

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

Tuesday, May 4, 1971

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

Prayer by the Rev. Mr. Robert Butler of Hallowell.

The journal of yesterday was read and approved.

**Papers from the Senate
Reports of Committees
Ought Not to Pass**

Report of the Committee on Natural Resources reporting "Ought not to pass" on Bill "An Act Providing for Licensing of Open-pit Type Lagoons of Certain Pollution Abatement Facilities (S. P. 335) (L. D. 987)

In accordance with Joint Rule 17-A, was placed in the legislative files.

Leave to Withdraw

Report of the Committee on State Government on Bill "An Act relating to Payments by Town of York to York Harbor Village Corporation" (S. P. 461) (L. D. 1379) reporting Leave to Withdraw.

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 Veterans and Retirement on Bill "An Act Providing Educational Assistance for Widows of Veterans and Wives of Totally Disabled Veterans" (S. P. 246) (L. D. 707) reporting same in a new draft (S. P. 560) (L. D. 1700) under title of "An Act Providing Educational Assistance for Certain Widows, Wives and Children of Veterans and Wives and Children of Prisoners of War" and that it "Ought to pass"

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

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

Ought to Pass

Report of the Committee on Legal Affairs reporting "Ought to pass" on Bill "An Act to Incorporate the

Town of Carrabassett Valley" (S. P. 448) (L. D. 1294)

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.

Divided Report

Majority Report of the Committee on Election Laws on Bill "An Act relating to Voters Resigning or Removed from the Voting List" (S. P. 405) (L. D. 1178) reporting same in a new draft (S. P. 561) (L. D. 1701) under same title and that it "Ought to pass"

Report was signed by the following members:

Messrs. MARTIN of Piscataquis
SHUTE of Franklin
— of the Senate.

Mr. ROSS of Bath
Mrs. WOOD of Castine
Mrs. BOUDREAU of Portland
Messrs. BUNKER of Gouldsboro
VINCENT of Portland
Mrs. BROWN of York

— of the House.

Minority Report 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. BINNETTE of Old Town
HANCOCK of Casco
MARSTALLER

of Freeport
— of the House.

Came from the Senate with the Majority Report accepted and the New Draft passed to be engrossed.

In the House: Reports were read.

On motion of Mr. Ross of Bath, the Majority "Ought to pass" Report was accepted in concurrence.

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

Divided Report

Majority Report of the Committee on Legal Affairs on Bill "An Act Creating the Cobbossee Watershed District" (S. P. 202) (L. D. 587) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. CLIFFORD

of Androscoggin
QUINN of Penobscot
KELLAM of Cumberland
— of the Senate.

Messrs. BRAUN of Oakland
CURTIS of Bowdoinham
CROSBY of Kennebunk
FECTEAU of Biddeford
EMERY of Rockland
GAUTHIER of Sanford
NORRIS of Brewer
SILVERMAN of Calais
SMITH of Dover-Foxcroft
— of the House.

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

Report was signed by the following member:

Mr. COTE of Lewiston
— of the House.

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

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

The Bill was given its two several readings.

Committee Amendment "A" (S-124) was read by the Clerk and adopted in concurrence and tomorrow assigned for third reading of the Bill.

Divided Report

Majority Report of the Committee on Legal Affairs on Bill "An Act relating to the Regulation of Private Detectives (S. P. 344) (L. D. 984) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. CLIFFORD
of Androscoggin
QUINN of Penobscot
— of the Senate.
Messrs. CURTIS of Bowdoinham
EMERY of Rockland
BRAUN of Oakland
NORRIS of Brewer
CROSBY of Kennebunk
SMITH of Dover-Foxcroft
SILVERMAN of Calais

COTE of Lewiston
FECTEAU of Biddeford
GAUTHIER of Sanford
— of the House.

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

Report was signed by the following member:

Mr. KELLAM of Cumberland
— of the Senate.

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

In the House: Reports were read.

On motion of Mr. Norris of Brewer, the Majority "Ought to pass" Report was accepted in concurrence.

The Bill was given its two several readings.

Committee Amendment "A" (S-125) was read by the Clerk and adopted in concurrence and tomorrow assigned for third reading of the Bill.

Divided Report

Majority Report of the Committee on State Government reporting "Ought not to pass" on Bill An Act to Reestablish the Observance of Memorial Day on May 30th and Veterans Day on November 11th" (S. P. 239) (L. D. 700)

Report was signed by the following members:

Messrs. JOHNSON of Somerset
CLIFFORD
of Androscoggin
— of the Senate.
Messrs. DONAGHY of Lubec
MARSTALLER
of Freeport
Mrs. GOODWIN of Bath
Messrs. FARRINGTON
of Old Orchard Beach
HODGDON of Kittery
COONEY of Webster
STILLINGS of Berwick
— of the House.

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

Report was signed by the following members:

Mr. WYMAN of Washington
— of the Senate.
Messrs. CURTIS of Orono

STARBIRD

of Kingman Township
— of the House.

Came from the Senate with the Majority Report accepted.

In the House: Reports were read.

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

Mr. DONAGHY: Mr. Speaker, I move the acceptance of the Majority "Ought not to pass" Report in concurrence.

The SPEAKER: The gentleman from Lubec, Mr. Donaghy moves that the House accept the Majority "Ought not to pass" Report in concurrence.

The Chair recognizes the gentleman from Sanford, Mr. Jutras.

Mr. JUTRAS: Mr. Speaker and Ladies and Gentlemen of the House: Probably this bill originally should have been heard before the Committee on Veterans, because the report given by the State Government Committee in my estimation is not correct. I was most amazed this morning in reading that these gentlemen who are old enough to remember World War II signed an "Ought not to pass" Report. It is understandable and excusable for the junior members of the House here who would sign this report, but people like Mr. Donaghy, Mr. Marstaller, Mr. Hodgdon, Mr. Stillings, I cannot understand how these gentlemen can sign such a report "Ought not to pass."

For that reason I move that we accept the Minority Report "Ought to pass."

The SPEAKER: The Chair would advise the gentleman his motion is not in order.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: I first sponsored the Monday holiday bill during my first term in this legislature in 1955. It was my only major bill that term. Back then freshmen were not allowed to speak for three months, so here I had my first choice in April of 1955.

I had all sorts of facts and figures and after I delivered my maiden speech I received many notes to the effect that I had made

a dandy presentation. However, my chief opponent was the revered gentleman from Portland, Judge McGlaulin. Those were the days when we had a two party system in Portland and he was the senior Republican in the House; and he sat in a front seat and he is the only man that I have ever known who was allowed to turn his back to the Speaker and address the House.

He was an excellent speaker, with a fine memory. He quoted the bible, he waved the flag, and he espoused morality; and in the end I was beaten 102 to 20. However, I have never minded defeat. I congratulated him on the floor and we became the very best of friends.

I persevered and was willing to bide my time, so last session after fourteen years I put the bill in again and I termed it a mini-vacation bill. It went through both bodies, but not easily, because many attempts were made to amend it. Now as far as Memorial Day goes, the chief opponents at the hearing were not the veteran groups—and I also am a veteran like Mr. Jutras—but they were cemeterians. They were people who were afraid that an earlier date would not let them get their cemeteries in order properly.

It is now a law not only in our state but in all of the states as of this year. If we rescind it we will be out of step with the rest of the nation, and I certainly hope that you will accept 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: For the edification of Mr. Jutras, perhaps I was fortunate, I did get a bill through this session earlier this year, signed into law by the Governor, which would establish November 11 as Armistice Day, to commemorate the action of World War I. I am certainly in sympathy with the gentleman from Sanford, Mr. Jutras, on Memorial Day on May 30, but I think probably that it is too late in this session to do much about it.

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

Mr. DONAGHY: Mr. Speaker and Ladies and Gentlemen of the House: This has gone beyond flag waving, patriotism, and this sort of thing. The federal government has changed the laws. As a result of this unions have changed their contracts. We would be just in one heck of a mess if we had two Memorial Days and two Armistice Days. If the federal government — and there is a move afoot to bring such a thing about, if the federal government or Congress decides to make this change, I am sure there will be full sympathy for us going back. But in the meantime, lets us please accept this "Ought not to pass" Report.

The SPEAKER: The Chair will order a vote. All in favor of accepting the Majority "Ought not to pass" Report in concurrence will vote yes; those opposed will vote no.

A vote of the House was taken.

74 having voted in the affirmative and 41 having voted in the negative, the motion did prevail.

Non-Concurrent Matter

Bill "An Act relating to Selling Certain Drugs" (H. P. 116) (L. D. 160) on which the House accepted the Minority Report of the Committee on Health and Institutional Services reporting same in a new draft (H. P. 1292) (L. D. 1693) and passed the Bill to be engrossed on April 30.

Came from the Senate with the Majority "Ought not to pass" Report accepted in non-concurrence.

In the House: On motion of Mr. Norris of Brewer, the House voted to insist.

The following Communication:

STATE OF MAINE
Office of the Governor
Augusta, Maine

May 3, 1971

Members of the Senate and House of Representatives of the 105th Legislature

After examining House Paper 1242, Legislative Document 1551, AN ACT Relating to the Requirement for a Board of Registration,

I have decided to return it to the Legislature without my signature.

Under existing law the third member of a Board of Registration, who serves as Chairman, is appointed by the Governor with the advice and consent of the Council. This procedure, so vulnerable to political considerations, has frequently resulted in stalemates which deprive the Board of Registration of a Chairman for unreasonable periods of time. The responsibilities of the Boards are far too important to be subjected to such political controversy and uncertainty. I have long believed, therefore, that the selection of the Board Chairman should be removed from Governor and Council control.

L. D. 1551 attempts such a reform, but in a way which only compounds the political involvement of the Boards. The third member of the Board, according to this legislation, though appointed by the municipal officers, would have to be enrolled in the party having the majority of enrollees in the town. Such a proposal restricts, without reason, the appointing authority of the municipal officers and the field of possible board members. I fail to see, for example, why voters registered as independents should be excluded from membership on the Boards. Indeed, such an exclusion may well be unconstitutional. If not, it is surely a discriminatory policy which should not be sanctioned.

I have full confidence in the capacity of municipal officers to appoint a qualified third member to the Board of Registration. This legislation restricts that capacity and imposes upon the municipal officers an explicitly political choice which has no relationship to the primary purpose of the Boards. That purpose, despite the apparent assumptions of this bill, is not to protect the interests of the dominant party in a municipality. Rather, the Boards serve to insure the integrity of the registration process.

I wish to advance that purpose and acknowledge, at the same time, the right of municipal officers to make their selection for

the Board free of unreasonable constraints. I therefore respectfully urge that my action disapproving L. D. 1551 be sustained.

Sincerely,
(Signed)

KENNETH M. CURTIS
Governor

In the House, the Communication was read and ordered placed on file.

The SPEAKER: The pending question is now: Shall this bill become law notwithstanding the objections of the Governor?

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: Approximately a week ago I indicated to the gentleman from Bath, Mr. Ross, and the gentleman from York, Mrs. Brown, that a compromise ought to be arrived at. For some reason this was not possible. For some reason I indicated that this might be back in front of us. For some reason it is.

This is not going to be the only case when something like this might happen, as I pointed out to the gentleman from Bath, Mr. Ross. I would hope that in the future he might see the light. But let us take a particular look at this L. D. and let us take a look at the objections raised by the Governor, which might help some of us know why we ought to vote either way.

The Governor agrees with us that the present system is an unworkable one and that that power ought to be removed from the Governor and Council. He indicates that L. D. 1551 attempts to make a reform, but actually makes things worse, because the third member of the board would have to come from the Majority Party within that community. They would have no choice as to whether or not they were going to appoint an independent or a Republican or Democrat that might not be nominated by the Majority Party. It completely excludes independents and as the Governor points out this might be an actual violation of the Constitution.

We must remember that the boards of registration if they are

to serve a useful purpose must to some degree be free of political problems, which this particular bill would duplicate. And so I ask all of you when the question is put by the Speaker on whether or not this bill should become law notwithstanding the objections of the Governor, that you vote no.

The SPEAKER: The Chair recognizes the gentleman from York, Mrs. Brown.

Mrs. BROWN: Mr. Speaker and Members of the House: Sometimes when you get to be my age you wonder if there are any new firsts — well, I shouldn't become discouraged, I have my first veto of a bill.

L. D. 1551 was a sincere effort on my part to provide a solution for a problem that had developed over the appointment of registration chairmen on registration boards. I agree wholeheartedly that this is a very important and sensitive part of our election and political process, but I don't quite understand why we are constantly saying — "Let's take the politics out of the political process."

