

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

Friday, April 27, 1973

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

Prayer by Father John Donovan of Winthrop.

The journal of yesterday was read and approved.

Supplement No. 1 was taken up out of order by unanimous consent.

Report of the Committee on Public Utilities reporting "Ought to pass" on Bill "An Act to Validate and Amend the Charter of the Kennebec Sanitary Treatment District" (H. P. 1457) (L. D. 1884)

Report was read and accepted and the Bill read once.

Under suspension of the rules, the Bill was read the second time, passed to be engrossed and sent to the Senate.

By unanimous consent, ordered sent forthwith to the Senate.

Papers from the Senate

From the Senate: The following Joint Resolution: (S. P. 600)

WHEREAS, the Maine National Guard, aside from its state role of the protection of life and property and the preservation of peace, order and public safety under competent orders of the state authorities, also serves a vital national function; and

WHEREAS, one of its major functions is to provide a reserve component of the Army and Air Force of the United States, trained, equipped and capable of immediate expansion to war strength, able to furnish units fit for service anywhere in the world; and

WHEREAS, another function is to defend critical areas of the United States against land, sea-borne or airborne invasion; and

WHEREAS, they also assist in covering the mobilization and concentration of the remainder of the reserve forces; and

WHEREAS, they must also be ready to participate by units in all types of operations, either in the United States or overseas; and

WHEREAS, the National Guardsman bears his dual relation to the governments of this country, rendering his duty to both the State

and the Nation without any conflict, by serving as a soldier of the United States or of the State, as the case demands; and

WHEREAS, the service of the full-time National Guardsman and that of the regular military enlistee is closely paralleled and is just as important a role; and

WHEREAS, although they do perform similar functions, the National Guardsman is not awarded the same benefits as that of the regular enlistee; and

WHEREAS, if the National Guardsmen were granted the same privileges and benefits as his brother serviceman in the regular military service, then it would be much easier to recruit men into the National Guard and to allow them to fulfill their historic mission "in the first line of defense in the first weeks of an emergency;" now, therefore, be it

RESOLVED: By the combined Legislature of the State of Maine, that the President of the United States, the Secretary of Defense of the United States, the Governor of Maine and the Members of Maine's Congressional Delegation are hereby requested to support Congressional legislation which would extend the benefits of survivor benefits, reenlistment bonus, proficiency pay, medical, dental and death benefits and early reserve retirement to the Guardsmen; and be it further

RESOLVED: That they work toward the passage of legislation which would allow National Guardsmen everywhere those needed benefits and privileges which can be granted readily without additional expenditures by the military services such as the use of post and base exchanges and military commissaries and military travel; and be it further

RESOLVED: That certified copies of this Resolution be transmitted to the President of the United States, the Secretary of Defense of the United States, the Governor of Maine and the Members of Maine's delegation to the United States Congress.

Came from the Senate read and adopted.

In the House, the Joint Resolution was read.

On motion of Mr. Simpson of Standish, the Resolution was indefinitely postponed in non-concurrence and sent up for concurrence.

From the Senate:

Bill "An Act to Correct Errors and Inconsistencies in the Public Laws" (S. P. 554) (L. D. 1883)

Came from the Senate referred to the Committee on Judiciary.

In the House, was referred to the Committee on Judiciary in concurrence.

Reports of Committees Ought Not to Pass

Report of the Committee on State Government on Bill "An Act Creating the Commission for the Blind and Visually Handicapped" (S. P. 435) (L. D. 1379) reporting "Ought not to pass"

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

Leave to Withdraw Covered by Other Legislation

Report of the Committee on Business Legislation on Bill "An Act Relating to Bank Holding Companies" (S. P. 374) (L. D. 1100)

Reporting Leave to Withdraw, covered by other legislation.

Came from the Senate read and accepted.

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

Ought to Pass with Committee Amendment

Report of the Committee on Legal Affairs on Bill "An Act Repealing the York Beach Village Corporation and the York Harbor Village Corporation" (S. P. 47) (L. D. 104) reporting "Ought to pass" as amended by Committee Amendment "A" (S-93) submitted therewith.

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (S-93) and Senate Amendment "A" (S-96).

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

Amendment "A" (S-93) was read by the Clerk and adopted. Senate Amendment "A" (S-96) was read by the Clerk and adopted and the Bill assigned for second reading the next legislative day.

Non-Concurrent Matter

Bill "An Act Relating to the Redemption Value of Trading Stamps" (H. P. 810) (L. D. 1056) on which the House passed the bill to be engrossed as amended by Committee Amendment "A" (H-213) on April 20.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

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

Mrs. BAKER: Mr. Speaker, Ladies and Gentlemen of the House: This is my bill and I think it is a good bill. What it does, it provides that trading stamp companies must pay the same rate in Maine, at least as high a rate in Maine as they pay in any other state in the United States. But you can see from the Calendar this morning, it has not survived a heavy lobby. Therefore, I will move that we recede and concur.

Thereupon, the House voted to recede and concur.

Non-Concurrent Matter

Bill "An Act Relating to Railroad Crossings" (H. P. 815) (L. D. 1082) on which the House passed the Bill to be engrossed on April 17.

Came from the Senate with the Bill passed to be engrossed as amended by Senate Amendment "A" (S-94) in non-concurrence.

