

MAINE STATE LEGISLATURE

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OF THE

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Although it has been said that this won't come out until the 107th, I am sure that if we can get it ready for the next special session, it will be ready and will be passed out to you at that time.

The SPEAKER: The Chair recognizes the gentleman from Livermore Falls, Mr. Lynch.

Mr. LYNCH: Mr. Speaker, Ladies and Gentlemen of the House: I wonder if we need a study committee to tell us that matters injurious to the public at large, the power has to be given to the banking commissioner to issue a rule and regulation. Do we have to have a bank study committee tell us that he should have the power to rule against injurious practices?

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

Mr. MORTON: Mr. Speaker, Ladies and Gentlemen of the House: I am sure you would like to hear another dissertation such as the one I gave yesterday, but I am not going to treat you that way today. I think we made the point yesterday. This is a battle. It really is a battle between the bigs and the littles. All we want today is the opportunity to keep this bill alive so that we can get an amendment on it at second reader.

The amendment says just exactly what Mr. Lynch said it did. I have to agree completely with Mr. Deshaies. If you let this go by, ladies and gentlemen, you will be locking the door after the horse is stolen, because the Spanogle Committee will not be able to get the information out early enough.

It is very important that we give the bank commissioner this authority which is not subject to the veto of that stacked committee that I told you about yesterday. I hope you will vote to support the "ought to pass" report after you defeat the "ought not to pass"

The SPEAKER: The Chair recognizes the gentleman from Nobleboro, Mr. Palmer.

Mr. PALMER: Mr. Speaker, Members of the House: I wish to rise to support the "ought to pass" report, the minority "ought to pass" report of this committee.

I just want to call very briefly to your attention the fact that all

this bill is asking is that the same criteria which a bank uses in establishing its rates in one district to be used in another district.

I quote you something which I think is quite meaningful in a book, *Economies of Scale and Commercial Banking* from the Federal Reserve of Boston. It makes this statement: "In banking it should be recognized that unlike other industries, there are no costs of transporting the product being sold. Likewise, studies have found there is very little intra-regional variation in all of the other costs affecting the pricing of bank services; and even where minor variations have occurred, this economy as associated with banking tends to offset any economies of scale. Thus, there seems to be no reason to permit selective price cutting by one branch banking system to meet the lower uniform pricing of another."

I hope that you will support the minority "ought to pass" report.

The SPEAKER: The pending question is on the motion of the gentleman from Milo, Mr. Trask, that the House accept the Majority "Ought not to pass" Report on Bill "An Act Prohibiting Geographic Price Discrimination by Financial Institutions," House Paper 860, L. D. 1145. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

30 having voted in the affirmative and 69 having voted in the negative, the motion did not prevail.

Thereupon, the Minority "Ought to pass" Report was accepted, the Bill read once and second reading assigned the next legislative day.

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

Resolution Proposing an Amendment to the Constitution Repealing the Limitation to Highway Purposes for Revenues Derived from Taxation of Vehicles Used on Public Highways and Fuels used by Such Vehicles (H. P. 1351) (L. D. 1783)

Tabled — May 9, by Mr. Simpson of Standish.

Pending — Motion by Mr. Curtis of Orono to accept the Majority "Ought not to pass" Report.

The SPEAKER: The Chair recognizes the gentle lady from Auburn, Mrs. Lewis.

Mrs. LEWIS: Mr. Speaker, Ladies and Gentlemen of the House: I hope that we won't accept the majority "ought not to pass" report but will give consideration to the minority report.

The purpose of this bill — at least the reason that I put it in was I am concerned about the imbalance in our government, and this would be a positive way that we could balance our government better by giving more power to the legislative branch.

We hired — when we started this session in order to beef up the legislative branch — if we undedicate these funds which amount to a little over a hundred million dollars a year, that is 200 million for the biennium, these would be funds that we, as legislators, would have something to say about. Right now these are dedicated funds earmarked, and we cannot in any way dictate to the Highway Department how these funds will be used.

This is in no way a vendetta. I have great admiration for the way the Department of Transportation operates, and I still think that roads should and probably would be given top priority. However, these funds are derived in a very easy manner. One way is from the excise tax that is levied on every car that is registered every year. The other is the gasoline tax. That is a tax that is very similar to a sales tax, except that in a sales tax you know how much the article costs and then the sales tax is added. And we have even proposed legislation to put a ceiling on the sales tax. However, when you buy a gallon on gasoline, the tax is included in it and many people don't even know how much that tax amounts to and it doesn't seem to make a great deal of difference from state to state in how much gasoline costs.

We have other important departments, Education, Health and Welfare. These operate very well

without dedicated funds. If we should have a crying need in one of these departments — we have a disaster area in the northern part of our state right now and no way can these funds be touched to use for any purpose other than building roads. We could have hungry people but we would still be paving the roads.