I believe in the two party system and my suggestions in this bill were to strengthen this process by giving these appointments to a party that had produced in their respective areas. I do not agree that municipal officers will not be influenced by the political climate in their own community or the state. I also contend under the present law if the appointments were sincerely made, giving recognition to both parties, there would be no vacancies and we could have negotiated these positions.

I move that this bill become law notwithstanding the Governor's veto.

The SPEAKER: The pending question is: Shall this Bill become law notwithstanding the objections of the Governor? Pursuant to the provisions of the Constitution, the yeas and nays are ordered. If you are in favor of this Bill becoming law you will vote yes; if you are opposed you will vote no.

ROLL CALL

YEA — Ault, Bailey, Baker, Barnes, Bartlett, Berry, G. W.; Birt, Bither, Bragdon, Brawn,

Brown, Bunker, Churchill, Clark, Collins, Crosby, Cummings, Curtis, A. P.; Curtis, T. S. Jr.; Donaghy, Dyar, Emery, D. F.; Evans, Finemore, Gagnon, Gill, Good, Hall, Haskell, Hawkens, Hayes, Henley, Herrick, Hewes, Hodgdon, Immonen, Kelley, K. F.; Kelley, R. P.; Lee, Lewin, Lewis, Lincoln, Littlefield, Lund, MacLeod, Maddox, Marstaller, McCormick, McNally, Millett, Morrell, Mosher, Norris, Page, Parks, Payson, Porter, Pratt, Rand, Rollins, Ross, Shaw, Shute, Silverman, Simpson, L. E.; Simpson, T. R.; Stillings, Susi, Trask, Tyndale, White, Wood, M. W.; Woodbury.

NAY — Albert Bedard, Bernier, Berry, P. P.; Berube, Binnette, Boudreau, Bourgoin, Bustin, Call, Carey, Carrier, Carter, Clemente, Conley, Cooney, Cote, Curran, Cyr, Doyle, Drigotas, Dudley, Farrington, Faucher, Fecteau, Fraser, Genest, Goodwin, Hancock, Jutras, Kelleher, Kelley, P. S.; Keyte, Kilroy, Lawry, Lebel, Lizotte, Lynch, Mahany, Manchester, Marsh, Martin, McCloskey, McKinnon, McTeague, Mills, Murray, Pontbriand, Rocheleau, Slane, Smith, D. M.; Theriault, Vincent, Webber, Wheeler, Whitson, Wood, M. E.

ABSENT — Cottrell, Dam, Dow, Emery, E. M.; Gauthier, Hanson, Hardy, Jalbert, Lessard, Lucas, O'Brien, Orestis, Santoro, Scott, Sheltra, Smith, E. H.; Starbird, Tanguay, Wight, Williams.

Yes, 73; No, 57, Absent, 20.

The SPEAKER: Seventy - three having voted in the affirmative, fifty-seven in the negative, with twenty being absent, seventy-three not being two thirds, the Governor's veto is sustained.

Orders

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

Mr. LEBEL: Mr. Speaker, does the House have in its possession L. D. 553, Bill "An Act relating to Suspension of Motor Vehicle Operator's License and Registration," which was passed to be engrossed yesterday?

The SPEAKER: The answer is in the affirmative.

Mr. LEBEL: I move that we reconsider our action whereby we receded and concurred.

The SPEAKER: The gentleman from Van Buren, Mr. Lebel, moves that we reconsider our action of yesterday whereby we receded and concurred on Bill "An Act relating to Suspension of Motor Vehicle Operator's License and Registration," Senate Paper 192, L. D. 553.

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

Mr. HENLEY: Mr. Speaker and Members of the House: This bill the majority of the committee felt that it was pretty good legislation along the lines of taking the unsafe driver off the road quickly. It does give a little more authority to the Secretary of State. It had a very good hearing. There were no opponents. The report came out majority "ought to pass," but it had a problem in that it was not acceptable to some of the members of the other body, and so when it went in there there was Senate Amendment "A" attached thereto.

When it came into the House last week, Mr. Dudley of Enfield moved for indefinite postponement due to the fact that it looked like both amendments were on, the committee amendment and the Senate amendment, and they were contradictory. So we, the members of the committee, feeling that he was right at that time — and probably we were remiss in that we did not check into it sufficiently — let the bill be killed by indefinite postponement. There was no debate.

After that time we find that there was a fluke, an error in allowing the committee amendment to stay on at the same time that the Senate amendment was attached. So the other body sent it back and revived it in non-concurrence.

Yesterday without debate I moved to recede and concur, feeling that the bill as it now stands is a good bill. We must recall that even though the Secretary of State does have certain powers, this gives him a little bit more power in regards to withdrawing licenses temporarily on some situations before hearing, which this did not previously have. It was felt that in some cases a driver could be so dangerous to other people using the highways that his license

should be lifted immediately, and then have him have his hearing afterwards so that in the meantime he is not out possibly endangering other peoples' lives.

Now it seems that there are still some people that feel that this bill is too far-reaching and would like to revive it for the purpose of killing it. I thought I might just as well debate it a little bit before we voted on reconsideration. I don't know whether any other members of the committee would like to discuss it or not, but I would move that we have a division and I ask you all to oppose reconsideration on this bill.

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

Mrs. BAKER: Mr. Speaker and Members of the House: I oppose the motion for reconsideration of this bill on the ground that the amendment which would be proposed would weaken the bill. Therefore I ask you not to reconsider.

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

Mr. LEBEL: Mr. Speaker and Members of the House: If we do reconsider the motion, what I am going to do is to kill the bill again. I feel that my amendment would not be any good — I mean it is going to bring it back the way the law is now pretty near, so I feel the way the law is now we should keep it that way. The Secretary of State can take the license off if the guy has enough points or if he drives to endanger.

I hope we do vote and move to reconsider.

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

Mr. SUSI: Mr. Speaker and Members of the House: As I understand it, this piece of legislation had the endorsement and support of the Secretary of State, the Motor Vehicle Registration Division; it also had the support of all of the highway safety people, the State Police and the Maine Highway Safety Committee. I also understand that this proposed amendment would remove authority which is granted under the bill as it is now, but which the

Secretary of State would still have under other laws which are on the books and generally would be muddying the water by taking this amendment which we have now before us and which would be offered if we went along with reconsideration.

The action that was last taken in the other body coincides with the intent of the sponsors and the safety groups, and we have in this body now receded and concurred so that we are in concurrence with the Senate and with the original intent of the bill, and I would hope that you would vote against reconsideration.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I don't have any serious reservations about this bill. I do hesitate, as always, to give any department heads a little more power, because we continue to do this over and over again and we seem to be making a step towards sort of like a police state.

I think our Constitution entitles us or any other man to a hearing and if this bill passes the licenses will be revoked before a hearing. Maybe this is good but it just seems to rub my hair the wrong way a little bit. Because the license to me—to go to work and so many necessary things that the license is needed for, it would seem reasonable and just before you take something as serious as a man's license, which his whole livelihood may depend on, that this man should be entitled to a hearing.

Now that is just how I feel about it and I have no other serious reservations.

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

Mr. GAGNON: Mr. Speaker and Ladies and Gentlemen of the House: I get confused once in a while when I hear people talking about the importance of an operator's license; yet nothing is ever considered about the importance of the lives that are lost because of approximately 15% of the people which give us most of the trouble in highway safety to-

day. To me it is a little ludicrous to put the cart before the horse so to speak. I would hope that you would go against the reconsideration motion on this bill. This is needed legislation and if we are not going to start taking positive steps toward reducing the loss of lives on our roads and getting some of these people off that are not responsible, we are just never going to make any headway.

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

Mr. McTEAGUE: Mr. Speaker and Members of the House: The bill sets forth numerous grounds for the temporary suspension without hearing by the Secretary of State of an operator's license. I think that most of the grounds set forth, and they run from A through H, there is already existing authority in the law to do this; but the authority is not in the Secretary of State, it is rather in our courts.

If you look at the bill, which is L. D. 553, and go down through the A through H, you will see you have as follows:

"A. Has committed an offense for which mandatory suspension or revocation of license is required upon conviction;" The most common example there would be operating while impaired by the use of intoxicants. The court has authority to immediately suspend the license for 30 days. If the Secretary of State's office cannot act to make the administrative suspension required by law in that 30-day period, it seems to me that something is wrong with that office.

The same can be said on B, serious offenses. Again the court has authority to suspend for 30 days. Why can't the Secretary of State act within those 30 days?

C, same thing again, the court can suspend for 30 days.

I would like to skip over D for a minute and hold that until last.

E, the same thing, 30-day suspension possible by the court.

F is in a somewhat different category. G, 30-day suspension possible by the court. And H, 30-day suspension possible by the court.

I would like to speak a minute now on D. "Is incompetent to drive a motor vehicle;" I think that it might be well if the statute more explicitly defined what it means by incompetency. Is it speaking of physical incompetency due to defective vision or hearing for example, or is it speaking of emotional incompetency? What is it speaking of?

The Secretary of State at this time receives reports from police officers, sometimes physicians and other citizens, concerning people who should not drive motor vehicles. We all have a concern, as Mr. Gagnon has expressed, for saving lives on the highway. This is why this House voted—and I think very properly so — for an implied consent law in the 104th Legislature. However, we have to be aware that in a state of a million people there are some people that don't like each other and some people who will stoop to anything to hurt someone that they do not like.

We have a system of reports that go into the Secretary of State. Someone has a drinking problem; he shouldn't have a license. Someone's vision is defective; he shouldn't have a license. But what can happen here? When you don't have a hearing, when you don't have the man who is accused of being incompetent to drive have an opportunity to present his case, that "No he doesn't drink, he doesn't drink at all," or "No, his vision is all right." When you don't have a chance to check this information which may be and usually is I think well motivated and concerned with traffic safety, but in some cases may be based on a personal vendetta, you put one citizen in a position where if he wants to, and if he is sick enough himself or vicious enough himself, he can by an anonymous type letter or perhaps even by a false letter with his signature or someone else's signature on it to Augusta, to take away the driver's license without hearing of another man. And as Mr. Dudley has pointed out this may often mean his occupation.

I think we have to always strive for better laws to deal in the field

of traffic safety, but I think the Secretary of State's office which here asks for a very great additional power would do well to use the power they now have to suspend these cases more rapidly than they do. I would be interested in figures from the Secretary of State's office regarding drunk driving cases where there is an automatic suspension properly provided by law, as to what percentage of the drunk driving cases the Secretary of State's office does not suspend within the 30-day period. It seems to me what we need primarily in this area is not to repose powers which could be abused, and arbitrary type powers in an administrative office. What we need is better and quicker administration.

Mr. Speaker, up until two or three years ago, certain portions of the Secretary of State's office responded very rapidly regarding motor vehicle reports of various kinds. At this time it not uncommonly takes two or three months to get an answer out of these people. Maybe the people aren't working well; maybe they need more people. But when they ask for a law like this, when I know that there are cases where it takes them more than 30 days to suspend a drunk driver, I think they are putting the cart before the horse and I think it is a rather dangerous cart to the rights of the citizens of Maine.

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

Mr. LUND: Mr. Speaker and Ladies and Gentlemen of the House: I regret I must respectfully disagree with the gentleman from Brunswick, Mr. McTeague, and I think he has paraded a rather unfair series of horrors in front of you. I would suggest that the hearing examiner, who suspended without hearing a license of a person to operate upon receipt of an anonymous letter, is not entitled to continue to hold his job. And I think that unless Mr. McTeague can suggest that such lack of responsibility has previously been shown in the Secretary of State's office, that that is an example we can readily discard.

The Judiciary Committee heard this bill and gave careful consideration to the issues that are being raised here, and we would be the first to admit that there is a head-on conflict between the individual rights and protection of the public. Now we learned from the testimony of the Secretary of State's people that at the present time where a hearing is to be scheduled, particularly in the less populated areas, oftentimes the hearing cannot be scheduled in less than a month; and therefore at the present time a suspension after a conviction for drunk driving may well be delayed an unreasonable length of time. Hence the purpose of this bill.

A number of reasons were advanced and the committee accepted those reasons in acting favorably upon the bill. In the course of the hearing, the committee asked the spokesman for the Secretary of State's office how long it would take a person to have a hearing if he felt he had been unjustly deprived of his license, and the answer was, well, it depended upon where the hearing was to be held. If it was in one of the less populated areas of the state, it might take a month; but if the person was prepared to come to Augusta and request a hearing he could have that hearing within 24 hours.

