gentleman from Lewiston, Mr. Cote, that House Paper 343, L. D. 451, Resolve Proposing an Amendment to the Constitution to Provide for Municipal Home Rule, 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

YEAS — Casey, Cote, Durgin, Emery, Jalbert, Kelleher, Kelley, K. F.; Marquis, Mills, Rand, Ricker, Rocheleau, Shaw, Soulas, Tanguay, Temple, Wight.

NAYS — Allen, Baker, Barnes, Bedard, Benson, Beran, Bernier, Binnette, Birt, Boudreau, Bourgoin, Brennan, Buckley, Bunker, Burnham, Carrier, Carter, Chandler, Chick, Clark, C. H.; Clark, H. G.; Coffey, Corson, Cottrell, Cox, Crommett, Crosby, Croteau, Cummings, Curran, Curtis, Cushing, Dam, Dennett, Donaghy, Drigotas, Dyar, Eustis, Farnham, Faucher, Fecteau, Finemore, Fortier, A. J.; Fortier, M.; Fraser, Gauthier, Giroux, Good, Hall, Hanson, Harriman, Haskell, Hawkens, Henley, Hewes, Hichens, Huber, Hunter, Immonen, Jameson, Jutras, Kelley, R. P.; Keyte, Kilroy, Laberge, Lawry, Lebel, Lee, Leibowitz, LePage, Levesque, Lewin, Lewis, Lincoln, Lund, MacPhail, Marstaller, Martin, McKinnon, McNally, McTeague, Meisner, Millett, Mitchell, Moreshead, Morgan, Mosher, Nadeau, Norris, Noyes, Ouellette, Page, Payson, Porter, Pratt, Richardson, G. A.; Richardson, H. L.; Rideout, Sahagian, Santoro, Scott, C. F.; Scott, G. W.; Sheltra, Snow,

Stillings, Susi, Thompson, Trask, Tyndale, Vincent, Watson, Waxman, Wheeler, White, Williams, Wood.

ABSENT — Bragdon, Brown, Carey, Couture, D'Alfonso, Danton, Dudley, Erickson, Evans, Foster, Gilbert, Hardy, Heselton, Johnston, Quimby, Ross, Starbird.

Yes, 17; No, 116; Absent, 17.

The SPEAKER: Seventeen having voted in the affirmative and one hundred sixteen in the negative, the motion does not prevail.

Thereupon, this being a Constitutional Amendment and a two-thirds vote of the House being necessary, a total was taken. 108 voted in favor of same and 13 against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

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

Bill "An Act relating to Contracts of Loans under Small Loan Agency Law" (H. P. 622) (L. D. 810)

Tabled—June 5, by Mr. Gauthier of Sanford.

Pending Passage to be engrossed as amended by Committee Amendment "A" (H-406).

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

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

Bill "An Act Establishing the Municipal Public Employees Labor Relations Law" (H. P. 636) (L. D. 824)

Tabled—June 5, by Mr. Rideout of Manchester.

Pending — Adoption of House Amendment "A" (H-447).

On motion of Mr. Huber of Rockland, retabled pending adoption of House Amendment "A" and specially assigned for tomorrow.

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

An Act to Correct Errors and Inconsistencies in the Fish and

Game Laws (S. P. 464) (L. D. 1543)

Tabled—June 5, by Mr. Porter of Lincoln.

Pending—Passage to be enacted.

On motion of Mr. Lewin of Augusta, under suspension of the rules, the House reconsidered its action on May 28 whereby the Bill was passed to be engrossed.

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

House Amendment "A" (H-455) was read by the Clerk.

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

Mr. KELLEY: Mr. Speaker, I rise to a point of order. Is this bill, is this amendment in order? Is it germane to the title?

Thereupon, on motion of Mr. Benson of Southwest Harbor, tabled pending the adoption of House Amendment "A" and specially assigned for tomorrow.

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

House Report — Committee on Judiciary on Bill "An Act Concerning the Adoption of State Wards" (H. P. 760) (L. D. 930) reporting "Ought to pass" as amended by Committee Amendment "A" H-365 (In House, Report and Bill indefinitely postponed) (In Senate, Report accepted and Bill passed to be engrossed as amended by Committee Amendment "A")

Tabled—June 5, by Mr. Berman of Houlton.

