

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fifth*

*Legislature*

OF THE

STATE OF MAINE

1971

KENNEBEC JOURNAL  
AUGUSTA, MAINE

**HOUSE**

Wednesday, February 17, 1971

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

Prayer by the Rev. Mr. R. O. Richardson of Farmingdale.

The journal of yesterday was read and approved.

**Papers from the Senate**

Bills from the Senate requiring reference were disposed of in concurrence, with the following exception:

Bill "An Act Creating the Maine Litter Control Act" (S. P. 262) (L. D. 768)

Came from the Senate referred to the Committee on Natural Resources.

In the House, referred to the Committee on Natural Resources in concurrence.

Subsequently, on motion of Mr. Susi of Pittsfield, the House reconsidered its action whereby the Bill was referred to the Committee on Natural Resources in concurrence.

On further motion of the same gentleman, referred to the Committee on Legal Affairs in non-concurrence and sent up for concurrence.

**Report of Committee Ought to Pass**

Report of the Committee on State Government reporting "Ought to pass" on Bill "An Act to Designate an Official Mineral for the State of Maine" (S. P. 98) (L. D. 262)

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

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

**Messages and Documents**

The following Communication:

STATE OF MAINE  
DEPARTMENT OF STATE  
AUGUSTA, MAINE

February 16, 1971

To Bertha W. Johnson, Clerk of House of Representatives of the

One Hundred and Fifth Legislature:

Enclosed is a copy of the Certificate of Entitlement received from W. Pat Jennings, Clerk of the House of Representatives of the United States.

Sincerely,

(Signed)

JOSEPH T. EDGAR  
Secretary of State

The Communication was read and with accompanying paper ordered placed on file.

**Petitions, Bills and Resolves Requiring Reference**

The following Bills and Resolutions were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

**Agriculture**

Bill "An Act to Increase Penalties and Fees under Laws Relating to Dogs" (H. P. 662) (Presented by Mr. Kelley of Southport)

(Ordered Printed)

Sent up for concurrence.

**Appropriations and Financial Affairs**

Bill "An Act relating to State Aid for Driver Education" (H. P. 663) (Presented by Mr. Lucas of Portland)

(Ordered Printed)

Sent up for concurrence.

**Business Legislation**

Bill "An Act relating to Cancellation, Nonrenewal and Certain Changes of Automobile Insurance Because of Age" (H. P. 664) (Presented by Mr. Stillings of Berwick)

(Ordered Printed)

Sent up for concurrence.

**County Government**

Bill "An Act to Change the Method of Filling Vacancies in Office of Register of Deeds" (H. P. 665) (Presented by Mr. Hewes of Cape Elizabeth)

Bill "An Act Establishing Clerks of Courts and Registers of Probate as Full Time" (H. P. 666) (Presented by Mr. Trask of Milo)

(Ordered Printed)  
Sent up for concurrence.

**Education**

Bill "An Act to Require Public School Education of Handicapped Children" (H. P. 667) (Presented by Mr. Ault of Wayne)

Bill "An Act relating to Comprehensive School Programs in Public High Schools" (H. P. 668) (Presented by Mr. Lynch of Livermore Falls)

Bill "An Act relating to the Transportation of Students to Technical and Vocational Centers" (H. P. 669) (Presented by same gentleman)

Bill "An Act relating to Teachers' Conventions and Reimbursements for Professional Credits" (H. P. 670) (Presented by Mr. Tyndale of Kennebunkport)

Bill "An Act relating to Tuition by Administrative Units Not Maintaining an Approved Secondary School" (H. P. 671) (Presented by Mrs. Wood of Castine)

(Ordered Printed)  
Sent up for concurrence.

**Fisheries and Wildlife**

Bill "An Act relating to Open Season for Fishing in Lakes, Ponds, Rivers, Brooks and Streams" (H. P. 672) (Presented by Mr. Porter of Lincoln)

Bill "An Act relating to Black Bass Fishing in Lakes, Ponds and Rivers" (H. P. 673) (Presented by same gentleman)

(Ordered Printed)  
Sent up for concurrence.

**Health and Institutional Services**

Bill "An Act Transferring Services to Alcoholics and Drug Addicts to the Bureau of Mental Health" (H. P. 674) (Presented by Mr. Carrier of Westbrook)

Bill "An Act Appropriating Funds to Continue Housing Services for Older People" (H. P. 675) (Presented by Mr. Curtis of Orono)

(Ordered Printed)  
Sent up for concurrence.

