

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Sixth  
Legislature*

OF THE

STATE OF MAINE

**Volume II**

**April 23, 1973 to June 5, 1973**

KENNEBEC JOURNAL  
AUGUSTA, MAINE

## HOUSE

Tuesday, April 24, 1973

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

Prayer by the Rev. Mr. Peter L. Misner of Winthrop.

The journal of yesterday was read and approved.

### Senate Reports of Committees Ought Not to Pass

Report of the Committee on Veterans and Retirement reporting "Ought not to pass" on resolve "Providing for a Pension for Mrs. Gertrude Johnson of Lewiston" (S. P. 421) (L. D. 1259)

Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act Relating to Sentencing of Offenders" (S. P. 450) (L. D. 1416)

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

### Ought to Pass in New Draft

Report of the Committee on State Government on Bill "An Act Establishing a Records Management Board" (S. P. 371) (L. D. 1097) reporting same in a New Draft (S. P. 569) (L. D. 179) under title of "An Act Establishing a County Records Board" and that it "Ought to pass"

Came from the Senate with the Report read and accepted and the New Draft passed to be engrossed as amended by Senate Amendment "A" (S-84).

In the House, the Report was read and accepted in concurrence and the New Draft read once. Senate Amendment "A" (S-84) was read by the Clerk and adopted and the New Draft assigned for second reading tomorrow.

### Divided Report

Majority Report of the Committee on Appropriations and Financial Affairs on Bill "An Act Relating to Payment of Patients at Certain State Institutions as Employees under Fair Labor Standards Act" (Emergency) (S. P. 167) (L. D. 422) reporting "Ought to Pass"

Report was signed by the following members:

Messrs. CONLEY of Cumberland  
SEWALL of Penobscot  
— of the Senate.

Messrs. NORRIS of Brewer  
JALBERT of Lewiston  
SMITH

of Dover Foxcroft  
CARTER of Winslow

— of the House.

Minority Report of same Committee reporting "Ought Not to Pass" on same Bill.

Report was signed by the following members:

Mr. MORRELL  
of Cumberland  
— of the Senate

Messrs. BRAGDON of Perham  
SPROUL of Augusta  
HASKELL of Houlton

— of the House

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

In the House: Reports were read.

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

Mr. NORRIS: Mr. Speaker, I move we accept the Majority "Ought to pass" Report in concurrence.

The SPEAKER: The gentleman from Brewer, Mr. Norris, moves the House accept the Majority Report in concurrence.

The Chair recognizes the gentleman from Houlton, Mr. Haskell.

Mr. HASKELL: Mr. Speaker and Members of the House: This is a divided report. If you will notice, it is a 6-4 report. I am in opposition to the acceptance of the majority report and I will try to explain very briefly my reasons for it.

If you will look at the bill, you will discover that there is about \$750,000 involved. This is to bring the state institutions in compliance with Fair Labor Standards Act. Basically my opposition to it is that I feel at this juncture it is premature because the application of these standards to our institutions at this moment is an unknown quantity.

The definitions of employee, in my view, are not well established from the point of view that the work that is done that could be classified as therapeutic is not well

established, so that in the view of the minority of the Appropriations Committee, the bill is premature because the standards are not well established and the response that the state might wish to make in terms of adjusting fees at the institutions, those able to pay, cannot very well be made until we know exactly what the situation is in regard to the standards that are going to be applied at all institutions.

So for this reason, the four members of the Appropriations Committee are in opposition to this, feeling that it is premature. When we finally do get the report and can make an evaluation of it in terms of the conditions that exist in the State of Maine, then the funding should be undertaken.

Thereupon, on motion of Mr. Norris of Brewer, tabled pending acceptance of the Majority Report and tomorrow assigned.

#### **Non-Concurrent Matter**

Bill "An Act Regulating Water Well Construction and Pump Installation" (S. P. 173) (L. D. 428) which was indefinitely postponed in the House on April 20.

Came from the Senate with that body insisting and asking for a Committee of Conference in non-concurrence.

In the House:

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

Mr. PARKS: Mr. Speaker, I move we adhere to our former action.

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

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

The SPEAKER: The gentleman from Rockland, Mr. Emery, moves that the House insist and join in a Committee of Conference.

Mr. Parks of Presque Isle requested a vote on the motion.

The SPEAKER: The Chair recognizes the gentleman from Standish, Mr. Simpson.

Mr. SIMPSON: Mr. Speaker and Members of the House: Very unofficially, I hope that you do insist and join in a Committee of

Conference. I think we have debated this bill at quite some length, but as I said the other day, I do believe that there are certain portions of this bill that are very very important to the State of Maine. I believe there are other portions of it that aren't so important. I believe a Committee of Conference could work this out. We should join in that conference.

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

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: I haven't spoken on this bill since it has been on the floor, but right now I feel as though I must say a few words. I am in favor of not insisting and go back and adhere for the simple reason that up in Aroostook County where I live, we are eight miles, the town I am from, on one side and about twenty on the other being anywhere near a licensed plumber or anything of that sort. It is almost impossible for us to get help. Lots of times it is something you can do yourself. With this bill, with all the connections that go with it that we have heard spoken here, it makes it impossible almost to exist in that county.

I do not think — you look around at the well drillers in Aroostook County — I am not speaking for anywhere else, it seems the equipment they have built up in the last few years, it costs \$130,000 for each piece of equipment, I don't think they are having too many troubles. The little well drillers don't seem to want this bill. I have only talked to one, but he didn't seem interested. In fact, he didn't understand it anyway.

I hope you will vote against this motion to insist and go back to adhere.

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

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: Since we had the rhubarb about this bill last week, I have been in contact with people down my way that have been working installing these wells for people out in the farm lands and so forth. They are totally opposed to this because some of

those boys are going to be put right out of business.

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

Mr. SHAW: Mr. Speaker, Ladies and Gentlemen of the House: There seems to be two sides to every picture. I have had several communications from people in this area who have hired some of these wildcat well drillers. They have moved in, drilled them a hole, taken their money and gone on to fleece somebody else. They are pretty unhappy when they find out that they have got no water. They tried to contact the well driller to come back and finish the job and he just laughs at them. I think there should be some control over these people and I think that the Committee of Conference might be able to iron some of these things out. I hope you do vote to insist.

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

Mr. LYNCH: Mr. Speaker and Members of the House: I would like to see something salvaged from this bill. I think you are throwing up some straw men to be demolished when you say it is going to require plumbers and installers and that sort of thing. That, I am quite positive, will be removed from any well water construction bill. What we do need is some regulation, some control over well water drillers because the people that are getting hurt are the people that can least afford it. They cannot afford to go into courts and challenge some of these operators. We need some control on the state level and it is not going to hurt the big or the small well driller.

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

A vote of the House was taken.

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

### Non-Concurrent Matter

Resolve Designating Lewiston-Auburn Bridge as Louis Jalbert Bridge (H. P. 366) (L. D. 481) which the House passed to be engrossed as amended by Committee Amendment "A" (H-196) on April 20.

Came from the Senate with the Bill and all accompanying papers indefinitely postponed in non-concurrence.

In the House:

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

Mr. JALBERT: Mr. Speaker and Members of the House: Ever since this measure has been brought before this body and certainly when it was brought before the committee and on the outside, I have not made any statements publicly whatever. As is my custom of course, I do not lobby. Certainly if I do not lobby my own bills I certainly wouldn't lobby a bill with my name on it.

Having read the remarks made by the gentleman from Livermore Falls and the gentleman from Norway, Mr. Henley, of the previous week, and having read last night the long and several remarks made by many of my very dear friends on both sides of the aisles, if one wouldn't be a little bit misty-eyed at that kind of a tribute, one would not have a heart.

I have wrestled with this situation at length. Mr. Speaker, in complete humility I would like to thank all of those who participated in this situation in my favor. At this time, Mr. Speaker, and I will make a motion later, if you will recognize me on item 8, to recede and concur and make a couple of remarks on that. At this time on this measure, I move that we adhere.

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

Mr. CROMMETT: Mr. Speaker and Ladies and Gentlemen of the House: I am sorry that I was not here last week when this measure came up. I feel it is an obligation on my part to speak for my good friend, the gentleman from Lewiston, Mr. Jalbert.

I don't know what the procedure is going to be or what his intentions are, but I would want to say to you people that I am not a veteran. My grandfather was a veteran of the Civil War, and my brother is a veteran of the second World War.

I have a good relationship with the veterans in my home town. We had a bill before the State Government Committee, we had three bills, two bills pertaining to a lottery, one pertaining to a veteran's home. I am going to try to amend those bills, one that passed "ought not to pass" the other one we will pass out, the lottery bill. It is my intention to amend that so that they will take the profit from the lottery bill to build the veteran's home. The veterans surely should have all the due respect and even today we have set aside a time to recognize the veterans of the Viet Nam War.

Those who say that a bridge or a public building should not be named for an individual while living, in my estimation it is wrong. Why not pay our respects to those who are living. It will do him no good after he is dead. I wish you people would think about this and pay the respect to a living colleague, the Honorable Louis Jalbert from Lewiston who has put his heart and soul into working for this bridge. You know my sentiments and I hope you will think about it.

Thereupon, on motion of Mr. Bragdon of Perham, the House voted to insist and ask for a Committee of Conference.

#### Order Out of Order

Mrs. Clark of Freeport presented the following Order and moved its passage:

ORDERED, that Rebecca Adams, Ruth Alexander, Tami Garland and Deborah Staples of Freeport be appointed Honorary Pages for today.