In the House: The House voted to recede and concur.

Petitions, Bills and Resolves Requiring Reference

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

Transportation

Bill "An Act Changing the Dates for Registration of Automobiles" (H. P. 1465) (Presented by Mr. Stillings of Berwick)

(Ordered Printed)
Sent up for concurrence.

The SPEAKER: Will the Sergeant-at-Arms kindly escort the gentleman from Strong, Mr. Dyar, to the rostrum.

Thereupon, Mr. Dyar assumed the Chair as Speaker pro tem and Speaker Hewes retired from the Hall.

House Reports of Committees Ought Not to Pass

Mr. McNally from the Committee on Transportation reporting "Ought not to pass" on Bill "An Act Providing for Use of Emergency Green and White Lights on Civil Defense and Right of Way for Such Vehicles" (H. P. 592) (L. D. 783)

Mrs. McCormick from same Committee reporting same on Bill "An Act to Change Conditions in which Lights are Required to be Used on Motor Vehicles" (H. P. 915) (L. D. 1215)

Mr. Stillings from the Committee on Liquor Control reporting same on Bill "An Act Relating to Sale Price of Liquor" (H. P. 707) (L. D. 912)

Mr. Faucher from same Committee reporting same on Bill "An Act Relating to Proximity of Liquor Licenses to Churches" (H. P. 1039) (L. D. 1362)

Mr. Pratt from the Committee on Agriculture reporting same on Bill "An Act Relating to Disposal of Deceased Animals" (H. P. 1206) (L. D. 1558)

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

Leave to Withdraw

Mr. Ricker from the Committee on Liquor Control on Bill "An Act Permitting Sports Arenas to Sell Malt Loquor" (H. P. 830) (L. D. 1089) reporting Leave to withdraw.

Mr. Farnham from the same Committee reporting same on Bill "An Act Relating to Enforcement of the Liquor Laws" (H. P. 1042) (L. D. 1364)

Mr. Curtis from the Committee on State Government reporting same on Bill "An Act to Authorize the State Housing Authority to

Adopt a State Building Code" (H. P. 813) (L. D. 1109)

Mr. Cooney from the same Committee reporting same on Bill "An Act Relating to Establishment of Police Certification Program by Maine Law Enforcement and Criminal Justice Academy" (H. P. 1111) (L. D. 1447)

Mr. Farnham from the same Committee reporting same on Bill "An Act Changing Name of Industrial Accident Commission and to Make the Chairman Full Time" (H. P. 1152) (L. D. 1483)

Reports were read and accepted and sent up for concurrence.

Referred to Committee on Human Resources Tabled and Assigned

Mr. Farnham from the Committee on State Government on Resolution Proposing an Amendment to the Constitution to Provide for Indian Representatives to the Legislature (H. P. 214) (L. D. 287) reporting it be referred to Committee on Human Resources.

Report was read.

(On motion of Mr. Henley of Norway, tabled pending acceptance of Committee Report and specially assigned for Tuesday, May 1.)

Ought to Pass in New Draft New Drafts Printed

Mrs. Murchison from the Committee on Human Resources on Bill "An Act to Establish within the Department of Indian Affairs a Bureau of Indian Police" (H. P. 377) (L. D. 506) reporting "Ought to pass" in New Draft (H. P. 1462) (L. D. 1887) under same title.

Mr. Farnham from the Committee on State Government on Bill "An Act Authorizing Maine Law Enforcement and Criminal Justice Academy Trustees to Establish Certification Standards for Police Chiefs" (H. P. 667) (L. D. 879) reporting "Ought to pass" in New Draft under new title, "An Act Authorizing the Maine Criminal Justice Academy Trustees to Establish Certification Standards for Law Enforcement Officers" (H. P. 1463) (L. D. 1888)

Mr. Farnham from the same Committee on Bill "An Act to Consolidate the State Harness Racing Commission and the State

Running Horse Racing Commission" (H. P. 716) (L. D. 922) reporting "Ought to pass" in New Draft under new title, "An Act to Repeal the Compensation for the State Running Horse Racing Commission" (H. P. 1464) (L. D. 1889)

Reports were read and accepted, the New Drafts read once and assigned for second reading the next legislative day.

Divided Report

Majority Report of the Committee on Agriculture on Bill "An Act Relating to Penalty for Use of Drugs on Animals at Agricultural Fairs" (H. P. 1220) (L. D. 1577) reporting "Ought not to pass"

Report was signed by the following members:

Messrs. PEABODY of Aroostook
HICHENS of York
CYR of Aroostook
— of the Senate.
Messrs. EVANS of Freedom
PRATT of Parsonsfield
HUNTER of Benton
ALBERT of Limestone
MORIN of Fort Kent
BERRY of Buxton
MAHANY of Easton
COONEY OF Sabattus

— of the House

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

Report was signed by the following member:

Mr. ROLLINS of Dixfield
— of the House.

Reports were read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Dixfield, Mr. Rollins.

Mr. ROLLINS: Mr. Speaker, I move we accept the Minority "Ought to pass" Report.

The SPEAKER pro tem: The gentleman from Dixfield, Mr. Rollins, moves we accept the Minority "Ought to pass" Report.

The Chair recognizes the gentleman from Easton, Mr. Mahany.