**Judiciary**

Bill "An Act relating to Film under the Obscenity Law" (H. P. 676) (Presented by Mr. Bailey of Woolwich)

Bill "An Act relating to Number of Examinations for Admission to the Bar" (H. P. 677) (Presented by Mr. Hewes of Cape Elizabeth)

(Ordered Printed)  
Sent up for concurrence.

**Labor**

Bill "An Act Amending the Unemployment Compensation Law Relating to Filing Payroll Reports" (H. P. 678) (Presented by Mr. Fecteau of Biddeford)

Bill "An Act relating to Total Incapacity Resulting from Second Injuries under Workmen's Compensation Law" (H. P. 679) (Presented by Mr. Tyndale of Kennebunkport)

(Ordered Printed)  
Sent up for concurrence.

**Legal Affairs**

Bill "An Act Designating Public Accountants as Licensed Public Accountants" (H. P. 680) (Presented by Mr. Jutras of Sanford)

Bill "An Act relating to Airport Commissions for County and Municipal Airports" (H. P. 681) (Presented by Mr. Maddox of Vinalhaven)

(Ordered Printed)  
Sent up for concurrence.

**Natural Resources**

Bill "An Act relating to Forestry Cutting Practices for the Protection of Rivers, Streams and Lakes" (H. P. 682) (Presented by Mr. Dyar of Strong)

Bill "An Act Amending the Maine Sanitary District Enabling Act" (H. P. 683) (Presented by Mr. Smith of Waterville)

Bill "An Act relating to Cutting of Trees Near Public Highways" (H. P. 684) (Presented by Mr. Webber of Belfast)

(Ordered Printed)  
Sent up for concurrence.

**State Government**

Bill "An Act to Create an Interstate Boundary Commission to Establish a Marine Boundary Compact between Maine and New Hampshire" (H. P. 685) (Presented by Mr. Hodgdon of Kittery)

Resolution Proposing an Amendment to the Constitution Providing

that Revenue Measures Passed as Emergencies May Not Be Amended or Repealed by Direct Initiative of Legislation (H. P. 686) (Presented by Mr. Bernier of Westbrook)

(Ordered Printed)

Sent up for concurrence.

#### Taxation

Bill "An Act relating to Relief of the Elderly on Property Taxes" (H. P. 687) (Presented by Mr. Cyr of Madawaska)

Bill "An Act Exempting Watercraft and Motors from Personal Property Taxation" (H. P. 688) (Presented by Mr. Kelley of Southport)

(Ordered Printed)

Sent up for concurrence.

#### Orders

On motion of Mr. Jalbert of Lewiston, it was

ORDERED, that Edward Nutter and Michael Sturtevant of Portland be appointed to serve as Honorary Pages for today.

Mr. Dyar of Strong presented the following Joint Resolution and moved its adoption:

WHEREAS, Sugarloaf U.S.A. will host the Arlberg-Kandahar and World Cup Competitions and a total of six events; and

WHEREAS, the Sugarloaf Mountain Corporation and the Sugarloaf Area Association, among many, are dedicated to the success of this venture; and

WHEREAS, the eyes of the world will be focused on the State of Maine by means of the news media starting February 18, 1971; and

WHEREAS, this event is a milestone in the history of the State and a great tribute to those citizens as well as the facilities at Sugarloaf; now, therefore, be it

RESOLVED: That we, the Members of the Senate and House of Representatives of the One Hundred and Fifth Legislature, now assembled, extend to H. King Cummings, Harry Baxter and G. Norton Luce of the Sugarloaf Mountain Corporation, to Edward Rogers, President of the Sugarloaf Area Association and to the countless persons and competitors

involved our warmest congratulations and best wishes for the success of this great event; and be it further

RESOLVED: That copies of this resolution, signed by the Speaker of the House of Representatives and the President of the Senate, with the great seal of the State of Maine attached, be transmitted forthwith to said Sugarloaf Mountain Corporation and Sugarloaf Area Association as a tangible token of the sentiments expressed herein. (H. P. 690)

The Joint Resolution was adopted and sent up for concurrence.

Mr. Kelleher of Bangor presented the following Joint Order and moved its passage:

ORDERED, the Senate concurring, that the State Tax Assessor be directed to have published the telephone number for each sales tax divisional office in its respective local directory; and be it further

ORDERED, that a copy of this order be transmitted forthwith to said State Tax Assessor as notice of the Legislature's intent. (H. P. 691)

The SPEAKER: The gentleman may proceed.