The Order was received out of order by unanimous consent, read and passed.

#### Non-Concurrent Matter Tabled Unassigned

Bill "An Act Raising the Maximum Age of a Juvenile Offender" (H. P. 489) (L. D. 643)

with the House Insisting on April 20.

Came from the Senate with that body insisting and asking for a Committee of Conference.

In the House: On motion of Mr. Martin of Eagle Lake, the House voted to insist and join in a Committee of Conference.

#### Non-Concurrent Matter

Resolve Designating a Certain Bridge Across the Androscoggin River as The Veterans Memorial Bridge (S. P. 329) (L. D. 1033) which was indefinitely postponed in the House on April 20.

Came from the Senate with that body voting to insist.

In the House:

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

Mr. JALBERT: Mr. Speaker and Members of the House: It has been my habit in life that if I own the ball and glove just because I can't be the pitcher that I am going to call the ball game off and go home. I move we recede and concur.

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

Mr. ROSS: Mr. Speaker and Members of the House: I don't know how we can very well recede and concur on this item when we have insisted and requested a Committee of Conference on the other.

I would suggest that someone table this item unassigned until we find out exactly how the Committee of Conference comes out, because they might come out to call it the Veterans Bridge, I don't know.

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

Mr. FINEMORE: Mr. Speaker, I move we table this unassigned.

Mr. Birt of East Millinocket requested a vote on the motion.

The SPEAKER: The pending question is on the motion of the gentleman from Bridgewater, Mr. Finemore, that this matter be tabled unassigned, pending the motion of Mr. Jalbert of Lewiston to recede and concur. All in favor

of that motion will vote yes; those opposed will vote no.

A vote of the House was taken. 72 having voted in the affirmative and 43 having voted in the negative, the motion did prevail.

#### Non-Concurrent Matter

Bill "An Act Creating the Free Flow of Information Act" (S. P. 43) (L. D. 99) which was indefinitely postponed in the House on April 20.

Came from the Senate with that body insisting and asking for a Committee of Conference.

In the House: On motion of Mr. Kelley of Southport, the House voted to adhere.

#### Messages and Documents THE SENATE OF MAINE AUGUSTA

April 23, 1973

Hon. E. Louise Lincoln  
Clerk of the House  
106th Legislature  
Dear Madam Clerk:

The Senate voted to Insist and Join in a Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill, "An Act Relating to Penalty for Recklessly Causing Death by Operation of a Motor Vehicle." (H. P. 202) (L. D. 275).

Respectfully,

Signed:

HARRY N. STARBRANCH  
Secretary of the Senate

The Communication was read and ordered placed on file.

The SPEAKER: The Chair will appoint the following Conferees on the part of the House:

Mrs. BAKER of Orrington  
Messrs. McMAHON of Kennebunk  
GAUTHIER of Sanford

STATE OF MAINE  
House of Representatives  
Augusta

April 1, 1973

To the Members of the 106th Legislature:

Pursuant to the Joint Order of the Special Session of the 105th Legislature, the Bangor State Hospital Study Committee hereby has the pleasure of submitting to you its unanimous report and recommendations.

The Committee wishes to acknowledge with appreciation the generous cooperation and valuable assistance of the Department of Mental Health and Corrections. We would particularly like to extend our thanks to the Commissioner of the Department, Dr. William F. Kearns, Jr.; the Director of the Bureau of Mental Health, Dr. William E. Schumacher; and the Superintendent of the Bangor State Hospital, Dr. Bernard Saper. The Committee also extends its gratitude to the entire professional and non-professional staff of Bangor State Hospital.

The members of the Committee appreciate having had the opportunity to serve the Legislature and hope that the recommendations contained in their report will be beneficial to the future of the Bangor State Hospital and the people of Maine.

Respectfully submitted,

Signed:

JOHN M. NORRIS, II  
Chairman  
Bangor State Hospital  
Study Committee

The Communication was read and ordered placed on file.

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

Mr. Lawry from the Committee on Education on Bill "An Act Relating to Supplemental Aid for School Administrative District No. 73" (Emergency) (H. P. 527) (L. D. 709) reporting "Ought not to pass"

Mr. Gahagan from the Committee on State Government reporting same on Bill "An Act Increasing Membership in Municipal Conservation Commissions, Housing Authorities and Renewal Authorities" (H. P. 795) (L. D. 1067)

Mr. Farnham from the Committee on State Government reporting same on Bill "An Act Creating the Maine Martial Arts Commission" (H. P. 946) (L. D. 1243)

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

#### Leave to Withdraw

Mrs. Goodwin from the Committee on State Government on Bill

"An Act to Establish a State Board of Zoning Appeals" (H. P. 814) (L. D. 1075) reporting Leave to Withdraw.

Report was read and accepted and sent up for concurrence.

Mr. Stillings from the Committee on State Government reporting Leave to Withdraw on Bill "An Act Providing a State Lottery for Housing for the Elderly" (H. P. 1046) (L. D. 1390)

Report was read.

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

Mr. ROSS: Mr. Speaker and Members of the House: I just have a question for anyone who can answer it. Do we have any other lottery bill before us this session?

The SPEAKER: The gentleman from Bath, Mr. Ross, poses a question through the Chair to anyone who may answer if he wishes.

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

Mr. FARNHAM: Mr. Speaker, yes, we do have another bill.

Thereupon, the Report was accepted and sent up for concurrence.

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

Mrs. Morin from the Committee on Health and Institutional Services on Bill "An Act to Provide that Wages Earned by Prisoners in State Correctional Institutions Shall Draw Interest Pending Release of Prisoner" (H. P. 1031) (L. D. 1353) reporting same in a New Draft (H. P. 1456) (L. D. 1880) under same title and that it "Ought to pass"

Report was read and accepted, the New Draft read once and assigned for second reading tomorrow.

#### **Consent Calendar First Day**

(S. P. 453) (L. D. 1418) Bill "An Act to Authorize Municipalities to Shut Down All or Parts of a Natural Gas System in Time of Emergency" — Committee on Public Utilities reporting "Ought to pass" as amended by Committee Amendment "A" (S-85)

No objection having been noted, was assigned to the Consent Calendar's Second Day list.

#### **Consent Calendar Second Day**

(H. P. 597) (L. D. 788) Bill "An Act Relating to Credibility of Witnesses"

(H. P. 622) (L. D. 820) Bill "An Act Relating to Conveyance by Release Deed for the Penobscot Tribe of Indians" (S. "A" H-265)

No objection having been noted, were passed to be engrossed and sent to the Senate.

#### **Tabled and Assigned**

(H. P. 1037) (L. D. 1357) Bill "An Act Authorizing Food Stamp Program for Certain Municipalities" (C "A" H-266)

On the request of Mr. Mulkern of Portland, was removed from the Consent Calendar.

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

Mr. MULKERN: Mr. Speaker, I would like this item tabled for one legislative day for the purpose of introducing an amendment.

Thereupon, Mr. Simpson of Standish requested a vote on the motion.

The SPEAKER: The pending question is on the motion of the gentleman from Portland, Mr. Mulkern, that this matter be tabled for one legislative day, pending acceptance of the Committee Report. All in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

45 having voted in the affirmative and 52 having voted in the negative, the motion did not prevail.

Thereupon, the Report was accepted and the Bill read once.

Committee Amendment "A" (H-266) was read by the Clerk and adopted and the Bill assigned for second reading tomorrow.

(H. P. 1069) (L. D. 1394) Bill "An Act Allowing Municipalities to Insure Against Personal Liability of Their Officers, Officials, and Employees"

(H. P. 1257) (L. D. 1632) Bill "An Act Relating to Fees of



Municipal Police Officers or Constables as Witnesses" (C. "A" H-264)

No objection having been noted, were passed to be engrossed and sent to the Senate.

#### Passed to be Engrossed

Resolve Appropriating Moneys for Spruce Budworm Control (H. P. 735) (L. D. 938) (Emergency)

Was reported by the Committee on Bills in the Second Reading and read the second time.

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

Mr. TYNDALE: Mr. Speaker, Ladies and Gentlemen of the House: I would like to pose a question to any member of the Appropriations Committee that cares to answer as to how much state money is involved in this appropriation and what private lands are involved, if any?

The SPEAKER: The gentleman from Kennebunkport, Mr. Tyndale, poses a question through the Chair to anyone who may answer if he or she wishes.

The Chair recognizes the gentleman from Houlton, Mr. Haskell.

Mr. HASKELL: Mr. Speaker, Ladies and Gentlemen of the House: As explained yesterday in the House, the funding on the part of the landowners for their share of the Spruce budworm is contained in the amendment that was offered yesterday and accepted yesterday on the so-called productivity tax on the wildlands. The total amount of money involved on the part of — these costs have traditionally been split three ways: between the federal government, the state government and the land owners. The amendment that was offered yesterday will assure that the land owners, from now on in each year, will be taxed the rate of a mill and one half which will produce \$360,000, which is the largest amount that the land owners have had to contribute in any year that spray program has been undertaken.

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

Mr. BRIGGS: Mr. Speaker, Ladies and Gentlemen of the

House: I am delighted to have pointed out to us that at least these private land owners are going to pay something for the spraying of the spruce budworm in the private forests. Inasmuch as no one that I know of pays anything for spraying potatoes on our private potato patches and insofar as I know, no one pays anything for spraying our apples and other produce on our private property and our private farms, I am delighted to know that the private forest land owners will at least pay \$300,000.