I would suggest to the House that under these circumstances, if there were an unjust suspension, this would not pose an unreasonable hardship on an individual weighed against the interest that we have in keeping incompetent and unsafe drivers off the road. I would therefore hope that you would vote against the motion for reconsideration.

The SPEAKER: The pending question is on the motion of the gentleman from Van Buren, Mr. Lebel, that the House reconsider its action of yesterday whereby the House receded and concurred on Bill "An Act relating to Suspension of Motor Vehicle Operator's License and Registration," Senate Paper 192, L. D. 553.

The Chair will order a vote. All in favor of reconsideration will

vote yes; those opposed will vote no.

A vote of the House was taken. 50 having voted in the affirmative and 80 having voted in the negative, the motion to reconsider did not prevail.

**House Reports of Committees
Ought to Pass with
Committee Amendment**

Mr. Curtis from the Committee on State Government on Bill "An Act Creating the Maine Health Facilities Authority" (H. P. 1189) (L. D. 1664) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice. Committee Amendment "A" (H-216) was read by the Clerk and adopted, and tomorrow assigned for third reading of the Bill.

Passed to Be Engrossed

Bill "An Act to Amend the Law on Sale or Packing of Herring" (S. P. 531) (L. D. 1581)

Bill "An Act relating to the Size Limit on Herring" (S. P. 540) (L. D. 1645)

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

Bill "An Act to Grant Adult Rights to Persons Eighteen Years of Age" (H. P. 435) (L. D. 600)

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

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: I did not talk on this yesterday. I have raised two sons; one is now 25 and the other 23. They are now both married. On the 13th of March of this year I became a grandfather for the first time. I thought that was wonderful. They are getting along fine now, except they are very apt still to obligate themselves over their income. I hate to think of what financial messes they would have been in if they could have done that at 18.

Surely if they were granted adult rights, the parent in theory would not be responsible. However, most conscientious persons would assume the liability anyway. Now many of you are now on record in favor of these young folks as of yesterday's roll call, so I now move indefinite postponement of this bill and I request that the action be taken by vote only.

The SPEAKER: The gentleman from Bath, Mr. Ross, moves that L. D. 600 be indefinitely postponed.

Whereupon, Mr. Emery of Rockland requested a roll call.

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

Mr. MURRAY: Mr. Speaker and Ladies and Gentlemen of the House: We discussed this bill at length yesterday and it was the majority feeling of the House then, and I hope the feeling is still the same, that our 18 and 19 year old citizens are adults, we recognize it in some areas and we don't in others. We expect these people to serve their country. We already in this Legislature said they are intelligent enough and mature enough to make sound decisions in choosing public officials, and I cannot see why we should restrict their private lives in the areas of marriage, drinking and things like this.

I hope you continue to support this bill like we did yesterday.

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 members 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 Chair recognizes the gentleman from Portland, Mr. Cottrell.

Mr. COTTRELL: Mr. Speaker and Members of the House: I just want to take this opportunity to explain to my friends of both parties why I am opposed to this. It all goes back to one vote in the Supreme Court, which made a

majority for the 18-year olds to vote in national elections. At the same time the Supreme Court voted against giving the 18-year olds adult rights. I just think we are acting too precipitantly.

I think that we should take our time and let this idea percolate down to the people and take it easy for a while in this matter until we see what the other states are doing, and it is quite possible that the 18-year olds might not even have the opportunity to vote in state elections.

The SPEAKER: The question before the House is on the motion of the gentleman from Bath, Mr. Ross, that this Bill be indefinitely postponed. All those in favor of indefinite postponement will vote yes; those opposed will vote no.

ROLL CALL

YEA — Ault, Bailey, Baker, Barnes, Bartlett, Berry, G. W.; Berry, P. P.; Binnette, Birt, Bourgoin, Bragdon, Brawn, Brown, Carey, Carrier Carter, Collins, Cottrell, Crosby, Curtis, A. P.; Donaghy, Dow, Evans, Farrington, Fraser, Gagnon, Hall, Hawkens, Hayes, Henley, Kelley, K. F.; Kelley, R. P.; Keyte, Lawry, Lee, Lewin, Lewis, Lincoln, Littlefield, Lizotte, Lynch, Marstaller, McCormick, O'Brien, Parks, Payson, Porter, Pratt, Rand, Rocheleau, Ross, Simpson, L. E.; Simpson, T. R.; Stillings, Susi, Trask, Webber, White, Wood, M. W.; Woodbury.

NAY — Albert, Bedard, Bernier, Berube, Bither, Boudreau, Bunker, Bustin, Call, Clemente, Conley, Cooney, Cote, Cummings, Curtis, T. S., Jr.; Cyr, Doyle, Drigo-tas, Dudley, Dyar, Emery, D. F.; Faucher, Fecteau, Finemore, Genest, Gill, Goodwin, Hancock, Hardy, Haskell, Herrick, Hewes, Hodgdon, Jutras, Kelleher, Kelley, P. S.; Kilroy, Lebel, Lund, MacLeod, Maddox, Mahany, Manchester, Marsh, Martin, McCloskey, McKinnon, McNally, McTeague, Mill-ett, Mills, Morrell, Mosher, Murray, Norris, Page, Pontbriand, Rol-lins, Shaw, Shute, Silverman, Slane, Smith, D. M.; Theriault, Tyndale, Vincent, Wheeler, Whitson, Wood, M. E.

ABSENT — Churchill, Clark, Curran, Dam, Emery, E. M.;

Gauthier, Good, Hanson, Immonen, Jalbert, Lessard, Lucas, Orestis, Santoro, Scott, Sheltra, Smith, E. H.; Starbird, Tanguay, Wight, Williams.

Yes, 60; No, 69; Absent, 21.

The SPEAKER: Sixty having voted in the affirmative, sixty-nine in the negative, with twenty-one being absent, the motion to indefinitely postpone does not prevail.

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

Third Reader Tabled and Assigned

Bill "An Act Providing for the Protection of Coastal Wetlands" (H. P. 1299) (L. D. 1704)

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

The SPEAKER: The Chair recognizes the gentleman from Rock-land, Mr. Emery.

Mr. EMERY: Mr. Speaker and Ladies and Gentlemen of the House: There are some of us that have a question on the section of this bill, 4757, especially where it deals with eminent domain pro-cedure. I would request respectfully that someone would table this for two days so that we might have a chance to study this further.

Whereupon, on motion of Mr. Donaghy of Lubec, tabled pending passage to be engrossed and specially assigned for Thursday, May 6.

Amended Bills

Bill "An Act Appropriating Funds to Establish Kidney Disease Treatment Services" (H. P. 731) (L. D. 993)

Bill "An Act Creating the Cob-bossee-Annabessacook Authority" (H. P. 786) (L. D. 1062)

Bill "An Act to Clarify the Law Regulating the Alteration of Coast-al Wetlands" (H. P. 944) (L. D. 1303)

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

Bill "An Act to Increase the Compensation of Members of the Legislative Research Committee" (H. P. 1099) (L. D. 1505)

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

On motion of Mr. Evans of Freedom, the House reconsidered its action of yesterday whereby it adopted Committee Amendment "A."

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

House Amendment "A" to Committee Amendment "A" (H-218) was read by the Clerk and adopted. Committee Amendment "A" as amended by House Amendment "A" thereto was adopted.

Thereupon, the Bill was passed to be engrossed as amended by Committee Amendment "A" as amended by House Amendment "A" thereto and sent to the Senate.

Passed to Be Enacted

An Act relating to Bail or Personal Recognizance for Misdemeanors (S. P. 555) (L. D. 1692)

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.

An Act Repealing Certain Procedure for Registration of Voters (H. P. 187) (L. D. 244)

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

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: I rise to make a very simple motion and hope that this morning we would save everyone a great deal of time. I am sure that the gentleman from Bath, Mr. Ross, knows that this isn't going anywhere. I am sure he is aware that the day will come when this will receive its proper burial if it isn't this morning. I would hope for the sake of all of us that we wouldn't have to bother with this again, that we wouldn't see it in front of us again.

It would save everyone a great deal of time and the State of Maine a great deal of money. And so I would move that this bill and all of its accompanying papers be indefinitely postponed.

The SPEAKER: The gentleman from Eagle Lake, Mr. Martin, moves that L. D. 244 be indefinitely postponed.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: I rise to vigorously oppose this simple motion. You know yesterday I was delighted with the gentleman from Eagle Lake, Mr. Martin, because he was so kind to me. He even agreed with me twice, since he knew that my side could not win. I will not repeat much of what I have said before on this specific bill. But, the last time that it was debated the gentleman from Eagle Lake, Mr. Martin requested more detailed information on the certain statistics that I quoted.

Letters were sent out to 87 cities and towns and eighty per cent of them favored changing back to the law as it originally was. The overall effect is not really for the convenience of the voter; it is just annoyance and utter frustration to him to be turned away from the polls only to find that he was improperly registered.

Now in short the former method was much more orderly, more businesslike, more accurate, and more sensible; and aside from this it gave the voters a sense of responsibility and accomplishment, whether they enrolled Republican or Democrat, to go down and enroll before the Board of Registration or Registrar and not take the easy way out of being persuaded by some friend.

The SPEAKER: The Chair recognizes the gentlewoman from Bath, Mrs. Goodwin.

Mrs. GOODWIN: Mr. Speaker and Ladies and Gentlemen of the House: When I was driving up the other morning and I thought this might be debated in third readers, I composed a little poem for my friends in the Majority Party, and I would like to especially dedicate it to my colleague from the City of Bath. And it is called "Ode to the

Emerging Minority." It goes like this:

"The Democrats have swelled the rolls
and streamed in numbers to the polls.

Our handy, dandy little card
Has hit your party rather hard.
The gentlemen from Bath named
Ross

Would also like to kill the cross.
He'd really love to put the hex

On people voting with an "X".

Since with its death the GOP
Might also end the likes of me.

Now cheer up, friends, it may be
small,

But we know you'll love it down
the hall.

'Cause things down there will soon
be Rosy,

And we mean Susi, not the posy."

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

Mr. BINNETTE: Mr. Speaker, Ladies and Gentlemen of the House: After hearing that poem, I am almost at a loss of words. But I would like to say this about my good friend from Bath, Mr. Ross, all through our committee meetings he was very very vigorous in this bill. I opposed him every way I could on the grounds that this card system to register our voters was a help to our people.

As I have said before, many people do not have the opportunity to go to a board to register at the time that these boards are in operation. It is much easier for them to register with the card system. And I think not only the Democrats but the Republicans also have the same opportunity to go out and register voters. And if they don't do it, it is because they are either tired or they are worn out, one or the other. I really believe that this is such a help to our people that we shouldn't deny them that privilege. Therefore, I hope we defeat this motion.

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: The gentlewoman from Bath has said it all, and I would merely add that why bother with this any more. I thought that the

gentleman from Bath had seen the light when he saw the first communication on today's journal, and to save everyone time, and to prevent him from receiving his first one this session, I was hoping perhaps that we could kill this today.

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

Mr. LUND: Mr. Speaker and Members of the House: I would like to raise a point of order and inquire whether suggesting that a bill is going to be vetoed is proper debate in this body?

The SPEAKER: Would the gentleman pose his question again?

Mr. LUND: I would like to inquire whether suggesting a bill is going to be vetoed by the Governor is proper debate in this body?

The SPEAKER: The Chair would advise the gentleman and the House that this body should not be threatened by a veto or a contrary action by the Chief Executive.

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

Mr. BINNETTE: Mr. Speaker and Members of the House: I made a little error a little while ago when I said I would like to go along with that motion. I will retract that statement because the motion means for indefinite postponement, and that is the motion that I want to go for.

Mr. Ross of Bath requested a roll call vote.

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

Mr. BRAGDON: Mr. Speaker, Ladies and Gentlemen of the House: I merely wish to comment on the prediction of Mr. Martin and other members of the Minority Party regarding the eminent, almost certain demise of the Republican Party. I wonder whether maybe they may have second thoughts in this matter because sometimes when you harp on a thing like that, you might arouse those Republicans to increased effort, and just such a thing might happen and they would come back. They could be looking for a possible surprise.

The SPEAKER: The yeas and nays have been requested. For the Chair to order a roll call it must

have the expressed desire of one fifth of the members present and voting. All members desiring a roll call vote will vote yes; those opposed will vote no.

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 Eagle Lake, Mr. Martin, that An Act Repealing Certain Procedure for Registration of Voters, House Paper 187, L. D. 244, be indefinitely postponed. All in favor of indefinite postponement will vote yes; those opposed will vote no.