Mr. MAHANY: Mr. Speaker and Ladies and Gentlemen of the House: I would have to oppose that motion. I think if the people take the time and read the bill, they would see that would be the wrong move. I hope that you will not support that motion.

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

Mr. MILLS: Mr. Speaker, I move this item be tabled two legislative days.

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

The SPEAKER pro tem: The pending question is on the motion of the gentleman from Eastport, Mr. Mills, that this matter be tabled for two legislative days. All in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

9 having voted in the affirmative and 82 having voted in the negative, the motion did not prevail.

The SPEAKER pro tem: The Chair recognizes the gentleman from Dixfield, Mr. Rollins.

Mr. ROLLINS: Mr. Speaker and Ladies and Gentlemen of the House: I did not expect this motion would pass but I did want to explain my position on it. The bill came into being because of something that happened at Fryeburg Fair in the pulling ring. They were pulling ponies and they took a test of a team over there and found some caffeine in the test. Now, I believe if we tested each one of us in the morning after we have had our breakfast, we would find caffeine. We don't have any list of the things that are not supposed to be given to these ponies and I think we should have. That is why the bill came into being.

We felt that the crime must be punished but the penalty was too severe. At the present time the penalty is two years that a person who owns a pony cannot pull them. We tried to get the penalty dropped to one year at the discretion of the Commissioner of Agriculture. I can see that probably I will not have too much chance on this, therefore I will not speak on it further.

The SPEAKER pro tem: The Chair recognizes the gentleman from Easton, Mr. Mahany.

Mr. MAHANY: Mr. Speaker and Ladies and Gentlemen of the House: We had quite a bit of discussion on this bill in committee. As you see, the majority voted "ought not to pass." I think if

everybody had taken the time to read the bill, what it does is to reduce the penalty for drugging ponies that are pulling. It reduces the penalty from two years to one. And I think it was brought out quite forcibly that the penalty of two years, which is not mandatory upon the Commissioner of Agriculture. If he thought it proper, he may reduce that penalty. He has that authority under the present bill. And if it is in order, I would move that we accept the majority report.

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

Mr. FINEMORE: Mr. Speaker, I move the indefinite postponement of this bill and all accompanying papers and when the vote is taken, I ask for a division.

The SPEAKER pro tem: The gentleman from Bridgewater, Mr. Finemore, moves the indefinite postponement of this Bill and all accompanying papers. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken. 76 having voted in the affirmative and 11 having voted in the negative, the motion did prevail.

Sent up for concurrence.

Divided Report

Majority Report of the Committee on Education on Bill "An Act to Provide an Agricultural Education Consultant within the Department of Educational and Cultural Services" (H. P. 1288) (L. D. 1673) reporting "Ought to pass" as amended by Committee Amendment "A" (H-289)

Report was signed by the following members:

Messrs. KATZ of Kennebec
OLFENE of Androscoggin
MINKOWSKY
of Androscoggin
— of the Senate.

Messrs. TYNDALE
of Kennebunkport
LaCHARITE of Brunswick
AULT of Wayne
BITHER of Houlton
MURRAY of Bangor
— of the House.

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

Report was signed by the following members:

Messrs. FERRIS of Waterville
LAWRY of Fairfield
LYNCH
of Livermore Falls
LeBLANC of Van Buren
Mrs. LEWIS of Auburn
— of the House.

Reports were read.

On motion of Mr. Bither of Houlton, the Majority "Ought to pass" Report was accepted.

The Bill was read once. Committee Amendment "A" (H-289) was read by the Clerk and adopted and the Bill assigned for second reading the next legislative day.

Divided Report

Majority Report of the Committee on Transportation on Bill "An Act Relating to Tread Depth of Motor Vehicle Tires" (H. P. 1051) (L. D. 1380) reporting "Ought to pass"

Report was signed by the following members:

Messrs. GREELEY of Waldo
SHUTE of Franklin
CIANCHETTE
of Somerset
— of the Senate.

Messrs. KEYTE of Dexter
WEBBER of Belfast
WOOD of Brooks
McNALLY of Ellsworth
DUNN of Poland

Mrs. McCORMICK of Union
Mrs. BERRY of Madison
— of the House.

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

Report was signed by the following members:

Messrs. FRASER of Mexico
STROUT of Corinth
JACQUES of Lewiston
— of the House.

Reports were read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Corinth, Mr. Strout.

Mr. STROUT: Mr. Speaker and Ladies and Gentlemen of the House: I signed the minority "Ought not to pass" on this for many reasons. Number one, I didn't see any penalty on this bill; number two, I was told in the hearing that this would be enforced by the law enforcement officers

and I feel that the law enforcement officers now have enough major problems without dealing with the minor problems.

This bill would require that, when a tire has 2-32 tread wear or less, we are going to be required to have these tires taken off and new tires put on. I think now we have legislation where inspection stations take care of these problems.

I would move this morning that this Bill and all its papers be indefinitely postponed.

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

Mr. GOODWIN: Mr. Speaker, Ladies and Gentlemen of the House: I introduced this bill at the request of the chief of police in my town. So I feel that in this particular instance the law enforcement officers were for this, the reason being is that at present the inspection laws of this state relating to tires state only that there has to be some tread on the tire. There is no provision for after the car has been inspected a person can go back after he gets his car inspected put on bald tires and wear these tires down so that they are bald. There is nothing a law enforcement officer can do if this happens. He can just send the car back to be reinspected, a person can put on another set of tires and take those off again.