I think it is important, nevertheless, to point out to the members of the House that the cost of this program, according to the L.D., is nearly a million dollars. So in a sense, ladies and gentlemen, I think you are having your pockets picked for about a million dollars to spray these forests for spruce budworm control. This is not something new. It has been going on since I was here before in 1955. And now that they are spraying, there is no way to turn back and it will be going on forever. I thought it was important to point out the cost of this according to the L. D. is \$832,000, if I am not mistaken, eight hundred and some thousand anyway.

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

Bill "An Act Providing Funds for Development of An International Conference Center on Peaks Island" (S. P. 381) (L. D. 1127)

Bill "An Act Relating to Appointment of Persons to Act As Policemen on Property of the Vocational Technical Institutes" (H. P. 980) (L. D. 1294) (C. "A" H-268)

Bill "An Act Providing Funds for Director of the State Crime Laboratory" (S. P. 446) (L. D. 1413) (Emergency)

Bill "An Act Extending the Hours of the Maine State Library" (H. P. 1216) (L. D. 1571) (C. "A" H-267)

Bill "An Act to Increase the Number and Terms of Members of the Augusta Parking District" (H. P. 1451) (L. D. 1872)

Bill "An Act to Require a Stamp to Fish for Atlantic Salmon" (H. P. 1452) (L. D. 1873)

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

Bill "An Act Relating to the Prohibition Against Hitchhiking" (H. P. 1454) (L. D. 1875)

Was reported by the Committee on Bills in the Second Reading and read the second time.

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

Mrs. BAKER: Mr. Speaker and Members of the House: As a signer of the "ought not to pass" report on this L. D., I think it is only appropriate that I call your attention to this item this morning. This L. D. 1875 is a new draft of the original bill, but it would repeal the law against hitchhiking. This bill has been before the legislature in previous sessions and has always been killed.

I object to the repeal now, even more than I did in the past, due to the increase in the traffic, in the number of cars. You may say that the enforcement is not 100 percent successful now. But is it 100 percent successful on any of the laws that we make? Think what the results would be if we repealed this law on hitchhiking. We now have plenty of hitchhikers, more than we can stand.

In my estimation one of the most serious problems is the traffic hazard created by a car pulling up to pick up a hitchhiker. And usually they notice them rather suddenly and stop and all the cars following are forced to stop. Whether they can or not is the question.

When this bill was heard before the Judiciary Committee, the chief of police of Orono testified that it would be wrong in his estimation to repeal this bill. He said it is enough of a problem as it is and it would be creating a great problem for college towns if we repeal this. They do have local ordinances, but they are not successful in applying them outside the town limits. The suggestion

was made that we have waiting stations where hitchhikers could congregate and cars could come to pick them up. The problem with that was that the property owners in the area objected. No one seemed to want these waiting stations on their property or close to their property.

Therefore, I am going to move the indefinite postponement of the bill, and when the vote is taken, I ask that it be taken by the yeas and nays.

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

Mr. MURRAY: Mr. Speaker and men and women of the House: I would like to point out first of all, this bill has been before the legislature just once before, and like a lot of bills, it needs one airing and then the second time it may be more successful. This bill, as the committee redrafted it, is not a repeal of the hitchhiking law. What it does is allow people to hitchhike if they are off the travel portion of the road.

I would like just to make a few comments about this bill. First of all, hitchhiking to a number of people in this state is a very necessary means of transportation. We are not all fortunate enough to own vehicles or we don't have the need to keep a vehicle operating. So a number of young people, and some not so young, have to rely on their fellow citizens for a means of transportation. I think it would behoove us to realize there is nothing intrinsically wrong with asking someone for help. That is all we are talking about here in this bill. Some people are asking other people for help in transportation.

I think we should also note that on the roads of this state it is legal to walk, it is legal to ride a bicycle, it is legal to park your car, it is legal to turn right or turn left, it is legal to do everything but to stand there and solicit a ride. And I believe that a hitchhiker is much more conscious of oncoming cars than any other one of these activities that I just mentioned. He is going to stand there and he is going to watch out for

every person that drives by him in hopes that one of them will stop and give him a ride. So as far as being a danger, I think that what we allow presently on our roads and streets of the state are much greater hazards.

I think you should also note that this bill would not legalize hitchhiking on the limited access highways. This, I would grant, would be a traffic hazard if hitchhikers were on the turnpike or on 95 or on any limited access road and someone was traveling along at 70 miles an hour and hit the brakes, it might be a traffic hazard. What this bill would allow is hitchhiking on the average Maine road where these other activities are already permitted.

I think we should also note that there are a lot of hitchhikers. These people, I am sure, do not want to break the law, but they are forced in a position that that is their only alternative.

I think we should also note that the national average number of people in any motor vehicle at one time is less than 1.5. And in this day and age when we are talking about ecology and preserving energy, I think it would be a good move if we could encourage more people using these vehicles at one time.

So I hope that you remember the people that are forced to use this method of transportation when you vote today.

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

Mr. DONAGHY: Mr. Speaker, Ladies and Gentlemen of the House: I hesitate to go against this bill of Mr. Murray's again this year, but he does not seem to realize his parochial position on this. He is thinking in terms primarily of University of Maine students, not necessarily just on the Orono campus but getting back and forth to the other campuses. Now, if he came from an area in the state where we have no I-95's — and we do have a great many travel-trailers and this sort of thing in the summertime and a great many hitchhikers, some questionable as far as cleanliness

is concerned; but we are finding out from our state police, they are questionable as far as the firearms they carry, questionable as far as the dope of various kinds found on these people when they are picked up. The basic problem is the danger because of stopping of these various travel-trailers quickly behind someone that has stopped for someone that is hitchhiking along the road.

Then there are two other hazards that have not been mentioned. One is to the hitchhikers themselves and the second is to the driver or passengers in the cars that are stopped. One does not have to wait very many days to find headlines of someone who has been robbed or raped or something of this nature by either the driver of the car or the hitchhikers.

Now, this is not something that we should pass on lightly. There are great problems involved in this and I think the problem is far more than the one involved in the transportation of our students between their homes and campuses and vice versa.

I hope you will all go along with the lady from Orrington on the indefinite postponement of this bill.

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

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: I rise in support of this bill and against the motion for indefinite postponement. I do not know whether this is what Mr. Donaghy meant when he said this is a bill Mr. Murray felt was good for just his area. I don't have any University of Maine in my area, I don't have anything that is loaded up with any amount of students. But I believe anyone should have the right to solicit a ride on the side of the road. I did this back when I was young, I didn't have a car. I used to hitchhike down to Massachusetts to the ball games. In fact, if it were legal, I might go out and hitchhike today because I like to hitchhike because I meet a lot of different people.

Three weeks ago I drove down to Connecticut. I picked up three young fellows from the Maine

Maritime Academy and gave them a ride into Massachusetts. I enjoyed the trip because we had good conversation all the way down.

Now, in reference to Mr. Donaghy's statement about questionable characters, uncleanness, I don't think beards and long hair has anything to do with cleanliness or uncleanness. I have picked up hitchhikers that had long hair and I can assure you people that they were much nicer than some of the people I have known with short hair or no hair at all.

No one has ever tried to roll me or rap me over the head or rob me, they have been very considerate. And these are young people that cannot afford cars. They are going to school. They are trying to get an education, and this is one way to help them. I don't see any harm in this bill, I can't see where it would cause any problems because they are not going to stand on the travel portion of the highway, they are going to stand beside the road.

Now, most of these people, and I am sure you people all know and you have seen it if you think back, they are not standing beside the road with their thumbs stuck in the air or their legs stuck out or anything like that. They are standing with a sign usually saying, New York, Connecticut or Quebec, wherever they are going. And if you want to stop, you can. There is nothing in this bill that says you have to stop.

I would hope that we would vote against the indefinite postponement and give these young people a chance.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: Frankly, I cannot see why there is any great opposition to this bill. As you come to Augusta every week or go home to your homes on the weekend, there is a number of people hitchhiking. The police departments across the state, including the state police, are not satisfied with this law. This law was put on the books in the 20's. I can't understand why it was

ever even submitted then. I think now it is up to the individual who is driving his automobile whether he cares to pick up a person or not. I don't see any reason why this law should be on the books. I support Mr. Murray's bill.

There are some areas around my locality, there are some instances where local police harass students that are going to the University of Maine. That is not fair. These individuals are having a tough enough time to find their tuition to get into these institutions and they use the thumb, to put it mildly, to get themselves back and forth from their homes.

I know when I was a youngster I used to like to go down to Lewiston. I would like to have a dollar for every time that I hitchhiked. Occasionally, I didn't always get a ride. A number of cars passed by but I don't see where there is any great concern about people getting hit over the head or robbed or anything else.

You are intelligent people in this House. If you choose to stop and pick up someone that is hitchhiking, it is up to you. It is the same way by any other individual in this state. I don't see any great alarm over this bill. I think that we should kill the gentle lady's motion and support this measure. This is just a reasonable piece of legislation and I am surprised it stayed on the books as long as it has.

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

Mr. SHAW: Mr. Speaker and Ladies and Gentlemen of the House: I don't really agree with my good friend from Bangor. Most of the state police I know are against this bill, not only the state police but the city police are.

I remember here a couple of years ago they had a small group of boys in Augusta who managed to get most of their transport by bumming. They would line up along side the road and try to get a car to stop. If the car would refuse to stop, they would take the license number down. If it was a local person, when they found that car again, they would ice pick the tires and knock the windshield out. I

guess the police managed to clean them up.

You go through Hallowell for instance. There is a lot of traffic down there. You travel pretty slow. All of a sudden somebody slaps the rear of your car and lets loose with a yell and you stop to see if you hit anybody and a half a dozen half-drunken bums are trying to get into your car.