ROLL CALL

YEAS — Albert, Ault, Bailey, Bedard, Bernier, Berry, P. P.; Berube, Binnette, Boudreau, Bourgoin, Bustin, Call, Carey, Carrier, Carter, Clemente, Conley, Cooney, Cote, Cottrell, Curran, Cyr, Dam, Dow, Doyle, Drigotas, Dudley, Dyar, Farrington, Faucher, Fecteau, Fraser, Goodwin, Hancock, Jutras, Kelley, P. S.; Keyte, Kilroy, Lawry, Lebel, Lizotte, Lynch, Mahany, Manchester, Marsh, Martin, McCloskey, McKinnon, McTeague, Mills, Murray, O'Brien, Pontbriand, Rocheleau, Rollins, Simpson, L. E.; Slane, Smith, D. M.; Theriault, Vincent, Webber, Wheeler, Whitson.

NAYS — Baker, Barnes, Bartlett, Berry, G. W.; Birt, Bither, Bragdon, Brawn, Brown, Bunker, Churchill, Clark, Collins, Crosby, Cummings, Curtis, A. P.; Curtis, T. S., Jr.; Donaghy, Emery, D. F.; Finemore, Good, Hall, Hardy, Haskell, Hawken, Hayes, Henley, Herrick, Hewes, Hodgdon, Immonen, Kelley, K. F.; Kelley, R. P.; Lee, Lewin, Lewis, Lincoln, Littlefield, Lund, MacLeod, Maddox, Marstaller, McCormick, McNally, Millett, Morrell, Mosher, Norris, Page, Parks, Payson, Porter, Pratt, Rand, Ross, Shaw, Silverman, Simpson, T. R.; Stillings, Susi, Trask, Tyndale, White, Wight, Williams, Wood, M. W.; Woodbury.

ABSENT — Emery, E. M.; Evans, Gagnon, Gauthier, Genest, Gill, Hanson, Jalbert, Kelleher, Lessard, Lucas, Orestis, Santoro,

Scott, Sheltra, Smith, E. H.; Starbird, Tanguay.

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

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

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

An Act Increasing Compensation for Members of the State Board of Barbers and State Board of Hairdressers (H. P. 907) (L. D. 1251)

An Act to Give the Attorney General Authority to Require Certain Telephone Records (H. P. 909) (L. D. 1254)

An Act to Prohibit False or Misleading Potato Labeling and Branding (H. P. 1046) (L. D. 1437)

An Act relating to Fees for Marketing and Advertising Farm Products (H. P. 1047) (L. D. 1438)

An Act relating to Boundaries of Municipalities in Annual Reports (H. P. 1056) (L. D. 1447)

An Act to Clarify the Classification of Certain Minor Tributaries of the Penobscot River (H. P. 1094) (L. D. 1482)

An Act Establishing the Law and Legislative Reference Library under the Legislative Research Committee (H. P. 1104) (L. D. 1510)

An Act relating to Control over Abandoned Automobiles (H. P. 1123) (L. D. 1542)

An Act Permitting Agreements Among Units for Cooperative Educational Purposes (H. P. 1285) (L. D. 1684)

An Act relating to Search by Coastal Wardens (H. P. 1291) (L. D. 1690)

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 tabled and today assigned matter:

Bill "An Act relating to Disposition of Portion of Fees Collected by Maine State Park and Recreation Commission" (S. P. 20) (L. D. 48) — In House, passed to be en-

grossed as amended by Committee Amendment "A" (S-26) and Senate Amendment "A" (S-55) as amended by House Amendment "A" (H-125) thereto. — In Senate, passed to be engrossed as amended by Committee Amendment "A" and Senate Amendment "A" as amended by House Amendment "A" thereto and Senate Amendment "B" (S-122) in non-concurrence.

Tabled — April 30, by Mr. Hancock of Casco.

Pending — Further consideration.

Whereupon, on motion of Mr. Martin of Eagle Lake, retabled pending further consideration and specially assigned for Thursday, May 6.

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

Resolution Proposing an Amendment to the Constitution to Provide for the Selection and Duties of a Lieutenant Governor (S. P. 545) (L. D. 1678)—In House, failed of final passage.

Tabled—April 30, by Mr. Ross of Bath.

Pending—Motion of Mr. Kelleher of Bangor to reconsider.

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

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: I spoke on this during the last debate, and I will not repeat the things that I said then. I did not hold the bill. I did not know that it was being held, but I still feel the same way and I certainly favor the reconsideration.

Any Governor, be he a Republican or a Democrat, needs an assistant, just as much as the president of a corporation for years have had executive vice presidents. Now, in some businesses, they have grown so complex that they even have assistants to the chairman of the board, chief executive officers, and many other key people with specific responsibility. Our Governor has only a hired executive assistant, with no real power or authority. I can't possibly see why certain people are against this.

During the last debate there was a very misleading statement made. Somebody facetiously said that the pay might only be equal to legislators, and another person picked this up and said that for that kind of money the man would only be capable of cutting ribbons. Certainly the pay would be more than that. If we pay our Governor \$20,000, probably this man would receive approximately \$15,000. Since the Governor's staff is available to him, he might not even need to have his own secretary. Certain business executives don't all have to have a private secretary, usually two or three share one. Anyway, if this were approved by the people, the next legislature could set up the financial aspects. I still feel it is a sound idea and I favor this bill in particular, I think it deserves passage, and I hope you will vote for reconsideration.

The SPEAKER: The pending question is reconsideration. The Chair will order a vote. All in favor of reconsideration whereby this failed of final passage will vote yes; those opposed will vote no.

A vote of the House was taken. 75 having voted in the affirmative and 47 having voted in the negative, the motion did prevail.

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

Mr. MARTIN: Mr. Speaker and Members of the House: Like the gentleman from Bath, Mr. Ross, I did not know that this had been held. I, of course, have not changed my position. I would hope that we would finally pass this this morning. One of the reasons that I do, I guess, is that I would like to agree with the gentleman from Bath every once in a while because I think, after all, at the end of the session the record would look pretty bad if he and I were on opposite sides of every issue.

The bill itself, in my opinion, is a workable compromise that was arrived at by most of the Democrats and the Republicans on the State Government Committee. And so I would hope this morning that we would approve this and we

would send it out to the people so that final action could be taken.

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

Mr. DONAGHY: Mr. Speaker and Members of the House: I would hope that we would continue our previous action and previous decision. This is not a facetious matter. It was said by the Minority Leader that we would probably pay him \$2,500. If we are being facetious, let's not do it here on the floor of the House. This is a very serious matter. The people of the State of Maine, I believe, can get along without another man in the corner office, be he Republican or Democrat, although I understand now that there will be no more Republicans around here.

But the point is this, that the Chief Executive in the State of Maine does not need a man to carry on his work for him, for ribbon cutting ceremonies and even the delegation of certain duties as far as the rest of the Executive Department is concerned. It can very well be carried out by an administrative assistant, and much of the work now of the Governor is carried on by the Planning Office which for years we did not have. We now have a Planning Office and much of the work of the Executive seems to be coming out of that office and I don't think we need a Lieutenant Governor. I hope you will go along with me.

The SPEAKER: The Chair recognizes the gentleman from Eastport, Mr. Mills.

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: In my opinion we are missing the intent of what this bill would call for. We are talking about Planning Boards and every other kind of an organization which has no centralized authority.

This bill, in effect, would give, in the absence of the Governor for one reason or another, a centralized authority for emergency action. According to what we are reading in the papers in the last few months, it becomes very essential, almost mandatory, that we pass this this morning.

The SPEAKER: The pending question is final passage. Being a Constitutional Amendment it requires a two-thirds affirmative vote of the members present and voting. All in favor of final passage will vote yet; those opposed will vote no.

A vote of the House was taken.

82 having voted in the affirmative and 53 having voted in the negative, the Resolution failed of final passage.

Sent to the Senate.

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

Bill "An Act relating to Requirement of Schools of Barbering and Training for Registration as a Barber" (H. P. 740) (L. D. 1002)

Tabled — April 30, by Mr. Cooney of Webster.

Pending — Passage to be engrossed.

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

Mrs. CUMMINGS: Mr. Speaker and Members of the House: I signed the Minority "Ought not to pass" Report on this bill because I think that it is an unnecessary change in the laws requiring the students at the school of barbering — they in the past have been able to accomplish and learn all the necessary tricks of the trade in six months. This increases the requirements to nine months. It also, of course, makes the cost of learning to be a barber that much more expensive.

I feel that the present requirements are perfectly adequate. If the demand is such that a barber has to go back to school to learn razor cutting, or toupee fitting, or whatever else it seems to me he can go back. But I don't think that it should be required that in order to get a barber's license that you have to go the extra three months and pay the extra amount of money. And I would move that this bill be indefinitely postponed.

The SPEAKER: The gentlewoman from Newport, Mrs. Cummings, now moves that L. D. 1002 be indefinitely postponed.

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

Mr. LEWIS: Mr. Speaker and Members of the House: This is Representative Percy Hanson's bill. At the time it was presented for a hearing he was still unable to be here, and he asked me to present the bill for him.

It came out of committee a divided report. I signed the Majority "Ought to pass" Report. I have been in contact, or he has been in contact with me on several occasions in regard to this bill.

He is most anxious to see this bill go through, feeling that modern day training for barbers demands much more time. He feels that it would produce a better product, and considering the condition that Representative Hanson is in, I am sure this would be a wonderful tonic for him if the House could vote to pass this bill.

The SPEAKER: The Chair recognizes the gentleman from Webster, Mr. Cooney.

Mr. COONEY: Mr. Speaker and Ladies and Gentlemen of the House: I would just like to explain briefly why I tabled this. I had originally thought that this would be a good bill to make an amendment to concerning a person I am aware of in my area who is a barber. But I have decided that amendment is unnecessary, so I would hope we would send this bill on its way and vote against indefinite postponement and give it passage.

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

Mr. JUTRAS: Mr. Speaker and Ladies and Gentlemen of the House: I would like to remind the members of this House that in the past year 125 barber shops were closed in Maine, and I would support the representative from Newport, Mrs. Cummings, in her motion to indefinitely postpone this bill.

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

Mr. BINNETTE: Mr. Speaker, I would like to pose a question to Representative Jutras. He states that there were 125 barbers that have closed their shops. I am wondering if that is why there are so

many longhaired boys on the street?

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

Mr. DYAR: Mr. Speaker and Members of the House: As a signer of the Majority Report, I would like to answer the gentleman from Old Town, Mr. Binnette. There were that many barbers who went out of business in the State of Maine that did implement the closing of 66 barber shops in the state due to the fact that the hair styles were long.

This Committee on Health and Institutional Services heard a bill earlier in the session put in by the state beauticians under the bill headed State Cosmetologists, which would require all barbers in the State of Maine, in order to stay in business, to become licensed cosmetologists. They would be unable to cut or shape hair unless they were licensed as a cosmetologist. This bill came out of the committee unanimous "ought not to pass." It was my feeling at that time that, being a country boy, I didn't want to go to a beauty parlor to have my hair cut. I had a lot of confidence in my local barber.

I talked to a young gentleman in my district who recently graduated from a barber school here in the state, and he took a nine-months course. And it was his feeling that the nine months was a big advantage to him because he did learn how to razor cut hair, he did learn how to style; and he asked me if I would try to get this bill of Mr. Hanson's through as he felt that it would be a good thing for future barbers if they took the nine-months course and did not have to go back to take a course to learn the new stylings and so forth as they come along.

The SPEAKER: The pending question is on the motion of the gentleman from Newport, Mrs. Cummings, that Bill "An Act relating to Requirement of Schools of Barbering and Training for Registration as a Barber," House Paper 740, L. D. 1002 be indefinitely postponed. The Chair will order a vote. All in favor of indefinite postponement will vote yes; those opposed will vote no.

A vote of the House was taken. 77 having voted in the affirmative and 48 having voted in the negative, the motion did prevail. Sent up for concurrence.

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

Bill "An Act relating to Hunting from Vehicles, Aircraft, Boats and Snowmobiles" (H. P. 1147) (L. D. 1588) — In House, Committee Amendment "A" (H-192) adopted.

Tabled—April 30, by Mr. Mills of Eastport.

Pending—Passage to be engrossed.

The SPEAKER: The Chair recognizes the gentleman from Eastport, Mr. Mills.

Mr. MILLS: Mr. Speaker and Members of the House: At the time I tabled this there was one section of it that wasn't clearly understood. That has been clarified away. I now move for passage.

Thereupon, the Bill was passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

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

An Act relating to Size Limit of Trout (S. P. 548) (L. D. 1687)

Tabled—April 30, by Mr. Farrington of Old Orchard Beach.