Mr. KELLEHER: Mr. Speaker and Ladies and Gentlemen of the House: When I got home last weekend I had a merchant call me from downtown in Bangor. It seems as though under the present setup that we have here now, as far as the sales tax divisional offices are concerned, that these offices are in various locations throughout the state. If any information is wanted by, we will say, the people in my particular area in Bangor, it is unable for them to contact the local office or the representatives there. They have to either call Augusta or write to Augusta for the information that they want.

Now it seems kind of ridiculous to me that the State is paying for these offices throughout the state and they are paying for the phones, and these phones are not in our directories. The State is not selling the service; they are only giving a service that is by law, and it

seems to me that if the state and the taxpayers are paying for these phones that they should be available for the public and the people should be available when they want this information.

Now I understand that most of these workers are field workers and they are out at various times in the day, but from what I understand there are seven of them in Bangor and occasionally some one of them must go to the offices.

So I hope that this order receives passage because it seems to me reasonable enough that if this service is available, and these people were contacting various businesses, the businesses themselves should be able to contact them when they want some information.

Thereupon, the Joint Order received passage and was sent up for concurrence.

On motion of Mr. Clark of Jefferson, it was

ORDERED, that Rev. John Godfrey of Jefferson be invited to officiate as Chaplain of the House on Wednesday, February 24, 1971.

Mr. Dudley of Enfield presented the following Joint Order and moved its passage:

ORDERED, the Senate concurring, that the number for each public telephone paid for with State funds be listed in each locality directory in all future publications; and be it further

ORDERED, that copies of this Order be transmitted forthwith to all departments, agencies and commissions as notice of the intent expressed herein. (H. P. 692)

The SPEAKER: The gentleman may proceed.

Mr. DUDLEY: Mr. Speaker and Members of the House: For the same reasons set forth by Mr. Kelleher, I present this order because I want to use all the departments alike, I don't want to show any partiality. I do believe I concur with everything he said; I only add to it that I think every department, any telephone that the public is paying for should be listed. If these people want private telephones that should be on their own charge.

Therefore I hope that you people will see fit to pass this order.

Thereupon, the Joint Order received passage and was sent up for concurrence.

Mr. Lund of Augusta presented the following Joint Order and moved its passage:

ORDERED, the Senate concurring, that the Legislative Research Committee study and investigate the operation of the Municipal Securities Approval Board and the statutes relating thereto all in order that the Legislature may determine whether further legislative action is necessary to protect the credit, health, peace and safety of the State of Maine and specifically to determine whether the purposes and powers of the Municipal Securities Approval Board should be broadened or amended and to determine whether the supervisory powers of the Municipal Securities Approval Board over securities and obligations authorized by them should be expanded or modified; and be it further

ORDERED, that the Maine Municipal Securities Approval Board and Securities Division of the Department of Banks and Banking provide the committee with such information and technical assistance as the committee deems necessary or desirable in carrying out the purposes of this order; and be it further

ORDERED, that the committee report the results of its findings and recommendations, including any necessary legislation, at the next regular session of the Legislature; and be it further

ORDERED, upon passage, that copies of this order be transmitted forthwith to the Maine Municipal Securities Approval Board and the Department of Banks and Banking. (H. P. 693)

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

**House Reports of Committees Ought Not to Pass**

Mrs. Boudreau from the Committee on Election Laws reported "Ought not to pass" on

Bill "An Act Determining Position of Names of Candidates on Primary Ballots and General Election Ballots" (H. P. 387) (L. D. 502)

Mrs. Brown from same Committee reported same on Bill "An Act Prohibiting Candidates from Notarizing an Absentee Ballot" (H. P. 337) (L. D. 446)

Mr. Bunker from same Committee reported same on Bill "An Act relating to Assistance to Blind Persons in Marking Absentee Ballots" (H. P. 336) (L. D. 445)

In accordance with Joint Rule 17-A, were placed in the legislative files and sent to the Senate.

**Leave to Withdraw**

Mrs. Cummings from the Committee on Natural Resources on Bill "An Act Exempting Directional Signs of Nonprofit Organizations from Outdoor Advertising Law" (H. P. 21) (L. D. 30) reported Leave to Withdraw.