Pending—His motion to recede and concur.

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

Mr. BERMAN: Mr. Speaker and Members of the House: I have discussed this matter with both the friendly adversaries, the gentleman from Bethel, Mrs. Lincoln, on the one hand, and the gentleman from Portland, Mr. Cottrell, on the other, and if I would be permitted to withdraw the motion to recede and concur, I would make a subsequent motion. And I would now ask permission, Mr. Speaker, to withdraw my motion to recede and concur.

The SPEAKER: The gentleman from Houlton, Mr. Berman, withdraws his motion to recede and concur.

On motion of the same gentleman, the House voted to insist on its former action and ask for a Committee of Conference.

The Chair laid before the House the nineteenth 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—June 5, by Mr. Lee of Albion.

Pending—Motion of Mr. Dudley of Enfield to accept Minority Report.

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

Mr. SUSI: Mr. Speaker and Ladies and Gentlemen of the House: This bill which we are now considering provides for a 20% increase in registration fees, automobiles, all vehicles here in Maine. The estimated revenue from this measure if it were adopted would be \$4.6 million to apply against the highway budgets. The present rates, registration fees have been in effect since 1959, a period of ten years.

I feel this Legislature and perhaps past legislatures are slipping. I don't think it has been particularly as a result of any definitive action, but sort of slipping into a position where generally we feel that our General Fund expenditures should be supported by taxes but it is somewhat all right to bond highway expenses, something which I argue against very much.

There is no proposal before this House. If we were to adopt both the increases in the gasoline tax and the increase in the registration fees, we would still need bonds to finance the Highway budget at its present level. Now I don't intend at all to be critical of the Highway Committee. I think they have been conscientious and have done a commendable job in trim-

ming the highway budget to the greatest extent they feel possible.

If anyone else has any ideas on how the Highway budget can be further cut, then I would support it if it is a reasonable approach to budgeting highways. If the Highway budget can't be cut, then I think we should face up to the fact that these expenses have to be met and that we should impose taxes to cover these expenses. We keep feeding ourselves this excuse—that well, highways are going to be here. Well highways have been here a long time and our budget on highways isn't going to go down. It is a recurring expense. It is a current expense and it requires revenues to pay it.

In an earlier discussion I pointed out that what has happened to our bonded indebtedness here in the state. In my way of thinking, it is increasing at an alarming rate. It has gone—well, ten years ago it was 37 million including industrial and recreational loans and now we are up to 282 million. I believe that it is time we face up to these expenses and meet them with taxes.

Now there is no great mystery to this bill. Presently, I think you are all aware that it costs you \$15 to register your automobile; it would be \$18 under the bill if it were adopted. If you had this and the one cent that presently applies, we would still need \$14 million in bonds to meet the expenses of the Highway budget, which in my way of thinking is strictly current expenses which are going to be back on our shoulders again two years from now and four years from now and henceforth forever more.

I can foresee our bonded indebtedness at the rate that we are going now reaching a billion dollars in the State of Maine in a comparatively short time. If you just project the trend that we are heading on, we have something like \$200 million in bonds being proposed in this session, which would in effect about double it, if the public goes along with this. And when you go increasing at that rate, how long does it take to reach the level that I am talking about? Then you are talking about something like \$100 million

a biennium just to service these expenses. Now you pile \$100 million on top of the figures that we are already having to raise and look at your possible sources for revenue, and I think that you will agree with me that it is rather a frightening prospect.

I don't know what more to say on it. I feel strongly about it, obviously. If you adopt this and you adopt the two cents, you are still going to have to bond, which I am not at all in sympathy with; but perhaps it is the best concession we could make on it. And to me there is very little satisfaction in the argument that well this is expensive and people don't like it. Obviously, they don't like it. But if we can't afford it with times as good as they are now, as far as I am concerned we shouldn't have it. Thank you.