I got a complaint of a lady over on Riverside Drive. A fellow who was bumming, he got out on the road. Traffic was heavy and I guess she was afraid of hitting him so she stopped. The next thing she knew, four boys were crowding in the car with her and she was extremely unhappy about it.

I agree that a lot of the people who are bumming are perfectly legitimate bums but you have got just enough hoodlums and half-drunken people who will do as this pair did in Portland about a year ago. They bummed a ride. They stuck a knife in a man's ribs. They got him out to the edge of the city. Then they knifed him and rolled him into the ditch, stole his car, stole his wallet and took off. They managed to catch both of them and they are both in Thomaston right now. I think this law is needed to control these areas and I hope that we indefinitely postpone the bill.

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

Mr. BRAUN: Mr. Speaker and Ladies and Gentlemen of the House: My good friend from Skowhegan, Mr. Dam, said that these long-haired fellows were just as good and he would pick them up a lot quicker than he would a fellow without any hair. I can see I have got to walk.

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

Mr. NORRIS: Mr. Speaker and Ladies and Gentlemen of the House: Very briefly, from what my good friend from Chelsea, Mr. Shaw, has to say, apparently the present law isn't very effective. So I can't see any reason why we shouldn't do away with it.

Two years ago I was against this but I have seen the error of my

ways. I have been caught a couple of times out of gas on the turnpike and I had to hitchhike. Up at Sugarloaf I hitchhiked or have hitchhiked several times to the mountain from where I stay. I did it. I broke the law but I can't see that there is any need to keep this archaic law on the books any longer and I go along with Mr. Murray and Mr. Kelleher this morning.

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

Mr. GOODWIN: Mr. Speaker and Ladies and Gentlemen of the House: I would just like to reiterate what Mr. Norris just said. From the arguments that the gentleman from Chelsea just stated, this law does not seem to have been very effective.

I would like to say also that for two years I hitchhiked from South Berwick to Orono. I was going to the University of Maine and I realized all the time that I was breaking the law but there was no other way that I could get to school and I know many people who still are doing this now. I feel that by keeping this law on the books we are forcing many people to break the law in order to get an education just to get where they are going. I don't think that we should penalize somebody just because they cannot afford a car or don't want the responsibility or the cost of owning a vehicle, and I feel that we should kill this motion to indefinitely postpone this bill.

The SPEAKER: The Chair recognizes the gentleman from Saco, Mr. Hobbins.

Mr. HOBBS: Mr. Speaker and Members of the House: I would like to concur with the gentleman from Bangor, Mr. Murray, because I find that my conscience has been bothering me because you probably heard of my famous car for the last two weeks and the problems that I have had.

Well, I feel that I must bare my soul and tell you that I have been breaking the law for the last two weeks and been using my thumb from the motel in which I stay. So I hope you do — because hitchhiking is a necessity, I have

found so in the last two weeks — I hope you will not go along with the gentlewoman and indefinitely postpone this bill.

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

Mr. MULKERN: Mr. Speaker and Members of the House: I would like to concur with Mr. Dam's remarks. Just today, I don't know if any of you people in the House have read today's morning Portland Press Herald. I happened to pick out a little article about two young teenagers who were picked up by the police in York County and spent the night in York county jail for hitchhiking; and while they were there, they had their hair sheared off by the inmates and I think this is a great source of embarrassment for these kids and it really was kind of foolish for them to have them put in the county jail in the first place merely for hitchhiking.

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

Mr. PERKINS: Mr. Speaker and Ladies and Gentlemen of the House: I would just like to say that a week ago I ran out of gas on the way up here, one of these early morning sessions; and unfortunately, sitting beside the road, I wondered what I was going to do about it because I was some distance from a filling station. I concluded that I, too, was going to have to break the law and get out and thumb if I was going to get up here and earn my day's pay. So I did proceed to get out on the highway and I am sure I must have looked freakish compared to most of the hitchhikers today. Before I got a chance to get a ride by any individual who might stop and pick me up, I did see a trooper coming along with his blue light on and it shook me up a great deal. The fact was he was chasing the car in front of him and he stopped about 200 yards up the road, so I managed to get a ride with him even though I took my thumb down before he arrived.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Everybody is getting into the act so I might as well get in myself. As the state's greatest hitchhiker, as a matter of fact, I bummed a ride from Lewiston to the Senator Motel this morning and got off there and had my breakfast. The tab was picked up by somebody else. Then I bummed a ride from the Senator with my good friend from Lewiston, the representative from Lewiston, Mr. Cote.

I have got to tell you a story that is a true story. And my hitchhiking days go back a little bit. I needed more college credits back in the very early fifties and I wanted to go to law school. I was not a veteran so I used to bum to Portland and then bum to the legislature. On this particular afternoon I was standing on the Baxter Boulevard, at the entrance of Baxter Boulevard and there came along this beautiful black Caddy. It stopped. I didn't — I'll put it this way, I just stood by the side of the road like the youngsters do today with a sign Boston, Portland, whatever it is. They don't hit you over the head. So I just stood there. This car stopped, I got in. Because as time goes on, the way to Augusta, the gentleman asked me where I was going. I told him Augusta. So am I. He said he was going to a meeting to testify for the University of Maine. He was going to a meeting of the Appropriations Committee and I said, "Is that so?" Things went on and he started out on the gentleman from Lewiston and believe me — this is so so help me. I am not going to repeat the adjectives but if anybody cares later on to listen to some of the conversation, it is all right with me. We did, however, become friends.

In those days we used to have the Appropriations room where the museum is. The very first door as you came in the back you opened the door. When you go out now, you opened the door and there was the Appropriations room. So

he left me off at the corner of the Augusta House. We shook hands and goodbye, goodbye, and see you later and thank you very much. So I was almost the doorkeeper. Sometimes they would knock to come in. In any event, my chair — when you opened the door, you had to face me and sure enough, about one thirty-five the door opened and there stood my friend who had given me a ride. He testified and when he got through testifying, believe you me, he took his ride back because I gave him a lacerating the likes of which I don't think I ever gave anybody else for the information he supplied me on the way from Portland to Augusta. I will go along with the bill.

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

Mr. DAM: Mr. Speaker and Ladies and Gentlemen of the House: In reference to my good friend from Chelsea, Mr. Shaw's remarks, I would like to say that I have only been through Chelsea once but I can assure him that if he has got those kind of characters in Chelsea, I am not going through there again. Maybe my town or the towns I have been in in my area, in Somerset it is a little different than in Chelsea but I haven't run into the class of people that he referred to in his remarks.

As far as my good friend, Mr. Brawn, is concerned, I can assure him that I will pick him up if he is hitchhiking because I am fast approaching the stage that Mr. Brawn is in now.

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

Mr. DONAGHY: Mr. Speaker and Ladies and Gentlemen of the House: With all the levity here, I feel that I am probably fighting a losing cause here. But we don't have to go any farther than our Sunday paper to tell us about two youngsters who were kidnapped by two people that had been hitchhiking, picked up, taken by the goodness of their heart into the home of the driver and before it was over with, two children had been kidnapped and fortunately

they were not molested but God knows what could have happened.

I feel it would not be right for me not to relate an experience of my own. I hope you will pardon it. As a young person — I was young at one time — I had a somewhat younger youngster that used to trail around behind myself and my pal and we used to hitchhike, too. But there wasn't as much traffic on the road and things in those days were quite different. As a matter of fact, there were in our area very few cars. We had to hitchhike on trucks usually. But this youngster had a rather hard life growing up and he went through the service in World War II, came back, studied, got himself a good job with the telephone company and bought his first car, was driving along down here near Rockland as a matter of fact. It wasn't up in the wollywags where I come from and he picked up two boys from Dow Field. They were in uniform. They had been fellow servicemen in one sense of the word, I expect, and I had a very unpleasant experience and this doesn't describe it at all, of going to a sheriff's department meeting one night and saw the pictures of my young friend or his cadaver out on a slab with the bullet holes through him where he had been killed by these servicemen from Dow Field and if you want something like this to continue happening in your family or with your friends, go ahead, kill the bill.

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

Mr. PETERSON: Mr. Speaker and Members of the House: I will be very brief. I would like to remind members of the House that members of the service who are serving this country, the young boys who are called on to do duty oftentimes do not have cars on base, especially during their basic training and have to use their thumb and hitchhike home to see their parents on weekends. I see many people who have been picked up that are in uniform and delivered to an unnumbered highway to hitchhike a ride home. I think they ought to have this

means available to them and I don't think that we should forget those who serve this country.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I agree with the gentlewoman from Orrington that this bill should be done away with. I don't think that hitchhikers have that much problem, not the legitimate ones. I pick up quite a few and I hitchhike too. I have never been frisked. I have never had one of these officers go through my pockets, but I do know that it is a deterrent to the extent that these officers that I talked with in my area, I was asked by them to see that my influence was used that this bill didn't pass because they say that these undesirable characters, if they want to make a little check on them they have a reason to.

I don't know of any people in the service or any legitimate hitchhiker in my area being harassed by the law. They most always pick them up and give them a lift. As a matter of fact, they generally do. I don't see where we are having any great problems with hitchhiking, unless it is someone who is carrying pot or something worse in his pocket or a gun and it is a deterrent to an extent where the officer now can stop them under the pretense that they are hitchhiking. It is against the law and they can kind of check them over a little. Without this law, if you make it legal, they will have no reason to check them out a little, especially if they are quite sure that they are undesirable characters.