Pending—Passage to be enacted. (Emergency)

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

Mr. BITHER: Mr. Speaker and Members of the House: I am opposed to this bill because I feel, and I know quite a few other people that do feel the same way, that this no length limit on trout that we have today is a good conservation measure.

Now some of the opponents will tell you that that is not true. Now if you have no length limit — and you must listen very carefully here, because some of their arguments are very tricky — if you have no length limit, and you catch a small trout, they say you will throw it away. Well, I don't deny that. Nor do I say it is neces-

sarily true. They never say you throw it back into the brook. You throw it away.

Now that is their argument for having a six inch limit. Now let me ask you this. If we do have a six inch limit, are you going to—another thing, are you going to keep all the little trout that you catch? The five inch trout and keep them in your creel? I know some of the people hide them in their boots. But if you are honest you are going to keep them in your creel. No, you certainly aren't going to keep them in there and take a chance on the game warden catching you with a little four or five inch trout. I don't think you will take that chance at all.

So whether you have a six inch limit or not I don't think it makes too much difference. That limit, I think, is a good conservation measure. If one third of your sportsmen—and there are lots of sportsmen fishing — if they will keep the trout they catch up to the limit, small ones or what not, I think it is a good conservation measure.

Another argument they use, they talk about the small spring fed brooks that you have in southern Maine particularly. We have them in northern Maine too. And they are full of small trout. And what has the length limit got to do with this? Well, they say people will go in there and clean them right out.

Well, if you had a six inch limit—now this is without any limit at all, you clean them right out. If you had a six inch limit and you go into this brook full of small trout, what are you going to do? I claim you are going to hook and catch three of four times — that is just my figure off the top of my head — but you are going to catch a great many more fish in order to get legal length trout.

And what are you going to do with those fish? Once you catch one of those small fish, I don't know what percentage is going to die, but I will guarantee — I will bet you that 70% or 80% of those trout are going to die. So no matter what you do you have ruined an awful lot of fish in any

case. And I think by putting a six inch limit back on there again, this I take is a perennial bill too, but if you put that back on there again, I think you are going to be responsible for killing more trout than you are without any limit at all. Because once you hook these small trout most of them are going to die.

I would like to remind the opponents of this, that if they have small brooks filled with small trout I think you will find that the Commissioner can close that brook to all fishing and therefore save all the trout.

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

Mr. BRAWN: Mr. Speaker and Ladies and Gentlemen of the House: As you probably know I have been a fisherman all my life. I probably covered most of these streams, and as you probably know I have been a game warden also. And I have been a guide. So I do know something about it.

I can show you Swift Brook; I can show you Cold Stream; I can show you many streams that I can name here that had 100 to 200, 300 fish up to six inches. These are the stocking of your ponds and of your lakes. They took this law off where you could go there and you could see them just as thick as in a fish hatchery. They would even bump into your boot. I would like to have you come back down now and see what has happened.

They took out your one inch, your two inch, your three inch trout. There is nothing left. When a gentleman stands here and tells me that every trout you hook is going to die, this is an utter untruth. These trout are not like a salmon which cannot stand any grief. I can show you many trout that you catch that will have hooks in them, in their stomachs, in their jaws. But if you cut this hook off and you leave it, soon the acid in his jaw will eat this hook away. It doesn't stay there very long.

Now I am going to ask you to go back. Let us stock our ponds, let us have these fish so that we can have some. And any man that

I have ever seen has said this is the worst piece of legislation that ever was when they come out and took off and let you keep one, two, and three inch fish. They weren't big enough to eat or keep. What do we want them for? I say let's go back to this six inch and pass this law.

The SPEAKER: This being an emergency measure it requires a two thirds vote of the entire elected membership of the House. All in favor of enactment of An Act relating to Size Limit of Trout, Senate Paper 548, L. D. 1687, will vote yes; those opposed will vote no.

A vote of the House was taken. 62 having voted in the affirmative and 55 having voted in the negative, the Bill failed passage to be enacted and it was sent to the Senate.

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

An Act Creating Yourk County Commissioner Districts (H. P. 553) (L. D. 729)

Tabled — April 30, by Mr. Sheltra of Biddeford.

Pending — Passage to be enacted.

The SPEAKER: The Chair recognizes the gentleman from Lisbon, Mr. Lizotte.

Mr. LIZOTTE: Mr. Speaker and Members of the House: I noted that Mr. Sheltra is not in his seat this morning. I would appreciate it if somebody would table this item for one more day please.

Thereupon, on motion of Mr. Fec-teau of Biddeford, retabled pending passage to be enacted, and tomorrow assigned.

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

An Act relating to Acquisition of Land by Conservation Com-missions (H. P. 714) (L. D. 959)

Tabled — April 30, by Mr. Dona-ghy of Lubec.

Pending — Passage to be enacted.

On motion of Mr. Marstaller of Freeport, retabled pending passage

to be enacted and tomorrow assigned.

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

An Act to Provide an Implied Warranty and Covenant of Habitability in Leases of Dwellings (H. P. 1273) (L. D. 1674)

Tabled — April 30, by Mr. Susi of Pittsfield.

Pending — Passage to be enacted.

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

Mr. CARRIER: Mr. Speaker and Members of the House: I oppose this bill this morning on the same principle and other principles upon which it was presented and which we discussed here last week. I think that this bill here is the jolt that I needed to get going this morning. But it was actually a letter which I have received here which I can show to you, which is unopened. And I left it unopened for one purpose.

This letter is from the Pine Tree Legal Association, and my short speech this morning involves their activities. And I am not going to look at the letter before I have said what I think is just and proper.

Now this bill 1674, that the owner has to give a — there will be an implied warranty on habitability. This is another one of the daily diet of bills that you will have involving landlord-tenant relationships. This one is just as bad as all the others.

This bill, from the roll call I have noticed, has the support of those who believe that they have the right to give away the property of others slowly or as a parcel. I do not believe that the property owner should be penalized for having a little ambition and incentive to stay off the welfare rolls in his later years. This bill is a new draft of L.D. 356. Truly it is not a new draft. It was presented to the committee after the other bill was heard, and no hearing was heard whatsoever on this bill.

I wish to dwell today on many aspects against this bill. First and

most important is first to safeguard your property rights. The second one is the Attorney General's office position in regards to these so-called hearings that they have had. And third about this fine organization that we have that is ready and willing and able and doing a good job in spending your money, and that is the Pine Tree Legal Association.

All these three issues are germane to this bill because the issue itself is whether you will give away the property rights of others. And the property rights of others is given away, or is trying to be given away, and is generated by the legal minds from the Attorney General's office, and the so-called persons from the Pine Tree Legal Association. These individuals who parade the halls of the State House and are paid with your tax money and with your tax money they actually sue you and make it possible for others to sue you.

Now you cannot qualify for their services, yet you have to pay for them, to support them, and to allow them to sue you. These people, the Pine Tree Legal Association, have infiltrated the houses of the Legislature by grants from the OEO. Recently they were given a grant of \$506,000, ladies and gentlemen, to sue you and to persecute you. And this I have put my objections to the people in Washington, and I believe that these people, if they are to represent the poor, they should do so, and do so. But not to come here as lobbyists and harassers, or whatever you want to call it. The trouble brought up by these self-proclaimed heart-jerkers is far from the envy of any lawyer.

The Legal Aid Society was formed a while back from volunteer workers, lawyers, and worked well until the government subsidized the now Pine Tree Legal Association to the tune of a half a million dollars for the coming year. I cannot emphasize enough the point that they are subsidized to actually sue you.

We never had — and I challenge anybody to say different, and to prove it — we never had any trouble as far as landlord-tenant relationship until these people came in the picture. The Tenants Union

is also a part of this people that—and they are backed up by the Pine Tree Legal Association. But one of the worse things about the Tenants Union is that they are infiltrated by rejects from Vista and the Peace Corps, but most of all by conscientious objectors, yellowbellies who never had the guts to actually serve their country.

I submit that there is such a team of people — or a team of such people cannot produce good legislation. It is unbelievable to entertain the thought of giving and creating rights with no duties or responsibilities on the part of a tenant. I am against creating new rights. All I ask is for you people to vote and to protect the ones that I have.

This proposed bill is one-sided. It will give tenants new rights at the expense of the landlords. While studying the roll call I noticed some legislators voted for this bill. I also noticed that some of them voted, probably because they were excluded from the bill because they own commercial property. I believe that everybody should be treated fairly, that if one is to be excluded, I think the others should be.

Ladies and gentlemen of the House, I now move for the indefinite postponement of this Bill and all its papers, and when the vote is taken I ask respectfully for a roll call.

The SPEAKER: The pending question is the motion of the gentleman from Westbrook, Mr. Carrier, that L. D. 1674 be indefinitely postponed.

The Chair recognizes the gentleman from York, Mrs. Brown.

Mrs. BROWN: Mr. Speaker and Members of the House: Contrary to what you have heard, this is a good bill. It got a Majority Report. I am sure everyone here knows in his heart that there are apartments being rented that do not meet standards of decent living. In fact, we know through investigation that intolerable situations were found.

The question is — are you going to vote for this bill that will provide a reasonable remedy for these situations? This allows the tenant to rescind a contract or to recover rent. It says nothing further about inconsequential suits.

It seems mighty inconsistent to me to have us vote millions for relief for aid to dependent children and aid to the elderly in rented premises, and refuse to give this small remedy to these people in this lower income bracket on which these hardships fall. This is no added cost to the taxpayers.

Implied warranty simply means the landlord offers a piece of property for rent and that the tenant should be entitled to rely on the fact that the property is fit to live in.

I repeat again — this will not affect hundreds and hundreds of landlords. It is aimed at those landlords who we know exist who continue to rent property that is not fit for human habitation. If you will permit me a brief paraphrase of a familiar quotation — “Me thinks the landlords do protest too much.”

This bill takes away no rights of the property owner unless your head and your heart tell you that a landlord has the right to rent an apartment that is unfit to live in.

I urge you to vote against the indefinite postponement motion.

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

Mr. CALL: Mr. Speaker and Members of the House: This bill is one of many unrealistic efforts to harass owners of private property into complete submission. You have already heard testimony to the effect that some landlords do not attempt to fill all their rents, because of the difficulty surrounding the rental business today.

There is no question but what all efforts to create legislation affecting landlords is forced and, on occasion, rehearsed before being presented before the committee.

Unfortunately, members of this House are unable to attend all hearings of all committees, but if all of you were to attend hearings of bills like L. D. 1674, you would note very readily that the proponents are part of a group on a definite mission or have been persuaded to offer testimony. Often, questions asked of them — and sometimes this includes the sponsor — they can't answer those questions.

Now we all know that when, particularly in the southern part of this

country, the law was passed which prevented restaurant owners from refusing patrons because of race, creed or color, that the agitators sent people into restaurants with instructions to come back and report such if they were told they would not be served, and we know what followed.

Relative to our present tenancy situation, it is obvious to me that the possibility is decidedly strong that some people have been persuaded to rent living quarters which were in a deplorable condition and they knew it at the time. Then those same tenants proceed to criticize the quarters they were urged to occupy.

At a recent hearing before the Committee on Judiciary, and the bill is either L. D. 1202 or L. D. 1203 — they were sort of companion bills — one of the few proponents, who was well dressed and very neatly groomed, told of having to dodge bricks when he went out back of his home at night to get his cat. When asked his occupation, he acknowledged, after some evasiveness, that he was an investigator for the Office of Economic Opportunity. Do I have to say any more?

Now I could speak at length on this matter, but I am confident that you good people have heard enough to decide right now that this is a bad bill.

The SPEAKER: The Chair recognizes the gentlewoman from Guilford, Mrs. White.

Mrs. WHITE: Mr. Speaker and Ladies and Gentlemen of the House. It sometimes happens that today's laws obstruct rather than assist in our efforts to assure decent housing for all Maine people. Their basic concepts are derived with all too little change from the laws of feudal England. They do not deal effectively with the landlord who refuses to adequately repair and maintain the apartments which he advertises for rent to the public.

And so I think it behooves us to re-examine our laws to bring them into line with the problems and needs of today. The problems of housing today are vastly different than they were thirty years ago, and unimaginably different than

they were in the rural farm society of a hundred years ago. Yet, despite this substantial change our landlord-tenant laws have not been reviewed and revised in this century.

The implied warranty of habitability in this L. D. will provide a realistic tool for assuring that housing in this state is safe, sanitary, and livable.

It could be a measure through which the government of this State of Maine can act to insure that living conditions made available to the public are sound and will promote the best interests of the society as a whole.