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

Mr. FORTIER: Mr. Speaker and Ladies and Gentlemen of the House: I am very sympathetic and concur wholeheartedly with Mr. Susi in his fear of too many bonds for our Highway Department and we probably are approaching a point where at least we must be very very careful. But on the other hand there is a situation here which I think that the House should be made aware of.

A little further on today's calendar in the items tabled and today assigned there is also another L. D. concerning excise taxes on these vehicles. Now when this appeared before our Taxation Committee, I voted against the increase in registration in order to try and give a break to the municipalities and favor the increase in excise taxes. Now I appreciate that there is a limit to what we can and what we should bond, but I also would like to have you appreciate the fact that in most cases the municipalities do not have that choice even. There is only one thing they can do, is reflect it immediately on the tax rate if they do not get this increase in excise tax.

Consequently I have no particular gripe about increasing the registration if you feel that we also

can go along with the excise. But if anyone should feel that we can only take care of one of them, I believe that you should vote against the increase on registration, in favor of the increase of the excise.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I recently talked with a member of the Taxation Committee and he said they put all of these bills before us because they were all vehicles for taxation, and I submit this afternoon, I think we gave the gas tax increase of one cent its third reading, at least it was before us and passed on to be enacted, I think.

Now let me tell you what that does for the highways. That gives them, increasing that cent on the gas tax gives the Highway Department one million and a half dollars revenue that they haven't had in the past, not for this year, but for the rest of your lifetime. Now this is four and a half million dollars. The increase in revenue that I intended to have on your desk before this came up, that are printed, the last biennium the revenue went up \$1,900,000 more than estimated, so I think we can conservatively say, and I am quite conservative, \$1,500,000. So if we use \$1,500,000 plus four and a half million that they are going to get for raising the gas tax a cent, that gives this department an extra \$6,000,000.

Now if you can just comprehend for a few minutes \$6 million, that is quite a lot of cash, and let's say if we could do this for each and every department down there, I would go home thinking I had done quite a lot to increase the departments over here, make them bigger, by giving them \$6 million. But there are those people who want to spend more than \$6 million. Well if you do, you can still float a bond, I think we are retiring about \$7 million in bonds this year, so if you floated a bond issue up to \$10 million, this wouldn't be, in my opinion, very serious, because you are retiring \$7 million.

I don't see the necessity for bonds myself. I am one of those that like to pay quite well too and I think if you give a department \$6 million, you are doing a pretty good job for that next two years.

It certainly seems the economy of this state has not gone up any more than that. In other words, we would be getting out of line with the economy if we raised it more than that.

Now let me say that we have already done quite a lot to the motorists. We took away the exemption on automobiles so that they now have to pay on the sales tax, we are thinking quite seriously of raising the excise tax and I don't think this should be "sock it to 'em day" for the motorists and I hope this House will go along with the motion that I previously made some weeks ago here to indefinitely postpone this bill and I hope when the vote is taken there will be a division.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I would move to indefinitely postpone both Reports and the accompanying papers and I would like to speak to my motion.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, moves the indefinite postponement of both Reports and Bill. The gentleman may proceed.

Mr. JALBERT: Mr. Speaker and Members of the House: If we did pass this bill it would be classified as "sock it to 'em day." I am one of those who bought a new car a few months ago and betwixt and between and looking around corners from where I parked the car, I found myself grounded with a new car at quite a loss, went back to the garage, so there went my registration fee right there and a good little sum of money besides that and I voted for a cent on the gasoline tax and I think that is socking it to 'em enough. After I got grounded and I was told that there were no more automobiles for me, and somebody that is quite familiar that lives right near me at 83 Elm Street, was part and parcel of having me grounded, it

was a pleasure for me to vote for the trade-in tax, because she buys the cars and not me.

However, I think when you are going to go on and vote for a gasoline tax and then a trade-in tax and a hike in the fees and then this measure here, I think that is going far enough and I think that the time has come now when the Highway Department must itself kind of realign its own thinking, its own spending, and just be satisfied with a penny and that would be good enough for me and I wholeheartedly concur with the remarks that have been made by the gentleman from Enfield, Mr. Dudley. Consequently, my motion is made, Mr. Speaker, when the vote is taken I request it be taken by the yeas and nays.