Mr. Simpson from the Committee on Labor on Bill "An Act relating to Interest on Compensation Payable under Workmen's Compensation Law" (H. P. 230) (L. D. 312) reported Leave to Withdraw, as covered by other legislation.

Reports were read and accepted and sent up for concurrence.

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

Mr. Murray from the Committee on Education on Bill "An Act relating to Initiated Referendum on Decisions of Directors of School Administrative Districts" (H. P. 93) (L. D. 137) reported same in a new draft (H. P. 689) (L. D. 795) under title of "An Act relating to Initiative of Articles to be Included in School Administrative District Budget Meetings" and that it "Ought to pass"

Report was read and accepted, the New Draft read twice and tomorrow assigned.

**Ought to Pass  
Printed Bill**

Mr. Genest from the Committee on Labor reported "Ought to pass" on Bill "An Act relating to Contempts Before the Industrial Acci-

dent Commission" (H. P. 269) (L. D. 358)

Report was read and accepted, the Bill read twice and tomorrow assigned.

**Passed to Be Engrossed**

Bill "An Act to Remove the Word Steam from the Boiler Law" (H. P. 117) (L. D. 161)

Bill "An Act Changing the Name of the Preachers' Aid Society of the Maine Conference of the Methodist Church" (H. P. 237) (L. D. 319)

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

**Passed to Be Enacted**

An Act relating to Rate of Contributions of Employees under State Retirement System (H. P. 87) (L. D. 127)

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

**Orders of the Day**

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

Bill "An Act relating to Persons Ineligible to Serve as Election Officials" (H. P. 224) (L. D. 306)—Committee Amendment "A" (H-18) adopted.

Tabled—February 12, by Mr. Smith of Dover-Foxcroft.

Pending—Passage to be engrossed.

On motion of Mr. Starbird of Kingman Township, retabled pending passage to be engrossed and tomorrow assigned.

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

An Act relating to the Number of Signatures Required on Nomination Papers (S. P. 32) (L. D. 65)

Tabled—February 12, by Mr. Vincent of Portland.

Pending—Passage to be enacted.

On motion of Mr. Vincent of Portland, retabled pending passage to be enacted and specially assigned for Friday, February 19.

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

An Act to Provide an Effective Income Tax Warrant Procedure (H. P. 163) (L. D. 220)

Tabled—February 12, by Mr. Carrier of Westbrook.

Pending—Passage to be enacted.

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

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

HOUSE DIVIDED REPORT—Majority (12) Ought not to pass—Minority (1) Ought to pass—Committee on Legal Affairs on Bill “An Act Repealing the Law Prohibiting Hitchhiking” (H. P. 131) (L. D. 186)

Tabled—February 16, by Mr. Norris of Brewer.

Pending—Acceptance of either Report.

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

Mr. NORRIS: Mr. Speaker, I move that the House accept the Majority “Ought not to pass” Report and would speak briefly to my motion.

The SPEAKER: The gentleman may proceed.

Mr. NORRIS: Mr. Speaker and Members of the House: To hitchhike or not to hitchhike legally apparently is the question this morning. We had a hearing up at Legal Affairs the other day, and the major proponents of this legislation — the representative that presented it notwithstanding, and some of the representatives that were in favor of it, who will be able to speak for themselves — were three off-campus students from the University of Maine who asked that this bill be presented, as I understand, because they have trouble getting to college from where they live. And there were many varied stories told of people hitchhiking across the country, across Europe, and so forth and so on.

Now the major opponent, and the part that I am going to deal with this morning, was Lieutenant

Richard Jones of the Maine State Police. And he related the obvious reasons for not passing this bill which does abolish the law against hitchhiking. And that would be highway safety, which you will hear some other representatives speak on that are opponents to the bill this morning, about the highway safety, the personal safety of the individuals concerned.

There was feeling that it would open up an avenue for some known criminals, possibly sex offenders that are held down now by the fact that it is against the law to stand on the side of the road and solicit a ride from someone you don't know.

Lieutenant Jones also went on to say that this had been very helpful in the apprehension of runaways. These youngsters that leave home without their parents' permission, and they have been able to control that somewhat with this hitchhiking law. They have also apprehended, believe it or not, several car theft criminals that have abandoned the automobiles and because they were hitchhiking to get away from the scene of the crime, were picked up.