This is a constitutional amendment, so it would have to go to referendum vote and the people would have to decide and I would hope that you would give them this opportunity.

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

Mr. FINEMORE: Mr. Speaker and Ladies and Gentlemen of the House: There is just one thing in error the young lady said, the previous speaker, she mentioned the fact that the excise tax went in this. The excise tax goes to the town.

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

Mr. WOOD: Mr. Speaker, would the Clerk read the committee report, please.

Thereupon, the Report was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Calais, Mr. Silverman.

Mr. SILVERMAN: Mr. Speaker and Ladies and Gentlemen of the House: I stood on the same floor two years ago as I stand today and I will probably be making the same speech. We in the state are taxed 9 cents a gallon now for fuel. Those taxes are supposed to be used to improve our highway system. Many of our rural areas in Maine — I come from one — we do not have the proper roads and highways we need. If a bill like this was to pass through, then those funds could possibly be used for other purposes. The people, I think, who are paying taxes for gasoline and for driving trucks, are paying those taxes with the idea they want good roads, improved roads, and better roads in the State of Maine. They are not paying these taxes for other purposes.

I think if you come from a rural area and you are not pleased with

the roads you have, you realize the only chance you have for better highways is through this dedicated highway fund. I also realize that in the city areas, especially in southern Maine, they have roads going almost in every direction, very fine roads, and now this dedicated revenue is not needed so much in those areas. But in areas in northern Maine it certainly is needed, we certainly need more road building. Therefore, I move at this time, for the sake of keeping our dedicated highway funds for roads where they are needed in the future in the State of Maine and for keeping our gas taxes going for improved highways, which I think the Maine people who need transportation through their cars and other vehicles are paying this tax for and it is high enough now for this purpose and I don't think they want it for other purposes. I believe at this time I will move for indefinite postponement of this bill and all its accompanying papers and I hope you will support my motion and I move for the yeas and nays.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Calais, Mr. Silverman, to indefinitely postpone L. D. 1783 and all accompanying papers. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Baker, Binnette, Birt, Bither, Boudreau, Bragdon, Brawn, Bunker, Cameron, Carey, Carter, Chick, Chonko, Churchill, Conley, Cooney, Cottrell, Crommett, Curran, Curtis, T. S. Jr.; Davis, Donaghy, Drigotas, Farnham, Farrington, Faucher, Finemore, Flynn, Gahagan, Garsoe, Good, Greenlaw, Hamblen, Haskell, Hen-

ley, Herrick, Hoffses, Huber, Hunter, Immonen, Jalbert, Kauffman, Kelleher, Kelley, Kelley, R. P.; Keyte, Kilroy, Lawry, LeBlanc, Lewis, E.; Littlefield, MacLeod, Maddox, Martin, McHenry, McNally, Merrill, Mills, Morin, V.; Morton, Mulkern, Murchison, Norris, Palmer, Parks, Perkins, Peterson, Pontbriand, Rollins, Ross, Shaw, Shute, Silverman, Smith, D. M.; Stillings, Susi, Theriault, Trask, Walker, Webber, Wheeler, White, Whitzell, Willard, Wood, M. E.; The Speaker.

NAY — Albert, Berry, P. P.; Berube, Bustin, Carrier, Clark, Deshaies, Dunleavy, Emery, D. F.; Farley, Ferris, Genest, Goodwin, H.; Goodwin, K.; Hancock, Hobbins, Jackson, LaPointe, Lewis, J.; McKernan, McTeague, Murray, Najarian, O'Brien, Ricker, Rolde, Smith, S.; Sproul, Talbot, Tanguay, Tierney.

ABSENT — Ault, Berry, G. W.; Briggs, Brown, Connolly, Cote, Cressey, Dam, Dow, Dudley, Dunn, Dyar, Evans, Fecteau, Fraser, Gauthier, Jacques, Knight, LaCharite, Lynch, Mahany, Maxwell, McCormick, McMahon, Morin, L.; Pratt, Santoro, Sheltra, Simpson, L. E.; Soulas, Strout, Trumbull, Tyndale.

Yes, 86; No, 31; Absent, 33.

The SPEAKER: Eighty-six having voted in the affirmative and thirty-one in the negative, with thirty-three being absent, the motion does prevail.

The Chair recognizes the gentleman from Calais, Mr. Silverman.

Mr. SILVERMAN: Mr. Speaker, I now move for reconsideration and I would ask you to vote against my motion.

The SPEAKER: The gentleman from Calais, Mr. Silverman, moves for reconsideration. All in favor will say yes; those opposed will say no.

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

Sent up for concurrence.

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

Bill "An Act to Provide for Use of the Courts by Poor Persons" (H. P. 771) (L. D. 1005)