New Hampshire and all the other New England states have a law similar to this. Many Maine people are getting picked up in these other states and are being forced, when they do, to buy new tires there.

Also, I don't feel this law is discriminatory against anybody, because a tire will wear out eventually. All this law does is say that for the last 10 percent of the possible use of that tire, that the person could not use it because it would be too smooth to provide adequate traction in case of rain or wet roads.

I would therefore hope that you vote against the motion to indefinitely postpone this bill.

The SPEAKER pro tem: The Chair recognizes the gentleman from Rumford, Mr. Theriault.

Mr. THERIAULT: Mr. Speaker, Ladies and Gentlemen of the House: We did away with part of the hitchhiking law recently because the enforcement of that law was spotty and it did not apply to everyone. It was claimed that the police were using it as harassment. I am afraid if we pass this law it would be a similar law and it would be only used, unfortunately, when the police would want to get at somebody.

Therefore, I would go along with the indefinite postponement of this bill.

The SPEAKER pro tem: The Chair recognizes the gentleman from Mexico, Mr. Fraser.

Mr. FRASER: Mr. Speaker, Members of the House: I was also one of the signers of the minority report. One of my reasons is because there are many people who travel to work every day and live from pay check to pay check and this bill would take away 10 percent of the use of their tires. And I am sure that these people will drive them anyway, and in so doing, of course breaking the law and subject to arrest every day.

Now, these people cannot afford to buy a new set of tires when they get down to say 10 percent of their value. And driving from home to work, I don't believe that there is a danger that you will see on a freeway or a turnpike. It is quite possible that these tires are unsafe at high speeds on the dual highways. But I don't believe that these people should be obliged to buy new tires probably three or four months before it is necessary. I will go along with the indefinite postponement.

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

Mr. PARKS: Mr. Speaker, Ladies and Gentlemen of the House: I am going to go along with the indefinite postponement of this bill. I don't think it is a good bill. I spent quite a few years back years ago inspecting automobiles, chasing these fellows with defective tires, and I found some of these tires on vehicles with a lot more tread than 2-32 with big blow-

outs in them that were a lot more dangerous than a good sound tire with 2-32 of rubber. That is quite a lot of rubber left on a tire, and a lot of these people can probably get from four to eight thousand miles left on them. I think right now with the inspection that we have, if the inspection stations are doing their job properly, they can take care of this matter very very easily. They are the ones to inspect the tires.

It seems kind of folly to have a state trooper run around with one of these little gauges in his pocket measuring tires all the time. They have enough work to do now without bothering with things like this. So I will go along with the indefinite postponement of this bill.

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

Mr. BRAUN: Mr. Speaker, Ladies and Gentlemen of the House: I will go along with the indefinite postponement because if you look at the tires on the road, you will see they do not wear even. What place on a tire is going to be calibrated, I would like to know?

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

Mr. GOODWIN: Mr. Speaker, Members of the House: On this particular bill, first of all, it states where the tires will be calibrated — at least two places within the center tread if possible.

There is, on all new tires that have been manufactured for the last four or five years, there are wear bars which will show up when the tire gets worn down to 2-32 of an inch.

I would also like to state that as far as the inspection stations go, as I stated before, the inspection stations, right now the only thing they have to go by is the fact that if there is a little tread on the tire they can pass it.

Now we had a statement given to the committee on this from a person who ran an inspection station, who inspected a car that had some tread on the tire, the police stopped that car on a routine inspection, did not feel it had

enough tread on the tire and as a consequence this particular inspection station lost the license to inspect cars. As it stands now, the law, it is up to the judgment of the individual. There is no way that the inspection station has a definite limit to go by when they are checking a tire. This would give them a definite limit.

Also, there is nothing to stop a person from once he has a car inspected, he can put on good tires from another one of his cars, say if he has a couple of snow tires and he has got a couple of bald tires now, he can put those snow tires on, go get the car inspected, take it back home and put the other tires back on. And this is happening.

There is nothing, also, to stop a person from going in with a little bit more than 2-32 of a tread and in six months, before the six months is up, before he gets his car reinspected, those tires can wear down again.

Now, you are also all probably familiar with the fact that the state police or town police often stop, have routine inspection where they check lights, horns, and windshield wipers of cars and at the same time they could be doing this. This isn't going to mean that every single car that goes by them on the highway they are going to stop it and check the tires.

Many times, and I am familiar with the City of Dover, New Hampshire, where they do have this law, where the police are just walking along on their beat often look at a car just to check the car's tires, and if they find an obvious violation, they are then able to issue a ticket to this person, the owner of the car.

As I said, I was asked to put this in by a police. The police department's department of public safety supported this bill. The tire dealers naturally support this bill. One person from the tire dealers spoke but they also feel that it's a fair law. I think Mr. Dudley here stated here yesterday in debate that in dealing with tires that he likes to sell people good tires, and I think this is their feeling, that they don't want people to be driving on unsafe tires.