Now the law in itself, as I just stated, isn't that strict, because if you are trying to stop someone that you know it is not against the law. Lieutenant Jones reiterated that they now have name tags, and that in stopping for people that he suspected of hitchhiking if he didn't cover his name tag the youngsters — and I guess it's mostly youngsters that do hitchhike — would be very apt to say, “Well, Officer Jones,” and of course that would indicate that they knew who he was, and knew him, and wouldn't be guilty under the law as it is written now.

In 1969 they had 79 arrests for hitchhiking, because they do use a warning, the State Police have been ordered to give every first offender a warning, and then on the second offense to apprehend them. They have had — one other thing that he did bring up was that in some cases — and I suppose this is in the minority, to be fair to the opposition — but there have been some cases where



hitchhikers have used this method to transport illegal drugs; because, of course, it doesn't mean any difference if they apprehend the car that has the drugs in it if you don't own it.

So in conclusion I would say that the majority of the people of the State of Maine would be better served if you support me in my motion this morning to accept the majority report of the committee. Thank you.

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

Mr. MURRAY: Mr. Speaker and Ladies and Gentlemen of the House: I rise this morning for my first time to address this honorable body. I would like to share with you a few of my thoughts and feelings concerning the piece of legislation before us.

Aristotle, the Greek philosopher, once said, "Law is the pledge that the citizens of a state will do justice to one another." The hitchhiking law before us this morning is not a pledge that justice will be done to the citizens of this state. Rather this law is an infringement on the rights of certain groups of citizens of this state who are already burdened with other hardships.

I am not asking you or any citizens of this state to pick up hitchhikers. All I am asking for is their right to ask other citizens for a ride. Gentlemen, I ask you, what is wrong with asking your fellow man for help? With laws like this in our society, we cannot help but continue to become more and more impersonal.

At a time when the population is increasing and more cooperation among men is very necessary, are we going to retain this selectively enforced, unnecessary, and unfair law? Making our less fortunate citizens lawbreakers serves no good as far as I am concerned.

We seem very willing to write hundreds and hundreds of laws each year, but we seem much more reluctant to repeal a few that we feel are not necessary. Now that we have the law, there are people who are making reasons

why we should keep it. Before we accept any of these reasons we must first decide if they are pertinent to the question, and secondly ask if these reasons couldn't be implemented in other ways.

The facts are that we are a poor state, spread out over a large area of land, with practically no public transportation. Because of these facts and others, many people must rely on their fellow citizens for transportation. But because of this 1929 law these people who must rely on their fellow citizens are now lawbreakers. I really don't think that they are lawbreakers. They are not doing any injustices to their fellow man. They are merely asking for help. Remember St. John the Evangelist once said, "Where charity and love are, there is God."

Some of you men probably recall, while others of us must read about, the spirit of cooperation that existed in this country during the Second World War. People were generally committed to helping each other. When we had to conserve rubber and gasoline, hitchhiking was very common practice in many places, and was supported by law enforcement agencies. Some agencies passed out "Going my Way" signs to hitchhikers.

Jim Reardon of the Free Wheel in Boston recently said, "Wouldn't it be nice if the people would return to the wartime concept of sharing?" Must it be a national emergency before the spirit of cooperation exists?

I feel it is our duty as the leaders of this state to try and initiate this spirit of cooperation and sharing. We must have confidence in our fellow man that he will not abuse this right I am asking you to return to him today. Possibly some will abuse it, but does this mean everyone should go without it? I say no, gentlemen. I say we are going a little too far in legislating the protection of the individual.

Hitchhiking, like every other act we perform daily, involves risks and dangers. But I feel it is no more dangerous than it is going skiing at a local ski slope during

the winter, or going fishing at a local pond during the summer. It is impossible to legislate people into glass bubbles to protect them from the dangers of life. If we have tried to do this in the past, we must rectify it, and at the same time be careful what direction we follow in the future.

When an individual asks his fellow man for help, whether it be food, ride, or shelter, is he really doing anything wrong? Thank you.

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

Mr. WHITSON: Mr. Speaker and Members of the House: I rise in opposition to the majority report. We cannot deny the fact that hitchhiking is an important mode of transportation, especially for the young, especially for members of the armed services who rely upon hitchhiking to return to homes which are often in rural areas, and which are often inaccessible to bus lines, railroads, or other forms of mass transportation.