Now, I might say too that the police force in this state is not great enough so that they can harass everybody, especially every hitchhiker, but they do try to look out for the undesirable ones and they generally have a pretty good reason to want to inspect some of these people and I hope that this law doesn't pass and I wouldn't want to do it if it was going to stop me from hitchhiking or any of my colleagues or any servicemen, but I have a good

reason to believe that they are still going to hitchhike and they are still going to get a ride and I am still going to pick up people when I drive. But I do think that it is a little bit of insurance for the police force and I hope that we keep the law as it now is. To do that, I will have to go along with the gentlewoman from Orrington, Mrs. Baker.

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

Mr. HENLEY: Mr. Speaker and Ladies and Gentlemen of the House: I have been listening to the debate. There is one point of view which seems to be prevalent at the hearings on this bill. The same thing occurred two years ago before the same committee. One thing that amazes me a bit and of course it is a part of our present, you might call it, social revolution today, and that is the feeling that one has at the hearing that so many of the young people feel that we who have automobiles are really responsible for sharing those cars with them.

Now we read in the papers every session and every year of these conventions where the high school and the college students go on their vacation. They go to Florida. They go to the islands. I have got a grandson who went to Europe on his vacation and still he insists that why should he own a car when he can step out and ride with somebody else that does have one.

He wants to save his money for going to Europe, for going to Florida and lying around on the sand during the vacation. It is the attitude, one of the points that I don't like, the attitude of today of saying, "What is yours is mine."

I never hitchhiked. I have done a lot of walking when I was younger, walked a good many miles, but nowadays a youngster, if he wants to go from upper Main Street down to the drugstore, he stands on the corner and waits to get a ride. I think that whether this law is kept alive or whether it dies, you are still going to have college students and military people hitchhiking and they are going to get some rides.



Personally I just haven't a lot of times dared to pick up people, especially from out of state making long trips. Whether anybody who likes what I say or not, I have seen some characters on the road that I hardly dared to go by, say nothing about picking them up. That is just my point of view. Of course I am an old fogey but, nevertheless, the bill was killed two years ago. I feel that anytime we will ease up restrictions on a law which is supposed to control public safety, just the minute you ease it up you are admitting defeat, that a law shouldn't be there and we are taking it off just because there seems to be violations. There are violations of all laws but we don't cancel them out because of that.

I shall certainly go along with Mrs. Baker on her motion for indefinite postponement.

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

Mr. BINNETTE: Mr. Speaker and Ladies and Gentlemen of the House: I rise this morning with sort of a mixed feeling. I am a great violator of picking up a lot of these hitchhikers and I have been warned on several occasions by many people that I shouldn't do it. After all, you don't know who you are taking and you are liable for an accident if you do pick them up.

Every now and then you read in the press where some hitchhikers have taken over the driver of a car, left him stranded and taken off with his car. Those are things that are really impossible to stop. As far as the law is concerned which we have at the present time on the books, we have a lot of hitchhikers; we don't have to pick them up if we don't want to. So I don't see why we have got to get rid of this law and I think I am going to follow Mrs. Baker's idea.

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

Mr. GOODWIN: Mr. Speaker and Ladies and Gentlemen of the House: I think the reason we should get rid of this law is because I agree there are many

cases that perhaps a policeman might have a reason to stop and check out a person, but in most cases that I know of and spending four years in Orono, I know of many cases that I can relate here of people who were picked up just going into town or into Bangor, going to their classes or something and ending up with a ten or fifteen dollar fine. I think this is getting a little ridiculous. I think that without this law, if a policeman wants to stop and ask questions of the person hitchhiking, fine. But there is no reason why we should penalize these people, make them go to court, make them have a court record and pay a fine.

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

Mr. LYNCH: Mr. Speaker and Ladies and Gentlemen of the House: I have a very fundamental dislike of having any law on the books of the State of Maine that is so widely ignored and violated. Are we to have motor vehicle laws that can be interpreted according to the thinking of the individuals? If it is a good law, leave it on the book. If it is not going to be enforced, let's take it off.

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

Mr. MILLS: Mr. Speaker and Ladies and Gentlemen of the House: You probably all know that outside of Representative Martin I travel the longest distance in the State of Maine to and from the legislature. In the sessions that I have attended here, I often stop and pick up these hitchhikers. I have picked them up from Portland Southern Vocational Tech, brought them clean up to Calais and turned around and gone back to Eastport on a rainy day. I do not find that these young people who are trying to get an education should be picked up from the side of the road by any police department and carried into a police station and interrogated and then let out at the police station to try to find their way from where they started from.

There are also many instances — and these are a very small

minority — of violence from hitchhikers. There is no question in my mind that these people should have been checked long before they were ever out on the road hitchhiking. That could be done in the municipalities where they have their local police departments.

As far as the Vo-Tech school students are concerned, in my travels going through Whiting which is the road to Lubec, I have picked up hitchhikers out there who are going up to Calais and to Presque Isle. I have also picked up the ones coming down from Danforth that were leaving Presque Isle Vo-Tech, coming down to Eastport, Jonesport and other points along the coast.

I do think that this thing has been on the books long enough. I think we ought to repeal this law and try to give some help to the young people who are trying to get navigation or transportation, call it what you will, to and from the place of education.

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

Mrs. WHITE: Mr. Speaker and Members of the House: I support the gentlewoman from Orrington, Mrs. Baker. Much as I like to help people who need a ride, I feel that the dangers involved are too great, or may be too great. So I shall continue to give rides to those people I know, but I shall vote against this bill today.

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

Mr. CARRIER: Mr. Speaker and Members of the House: In regard to L. D. 1875, I can say to you that this is a very deceitful bill. The proponents of said bill, say that we have to get rid of the archaic laws that we have on hitchhiking. Well I want to submit to you that they are not getting rid of the hitchhiking laws even if you approve 1875. They are, in fact, getting into a hitchhiking law which is tougher than the one that is on the books.

It is also said by many people that they have used this law this way or this method in order to get their education. Maybe this is

so, but I don't agree with them. I think this is very poor planning. When I decided to go to college or my boy decided to go to college, we made arrangements providing for tuition. We made arrangements providing for travel, how they were to get there. This might be a new and an exciting way to do things, to hitchhike. On the other hand, I am extremely concerned about the hitchhikers. When alone I do not pick up any hitchhikers and I don't plan to and if I ever do I will probably head towards Alfred or somewhere down there.

But I can say to you that actually one of the reasons why I think this bill is extremely dangerous, it is not only dangerous to the young people today, the hitchhikers themselves are of all kinds of character and so are the drivers on the road. So there is a certain element of danger on both sides. But especially there is an element of danger to the young woman who today chooses to hitchhike. It should not be a matter of choice, because due to all kinds of walking — and I have walked many a time in my life and when I do walk, I walk ten miles a night and maybe that is not enough because I think it is good to walk.

They don't have the energy to walk to school but they have the energy to run around at nighttime. I don't think this is right. I think they should make arrangements to go to school. I hitchhike to come to the legislature but in a different way. We make arrangements to get here. I don't get on the road and hitchhike as such.

I submit to you that this bill here, if you read very carefully the things that have been put in there, is not a good bill. Probably the opponents of this bill are actually more concerned about the safety of the hitchhikers than anything else. I am very concerned about the safety of the hitchhikers from my vicinity, and I would be less if they were hitchhikers from out of state. I don't want to see them on the road. I don't appreciate their looks and I sure as heck am not going to give them a ride. So I will vote and support the indefinite postponement of this bill.

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

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

The **SPEAKER**: The pending question is on the motion of the gentlewoman from Orrington, Mrs. Baker, that this Bill "An Act Relating to the Prohibition Against Hitchhiking," House Paper 1454, L. D. 1875, and all accompanying papers be indefinitely postponed. All in favor of indefinite postponement will vote yes; those opposed will vote no.

#### ROLL CALL

**YEA** — Ault, Baker, Berry, P. P.; Binnette, Birt, Bragdon, Brawn, Brown, Cameron, Carey, Carrier, Chick, Cressey, Crommett, Davis, Donaghy, Dudley, Dunn, Farnham, Farrington, Gauthier, Hamblen, Hoffses, Immonen, Kelley, Kelley, R. P.; Keyte, Knight, Lewis, E.; Littlefield, MacLeod, Maddox, McHenry, McNally, Merrill, Morin, L.; Morton, Parks, Pratt, Shaw, Shute, Stillings, Theriault, Trask, Trumbull, White, Willard.

**NAY** — Berry, G. W.; Berube, Bither, Boudreau, Briggs, Bunker, Carter, Chonko, Churchill, Clark, Conley, Connolly, Cooney, Cote, Cottrell, Curran, Curtis, T. S., Jr.; Dam, Deshaies, Drigotas, Dunleavy, Dyar, Emery, D. F.; Evans, Farley, Faucher, Fecteau, Ferris, Finemore, Flynn, Fraser, Gahagan, Garsoe, Genest, Good, Goodwin, H.; Goodwin, K.; Greenlaw, Hancock, Haskell, Herrick, Hobbins, Huber, Hunter, Jackson, Jacques, Jalbert, Kelleher, Kilroy, LaCharite, LaPointe, LeBlanc, Lewis, J.; Lynch, Mahany, Martin, Maxwell, McCormick, McKernan, McMahon, McTeague, Mills, Morin, V.; Mulkern, Murchison, Murray, Najarian, Norris, O'Brien, Palmer, Perkins, Peterson, Pontbriand, Ricker, Rolde, Rollins, Ross, Sanctoro, Simpson, L. E.; Smith, D. M.; Smith, S.; Sproul, Susi, Talbot,

Tanguay, Tierney, Tyndale, Wheeler, Whitzell, Wood, M. E.; The Speaker.