I don't feel this bill is going to cause any hardships. A tire does not last forever; it is going to have to be replaced at some point in the life of that tire. And I would hope that you do not support the move to indefinitely postpone this bill.

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

Mr. McNALLY: Mr. Speaker and Members of the House: A little late I received from — I don't want to get his rank wrong — Captain Weeks of the State Police, the motor vehicle inspection manual. And I will read you about wheel and tires. It says, "Tires should be checked by a visual examination and any tire worn to the point where little or no tread design remains or where any part of the ply or cord construction is exposed, any tire which has any bump, bulge or knot, and any tire which has been repaired temporarily by the use of blowout patches and so forth shall be rejected for inspection."

Now, had I received this — I will put one little nail in the coffin of this bill — had I received this before I signed the bill "ought to pass" I would have been one of the ones to sign it "ought not to pass."

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

Mr. DUDLEY: Mr. Speaker, Ladies and Gentlemen of the House: I would like to make a statement that I have never made, and this is the statement that I hear a lot in the House — I really didn't intend to speak on this bill this morning, and that is a fact. But when these misleading facts come before you, I think somebody should tell you the facts. Mr. McNally took a little steam out of what I was going to tell you, because in the inspection law book it very definitely says specifically, in big, bold print, that in order to inspect this car it must have 2-32 tread on the tire.

Now I got a lot of letters from a lot of tire companies and they all urged me to support this. And I feel as though sitting in my chair

that I can make a lot of money on this bill, I really shouldn't say anything. But I tried to sit in my seat and my conscience got to bothering me, so I felt as though this wouldn't be really right. I really either shouldn't vote or I should at least tell the people what the facts are. And so when my conscience bothers me I do have to say a few words. Now, you wouldn't think, some of you people, that I had any conscience, but really I do.

Now, I would like to tell you of one little case of my own. I have a fairly new car, and I got a new tire on it last week. And lo and behold, it happened to stop just right and there was a flat place on it and the cord almost showing. I had about 5,000 miles on it and the tread was all good. It is a wonder that I even noticed it. The car happened to be setting just right, I had to take it off and put on a new tire. So this can happen, a brand new tire can have a spot worn on it somewhere and if you see it in time you can take it and put it on a rear wheel and still salvage 20,000 miles out of the tire, but it was too late when I noticed it.

Now most of the state police up our way wear pretty nice looking uniforms, generally well pressed, quite clean. Most of these cars, the fenders are quite low and they would have to get down on their hands and knees to look at it. I can imagine what their good looking uniforms would look like after they inspected a few tires.

But really, what the trouble is with the bill, I will tell you, I am just going to be honest with you, what the real trouble is with the bill, what is really disturbing me is regrooving tires. We used to do that and I would rather not do it, because first of all you lose business by it and second of all, it is only deceiving the public and it is deceiving to the state police, but it is still legal in this state to regroove tires. So everybody that has got a tire that is down a little bit will be into my place and want their tires regrooved and then they will be really dangerous, because when you regroove tires

you cut the cords off and you are really in trouble. So this is the really bad thing that disturbs me about the bill. This is the worst part of it.

There is only one good piece in the bill if you could salvage it. There is only one good line. It is on page 2, item 3. It says, "Any portion of ply of the cord structure showing, the tires should be taken off." This is true; it should be done. But this is a two or three page document and there is one line that I can see that should be salvaged.

Another thing I would like to say about tires, I don't know how to tell you — I know but I have such a small vocabulary I have a hard time to express myself here. But a tire — let me tell you that a tire that costs \$60 has got a lot more mileage in it when it is smooth than a tire that costs \$20 when it is brand new. So this is the point I am trying to make. I am trying to talk about safety of a tire. Let me say that a tire you originally paid \$60 for, although it is smooth, it is still safer than a tire that you paid \$20 or \$18 for when it is brand new.

The government is working on this. We now have to register every tire we sell. It has to be registered. I was trying to remember the name of the town — it is out west — there is a big computer and they are all registered anyway. But now they have to be rate B tires or load-range B in order to be sold in the State of Maine.

I would very definitely support the motion to indefinitely postpone this bill. This bill should be done away with this morning because there is only one good line in it. I believe that is good enough, let's indefinitely postpone it.

The SPEAKER pro tem: The Chair recognizes the gentleman from Mexico, Mr. Fraser.

Mr. FRASER: Mr. Speaker and Members of the House: Just one more thing in regards to the remarks made about people changing their tires to go get them inspected. The folks I have in mind don't have an extra set to change.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Union, Mrs. McCormick.

Mrs. McCORMICK: Mr. Speaker, Ladies and Gentlemen of the House: I am not an authority on tires, as Mr. Dudley is, but according to the Revised Statutes, Title 29, Section 1371 amended, it reads, "Regrooved tires. No person shall distribute, offer for sale, sell or use on any motor vehicle operated on the highways of this state any pneumatic tire which has been regrooved below the original tread depth unless such tire was originally manufactured with extra under-tread material." So it is unlawful to regroove them already in the statutes.

Also, I would like to state that in this hearing — and I am not going to try to sway you one way or the other — but it was brought out that if you took an ordinary penny, the area from the top of the thing to the head of the face that is on the penny, it is 2-32 and if you will look at that, if you have got a penny in your pocket, you be your own judge as to how much tread is on that tire, whether you want to drive on them. Tires with any less than that on a good rainy night or day will hydroplane. You be your own judge.