Hitchhiking is equally important to college students in the schools within our state. It is my opinion that the soliciting of rides is a matter of one's own volition, as is the picking up of hitchhikers by motorists. Since hitchhiking affects only those who willingly engage in the practice, or those who willingly pick up hitchhikers; and since it is reasonable and consistent with a free society to allow people to engage in activities which do not threaten or endanger in any way innocent or uninvolved parties, I support the minority report.

Further, I support the minority report because — and this is most important — the hitchhiking statute is presently not enforced. A law which is not enforced is a disservice to the entire body of law. A law which is not enforced, or enforced selectively, should be removed from the books. I would venture a guess that if the members of this body who have at one time or another participated in the practice of soliciting rides voted in opposition to the majority report, the majority report would be defeated.

Personally, I operate an old vehicle, an unreliable vehicle. And last week I was put in the predicament of having to hitchhike on the roads in this state to a service station to purchase a fan belt. Thank you.

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

Mr. VINCENT: Mr. Speaker and Ladies and Gentlemen of the House: I rise in support of the gentleman from Bangor, Mr. Murray. Some of the testimony or discussion that has been heard here on the floor has been in the area of safety for hitchhikers. There seems to be a general consensus that nothing but idiots hitchhike.

Hitchhiking is an art, and in order to get a ride you have to practice the art of hitchhiking. That is the idea of getting in a position at a corner or intersection where cars are slowing down so that it would be appropriate to get a ride. Now if somebody is standing out in the middle of the turnpike with 70 mile an hour traffic he is not going to be in a position to get a ride. This is why hitchhikers are usually at the entrance of turnpikes, at stop signs or just on the other side of stop signs, so that when cars can make a safe stop, a safe pickup, and proceed, then there is safety involved all the way around, not only for the hitchhiker, but for the motor vehicle operator.

I myself have done much hitchhiking in the past, and I have done a lot of driving on long trips back and forth to the capitol. It is a boring trip for anyone that has to travel great distances, whether to Bangor or Aroostook County; and quite often you are driving along and quite often you would enjoy some company of speaking and having somebody to talk to, somebody to keep you awake, or somebody to just pass the time with and keep from being bored and becoming a menace on the road through laziness or sleepiness from driving great distances at great speeds.

For this reason I would support the minority report and hope that the motion would be defeated on the majority report.

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

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen of the House: I rise to speak in favor of the motion as made by the representative from Brewer, Mr. Norris. My constituency includes both hitchhikers and people who are also concerned with the problems created by hitchhikers and highway safety. We have a large number of students in my town who do indeed travel back and forth from time to time either walking long distances or by bumming rides.

We have a local ordinance in my town which prohibits hitchhiking. A change in the state law would not affect the local ordinance. A change in the state law by eliminating the law on hitchhiking would have the effect of confusing hitchhikers throughout the state, I am sure. Because it would mean that in some areas they would be doing their business legally, and in some areas illegally. However, the bill as proposed would not really solve the problem, for the reason that I just explained.

The basic reason I oppose the bill and support the motion by Mr. Norris, is because hitchhiking can create a danger, a serious traffic hazard. When hitchhikers are standing in the middle of the road, as I have seen them do, attempting to get rides, then they create a danger to themselves and a danger to other vehicles.

The law enforcement officers, I believe, need this kind of basic law to prevent any kind of misuse of the roads.

Now entirely separate from this issue, and at the hearing, I made a proposal which I have passed on to members of government in my own town and to members in authority at the university. And that is that perhaps some sort of non-governmental but cooperative measure could be taken to provide an area off the highways, off the right-of-way in which signs could be posted where students could stand, indicating that they needed a ride to Bangor or to Old Town. But off the right-of-way where there would be no traffic hazard,

and drivers who desired to could voluntarily pull off the road and give them rides. I think that is a much better way to solve the problem than by changing the hitchhiking law. Thank you.

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

Mr. CALL: Mr. Speaker and Members of the House: I feel there are some laws in this state which should be repealed, but that L. D. 186 is not one of them. Hitchhiking can be and has been precarious to both the hitchhiker and the motorist. The history of our hitchhiking law is an interesting one. It goes back 42 years. At the legislative session of 1929 there is no question but what the proposed anti-hitchhike law was the talk of that session.

Many reasons were given. One was the danger, that the hitchhikers were right out in the middle of the road, and that sometimes it was very difficult to keep from hitting them. Also one of the very strong arguments used at that time was that when, on many an occasion, a hitchhiker would be refused a ride, he would shout an obscenity to the motorist. That was 42 years ago. And before the bill was passed in April of 1929 the consensus of opinion was that even then the bill should have been passed long before it was.