**ABSENT** — Bustin, Dow, Henley, Hodgdon, Lawry, Sheltra, Silverman, Soulas, Strout, Walker, Webber.

Yes, 47; No, 91; Absent, 12.

The **SPEAKER**: Forty-seven having voted in the affirmative and ninety-one in the negative, with twelve being absent, the motion does not prevail.

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

#### Order Out of Order

Mr. Finemore of Bridgewater presented the following Order and moved its passage:

**ORDERED**, that Scott and Kent Finemore of Tilton, New Hampshire be appointed Honorary Pages for today.

The Order was received out of order by unanimous consent, read and passed.

Bill "An Act Relating to Civil Action for Alienation of Affection" (H. P. 1455) (L. D. 1876)

Was reported by the Committee on Bills in the Second Reading, read the second time, passed to be engrossed and sent to the Senate.

On the disagreeing action of the two branches of the Legislature on Bill "An Act Raising the Maximum Age of a Juvenile Offender" (H. P. 489) (L. D. 643) the Speaker appointed the following Conferees on the part of the House:

Messrs. **WHITZELL** of Gardiner  
**McKERNAN** of Bangor  
**PERKINS**  
of South Portland

#### Emergency Measure Tabled and Assigned

An Act Relating to Use of Studded Tires on Motor Vehicles (S. P. 79) (L. D. 196) (S. "B" S-71) (S. "C" S-79)

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

(On motion of Mr. Ault of Wayne, tabled pending passage to be enacted and specially assigned for Thursday, April 26.)

**Emergency Measure  
Tabled and Assigned**

An Act to Create Hospital Administrative District No. 4 in Piscataquis, Somerset and Penobscot Counties (H. P. 515) (L. D. 681) (C. "A" H-222)

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

(On motion of Mrs. White of Guilford, tabled pending passage to be enacted and specially assigned for Thursday, April 26.)

**Passed to Be Enacted  
Emergency Measure**

An Act Relating to Allocations from the General Highway Fund for the Repair of Certain Bridges in Baxter State Park (H. P. 1072) (L. D. 1397)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 121 voted in favor of same and 2 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Emergency Measure**

An Act Relating to Additional Roads on Indian Reservations at Pleasant Point and Indian Township (H. P. 1141) (L. D. 1476)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 113 voted in favor of same and 2 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Passed to Be Enacted**

An Act to Establish a State Veterans Home (S. P. 436) (L. D. 1340) (C. "A" S-78)

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.

**Enactor  
Tabled and Assigned**

An Act Increasing License Fee for Nurserymen (H. P. 1019) (L. D. 1342) (C. "A" H-224)

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

(On motion by Mr. Garsoe of Cumberland, tabled pending passage to be enacted and specially assigned for Thursday, April 26.)

An Act to Exempt Sales to Institutionalized Persons from the Sales Tax (H. P. 426) (L. D. 575)

An Act Repealing the Distribution of the Railroad Tax (H. P. 552) (L. D. 733)

An Act to Prohibit Interference with Signalling or Safety Devices used for Work on Public Ways (H. P. 705) (L. D. 910)

An Act Relating to Competitive Bids and Fair Minimum Wages for Construction of Public Improvements (S. P. 388) (L. D. 1134) (S "A" S-83)

An Act Relating to Motorcycle or Motor Driven Cycle Learner's Permit (H. P. 949) (L. D. 1246) (C "A" H-223)

An Act Providing for Group Insurance for National Guardsmen Called up to State Active Duty (H. P. 1131) (L. D. 1466) (C "A" H-225)

An Act Relating to Organization of Unincorporated Townships (H. P. 993) (L. D. 1313)

An Act Relating to Wild Animals in Captivity (H. P. 1024) (L. D. 1346)

An Act Providing Funds for Fishway on the Kennebec River (H. P. 1193) (L. D. 1544)

An Act Relating to Delinquent Dog Taxes (H. P. 1208) (L. D. 1560)

An Act to Raise the Classification of Certain Surface Waters in the Town of Scarborough (H. P. 1423) (L. D. 1747) (S. "A" S-80)

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

### Enactor Tabled and Assigned

An Act Relating to Dealers in Used Personal Property (S. P. 578) (L. D. 1769)

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

The SPEAKER: The Chair recognizes the gentleman from Wayne, Mr. Ault.

Mr. AULT: Mr. Speaker, Ladies and Gentlemen of the House: I agree with the intent of this bill, as I believe it is to allow law enforcement agencies to trace antiques or other valuable second-hand items that have been stolen. But I would like to ask any member of the Business Legislation Committee if they will give me a definition of the word "dealer" since it isn't in the piece of legislation.

The SPEAKER: The gentleman from Wayne, Mr. Ault, poses a question through the Chair to anyone who may answer if he or she wishes.

Thereupon, on motion of Mr. Ault of Wayne, tabled pending passage to be enacted and tomorrow assigned.

An Act Establishing the Maine Training Fund (S. P. 587) (L. D. 1805)

### Finally Passed

Resolve Authorizing Conveyance of State Land and Easements to City of South Portland for Sewage Collection and Treatment Project (H. P. 941) (L. D. 1237)

Resolve to Reimburse Bass Shoe Employees Federal Credit Union for Damage to Property by Escapees of Women's Correctional Center (H. P. 1036) (L. D. 1361)

Resolve to Reimburse Mrs. Wellington E. Fildes of Patten for Payment of Malt Liquor License. (H. P. 1214) (L. D. 1565)

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

### Orders of the Day

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

Bill "An Act to Include Operators of Industrial Wastewater Treatment Plants in the Operator Certification Program" (S. P. 478) (L. D. 1534)

Tabled — April 20, by Mr. Martin of Eagle Lake.

Pending — His motion to insist.

Mr. Martin of Eagle Lake withdrew his motion to insist.

On motion of Mr. MacLeod of Bar Harbor, the House voted to insist and ask for a Committee of Conference.

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

Bill "An Act to Authorize Eleven New Regions and Central Aroostook County for Vocational Education" (S. P. 110) (L. D. 255) (Emergency)

Tabled — April 20, by Mr. Haskell of Houlton.

Pending — Motion of Mr. Shute of Stockton Springs to reconsider adoption of Committee Amendment "A" (S-56).

On motion of Mr. Haskell of Houlton, retabled pending the motion of Mr. Shute of Stockton Springs to reconsider adoption of Committee Amendment "A" and specially assigned for Thursday, April 26.

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

Bill "An Act Reducing Tax on Pari-Mutuel Pools" (H. P. 898) (L. D. 1186) (Emergency)

Tabled — April 20, by Mr. Martin of Eagle Lake.

Pending — Passage to be enacted.

The SPEAKER: This being an emergency measure, a two-thirds vote of all the members elected to the House is necessary. All in favor of this being passed to be enacted as an emergency measure will vote yes; those opposed will vote no.

A vote of the House was taken.

Thereupon, Mr. Martin of Eagle Lake requested a roll call vote.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call, it must have the expressed desire of one fifth of the members present and voting. All

those desiring a roll call vote will vote yes; those opposed will vote no.

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

The SPEAKER: The pending question is on passage to be enacted. This being an emergency measure, a two-thirds vote of all the members elected to the House is necessary. All in favor of that motion will vote yes; those opposed will vote no.

### ROLL CALL

YEA — Albert, Ault, Berry, P. P.; Binnette, Birt, B i t h e r, Boudreau, Briggs, Brown, Bunker, Carrier, Carter, Chick, Chonko, Clark, Cooney, Cote, Cottrell, Cressey, Crommett, Curran, Dam, Davis, Deshaies, Drigotas, Dudley, D u n l e a v y, Evans, Farley, Farnham, Farrington, Faucher, Fecteau, Ferris, Finemore, Flynn, Fraser, Gahagan, Genest, Good, Goodwin, H.; Goodwin, K.; Greenlaw, Hancock, Haskell, Herrick, Hobbins, Hoffses, Immonen, Jalbert, Kelleher, Kelley, Kelley, R. P.; Keyte, Kilroy, K n i g h t LaCharite, LaPointe, L e B l a n c, Lewis, E.; Littlefield, Lynch, Maddox, Mahany, Martin, Maxwell, McCormick, McKernan, McNally, McTeague, Merrill, Mills, Morin, V.; Morton, Mulkern, Murray, O'Brien, Parks, Peterson, Pratt, Rolde, Ross, Santoro, S h e l t r a, Simpson, L. E.; Smith, D. M.; Smith, S.; Sproul, Stillings, Susi, Talbot, Theriault, Tierney, Trask, Trumbull, Tyndale, W a l k e r, Wheeler, White, Whitzell, Wood, M. E.

NAY — Baker, Berry, G. W.; Berube, Bragdon, Brawn, Carey, Churchill, Conley, Connolly, Curtis, T. S., Jr.; Donaghy, Dunn, Emery, D. F.; Garsoe, Gauthier, Hamblen, Hunter, Jackson, Jacques, Lewis, J.; MacLeod, McHenry, McMahon, Morin, L.; Murchison, Najarian, Palmer, P e r k i n s, Pontbriand, Rollins, Shaw, Shute, Tanguay, Willard.

ABSENT — Bustin, Cameron, Dow, Dyar, Henley, H o d g d o n, Huber, Lawry, Norris, Ricker, Silverman, Soulas, Strout, Webber.