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

Mr. JALBERT: Mr. Speaker, Members of the House: I think the town that the good gentleman, my friend from Enfield, Mr. Dudley, was talking about is Wounded Knee.

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

Mr. DUDLEY: Mr. Speaker, Members of the House: I appreciate what the lady just said in the tire manual, it says not to sell. We are not allowed to sell them but there is no law that says they cannot regroove them or they can do it themselves or have it done. Who is going to say? It leaves it wide open. If you listened carefully to what she said, unless they were a very cheap tire to begin with, have this tread depth under the tread. So that one little

exception that she read, unless there is tread depth under the tread, you can regroove them. We are not allowed to sell regrooved tires but there is no reason why you cannot have them regrooved or do it yourself.

That one little one that she read, that small print, it said unless there is tread depth under the tread. Unless it was a real cheap tire, there would be tread depth under the tread.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Union, Mrs. McCormick.

Mrs. McCORMICK: Mr. Speaker, Members of the House: I beg to differ with Mr. Dudley, it isn't small print, it is big, black, bold print, and it was also in the original manual that comes out. This is just the Motor Vehicle Inspection Manual I have got in my hand. In the book of laws that is issued, it says, "unless it is a commercial grade specifically designed for regrooving."

The SPEAKER pro tem: The pending question is on the motion of the gentleman from Corinth, Mr. Strout, that L. D. 1380, An Act Relating to Tread Depth of Motor Vehicle Tires and all accompanying papers be indefinitely postponed. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

71 having voted in the affirmative and 27 having voted in the negative, the motion did prevail.

Consent Calendar First Day

(S. P. 321) (L. D. 988) Bill "An Act to Clarify the Notice Procedure on Decisions of Zoning Board of Appeals" — Committee on Legal Affairs reporting "Ought to pass"

(S. P. 405) (L. D. 1207) Bill "An Act Relating to Displaying of Fireworks at Blue Hill Fair Grounds on Sunday" — Committee on Legal Affairs reporting "Ought to pass" as amended by Committee Amendment "A" (S-92).

(S. P. 489) (L. D. 1555) Resolve Designating Seaplane Base on Lake Maranacook, Town of Winthrop, as "Richard D. Varney Seaplane

Base"—Committee on Legal Affairs reporting "Ought to pass"

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

Tabled and Assigned

(H. P. 1181) (L. D. 1524) Resolution, Proposing an Amendment to the Constitution Clarifying the Status of Bills Presented to the Governor and Time the Legislature Adjourns" — Committee on State Government reporting "Ought to Pass"

On the request of Mr. Ross of Bath, was removed from the Consent Calendar.

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

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: For the information of the members of the House, I would like to just say a few words. I am sure that you have heard of the term "pocket veto." The President of the United States, for instance, has this power. If Congress adjourns and he has not signed a bill, it is automatically dead.

This is a semi-version of this idea. At the present time, the Governor has five days to sign a bill and if he doesn't do it within that time, it becomes law unless the legislature adjourns before the five days are up. Then he has three days after we meet again. This bill says that he has this same extra time if the same legislature which enacted the bill meets again in special session. However, if there is no special session, the bill does not become law. Now, at the meeting of the next legislature, he still has the three days. This would do away with this provision. That is why I call it a mini-pocket veto.

Now, I have no strong feelings on this bill. I just want the House to remember that it would be much easier to veto a bill since it would not come back to us for our consideration. Without making a motion, I leave the decision entirely up to the discretion of this House.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Portland, Mrs. Najarian.

Mrs. NAJARIAN: Mr. Speaker, Members of the House: The sponsor of this bill isn't here this morning. I would like somebody to table this for one or two days, please.

The SPEAKER pro tem: The Chair recognizes the gentleman from Hampden, Mr. Farnham.

Mr. FARNHAM: Mr. Speaker, I request that this lie on the table one legislative day.

The SPEAKER pro tem: Is it the pleasure of the House that this lie on the table one legislative day?

(Cries of No)

The Chair will order a vote. All in favor of tabling for one legislative day pending acceptance of the Committee Report will vote yes; those opposed will vote no.

A vote of the House was taken.

62 having voted in the affirmative and 37 having voted in the negative, the motion did prevail.

(H. P. 1290) (L. D. 1678) Bill "An Act Relating to Membership in South Kennebec Agricultural Society" — Committee on Agriculture reporting "Ought to pass" as amended by Committee Amendment (H-288).

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

Consent Calendar

Second Day

(S. P. 3) (L. D. 30) Bill "An Act to Provide Hospital Administrators under the Department of Mental Health and Corrections" (C. "A" S-89)

(S. P. 236) (L. D. 687) Bill "An Act Amending the Municipal Industrial and Recreational Obligations Act"

(H. P. 395) (L. D. 524) Bill "An Act Relating to Savings Banks Investing in Service Corporations"

(Later reconsidered)

(H. P. 557) (L. D. 767) Bill "An Act Relating to Schooling of Indian Children"

(H. P. 855) (L. D. 1142) Bill "An Act to Increase Penalties for Certain Sea and Shore Fisheries Laws"

(H. P. 1235) (L. D. 1606) Bill "An Act Relating to the Immunity Provisions of the Unfair Trade Practices Act"

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

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

On motion of Mr. Simpson of Standish, the House reconsidered its action whereby Bill "An Act Relating to Savings Banks Investing in Service Corporations" was passed to be engrossed.