I urge you to support L. D. 1674.

The SPEAKER: The Chair recognizes the gentleman from Skowhegan, Mr. Dam.

Mr. DAM: Mr. Speaker and Ladies and Gentlemen of the House. I could start out by saying that I hadn't intended to speak on this bill, but I do intend to speak, but I'll be very brief.

I serve here in the Legislature and I receive the same pay that all the other members do. The rest of my income is derived from rental property. If I did not have rental property I would not be able to afford to be down here serving in the Legislature for the amount of money we get. So if anyone should be opposed to this bill, I should, but I am not. I am not opposed to this bill because I feel that if you maintain your property in a reasonable, decent manner, that you have nothing to fear in this bill.

And if you people have read the first paragraph, it says only "that any written or oral lease or agreement for rental of a dwelling intended for human habitation, the landlord shall be deemed to covenant and warrant that such a dwelling is fit for human habitation." Now I submit to you people here that this is not putting a burden on any landlord or any property owner. Because if you try to do right by the people, you would not rent them a building that was not fit for human habitation. This building would be fit.

It also states down in the second paragraph in the last part, that "In order to rescind the rental

contract the tenant, members of his family, his guests, or his invites must not have proximately caused the "damage or the condition of the building to render it unfit for habitation. This gives the landlord protection. It does not take away the landlord's right. This is not intended to take away the landlord's right. This is intended to get the shysters out of the rental business in the State of Maine and give the people a chance to live fairly decently for what they are paying for rent. And I urge you all to vote against the indefinite postponement motion.

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

Mr. KELLEY: Mr. Speaker and Ladies and Gentlemen of the House: When I first came to this body in January, I was told by another Legislator that the best way to defeat or pass a bill is to use rhetoric, not facts. To find a scape goat instead of dealing with the truth of the matter and to play on people's fears. Now I think the opponents of this bill have done a very good job at this today. If we listened to them they did not discuss the facts, rather they discussed about agitators, Pine Tree, and OEO, and you would definitely get the distinct impression that perhaps we have a left wing communist conspiracy that are in favor of this bill.

Now I submit to you that this is not the case. As Mr. Dam has just ably pointed out, good landlords don't oppose the bill because it is a sensitive one for fairness.

During 1970, as we are all aware, the Attorney General's department was required to make three extensive investigations into the rental housing situations in three of our cities. Many hours of valuable time were consumed in preliminary investigations and public hearings. In addition to this expenditure of time and effort, several thousand dollars of State money was specially requested to conduct the investigations and hold the hearings.

The outgrowth of this expenditure of time, of effort, and money was the realization that our present laws are inadequate to meet

the realities of modern landlord-tenant relations. So more time, effort, and money was expended to research and investigate modern solutions to these very modern problems.

L. D. 1674 is one of these solutions. After making a commitment of state time and money, and the voluntary commitment of time by private citizens, this proposal should be given a complete debate on the merits as is now being done and not a debate containing scare statements.

This proposal is fair and just. It makes common sense — a person buying something is generally entitled to rely on an implied guarantee that the product is fit for its intended use. Who would argue that if a man bought a refrigerator, and took it home and found that it did not work, that he was just out of luck? Surely it must be conceded that it is only fair to allow him to return it and get out of the deal altogether, or give the salesman a chance to remedy the defect so that it would work. This is all that L. D. 1674 does to the renting of an apartment.

Now it has been brought out by the opponents of this bill that this is going to violate and take away our basic property rights. I would point out to the members of this House that over a course of several decades with a growth of industrialization, with a compacting of our people in our various cities, that it has been necessary to weigh the inviolate situation of property rights against the important human rights that are about us. I would submit that this bill is one that deals solely with fairness in dealings between human beings. The good landlords, as Mr. Dam has pointed out, are in favor of the bill. The Attorney General's department is in favor of it. They have conducted investigations. For these reasons I would urge you to vote against the motion for indefinite postponement.

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

Mr. McCLOSKEY: Mr. Speaker and Ladies and Gentlemen of the House: I am very surprised at the words of the gentleman from

Westbrook, Mr. Carrier and the gentleman from Lewiston, Mr. Call concerning Pine Tree Legal Assistance and OEO. I am surprised because I know they are very good Democrats and they sound like a man who is Governor of the State of California, Governor Reagan, who is inveighing against the OEO and the California rural legal assistance out there. And he is inveighing against them; Governor Reagan is trying to get rid of them because they have been effective in protecting the interests of the poor. So I think the words of these gentlemen concerning the actions of the Pine Tree Legal Assistance are not true and they shouldn't carry much weight.

The other point I would like to make and I will be brief in this, concerning the merits of this bill, some statistics that might help you make up your mind is about housing in the State of Maine. 12% of all housing in Maine lacks complete plumbing facilities. Now this might not sound very high but when you break this down by counties it becomes quite high. In Arcoostook County almost 20%. It is 36% in Franklin County; 38% in Washington County. So there are many houses in the State of Maine that lack complete plumbing facilities. So I think a bill like this is needed in the state.

The SPEAKER: The Chair recognizes the gentleman from Webster, Mr. Cooney.

Mr. COONEY: Mr. Speaker and Ladies and Gentleman of the House: I would like to add just a couple of points here. In answer to Mr. Carrier of Westbrook and Mr. Call of Lewiston this legislation does not in any way reflect upon the property rights or the owner of the property. It does recognize the contemporary community value that says that one who chooses to rent his property as a dwelling place for others to produce profit for himself cannot avoid compliance with safety and sanitation standards established to protect the public. This is only equitable and in the best interests of the well being of the community as a whole.

The right to own property does not carry with it a right to use

the property in such a way as it is detrimental to the safety and health of individual members of the community or the community as a whole. While a fair, decent and good landlord has no reason to fear this legislation, the landlord who would use his property to the danger of the community should take heed that this legislation would not permit him to do so.

Now looking just briefly at another section of the bill not read by Mr. Dam of Skowhegan, you will note that it sets a fair process. A tenant in reporting a condition must do so promptly. His rent must be paid when he makes the report and the landlord is given 30 days after receipt of the notice to make some kind of repair. I think this is a fair process to meet a real problem. I am sorry that the problem of unfit dwellings exists but it does exist and we should do something about it. What could be fairer than passing a law making a lawbreaking landlord obey the laws.

Mr. Kelleher of Bangor moved the previous question.

The SPEAKER: For the Chair to entertain a motion for the previous question it must have the consent of one third of the members present and voting. All those in favor of the Chair entertaining the motion for the previous question will vote yes; those opposed will vote no.

A vote of the House was taken.

The SPEAKER: Obviously more than one third of the members present having voted, the motion for the previous question is entertained. The question now before the House is, shall the main question be put now? This is debatable with a time limit of five minutes by any one member. Is it the pleasure of the House that the main question be put now? All in favor will say aye; those opposed say no.

A viva voce vote being taken, the main question was ordered.

The SPEAKER: The main question is on the motion of the gentleman from Westbrook, Mr. Carrier, that L. D. 1674 be indefinitely postponed. 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 those desiring a roll call 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 Westbrook, Mr. Carrier, that An Act to Provide an Implied Warranty and Covenant of Habitability in Leases of Dwellings, House Paper 1273, L. D. 1674, be indefinitely postponed. If you are in favor of indefinite postponement you will vote yes; if you are opposed you will vote no.

ROLL CALL

YEAS — Baker, Barnes, Bedard, Bernier, Brawn, Call, Carrier, Clark, Cote, Dudley, Dyar, Evans, Fraser, Henley, Jutras, Kelley, K. F.; Lebel, Lee, Lincoln, Lizotte, Manchester, McKinnon, McNally, Millett, Page, P a r k s, Rand, Rocheleau, Santoro, Shaw, Shute, Theriault, Wight, Williams.

NAYS — Albert, Bailey, Bartlett, Berry, G. W.; Berry, P. P.; Berube, Binnette, Birt, Bither, Boudreau, B o u r g o i n, Bragdon, Brown, Bunker, Bustin, Carey, Carter, Churchill, Clemente, Collins, Conley, Cooney, Cummings, Curran, Curtis, A. P.; Curtis, T. S., Jr.; Cyr, Dam, Donaghy, Dow, Doyle, Drigotas, Emery, D. F.; Farrington, F a u c h e r, Fecteau, Finmore, Genest, Gill, Good, Goodwin, Hall, Hancock, Hardy, Haskell, Hawkens, Hayes, Herrick, Hewes, Hodgdon, Immonen, Kelleher, Kelley, P. S.; Kelley, R. P.; Keyte, Kilroy, Lawry, Lewin, Littlefield, Lucas, Lund, Lynch, MacLeod, M a d d o x, Mahany, Marsh, Marstaller, Martin, McCloskey, McCormick, McTeague, Mills, Morrell, Mosher, Murray, Norris, O'Brien, Orestis, Payson, Pontbriand, Porter, Pratt, Rollins, Ross, Silverman, Simpson, L. E.; Simpson, T. R.; Slane, Smith, D. M.; Stillings, Susi, Tanguay, Trask, Tyndale, Vincent, Webber, Wheeler, White, Whitson, Wood, M. W.; Wood, M. E.; Woodbury.

ABSENT — Ault, Cottrell, Crosby, Emery, E. M.; Gagnon,

Gauthier, Hanson, Jalbert, Lessard, Lewis, Scott, Sheltra, Smith, E. H.; Starbird.

Yes, 34; No, 102; Absent, 14.

The SPEAKER: Thirty-four having voted in the affirmative and one hundred two in the negative, with fourteen being absent, the motion does not prevail.

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

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

An Act Creating Piscataquis County Commissioner Districts (H. P. 1279) (L. D. 1679)

Tabled — April 30, by Mr. Trask of Milo.

Pending — Passage to be enacted.

Whereupon, on motion of Mr. Trask of Milo, retabled pending passage to be enacted and specially assigned for Thursday, May 6.

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

An Act Prohibiting the Driving of Deer While Hunting (H. P. 1280) (L. D. 1680)

Tabled — April 30, by Mr. Porter of Lincoln.

Pending — Passage to be enacted.

Whereupon, on motion of Mr. Porter of Lincoln, retabled pending passage to be enacted and tomorrow assigned.

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

Bill "An Act relating to the Administration of Welfare Programs" (H. P. 1271) (L. D. 1672) — In Senate, passed to be engrossed. — In House, passage to be engrossed reconsidered.

Tabled — April 30, by Mr. Martin of Eagle Lake.

Pending — Adoption of House Amendment "A" (H-183).

Thereupon, House Amendment "A" was adopted.

The SPEAKER: The Chair recognizes the gentlewoman from Falmouth, Mrs. Payson.

Mrs. PAYSON: Mr. Speaker and Ladies and Gentlemen of the House: I oppose the passage of

this bill for two reasons. First, this bill repeals the eligibility requirements for Aid to Families with Dependent Children, Old Age Assistance, Aid to the Blind, Aid to the Handicapped, Aid to the Medically Indigent, and other state funded welfare programs as set forth in our state statutes.

The bill would allow the Department of Health and Welfare, through department rules and regulations, to determine who may receive aid from federal and state funds. I believe this is giving undue power to a department.

Reason number two is there is no price tag on this bill. Not even the Legislative Finance Office can make a determination of the cost. The only figure I have heard is \$15 million. For these two reasons, I move the indefinite postponement of this bill and all its accompanying papers.

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

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

SENATE DIVIDED REPORT — Majority (9) "Ought not to pass" — Minority (4) "Ought to pass" — Committee on Education on Bill "An Act to Provide Transportation for Blind Adults Attending Educational Facilities" (S. P. 472) (L. D. 1493) — In Senate, Minority Report accepted and Bill passed to be engrossed.

Tabled — May 3, by Mrs. White of Guilford.

Pending — Acceptance of either Report.

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

Mr. BITHER: Mr. Speaker, I would make a motion and speak to my motion. I would move that the Majority "Ought not to pass" Report be accepted.

The SPEAKER: The gentleman from Houlton, Mr. Bither, moves the House accept the Majority "Ought not to pass" Report.

The gentleman may proceed.

Mr. BITHER: Mr. Speaker and Members of the House: When we heard this bill, I think I can speak for most of the committee, ex-

cept for a few of the minority people — one of them is shaking his head over there now — but when we heard this bill, I insisted that I wanted to explain to this House that we who signed the Majority Report are not against Aid to the Blind; not in any sense are we against Aid to the Blind.

I think you have got a rare treat in this bill today because you can accept either report and it isn't going to make one little bit of difference — not one bit of difference. If you want to accept the Minority Report it isn't going to do any good; it isn't going to do any harm. As a matter of fact, if you accept the Majority Report you are just simply going to keep a bill from being printed, that is all.