Yes, 101; No, 34; Absent, 14.

The SPEAKER: One hundred one having voted in the affirmative and thirty-four in the negative, with fourteen being absent, the motion does prevail.

Signed by the Speaker and sent to the Senate.

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

Mr. SUSI: Mr. Speaker, having voted on the prevailing side, I would move that we reconsider our action whereby this was passed to be enacted and I hope you vote against me.

The SPEAKER: The gentleman from Pittsfield, Mr. Susi, moves that the House reconsider its action whereby this Bill was passed to be enacted as an emergency measure. All in favor of reconsideration will say yes; those opposed will say no.

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

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

Bill "An Act to Revise the Election Laws" (S. P. 493) (L. D. 1535)

Tabled — April 20, by Mr. Simpson of Standish.

Pending — Passage to be engrossed.

On motion of Mr. Simpson of Standish, recommitted to the Committee on Election Laws in non-concurrence and sent up for concurrence.

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

Resolution Proposing an Amendment to the Constitution Providing for Regulation of Municipal Borrowing by the Legislature (S. P. 586) (L. D. 1804)

Tabled — April 20 by Mr. Simpson of Standish.

Pending — Passage to be engrossed.

On motion of Mr. Simpson of Standish, retabled pending passage to be engrossed and specially assigned for Thursday, April 26.

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

Bill "An Act to Increase the Authorized Bonding Limit of the Maine State Housing Authority" (Emergency) (S. P. 434) (L. D. 1339)

Tabled — April 20, by Mr. Birt of East Millinocket.

Pending — His motion to reconsider whereby passage to be enacted failed.

The SPEAKER: The Chair recognizes the gentleman from Standish, Mr. Simpson.

Mr. SIMPSON: Mr. Speaker and Ladies and Gentlemen of the House: I believe that we should face reality with this bill and realize that we are not going to be able to enact it with the present bill in its form for \$100 million. I do believe in all sincerity that we should put some type of an amendment on the bill whereby we do increase the bond indebtedness of the State Housing Authority so that they can continue to operate.

The State Housing Authority was created by this legislature and I know that it has had its problems in the past. We have a new director at the Housing Authority at the present time. I have had a chance to talk with the gentleman a good many times and I am impressed with the gentleman. I do not know as I would go along with the idea of giving him a \$100 million all of a sudden to start spending. I would like to see him grow into the job a little bit. But I do feel that we should back this bill up and put the amendment on it that you have on your desks at the present time. And if a motion comes forth shortly, which I believe it will, to ask for suspension of the rules and back it up to put an amendment on it, I hope that you would support it.

On motion of Mr. Haskell of Houlton, under suspension of the rules, the House reconsidered its action whereby this Bill was passed to be engrossed.

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

House Amendment "C" (H-236) was read by the Clerk.

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

Mr. HASKELL: Mr. Speaker and Ladies and Gentlemen of the House: This amendment will increase the bonded indebtedness to \$60 million, which will allow the Housing Authority sufficient authority to carry them for the biennium and in my opinion will make it necessary that they come in at the next regular session for additional bonding authority.

If this authority is going to stay in business, they have got to have an increase in their bonding authorization and it is very apparent that the disposition on the part of the House is to review this at the next regular session.

I think this amendment is a sensible compromise and I hope you will support it.

Thereupon, House Amendment "C" was adopted.

The Bill was passed to be engrossed as amended in non-concurrence and sent up for concurrence.

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

Bill "An Act Relating to License Fees and Penalties for Non-Residents in the Private Detective Business" (S. P. 320) (L. D. 987)

Tabled — April 20, by Mr. Emery of Rockland.

Pending — Motion of Mr. Goodwin of South Berwick that the rules be suspended for reconsideration.

Thereupon, the rules were suspended.

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

Mr. GOODWIN: Mr. Speaker, I move we reconsider our action whereby Committee Amendment "A" was adopted.

The SPEAKER: The gentleman from South Berwick, Mr. Goodwin, moves the House reconsider its action whereby Committee Amendment "A" was adopted.

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

Mr. GOODWIN: Mr. Speaker, Ladies and Gentlemen of the House: The original bill, L. D. 987 was put in to bring the present licensing fees for private detectives

and agencies into line with the present resident fees after the Maine Supreme Court ruling in the State of Maine vs. Cohen.

The present nonresident fees are \$200 for a private detective and \$1,000 for an agency. This particular amendment would raise that up to \$400 for a private detective and bring it down to \$500 for an agency. I feel this is contradictory to the bill. I also feel this is contradictory to the Supreme Court ruling and I feel we should indefinitely postpone this and pass L. D. 987.

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

Mr. EMERY: Mr. Speaker, Ladies and Gentlemen of the House: I have here a letter addressed to Representative Laurence Connolly, dated April 19, 1973, from George C. West, Deputy Attorney General. Essentially, this letter confirms the remarks just made by the gentleman from South Berwick. Essentially, a differential in license fees from resident to nonresident in most cases, with a couple of notable exceptions, is constitutional. Now, someone is bound to pop up and say well what about hunting and fishing licenses. Well, the difference between hunting and fishing licenses, in this particular case, is the fact that hunting and fishing licenses apply to fish and game. Fish and game is considered to be a property of all the people of the state of Maine together.

This is the result of a case that was passed down several years ago from the state Supreme Court. Therefore, with this committee amendment and having checked into this situation in the last couple of days, I would have to support the motion to indefinite postponement of committee amendment "A".

Thereupon, the House reconsidered its action whereby Committee Amendment "A" was adopted.

On motion of Mr. Goodwin of South Berwick, Committee Amendment "A" was indefinitely postponed.

The Bill was passed to be engrossed in non-concurrence and sent up for concurrence.

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

Bill "An Act to Prohibit Interlocking Directorates in Banking Institutions" (S. P. 575) (L. D. 1766)

Tabled — April 20, by Mr. Bragdon of Perham.

Pending — Passage to be engrossed.

Senate Amendment "A" (S-81) was read by the Clerk and adopted in concurrence.

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

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

Bill "An Act Amending the Maine Tree Growth Tax Law" (H. P. 1073) (L. D. 1411)

Tabled — April 23, by Mr. Dam of Skowhegan.

Pending — Motion of Mr. Haskell of Houlton to adopt House Amendment "A" (H-261).

Thereupon, House Amendment "A" was adopted.

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

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

Bill "An Act to Create a Commission to Prepare a Revision of the Probate Laws and the Administration Thereof" (H. P. 1045) (L. D. 1373) (H. "A" H-217)

Tabled — April 23, by Mr. Simpson of Standish.

Pending — Passage to be enacted.

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

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

Bill "An Act to Validate Land Title in the Wildlands" (H. P. 1436) (L. D. 1794)

Tabled — April 23, by Mr. Donaghy of Lubec.

Pending — Passage to be enacted.



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

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

Bill "An Act Designating Columbus Day a Legal Holiday" (H. P. 989) (L. D. 1309)

Tabled — April 23, by Mr. Emery of Rockland.

Pending — Motion by Mr. Farnham of Hampden to adopt House Amendment "A" (H-256).

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. O'Brien.

Mr. O'BRIEN: Mr. Speaker, Ladies and Gentlemen of the House: I rise this morning in support of my good friend Doctor Santoro, from Portland, and ask you not to accept House Amendment "A" because actually what this amendment will do is kill the bill. This bill came out of the committee with an unanimous "ought to pass" report.

The bill calls for the second Monday in October to be a legal holiday. Now, here in Maine the month of October is a beautiful month; it is a month that I believe the working people in our factories and our mills are deserving of a holiday before the Maine winter sets in. After all, this is the very reason that Labor Day was passed, because the people in labor industry felt that they deserved the last holiday of the summer before the winter months set in.

So we have Labor Day in September, and we would like to have Columbus Day the second Monday in October. We have moved Veterans Day back into November. We have Thanksgiving in November. We have Christmas in December, New Year's Day in January, Washington's Birthday in February, St. Patrick's Day in March, and you may not believe this is a national holiday but it definitely is. Someone is going to rise and say that St. Patrick's Day is not a national holiday but they recognize it as a holiday all over the world. We have Patriots Day in April, Memorial Day in May. Then we come back in the lazy-

hazy days of summer again. So for these reasons I firmly believe and support the gentleman from Portland and support the unanimous report of the committee that Columbus Day should be a state holiday.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I would agree with the gentleman from Portland, Mr. O'Brien, concerning the gentleman from Portland, Mr. Santoro, and his effort. However, the gentleman from Portland, Mr. O'Brien, dwelt a great deal on March and St. Patrick's Day. I would like to have him do a little research when he has a little time to find out that the gentleman in concern, St. Patrick, was a good, God loving Frenchman.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: In defense of the Committee on Legal Affairs of which I am a member, this was a unanimous report without the amendment. I hope you do not adopt the amendment. With the amendment in there I am sure it would not have been a unanimous report of the committee.

Now I think I should tell you one of the chief reasons why the committee was unanimous on this report without the amendment. Commerce coming into this state was one of the biggest things. Other states around us recognize this particular day so the truckers in this state are put to quite a disadvantage not being able to pick up freight coming into this state and there were many others, but this is one of the chief ones. The Maine Trucking Industry was one of the chief advocates of this holiday because of their not being able to pick up incoming freight. They still had to keep the crews with nothing to do. There were many others, but this was one of the outanding ones.

However, I won't take the time to go into all of them, there were many. It was a unanimous committee report, bear this in

mind, without the amendment. So I hope the amendment does not carry.