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

Mr. LEE: Mr. Speaker and Members of the House: I guess it is an unpopular thing to do to get up and try to tax ourselves when they speak about "sock it to 'em day" but I submit to you folks that we are the people that are wearing out the roads faster than we can begin to build them.

I am not in favor of increasing registration fees. I license a lot of vehicles, but I feel that the people that are driving on the roads, I think we should have passed the two cent gas tax, I think we should forget this bonding. I think that if we don't face up to our own-responsibilities regardless whether it is favorable to vote for a tax or if it isn't favorable to vote for a tax, I think we have got to stand up to it. We did go through the highway budget very carefully as has been stated before. We did give the towns and cities an additional four million and a half a year and I must say that I will be in a position where I will have to vote against some of the programing that we recommended if we can't at least come up with the money to finance them with. I would hope that you would vote against the motion to indefinitely postpone.

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

Mr. McNALLY: Mr. Speaker and Members of the House: I hope some of you folks riding down here today had your radios on while it was announced that the loaning interest now for the federal government to the banks is 8½ per cent. Now I am alarmed in the fact that supposing that we have any bonds, that we are going to pay a terrible price to go into the bonding business.

You surely must have heard the one o'clock news or the two o'clock news and it means that if I want to go to the bank now that I am going to pay 10 per cent to hire money. It means if you buy bonds you are going to pay more than you think you are for interest for them. But when you talk about giving a department \$6 million and saying that is enough, I wonder what the Education Department and the Welfare Department would think about it if you should talk in those terms? It seems to me that it is going to be pretty hard to run all these extra buses for all these new SAD's if they don't have any roads to run on.

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

Mr. SUSI: Mr. Speaker and Members of the House: An expression that has been used a couple of times this afternoon, "this should satisfy the Highway Department". I think anything satisfies the Highway Department. Unless we cut the budget, they are going to have the money whether it comes from taxation or from bonding. So this is our choice whether we do it one way or another.

Now either we have to cut the level of expenditures, and again I will say that if this is possible I will support it, or else increase the level of taxation to support the program that we are considering or go to bonding. I have heard around these halls as you have all during the session, "Well, okay, we have approved another bond issue, but the people are going to scuttle them all anyway." Well I think it is probably the most irresponsible position that we could possibly take. In effect, we are saying that we aren't responsible people but the general public is.

I think there is a real basis to believe that the public will, when they are faced with some couple million dollars worth of bond issues, scuttle the whole works and frankly I won't blame them much. I think we are just failing to face up to our responsibilities and we are right in one of these situations right here and now when we either have to impose a tax, a very difficult thing to do, an unpopular thing to do, but a necessary thing to do in my way of thinking.

I don't think that it is very complicated at all. I think that to continue to go down this road of bonding Current Services is leading us right into serious trouble and that soon a major portion of our budget each biennium here will be debt service, something that the State of Maine has pretty well steered clear from in the past but which we are sure headed for now, thinking as we evidently are. Thank you.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I have a few questions that I would like to ask to any member of the Highway Committee or the Committee on Taxation or both if they so see fit to be able to answer.

In our adoption of the penny on gasoline for highway purposes on dedicated revenue, or the registration fee that is presently before us, was this the total amount of money to be needed to fund the present expansion of the highway program, or was the one or two cent the needed amount of revenue that was necessary or the one cent and the new vote of registration fees necessary to fund the present level of our highway construction and maintenance?

Next, a question as to when was the last time that the registration fees were adjusted or realigned to the present position that we have?

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

Mr. SUSI: Mr. Speaker and Members of the House: I will attempt to answer those questions. The registration fees were

increased ten years ago, 1959, and as to the portion of the question dealing with what would be required to finance the highway budget in its present form, if we have two cents increase in the gasoline tax and the 20 per cent increase in the registration, we apparently need something like \$5 million in a bond issue. If we had two cents alone, we would apparently need about \$12 million. If we had the 20 per cent alone, we would need about \$23 million. The 20 per cent with one cent, we would need \$14 million. If we had neither, it would be \$28 million. So depending upon what action we take in this Legislature, our bond issue will be somewhere between \$5 million and \$23 million. There is no proposal, as I said before, before us in this Legislature that would enable us to come out even with the highway budget with the tax revenues that would be available to us in any measures before us.