Now I checked with the Department, and incidentally this is not the Department of Education, this is the Department of Health and Welfare that looks after the blind, and as I recall it, Mr. Pollard, at the time we had the hearing, said what I am about to tell you. Then I checked yesterday with a Mr. Rourke of the Department of Health and Welfare, and this is what he said: "At the present time all blind people, under any kind of a program, are taken care of. Their transportation is handled already."

Now there are a few cases where a person is taking a special course that is not handled in this way. And I said, "A few cases, how many cases?" And he said yesterday that in the last few years he only knew of two cases that they could not handle, and they could have handled those if they had had a little more money. But he thought those two cases were handled from private sources.

So if you accept the "Ought not to pass" Report, remember, we are not against Aid to the Blind, and if you accept that it just simply keeps a bill that is of no good, no value, from the books. And if you want to accept the Minority Report, it is not going to do any good anyway.

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

Mr. LUCAS: Mr. Speaker and Members of the House: I highly disagree with my friend on the Education Committee, Mr. Bither, and I would speak to this item briefly. If this bill is not going to create any harm, there is no reason why we should not accept the Minority Report.

We have discussed moose, deer, cabooses and cabeeses, and I would not want to go on record as being a legislature that has really no interest or compassion or concern for assisting those people who cannot enjoy the environment that we are trying to protect. Now if this is true, that the Department of Health and Welfare will, in fact, transport blind persons to courses of study for their improvement, for vocational rehabilitation, this is fine. All we are saying now is, let's extend this to include those blind people who are attending classes and evening school for what we might call cultural enrichment.

This is not so at the present time, although the department has indicated to Mr. Bither that under the existing rules they could, in fact, do this, but they are not doing it. So I say to you, that a brief statement, indicating that the Health and Welfare Department shall be responsible for transporting these few blind individuals to an evening school, should be on record and then there would be no question as to whether or not they should according to the existing rules.

Many of the courses that these blind people are taking part in in their evening programs are really very important to these blind individuals — typing, braille lessons, basic rug weaving, items that will really assist them in passing their days of darkness with some form of activity.

Now I say to you that no, this is not vocational rehabilitation, and I say that many of these courses that are designed for vocational rehabilitation do very little to rehabilitate the blind in the first place. These very courses that many of these individuals are taking in an evening program, and are not being transported by the

Department, create an avenue of activity for them, and I would contend that we would do justice to them by allowing the Department to transport these individuals to evening school.

This has passed in the other body by a sizable margin, I understand, and I would therefore ask you to accept the Minority Report. I would ask that you vote against the Majority Report, and I would ask for a division on this.

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

Mr. BITHER: Mr. Speaker and Members of the House: Just to correct one little statement that I am sure will show up in the record, that Mr. Lucas from Portland said, that we had no conscience so far — or something like that — so far as the blind. I thought I made that clear, that we are very very considerate of the blind. That is why I tried to explain that we were not against this.

I did check with the department. I would like to repeat again how many cases they could not handle. He said, "only two on the past few years." And I said "In how many years?" He said, "A good many years." They have only had two cases."

These cultural courses that these people are taking or going to take, are strictly cultural courses, and who knows, maybe these people only want a ride to and from the course. Maybe they are just out looking for a joy ride, I don't know. But I hope you will support — I don't think this is worth debating at any great length, but I do hope you will support the motion to accept the Majority Report.

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

Mr. TYNDALE: Mr. Speaker and Members of the House: As a signer of the Minority "Ought to pass" Report, I should say a few words with reference to this bill. As a matter of fact, the chairman of the committee asked me to check with the Department, and Mr. Owen Pollard gave me that memorandum that Dr. Bither has

spoken about. However, it didn't convince me because of the fact that he limited their assistance to people who possibly could be rehabilitated for a full eight-hour day's work.

The few people that this bill would help are persons who learn to type and who learn other skills which will help them to move into the main stream of community life. Some of them can get to a point where they can take part-time employment and help to support themselves possibly.

The State Department of Vocational Rehabilitation within the Department of Health and Welfare provides transportation for those persons who are potentially rehabilitation subjects, who can accept full-time employment.

The persons for whom this department supplies transportation have, in the department's judgment, a greater possibility for rehabilitation. However, we must consider the good work which dedicated special education teachers are doing at adult evening classes throughout the state, and we must encourage this. These people judge the individual who has the courage to get out and try to help himself, regardless of who classes him as a lost cause. We must provide the few dollars which it would take to supply transportation to these few blind adults willing to move into the main stream of community life. This means better mental health for these people as well as their self improvement to a point where they can accept a certain amount of employment. These people need a second chance.

The law provides for transportation for the child attending educational facilities and should provide it for the adult who has the courage to ask for a second chance. And I would urge you, very sincerely, to accept the Minority "Ought to pass" Report.

The SPEAKER: The Chair recognizes the gentleman from Dixmont, Mr. Millett.

Mr. MILLETT: Mr. Speaker and Ladies and Gentlemen of the House: I think in the last two opposition speakers we have kind of lost the point that Mr. Bither tried to make; and that is that

the Department of Health and Welfare is presently going out of its way to cooperate with both public and private agencies in securing transportation to those people in the adult years of their lives who seek to go to educational facilities on their own time for their own purposes.

I think the point he tried to make also has been lost, and that is that if you indicate this in law you are saying that the Department of Health and Welfare, and therefore the State of Maine, shall fund all transportation which is provided. At the present time, as I indicated, several public and private agencies do cooperate in providing this transportation whenever it is requested of them.

The source of the bill — I might digress a little bit — came from the Adult Education Director in Portland, through Senator Carswell from Portland, encouraging the Department of Health and Welfare to make it mandatory that they provide the transportation themselves.

Now it is interesting at the hearing there was a gentleman representing a private agency in Portland who indicated very definitely that his agency would have provided this transportation if they had been requested. Now, therefore, we are asking really here that here is a public or private agency that will do this at no cost to the state. And yet we are now saying if we put this in the law it won't do any harm. I submit it might do a little harm in the sense that we would then be binding the Department of Health and Welfare to provide transportation at their expense.

The SPEAKER: The pending question is on the motion of the gentleman from Houlton, Mr. Bither, that the House accept the Majority "Ought not to pass" Report on Bill "An Act to Provide Transportation for Blind Adults Attending Educational Facilities," Senate Paper 472, L. D. 1493 in non-concurrence. All in favor of accepting the Majority Report will vote yes; those opposed will vote no.

A vote of the House was taken.

89 having voted in the affirmative and 34 having voted in the negative, the motion did prevail.

Sent up for concurrence.

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

HOUSE DIVIDED REPORT — Majority (8) "Ought to pass" — Minority (5) "Ought not to pass" — Committee on Labor on Bill "An Act relating to Definition of Construction Under Board of Construction Safety Rules and Regulation" (H. P. 152) (L. D. 207)

Tabled — May 3, by Mr. Good of Westfield.

Pending — Acceptance of either Report.

The SPEAKER: The Chair recognizes the gentleman from Westfield, Mr. Good.

Mr. GOOD: Mr. Speaker, I move the acceptance of the Minority "Ought not to pass" Report.

The SPEAKER: The gentleman from Westfield, Mr. Good, moves the acceptance of the Minority "Ought not to pass" Report.

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

Mr. McTEAGUE: Mr. Speaker and Members of the House: L. D. 207 is a much needed piece of safety legislation which was sponsored by the gentleman from Bath, Mr. Ross.

The best explanation I think that can be given to the bill is to read the Statement of Fact. "The purpose of this amendment is to clarify the confusion that presently exists as to whether municipal public works such as sewer construction is under our safety jurisdiction."

As you know, beginning in the last session under the impetus of federal legislation we have had a renewed emphasis on safety at work, particularly construction safety. Our present law is somewhat unclear as to whether this applies only to private construction companies doing work for hire, or whether it also applies to municipal public works departments working on things like road and sewers. We feel that it would be of assistance in preventing accidents to municipal employees and other public employees if they

had the same protection, the same safety protection due to compliance with the rulings of the Department of Labor regarding safe construction that the employees of private contractors now enjoy.

I would therefore ask that you vote no on the motion to accept the "Ought not to pass" Report so that we may accept the bill and put this safety measure on our law books.

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

Mr. ROSS: Mr. Speaker, I would like to request that the Clerk read the Report of the Committee.

The SPEAKER: The Clerk will read the Report of the Labor Committee.

The Clerk read the Committee Report.

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

Mr. LEE: Mr. Speaker and Members of the House: As a construction firm I come under these laws anyway, so I have no axe to grind earthly. But the main thing is here, it isn't to say that municipal employees don't work under the safety laws. What this does is it makes it a necessity for them to work under them.

Now some safety laws are very good, very practical; some are very impractical. I suggest to you that each one of your municipalities which have these utilities, it is going to cost them extra money, and I don't see any particular reason for it.

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

Mr. ROSS: Mr. Speaker and Members of the House: I think the Department of Labor has a very good record in its safety rules and regulations. Having been in heavy manufacturing business for some 20 years, we found no difficulty in complying with these rules and regulations. They are now working with the cities and towns, and they get good cooperation. But they just don't have the law to back them up.

This is a simple piece of legislation. I don't believe it will cost the contractors any money, and it

certainly will be protection for the workers of the State of Maine.

The SPEAKER: The Chair recognizes the gentleman from Westfield, Mr. Good.

Mr. GOOD: Mr. Speaker and Members of the House: At the hearing on this bill I got the impression that the towns were a little bit afraid of this bill, because, for instance, now in the Town of Limestone there is a public project just let out, a contract let out, and they demand that they have on their job, which is just a little small soil conservation dam — they demand they have a man on the job who understands first aid.

They have to have roll bars on their bulldozers; they have to have roll preventative juts on the side of their bulldozers. Now if you can imagine a bulldozer going down through a ditch with two pieces welded on the side to keep them from rolling over, you will understand what these people are afraid of.

I got the impression that the towns who are conducting small projects would be unduly harassed by this bill. That is the reason I signed the Minority "Ought not to pass" Report.

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

Mr. ROSS: Mr. Speaker and Members of the House: At the public hearing no representatives of the towns were there in opposition to this bill, and as I say, it is a bill for the protection of the workers of the State of Maine.

I request that the vote 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: Representative Ross did say that it would cost some money. It does cost the contractors some money. This is what he said, it does cost the contractors some money to observe all safety rules and regulations; and it certainly costs all municipalities money to observe all these things. But the fact that they don't have to do this little thing and that little thing is one of the things that might save them a few dollars.

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

Mr. McTEAGUE: Mr. Speaker and Members of the House: There may be some cost in dollars to observing safety regulations. However, there is also a cost in dollars in Workmen's Compensation claims by failing to abide by safety regulations. And more important, there is a cost in human lives, in human health, in failing to abide by these regulations. I hope that this House will not go on record as being unconcerned regarding the safety of municipal employees working on public works projects.

The SPEAKER: The pending question is on the motion of the gentleman from Westfield, Mr. Good, that the House 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.

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 Westfield, Mr. Good, that the House accept the Minority "Ought not to pass" Report on Bill "An Act relating to Definition of Construction Under Board of Construction Safety Rules and Regulations," House Paper 152, L. D. 207. If you are in favor of accepting the Minority "Ought not to pass" Report you will vote yes; if you are opposed you will vote no.

ROLL CALL

YEA — Ault, Baker, Bartlett, Berry, P. P.; Bragdon, Brown, Bunker, Carey, Churchill, Clark, Collins, Crosby, Curtis, A. P.; Donaghy, Dudley, Dyar, Emery, D. F.; Evans, Gagnon, Good, Hall, Hardy, Haskell, Hayes, Henley, Herrick, Immonen, Jutras, Kelley, K. F.; Kilroy, Lebel, Lee, Lewin, Lewis, Lincoln, Littlefield, MacLeod, Manchester, Marstaller, McCormick, McNally, Mosher, Page, Parks, Payson, Porter, Pratt,

Rand, Rocheleau, Rollins, Shaw, Silverman, Susi, T r a s k, White, Wight, Wood, M. W.