Now there are many laws which are enforced only when proper authorities deem such action necessary. There is nothing wrong with that. A remedy should be available at all times for any eventuality.

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

Mr. BRAWN: Mr. Speaker and Members of the House: I rise in support of Mr. Norris's motion, ought not to pass. I did serve on this committee. I did hear all the evidence. And the main reason why I am in so much favor of Mr. Norris is that in my community a gentleman by the name of Mr. Jordan did pick up a hitchhiker, one Mr. Farron, and was murdered right beyond my house and dragged into the woods. And because of this reason I feel very strongly that this ought not to pass.

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

Mr. BINNETTE: Mr. Speaker and Ladies and Gentlemen of the House: I heartily agree with my neighbor, Representative Curtis from Orono. I live within a mile as the crow flies from the University. We have a lot of hitchhikers up there, and many of my constituents are very irritated in regards to the way that some of these hitchhikers conduct themselves.

You have to do everything in your power to avoid hitting them for one thing. And as Representative Call said, after you have passed them, if you refuse to give them a ride, they shout obscenities, which is very aggravating. They call you foul names.

But that isn't the main thing that I am up here for. I am worried because many of my constituents have said that lots of these people have lost their cars after they have had a hitchhike rider with them. In fact, as the representative from Oakland, has stated, someone has lost his life. I think at the present time they have an opportunity, and many of them do get rides, and therefore I don't see why we should repeal this law.

I would like to ask a question, especially of Representative Norris. Isn't it a fact that if you do stop sometimes for someone who is desiring to get a ride that you have to stop quite quickly, and the car in back of you has to make an extraordinary quick stop, sometimes almost causing a rear-end collision?

The SPEAKER: The pending question before the House is on the motion of the gentleman from Brewer, Mr. Norris, that the House accept the Majority "Ought not to pass" Report. The Chair will order a vote. All in favor of accepting the Majority "Ought not to pass" Report will vote yes; those opposed will vote no.

A vote of the House was taken.

115 having voted in the affirmative and 28 having voted in the negative, the Majority "Ought not to pass" Report was accepted and sent up for concurrence.

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

Bill "An Act to Validate Certain Proceedings Authorizing the Issuance of Bonds and Notes by School Administrative District No. 75" (S. P. 197) (L. D. 548)

Tabled — February 16, by Mr. Porter of Lincoln.

Pending — Motion of Mr. Curtis of Bowdoinham to indefinitely postpone.

On motion of Mr. Curtis of Bowdoinham, retabled pending his motion to indefinitely postpone and tomorrow assigned.

Mr. Porter of Lincoln presented the following Joint Order and moved its passage:

ORDERED, the Senate concurring, that Bill "An Act to Authorize Bond Issue in the Amount of \$19,145,000 for the Construction and Renovation of Higher Education Facilities at the University of Maine" (S. P. 129) (L. D. 376) and Bill "An Act to Authorize the Construction of Self-liquidating Housing for the University of Maine and the Issuance of Bonds of the State of Maine in an Amount Not Exceeding \$10,000,000 for the Financing Thereof" (H. P. 524) be referred to the Committee on Appropriations and Financial Affairs; and be it further

ORDERED, that the Committee on Appropriations and Financial Affairs initiate a joint hearing with the Committee on Education, the Committee on Education to submit their recommendation to the Committee on Appropriations and Financial Affairs; and be it further

ORDERED, that the Committee on Appropriations and Financial Affairs report the Bills to the Legislature, giving consideration to the recommendation of the Committee on Education. (H. P. 694)

The Joint Order was received out of order by unanimous consent, read and passed and sent up for concurrence.

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

Bill, "An Act to Authorize Bond Issue in the Amount of \$19,145,000

for the Construction and Renovation of Higher Education Facilities at the University of Maine" (S. P. 129) (L. D. 376)

Tabled — February 16, by Mr. Martin of Eagle Lake.

Pending — Motion of Mr. Jalbert of Lewiston to reconsider recede and concur.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I am going to go along with the indefinite postponement of my motion. I will make a motion that we indefinitely postpone the motion that I made to recede and concur.

The SPEAKER: The pending question is reconsideration.