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

Mr. WOOD: Mr. Speaker and Members of the House: In the highway budget, as it came out of the committee, if we pass the one-cent gas tax it will require twenty-one and one half million dollar bond issue. If we had passed the two cent gas tax, it would have been about \$12 million, and this is because we have L. D.'s on the table in the other branch. We have passed a snow removal bill that was long overdue to the municipalities to help increase the amount from this source to help plow snow and remove ice from the highways and we also passed a bill to give the towns more on state-aid construction, something that they haven't had for years. Our costs of construction have risen so that we are getting about 25 per cent less road for our money, and we thought the amount that we had passed to go into this fund would nearly get us back to where we are constructing about the same amount of state aid that we were before.

If we passed the highway budget as it is, one-cent gas tax and bond

for the rest, this very year we will have to curtail construction at the rate of about four and a half million dollars because the money won't be there for it. The bond issue won't be voted on until November. The construction year will be past for this year and of course we can't construct roads in anticipation of a bond issue that won't be voted on until after the season is over with. If we should pass this registration, it would just about take care of that.

Now I haven't been in favor too much of passing raises in registration. I think the fairest way to have done would have been an extra cent on the gas tax. But however, these bills have got to be paid. If we put up a bond issue of some \$20 million or over, and the people turn that down in November, our highway program is going to be terribly hurt. It will be a good long time before we can get back in the construction that we should have been carrying on.

We have a federal highway system here. The people in this state have voted and approved federal highway programs, we have built roads from Augusta to Houlton, the people are hollering every day to have it go on, continue on to the Canadian border, with no thought whatever of what it is going to cost to maintain that highway. Once that highway is constructed, the Federal Government will put in no money to maintain the road and it won't be many years before you are going to have to spend money to maintain the federal highway and I think it is time that we try to keep up with our program, keep from going in debt so far that we can't go in debt later if we have to. As I said, I have not been too much in favor of raising registrations. I think it hurts a small group of people more than the gas tax, but if this was passed I think it would bring in about \$4.5 million to carry on our program this year. If we don't do it we are going to delay construction to about the same amount, \$4.5 million, which should be done this year.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I would like to say just a few words in rebuttal to what has just been said by the gentleman from Brooks. First of all, winter roads we had to increase the amount the towns would get but we had a piece of legislation which passed both branches to take care of that. That was the one where we eliminated the nine-month provision on truck registrations and there should be enough from that to take care of what we did for the towns. So that eliminates that.

And he says we are building about 25 per cent roads and I think he is not too far off on the 25 per cent but we are building a lot more buildings, we are buying a lot more trucks and in view of this we are building less roads. They built some beautiful buildings, the State Highway, they are in the building business rather than highways in quite a few instances. So this takes care of that.

And he mentions \$20 millions or more in the Highway budget, what they are asking for I don't believe in going along with. They are asking, I told the House here just the other day, some of the places that should be cut and I told you there was plenty of other places that it ought to be cut and even using the entire amount that is before you in the allocation act, it only amounts to about \$18 million that they are looking for. And I submit that there should be a lot of cutting done. And I submit also that if you antagonize the people far enough I see some sign of revolt in the people I talked with in relation to taxation. Let me tell you if you antagonize them far enough on taxes and so forth you are not going to get any bond issues passed. If you pass a two cent gas tax and you see if that don't antagonize them enough so they will not vote for any bond issue and I would be just one of them, that I wouldn't vote for any bond issue if I was antagonized by a two cent gas tax.

You see you have got to be strong enough to look beyond today. This gas tax is not for just this year. This is for the rest of your lifetime and your children's lifetime. It will never be removed. So you shouldn't speak in terms of \$4 million; it is \$4 million times the next hundred years and this runs into a lot of jack.