Thereupon, the Report was accepted, the Bill read once and assigned for second reading the next legislative day.

Second Reader

Tabled and Assigned

Bill "An Act Relating to Boundaries of Ocean Park Game and Bird Sanctuary" (H. P. 346) (L. D. 461) (C. "A" H-272)

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

On motion of Mr. Good of Westfield, the House reconsidered its action whereby Committee Amendment "A" was adopted and the Amendment was indefinitely postponed.

The same gentleman offered House Amendment "A" (H-290) which was read by the Clerk.

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

Mr. MILLS: Mr. Speaker, I would pose a question through the Chair to Mr. Good. Is the corrective legislation we needed in this bill?

The SPEAKER pro tem: The gentleman from Eastport, Mr. Mills, poses a question through the Chair to anyone who may care to answer.

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

Mr. GOOD: The answer is yes, your Honor.

On motion of Mr. Martin of Eagle Lake, tabled pending the adoption of House Amendment "A" and specially assigned for Monday, April 30.

Enactor

Tabled and Assigned

An Act Providing for Voluntary Continuance of Residence at the

Military and Naval Children's Home for Program Completion Beyond the Age of 18 Years (H. P. 347) (L. D. 462)

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

(On motion of Mr. Martin of Eagle Lake, tabled pending passage to be enacted and specially assigned for Tuesday, May 1.)

Enactor

Tabled and Assigned

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

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

(On motion of Mr. Martin of Eagle Lake, tabled pending passage to be enacted and specially assigned for Tuesday, May 1.)

Passed to Be Enacted

An Act Changing the Form of Notice of the Department of Health and Welfare to Municipalities of Recipients of Public Assistance. (H. P. 1447) (L. D. 1867)

An Act Relating to Committees on Status of Women, Children and Youth, and the Aged. (H. P. 392) (L. D. 521)

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 Utility Promotion and Advertising Expenses (H. P. 1450) (L. D. 1870)

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

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

Mr. SIMPSON: Mr. Speaker, I move this bill and all accompanying papers be indefinitely postponed.

The SPEAKER pro tem: The gentleman from Standish, Mr. Simpson, moves this Bill and all accompanying papers be indefinitely postponed.

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

Mr. KELLEHER: Mr. Speaker and Members of the House: I agree with the gentleman in the corner, but I don't believe the sponsor is here and I would like to have someone table this for one day.

On motion of Mr. Smith of Dover-Foxcroft, tabled pending the motion of Mr. Simpson of Standish to indefinitely postpone and specially assigned for Monday, April 30.

An Act Authorizing City of Portland to Levy Local Assessments for Snow Removal on Sidewalks (H. P. 738) (L. D. 941)

An Act Establishing a County Records Board (S. P. 569) (L. D. 1709)

An Act to Authorize Municipalities to Shut Down All or Parts of a Natural Gas System in Time of Emergency (S. P. 453) (L. D. 1418)

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

Orders of the Day

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

Resolution Proposing an Amendment to the Constitution Providing for Election of the Members of Executive Council. (S. P. 508) (L. D. 1620)

Tabled — April 26, by Mr. Simpson of Standish.

Pending — Motion by Mr. Ross of Bath to reconsider acceptance of Committee Report, Leave to Withdraw.

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

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: Yesterday the gentleman from Eagle Lake, Mr. Martin, said that we had several similar bills before committee now. I maintain that these bills are not similar bills. Four or five of them have to do with the abolition of the Council, only one has to do with the election

of the Council. That is a very complicated bill, which increases the size of the Council and does many other complicated things. But this was a simple bill and I thought it would give us something to work with, at least those people in the House who are desirous of electing and assuring bipartisanship in the Executive Council. However, I do realize that we can change by amendment or new draft any type of bill. Even if there was an abolition bill we could change it to an election bill.

So as not to clutter up the calendar, I now move that this bill be indefinitely postponed.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I agree with the gentleman from Bath, Mr. Ross, and this affords me an opportunity at least to state what I think is going on here. I think that the time has now come for a meeting of the majority party with all of these bills for them to decide what package they would like for them to meet with the leadership of our party and see what we can agree on, what we can't agree on, and then work from there.

I think very obviously, from looking around your seats this morning, one would have to admit that somewhere along the line we are bogged down. I would think if you took a count here, I think if you found over 90 people I would be amazed, Mr. Speaker. And frankly, one of the reasons for it is this: Besides the work you have to do at home or away from home, besides the duties you have to do for your constituents at home, a programming beginning Monday morning at 10 o'clock and ending between 12:00 and 1:00 on Friday, and all of the debate on the various bills that we hear, it is just too much to be absorbed.

I have stated my position to the leadership of the majority party; I have stated my position to the leadership of the Democrat Party. It is high time that somewhere along the line that both parties get together with something with some teeth in it to discuss. I think if we would meet here on Monday

afternoon about two o'clock, it would give us some time somewhere along the line to do something over the weekend. I think of the people in front of me, many of them from the northern country, who will have to leave here and some can't sometimes because of inclement weather, probably won't leave until tomorrow morning, get to their homes by noontime on Saturday — can't do too much then — and have to leave for back here Sunday night or get up at two o'clock in the morning to get back here.