Mr. JALBERT: I will withdraw my motion—not withdraw my motion, I will speak to the motion that I made, because obviously it will put the bill in a position where no one will know where it is anyway, no more than anyone knows where the order that I just read.

I merely rise, Mr. Speaker and Members of the House, to make comment that actions such as the order that we just passed is one of the major reasons why we find ourselves unfortunately in the thirtieth position that we are in.

I don't know who the author of that order was, but believe me, whoever the author of that order is, I would like to have him see me privately so I can discuss it with him privately.

The SPEAKER: The Chair would advise the House that if we recede and concur this matter will be referred to the Committee on Education. The pending question is this: The motion to reconsider. Does the gentleman withdraw his motion to reconsider? Is this the pleasure of the House? The gentleman withdraws his motion to reconsider?

Mr. JALBERT: Mr. Speaker, I did not make a motion to reconsider by any means. I will leave my motion where it is, and if it is to be debated so be it. But I think that if we would pass the order that we did, why we would have to reconsider according to the order we just passed, so I will hold to my motion to reconsider, then

I will make another motion pursuant to the order.

The SPEAKER: The pending question is the motion of the gentleman from Lewiston, Mr. Jalbert, to reconsider receding and concurring.

The Chair recognizes the gentleman from Cape Elizabeth, Mr. Hewes.

Mr. HEWES: Mr. Speaker, as I understand the posture of the situation, we do want to vote in favor of reconsideration so that then someone may make a motion to have the matter referred to the Appropriations Committee. So therefore, I say we vote in favor of reconsideration.

The SPEAKER: Is it the pleasure of the House to reconsider? It is a vote. Now the pending question is to recede and concur.

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

Mr. JALBERT: Mr. Speaker and Members of the House: If I make a motion to recede and concur the item will be placed before the Appropriations Committee. Is that in the affirmative? No? I would now make a motion that we defeat the motion to recede and concur so then a proper motion will be made that this matter in non-concurrence be referred to the Committee on Appropriations.

The SPEAKER: The pending question is to recede and concur.

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

Mr. GILL: Mr. Speaker, I believe I am correct that we should oppose the motion to recede and concur.

The SPEAKER: The gentleman is correct.

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

Mr. SUSI: Parliamentary inquiry.

The SPEAKER: The gentleman may pose his inquiry.

Mr. SUSI: Mr. Speaker, what does an affirmative vote for the motion to recede and concur have as an effect?

The SPEAKER: The Chair understands that if we recede and concur it will be referred to the Committee on Education.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Under the order that was just passed, the only procedure that we can go through now is the procedure to defeat the motion to recede and concur. Now as I understand it, this bill came to us in non-concurrence. We rereferred to the Committee on Appropriations.

Under the order as we passed, we should vote against receding and concurring. Then that places the measure before us in non-concurrence. So then my next motion would be, if we fail to recede and concur, my next motion would be that we actually insist. But I mean, I could make a motion then that this be referred to the Committee on Appropriations in non-concurrence, is that correct?

The SPEAKER: The answer is in the affirmative. The pending question is receding and concurring. All in favor of receding and concurring will vote yes; those opposed will vote no.

A vote of the House was taken.

I having voted in the affirmative and 138 having voted in the negative, the motion to recede and concur did not prevail.

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

Mr. SUSI: Mr. Speaker and Ladies and Gentlemen of the House: I move that item six be referred to the Committee on Appropriations and Financial Affairs in accordance with the terms

of the order presented by Representative Porter and adopted by this body.

Thereupon, the House voted to insist.

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

Bill "An Act to Authorize the Construction of Self-liquidating Housing for the University of Maine and the Issuance of Bonds of the State of Maine in an Amount Not Exceeding \$10,000,000 for the Financing Thereof" (H. P. 524)

Tabled — February 16, by Mr. Susi of Pittsfield.

Pending — Motion of Mr. Martin of Eagle Lake to reconsider reference to the Committee on Appropriations and Financial Affairs.

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

Mr. MARTIN: Mr. Speaker, in order to get both bills in the same position, I would now request permission to remove my motion to reconsider reference, and that in effect that the reference stand to the Committee on Appropriations and Financial Affairs in concurrence with the order that we just passed.

Thereupon, Mr. Martin of Eagle Lake was granted permission to withdraw his motion to reconsider.

On motion of Mr. Bartlett of South Berwick,

Adjourned until nine o'clock tomorrow morning.