I guess not much more can be said except it would be wrong and you would be doing the people an injustice if you voted for this piece of legislation.

The SPEAKER: The pending question is on the motion of the gentleman from Lewiston, Mr. Jalbert, that both Reports and Bill be indefinitely postponed. 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 Lewiston, Mr. Jalbert, that both Reports and Bill, "An Act Increasing Certain Motor Vehicle Registration Fees," House Paper 326, L. D. 413, 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—Barnes, Berman, Bernier, Binnette, Buckley, Bunker, Carrier, Carter, Corson, Cote, Crommett, Curran, Cushing, D'Alfonso, Donaghy, Dudley, Dyar, Emery, Eustis, Faucher, Fine more, Fortier, A. J.; Fortier, M.; Fraser, Gauthier, Good, Hawkens, Henley, Hewes, Jameson, Jutras, Kelleher, Keyte, Lebel, LePage, Marquis, McKinnon, Meisner, Mitchell, Morgan, Ouellette, Rand, Ricker, Rideout, Rocheleau, Shaw, Sheltra, Soulas, Tanguay, Vincent, Wheeler.

NAY — Allen, Baker, Bedard, Birt, Boudreau, Bourgoin, Brennan, Brown, Burnham, Casey, Chandler, Chick, Clark, C. H.; Clark, H. G.; Coffey, Cottrell, Cox, Croteau, Cummings, Curtis, Dam, Dennett, Drigotas, Durgin, Farnham, Fecteau, Hall, Hanson, Hardy, Harriman, Haskell, Hichens, Huber, Immonen, Jalbert, Kelley, K. F.; Kelley, R. P.; Kilroy, Laberge, Lawry, Lee, Leibowitz, Levesque, Lewin, Lewis, Lincoln, Lund, MacPhail, Marstaller, Martin, McNally, McTeague, Millett, Mills, Moreshead, Mosher, Nadeau, Norris, Page, Payson, Porter, Pratt, Richardson, G. A.; Richardson, H. L.; Sahagian, Santoro, Scott, C. F.; Scott, G. W.; Snow, Stillings, Susi, Thompson, Trask, Tyndale, Watson, Waxman, White, Wight, Williams, Wood.

ABSENT—Benson, B r a g d o n , Carey, Couture, Crosby, Danton, Erickson, Evans, Foster, Gilbert, Giroux, Heselton, Hunter, Johnson, Noyes, Quimby, Ross, Starbird, Temple.

Yes, 51; No, 80; Absent, 19.

The SPEAKER: The vote now is fifty-one in the affirmative and eighty in the negative, the motion to indefinitely postpone does not prevail.

Thereupon, the Majority "Ought to pass" Report was accepted, the Bill read twice, and assigned to-morrow for third reading.

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

Bill "An Act to Grant Adult Rights to Persons Twenty Years of Age" (H. P. 1162) (L. D. 1484)

Tabled—June 5, 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 and Ladies and Gentlemen of the House: This afternoon, in the company of the gentle lady from Bath, Miss Watson, I reviewed the progress of the redraft of this bill

with the gentleman from the Attorney General's office, Mr. Doyle, and we made final corrections on a couple of items and the bill is now in its form and now we are waiting on the pleasure of the typists who are responsible for getting this thing before you. If they don't type any better than I do, it is going to be a few days yet. But I think we can have it at the end of this week and I would ask that some kind person table this matter until the next legislative day.

Whereupon, on motion of Mr. Rideout of Manchester, retabled pending passage to be engrossed and specially assigned for tomorrow.

The Chair laid before the House the twenty-first 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—June 5, by Mr. Faucher of Solon.

Pending—Final Passage.

On motion of Mr. Farnham of Hampden, retabled pending final passage and specially assigned for tomorrow.

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

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—June 5, by Mr. Berman of Houlton.

Pending—Acceptance of either Report.

On motion of Mr. Richardson of Cumberland, tabled pending acceptance of either Report and assigned for later in today's session.

On motion of Mr. Richardson of Cumberland,

Adjourned until nine o'clock tomorrow morning.