Now we listen to a lot of legislature here. We jump from one bill to another. And somewhere along the line, at least I am thinking myself, there is just so much that the mind can absorb, restricting myself to these bills here.

For instance, I have a bill that could involve itself into the election of the Attorney General. There is another bill that involves itself into the appointment of the Attorney General by the Governor. There are several other bills about annual sessions, three or four of them. Now somewhere along the line somebody is going to have to start getting together and giving us a program to work from, because this is no joke, it is April 27.

The Appropriations Committee is starting to work now in high gear as far as Part I is concerned, but we are way behind there. I think the State Government Committee is behind because they just have got a great deal of work to do. But I am serious when I say that the leadership of the majority party could instruct the leadership of the minority party what their intentions are, get together and we should have one day set to one side when we might have a brief session in the morning and then reconvene in our various caucus rooms to discuss specifically the programming concerning the constitutional bills, then we will arrive at something, we will have done something in one full sweep. If we do not do that, Mr. Speaker, we will be much much more bogged down when you realize that last week, on two separate days, we were still on page 1 by 11

o'clock after convening at 9 o'clock. At that pace we will be here until deep in July. I am not dictating. I am not trying to set up any policy, I am just suggesting to you of things to come.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: To follow up the remarks of the gentleman from Lewiston, Mr. Jalbert, I believe that we have a committee working on the redistricting of the House. Their job is absolutely impossible until we decide what the numbers of this House are going to be. So that is an example of one bill that we should get out and decide on before that committee attempts to do its complete work.

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

At this point, Speaker Hewes returned to the rostrum.

The SPEAKER: The Chair thanks the gentleman and commends him for a good job.

Mr. Ross of Bath was granted unanimous consent to address the House.

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: I have been in the legislature for 18 years now. During this time I have met a great many extremely able and competent legislators. Now, 99 percent of all of our members are honest and extremely conscientious. Many are so interested in the best interest of our state that they take on extra-curricular duties, even though they are extremely busy here.

Once in a while some even rise to the state presidency of their chosen extra endeavor. Last week we honored Representative Nancy Clark of Freeport who is to be the incoming president of the MTA. Today we should honor another person who has recently been elected the state president of the Maine Publicity Bureau. It is always a pleasure and privilege to recognize a person who has

attained the top position in any statewide organization. The person I am referring to today is our own very bright and able majority floor leader, Representative L a r r y Simpson. (Applause)

(Off Record Remarks)

Mr. Perkins of South Portland was granted unanimous consent to address the House.

Mr. PERKINS: Mr. Speaker and Ladies and Gentlemen of the House: This week, ladies and gentlemen, last Tuesday we passed to be enacted an emergency measure which has bothered me considerably. I just feel that I would like to have it go on record for my constituency the fact that I failed them in letting this matter be debated. It was a bill that provides for a loss of revenue to the state of \$173,000. I understand that there are some conditions involved with it which might result in additional revenue to the state.

However, there was absolutely no explanation concerning this measure and when we here in this House will get up and debate a bill involving a hundred dollars, a little more than that, it seems to me we owe a duty to our constituents when we have a measure such as this to at least debate it so that I understand it and they, in turn, may understand it.

I appreciate that, again, it may well be a fine measure ultimately, but I do note in the statement of fact that it says \$173,000 will be lost the first biennium. Consequently, I merely say again, when we are talking about so many other measures that are for welfare purposes, the needy, the elderly, and we are arguing about dollars and cents by the hour, it seems to me that we should do the same on a measure such as this.

On the disagreeing action of the two branches of the Legislature on Resolve to Reimburse the Berkshire Mutual Insurance Company for Damages to Property of Leonard Smith by Highway Construction (H. P. 353) (L. D. 468) the Speaker appointed the

following Conferees on the part of the House:

Messrs. SHAW of Chelsea
MARTIN of Eagle Lake
CAREY of Waterville

Mr. Good of Westfield was granted unanimous consent to address the House.

Mr. GOOD: Mr. Speaker and Ladies and Gentlemen of the House: I want to announce with joy and pride and relief that the Committee on Fisheries and Wildlife have heard their last hearing. They passed out all the bills except the last Errors and Inconsistency bill.

I do want to compliment the members of the committee, namely Representative Walker, Representative Cameron, Representative Kelley, Representative Parks — as for myself, I won't compliment myself very much — Representative Mills, Representative Morin, Representative Dow. I noticed all the Democrats are left.

That is not intentional, in my mind I took them as they are seated.

The only one thing I would like to say — and I don't want to cast reflections or try to on any other committee — but I have had bills that have been heard two months ago and they haven't come on the floor yet. We will never get out of here if these bills do not come out and we cannot get at them. I am quite concerned about these two bills especially. They haven't made their appearance, I don't know what in the world is holding them up. It seems as though a committee has a bill for two months, they can at least get it out so that we can get at it and try to enact it.

(Off Record Remarks)

On motion of Mr. Birt of East Millinocket,

Adjourned until Monday, April 30, at ten o'clock in the morning.