NAY—Albert, Bailey, Barnes, Bedard, Bernier, Berube, Binnette Birt, Bither, Boudreau, Bourgoin, Bustin, Call, Carter, Clemente, Conley, Cooney, Cote, Cummings, Curran, Curtis, T. S., Jr.; Cyr, Dam, Dow, Doyle, Drigotas, Farrington, Faucher, Fecteau, F i n e m o r e, Fraser, Genest, Gill, Goodwin, Hancock, Hawkens, Hewes, Hodgdon, Kelleher, Kelley, R. P.; Keyte, Lawry, Lucas, Lund, Lynch, Maddox, Mahany, Martin, McCloskey, McTeague, Millett, Morrell, Murray, Norris, O'Brien, Orestis, Pontbriand, Ross, Santoro, S h e l t r a, Shute, Simpson, L. E.; Simpson, T. R.; Slane, Smith, D. M.; Starbird, Stillings, Tanguay, Theriault, Vincent, Webber, Wheeler, Whitson, Wood, M. E., Woodbury.

ABSENT — Berry, G. W.; Carrier, Cottrell, Emery, E. M.; Gauthier, Hanson, Jalbert, Kelley, P. S.; Lessard, Lizotte, Marsh, McKimmon, Mills, Scott, Smith, E. H.; Tyndale, Williams.

Yes, 58; No, 75; Absent, 17.

The SPEAKER: Fifty-eight having voted in the affirmative, seventy-five in the negative, with seventeen being absent, the motion does not prevail.

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

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

Bill "An Act relating to Fees and Compensation of the State Board of Administrators of Medical Care Facilities" (S. P. 238) (L. D. 754) — In Senate, passed to be engrossed.

Tabled—May 3, by Mrs. Payson of Falmouth.

Pending — Passage to be engrossed.

Mrs. Payson of Falmouth offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-219) was read by the Clerk and adopted.

The Bill was passed to be engrossed as amended by House Amendment "A" in non-concurrence and sent up for concurrence.

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

An Act to Provide Funds for the Construction and Equipping of a Maine Information Center at Kittery (H. P. 1290) (L. D. 1689)

Tabled—May 3, by Mr. Ross of Bath.

Pending—Passage to be enacted, (Emergency) (Roll Call Ordered)

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

Mr. HODGDON: Mr. Speaker and Ladies and Gentlemen of the House: I have a feeling there might be a little confusion with regard to this L. D. If you would bear with me for two or three minutes I would like to see if I can clarify it.

This is not my bill. The original bill was not my bill. But my district having been affected by both bills, naturally I have been quite interested in them.

If you ladies and gentlemen will remember the original bill called for a design for an information building that, to say the least, caused quite a furor throughout the state. It also carried a price tag of some \$350,000. When I appeared before the Committee on Appropriations at the hearing, I opposed the bill as it was written, both because of the design and because of the price tag.

However, I made a statement at that hearing that with a change of design and a more realistic price tag the people in the southern part of the state, more particularly in the Town of Kittery, would welcome an information bureau with open arms.

The Appropriations Committee has now, in their judgment, sent to this body a redraft. In this redraft it calls for a new committee to be appointed. Amongst their duties shall be the selection of an architect to come up with a new design which will be compatible with the rest of the rest area that the State Highway Commission is making in the Town of Kittery. It also carries a new price tag of \$175,000.

Now I earnestly believe that an information bureau at the entrance to our state is a necessity. The

present information bureau that is there is extremely busy. In the summertime it is hard to find a place to park there because of the number of people who are seeking information. We have ample display in the old building so that towns and municipalities can display their wares. It is well run, well stocked.

I believe that for \$175,000 we can at least duplicate the building we have at the present time. We will receive some help from the State Highway Commission inasmuch as the rest area that is being built is being built with matching funds from the federal government.

I would urge you to give careful consideration as how the defeat of this bill would affect our great industry, that of tourism. This, in my opinion, is a good compromise between the original bill and none at all, and I would ask your support in passage of this bill.

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

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: I rise in support of the comments that are made by the gentleman from Kittery, Mr. Hodgdon. I think he very adequately covered most of what is in this bill. This bill was completely reviewed by the Appropriations Committee. They came out with a redraft of the bill and have specified in the redraft the makeup of the committee who will design this building. It will be designed, hopefully, in general, with the construction that will go on in the rest area by the Highway Commission. One member of the Highway Commission is on this committee so that hopefully the program will be dovetailed together. The development of the area in general will be done with 90-10 money, so there is a good deal of saving there.

The problem that arose yesterday is the fact that this is an emergency measure, and for a couple of reasons. One of them is the desire to get the program on the road to have an information center there at the time that the changeover is affected. And the Highway Commission is also anxious to get their work going to develop the rest

area and they would like to know what is going to be done in the development of an information center. I do believe that we have effectively gone over this bill. We reported it out unanimously. And with the money it has in there, and the redraft, would be generally in keeping with what I am sure the people of Maine want.

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

Mr. JUTRAS: Mr. Speaker, Ladies and Gentlemen of the House: I disagree with all the arguments that have been given in support of L. D. 1689. When the people of other states cross the Piscataqua River and breathe the good fresh air of the State of Maine, they do so with a sigh of relief, and they are very happy. And when they get to Kittery, they know that they have finally reached a wonderful state, the State of Maine. We don't need an expenditure of this type to entice people to come to Maine. Once they get this far they know and they appreciate what they are getting.

I am against the passage of this bill.

The SPEAKER: The Chair recognizes the gentleman from Freeport, Mr. Marsteller.

Mr. MARSTALLER: Mr. Speaker, Ladies and Gentlemen of the House: I would like to congratulate the Appropriations Committee for bringing out this bill in response to the original proposal, and I think this is a good bill and I hope you will pass it.

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

Mr. CAREY: Mr. Speaker, Ladies and Gentlemen of the House: Two years ago this bill had a price tag of \$250,000 on it. One of the problems that arose is that the committee gave the architect a little too much building to design. He came up with a design which originally would have cost some \$800,000. The committee went to work and cut that building down to \$400,000.

Now \$102,000 is going to be coming in from the federal government as their purchase price of the existing building, so the net cost

to the state will be \$73,000 at the most.

The committee heard much testimony, and all who spoke, except for the architect and some members of the committee, were outraged at the design. The committee has put words into the bill which will now make this new proposed building compatible to the surrounding area. It has lowered the cost, feeling that the committee which was originally set up had far outdone themselves in going over the limit that had been set, and they were forced to suffer the penalty of having their original \$250,000 appropriation lowered.

This is a good bill in its present form. It is the bill that can be bought by all the residents of the area, and it would certainly open the door to the State of Maine for the vacationers with something which obviously will now be compatible to the surrounding grounds.

I have a strong feeling that much of the opposition that was started yesterday against this bill was started by the young gentleman from Portland, and I would say to that gentleman that if he wants to play, that I would certainly hope that he picks another bill to play with.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I rise to support final passage of the L. D. and would simply state a few reasons why I do so. On the Appropriations Committee two years ago, it was obvious to us that there was going to be a need for the reconstruction of the present facility, which is going to be totally removed from its existing location, and something has to be done if we are going to have another building in Kittery.

I perhaps live as far away as anyone from this bridge in Kittery, and I am as aware of the criticisms that can be brought against a building that is built outside of your legislative district. But let us not forget that if we pass up the opportunity to get the matching money from the State Highway Commission, they are

going to continue and go ahead and build their rest area, and they are going to build their restrooms just the same, because of the requirements in the federal law, regardless of what we do. If we want to save the State of Maine any money, then we ought to be in favor of the bill today. If we don't do it today, and if we ever attempt to put up a building in the future, it would cost the State of Maine an additional \$100,000, and I don't think any of us would be interested in that type of an expenditure for no reason at all. So I would ask you to support final passage and to vote yes.

The SPEAKER: The Chair recognizes the gentleman from South Berwick, Mr. Bartlett.

Mr. BARTLETT: Mr. Speaker and Members of the House: I rise to say that I voted against this bill originally. I spoke against it in the Appropriations Committee because of this monstrosity and the cost. But I think the Appropriations Committee has come up with a fine substitute for this amount of money, and you know, if you have any pride in your state, that we have to have an information center in Kittery. And I hope you will vote yes on this issue.

The SPEAKER: The Chair recognizes the gentleman from York, Mrs. Brown.

Mrs. BROWN: Mr. Speaker and Members of the House: I can add nothing to the discussion of why this is needed. But as a citizen that lives in the community nearby, we feel that this reduced bill is a very necessary thing for an information center there at the beginning of the State of Maine, for the Town of York.

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

Mr. HENLEY: Mr. Speaker and Ladies and Gentlemen of the House: I am not going to object to this bill. I feel that we have got to have a new information center there if the other one is going to be done away with. I took exception, like a lot of us did, to the monstrosity that was suggested in architecture, and I just wonder, in possibly a bit of a facetious vein, if we have a warranty of com-

patibility here like we have asked for a warranty of habitability.

We say that the committee will construct or design a building which will be compatible. I wonder what assurance we have that it won't be a miniature of the other monstrosity. If I could be assured of that, I would most certainly go along with this bill.

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

Mr. GILL: Mr. Speaker and Members of the House: I would be the first to assure the gentleman that it will not be.

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

Mr. MARTIN: Mr. Speaker and Members of the House: In view of the question posed by the gentleman, I would simply ask him to refer to section one in the new L. D. 1689, which sets up an Information Center Building Committee, and this, of course, has nothing to do with my desires, but it is in the bill and it does protect his reasons for objecting. It says that there will be a committee composed of six persons to be known as the Kittery Information Center Building Committee. The members shall be as follows: A representative of the Highway Commission, a representative of York County, a representative from the Maine Publicity Bureau, a member of the Joint Committee on Appropriations and Financial Affairs to be appointed by the chairman of the committee, the Director of Vacation Travel of the Department of Economic Development, and a representative of the Maine Hotel-Motel Association. I would think that this would prevent that from occurring. And I don't really see any problems.

The SPEAKER: The Chair recognizes the gentleman from Eastport, Mr. Mills.

Mr. MILLS: Mr. Speaker and Ladies and Gentlemen of the House: The first time around I couldn't support this bill. I can support it now and also for another reason. Down in Washington County, in questioning the people who arrived there last summer, we found that a great deal

of information was given about our county and the fishing facilities down there from the information center. I will support this.

The SPEAKER: A roll call has been ordered. This being an emergency measure, a two-thirds vote of all the members elected to the House is necessary. All in favor of passage to be enacted of An Act to Provide Funds for the Construction and Equipping of a Maine Information Center at Kittery, House Paper 1290, L. D. 1689, will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Ault, Bailey, Baker, Barnes, Bartlett, Bedard, Bernier, Berry, G. W.; Berry, P. P.; Berube, Binnette, Birt, Bither, Boudreau, Bourgoin, Bragdon, Brawn, Brown, Bunker, Bustin, Call, Carey, Carter, Churchill, Clark, Clemente, Collins, Conley, Cooney, Crosby, Cummings, Curran, Curtis, A. P.; Curtis, T. S., Jr.; Cyr, Dam, Donaghy, Dow, Doyle, Drigotas, Dyar, Evans, Farrington, Fecteau, Finemore, Fraser, Gagnon, Genest, Gill, Good, Goodwin, Hall, Hancock, Hardy, Haskell, Hawkens, Hayes, Henley, Herrick, Hewes, Hodgdon, Immonen, Kelleher, Kelley, K. F.; Kelley, P. S.; Kelley, R. P.; Keyte, Kilroy, Lawry, Lebel, Lee, Lewin, Lewis, Lincoln, Littlefield, Lucas, Lund, Lynch, MacLeod, Maddox, Mahany, Manchester, Marsteller, Martin, McCloskey, McCormick, McNally, McTeague, Millett, Mills, Morrell, Mosher, Murray, Norris, O'Brien, Orestis, Page, Parks, Payson, Pontbriand, Porter, Pratt, Rand, Rollins, Ross, Santoro, Shaw, Sheltra, Shute, Silverman, Simpson, L. E.; Simpson, T. R.; Slane, Smith, E. H.; Stillings, Susi, Tanguay, Theriault, Trask, Tyndale, Webber, Wheeler, White, Williams, Wood, M. W.; Wood, M.E.: Woodbury, The Speaker.

NAY — Cote, Emery, D. F.; Faucher, Jutras, Rocheleau, Vincent, Whitson.

ABSENT — Carrier, Cottrell, Dudley, Emery, E. M.; Gauthier, Hanson, Jalbert, Lessard, Lizotte, Marsh, McKinnon, Scott, Smith, D. M.; Starbird, Wight.

Yes, 129; No, 7; Absent, 15.

The SPEAKER: One hundred and twenty-nine having voted in the affirmative and seven in the negative, with fifteen being absent, the Bill is passed to be enacted as an emergency measure, will be

signed by the Speaker and sent to the Senate.

On motion of Mrs. Cummings of Newport,

Adjourned until nine o'clock tomorrow morning.