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

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: For many years I was on the Labor Committee. I was House Chairman once and Senate Chairman another time. And in those days there were not too many states that had Columbus Day as a legal holiday. Consequently, industry always opposed it and it became my lot to oppose it here in the House and also when I was in the Senate. However, now the majority of the states celebrate Columbus Day as a legal holiday, and industry has decided they certainly are willing to go along. It will be a benefit for the working man and I certainly agree with the original bill making it a genuine legal holiday.

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

Mr. SANTORO: Mr. Speaker, I move the amendment be indefinitely postponed and the bill would pass as it is.

The SPEAKER: The gentleman from Portland, Mr. Santoro, moves that House Amendment "A" be indefinitely postponed.

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

Mr. FARNHAM: Mr. Speaker, Ladies and Gentlemen of the House: I well realize when I am swimming against the tide. Possibly my objection to having both of these holidays of Martin Luther King and the Columbus Day holiday made into legal holidays is the disruption it does cause and perhaps a little bit of jealousy in that I was not smart enough to introduce a bill making a national holiday for the birth date of Bobby Burns, for a man is a man for all that and all that. Next year we can probably do that.

The SPEAKER: The pending question is on the motion of the gentleman from Portland, Mr. Santoro, that House Amendment "A" be indefinitely postponed. All

in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

86 having voted in the affirmative and 17 having voted in the negative, the motion did prevail.

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

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

Bill "An Act Authorizing Games of Chance at Agricultural Fairs" (H. P. 714) (L. D. 920) (C-A H-195)

Tabled — April 23 by Mr. Trumbull of Fryeburg.

Pending — Passage to be enacted.

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

#### (Off Record Remarks)

Mr. Dam of Skowhegan was granted unanimous consent to address the House.

Mr. DAM: Mr. Speaker and Ladies and Gentlemen of the House: The reason I asked to address the House on the record is because I want it to show in the record my displeasure at a hearing of one of my bills before one of the committees. Back on April 11, I presented a bill before the Agricultural Committee, L. D. 1558, An Act Relating to Disposal of Deceased Animals. I was allowed to present this bill, nothing was said to me prior to presenting the bill, but after presenting the bill, because there was no opposition, the bill was readvertised for a hearing tomorrow afternoon.

As I told the committee members at that time — this is the reason I want it to show in the record — that I have commitments made on my time; and since nothing was said to me prior to this, then I do not intend to go down and make a farce of presenting the bill a second time. And I would hope that anytime there is going to be a readvertised time of a hearing, that the sponsor be notified that the bill is not going to be presented so he can schedule his time or she can schedule her

time. The mere fact that the opposition is not able to appear because they are having a convention over at Orono, namely the veterinaries of the state, I do not think this is a valid reason at all.

Thereupon, the House recessed until the sounding of the gong.

#### After Recess

11:00 A.M.

Called to order by the Speaker.

The SPEAKER: The Chair sees at the rear of the hall of the House Major General Heywood, Adjutant General of the State of Maine with Commander Carpenter. Included also in the group are several Viet Nam veterans and dependents. Will General Heywood kindly escort Commander Carpenter to the rostrum.

Thereupon, Commander Carpenter was escorted to the rostrum by General Heywood, amid the applause of the House, the members rising.

The SPEAKER: Commander, would you care to say a few words to the members of the House?

COMMANDER CARPENTER: Good morning Ladies and Gentlemen. It is a great pleasure to be able to speak to you this morning. I would like you all to understand that anything I may say this morning are my own views and my own particular stand on the subject or subjects of which I will be speaking. I am not standing here as an official representative of the United States Navy or the Department of Defense, even though I am in uniform. So I represent them in one way but my comments today please take to be my own.

We are here this morning to honor and pay tribute and to welcome the returning veterans from Viet Nam, to pay tribute to those who could not come back. I suppose I qualify as a Viet Nam veteran. I spent six and a half years in prison in and around Hanoi, and I served one full combat tour in 1965 and part of one in 1966 until I managed to unerringly intercept about an 85 millimeter round of flak with my aircraft and through that bit of

precise navigation, I was able to stay there for a little longer.

I feel greatly honored to have been chosen to speak to this group this morning to represent my comrades in arms. I do so with a great sense of responsibility to you, the people who serve our state, our country and particularly to my comrades in arms.

They fall into several categories. I have them listed here in my order of priority. The first are the killed in action. They aren't coming back, no one can pay tribute to them directly. I would like you to think of them when you look at me and when you look at the rest of us who serve this state and this country defending it, because they made the supreme sacrifice. They won't be back. So let's pay tribute to them by standing behind the people who are left to do the fighting.

The second group are those who were wounded in this conflict and there are many many of them. I think they fall into the category somewhat as I did when I was being tortured at the hands of my captors. It is easier to die, in my estimation, than it is to endure great physical pain or hardship. The wounded veterans who have returned from Viet Nam are in the position of enduring great pain and hardship and it will endure for the rest of their lives in some cases. Their plight is a particularly difficult one. I know we honor them today and I think we are all proud of what they did and sorry that they had to come back the way they did. Let's try and help them out and get them on the road to a better life, a happy life, in spite of their wounds and disfigurement.

Then there is what I suppose is the great mass of returning veterans, those who made it, served their time and came back. They did a good job while they were over there and fortunately didn't run into any excess hardware that was flying through the air. They also deserve your tribute and as their representative, I thank you.

The next group I stand here as a direct representative of and that is the prisoner of war. I "are" one. We're happy to be back, I

don't think that needs to be reiterated. We're awfully happy to be back and although there have been many changes in this great country and indeed in the State of Maine — some of which I find a little surprising — we are mighty, mighty happy to be back. We are awfully proud of all of you who stood behind us while we were gone and we still think — and I think I speak for all of them — we still think this is the greatest country in the world.

The last group are the MIAs, those missing in action. And here we have a particularly difficult situation. I have my own feelings on those who are missing in action because I have lived with people who were declared missing in action and who knew that their folks at home didn't know what the story was, did not know that they were alive. There are many, many — I believe the figure is thirteen hundred and something now — who are still missing in action. Their families have no idea whether these men are alive or dead.

I strongly urge all of you to use and exert your influence in whatever way possible on our government, on the people of the world, to gain an accounting for our men who are still missing in action. It is my belief that a great number of these people — probably the great majority of them — are dead. That is extremely unfortunate but that is a fact of war. However, there are some that have been seen on the ground, alive and in captivity. The very least our captors can do — excuse me, I'm going back to the situation that I feel that I'm almost still in. They are not my captors any more, my ex-captors, the North Vietnamese who are responsible for the situation in Southeast Asia, in my estimation. The very least they can do is give an accounting of these men or at least attempt to and I strongly urge you, please, to work toward that end.

These, then, are the men that we pay tribute to today. Some of them you are able to welcome home. For them and for those who can't come back, I personally

would like to say thank you, we served with honor. We feel that we did a job that had to be done and we did it to the best of our ability.

There are a couple of ways, in my estimation, that those of you who are here can continue to pay tribute to the servicemen of this country, those who do the dirty job, those who do the job that a lot of people just wouldn't get out and do. Work towards an accounting of the MIAs as I mentioned earlier.

Secondly — and this is my strong feeling — things that you can do, take a position of no aid to North Viet Nam for the rebuilding of North Viet Nam without an apology to the United States of America for the treatment of its prisoners of war during this conflict. If you want to know why I feel that is necessary, I will be glad to talk with any one of you in private or any group under any conditions and I think I can give you reasons why they should apologize.

Third and probably most important, press for that accounting of the missing in action. They can come through with something, they should come through with something.

Fourth — and these are my feelings, please take them only as my feelings — don't dishonor those who fought and fought well by granting blanket amnesty to those who wouldn't. I think amnesty has its place but let's look at it on an individual basis. I am not in favor of blanket amnesty for those who refused to fight for the things we have in this country.

I have spoken far longer than I intended to, excuse me. That's all I have for this morning ladies and gentlemen, I will leave you with my trust and confidence. Thank you.

The SPEAKER: We, as the elected legislators elected by the people of the State of Maine on behalf of the State of Maine, want to thank you and all of those Viet-Nam veterans for the tremendous sacrifices that you made and for the good job that was well done.

I understand in the balcony of the House are certain other dignitaries. Would you kindly stand

and be recognized. Vito DeFilipp, State Commander of the American Legion; Carlton McLean, State Commander of the Veterans of Foreign Wars; James Plowman, State Commander of the AmVets; Rudolph VanNess, World War I veterans and down on the lower level is Arnold Leavitt, Chairman of the Maine Veterans Coordinating Committee. (Applause)

The SPEAKER: I understand that a group of returning Maine prisoners of war and their wives are also with us today. Gary Burns, Dennis Burgess, John Malloy, Arnold Pendexter. They are Maine veterans seriously wounded in the Viet Nam conflict; and Robert Currier, Terry Pickard who are regular Viet Nam era veterans. Would you kindly stand and be recognized. (Applause)

The SPEAKER: I understand that Commander Carpenter's wife is in the balcony. Would you kindly stand and be recognized, too, Mrs. Carpenter? (Applause)

The SPEAKER: And also I understand Mr. and Mrs. Keith Allen whose son, Keith Allen, was killed in service. Would you kindly stand and be recognized. (Applause)

The SPEAKER: I understand that Mr. and Mrs. Willard Rossignol whose son was killed in action are also in the balcony. Would you kindly stand and be recognized by the members of the House. (Applause)

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On motion by Mr. Birt of East Millinocket,

Adjourned until nine o'clock tomorrow morning.