

# 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**

Thursday, May 3, 1973

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

Prayer by the Rev. Mr. Russell M. Chase of Monmouth.

The journal of yesterday was read and approved.

**Papers from the Senate**

From the Senate:

Bill "An Act Relating to the Cost of Operation of and Venue in the Superior Courts" (S. P. 603) (L. D. 1897)

Comes from the Senate referred to the Committee on Judiciary.

Approved by a Majority of the Committee on Reference of Bills pursuant to Joint Rule 10.

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

**Reports of Committees  
Ought Not to Pass**

Report of the Committee on Legal Affairs on Bill "An Act to Clarify Zoning Enabling Legislation" (S. P. 490) (L. D. 1567) reporting "Ought Not to Pass"

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

**Leave to Withdraw**

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act Relating to District Offices of Department of Commerce and Industry" (S. P. 328) (L. D. 1032) reporting Leave to Withdraw.

Report of the Committee on Legal Affairs reporting same on Bill "An Act Relating to Consolidation of Existing Housing and Urban Renewal Authorities" (S. P. 376) (L. D. 1103)

Report of the Committee on Legal Affairs reporting same on Bill "An Act to Authorize Municipalities to Contract with an Urban Renewal Authority for Services" (S. P. 348) (L. D. 1047)

Report of the Committee on Legal Affairs reporting same on Bill "An Act Authorizing Housing Authorities to Act as Urban Renewal Authorities" (S. P. 375) (L. D. 1101)

Came from the Senate with the Reports read and accepted.

In the House, the Reports were read and accepted in concurrence.

**Non-Concurrent Matter**

Resolution Proposing an Amendment to the Constitution to Provide for Indian Representatives to the Legislature (H. P. 214) (L. D. 287) which the House recommitted to the Committee on State Government on May 1.

Came from the Senate with the Report accepted and the Bill referred to Human Resources in non-concurrence.

In the House: On motion of Mr. Simpson of Standish, the House voted to insist.

**Non-Concurrent Matter**

Bill "An Act Relating to Credit Unions" (H. P. 602) (L. D. 793) which was passed to be engrossed as amended by Committee Amendment "A" (H-293) in the House on May 1.

Came from the Senate indefinitely postponed in non-concurrence.

In the House: On motion of Mr. Birt of East Millinocket, the House voted to recede and concur.

**Non-Concurrent Matter**

Resolution Proposing an Amendment to the Constitution Providing for Early Inauguration of the Governor, (H. P. 1001) (L. D. 1326) which was passed to be engrossed as amended by House Amendment "A" (H-271) in the House on April 23.

Came from the Senate passed to be engrossed as amended by House Amendment "A" (H-271) and Senate Amendment "A" (S-100) in non-concurrence.

In the House: On motion of Mr. Birt of East Millinocket, the House voted to recede and concur.

**Non-Concurrent Matter**

Bill "An Act Designating a Commemorative Day in Remembrance of Martin Luther King, Jr. (H. P. 1440) (L. D. 1810) which the House passed to be engrossed on April 26.

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

In the House:

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

Mr. ROSS: Mr. Speaker, I move we recede and concur.

The SPEAKER: The gentleman from Bath, Mr. Ross, moves the House recede and concur.

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

Mr. MARTIN: Mr. Speaker, I move this item lie on the table one legislative day.

Whereupon, Mr. Kelleher requested a vote on the tabling motion.

The SPEAKER: The pending question is on the motion of the gentleman from Eagle Lake, Mr. Martin, that this matter be tabled one legislative day pending the motion of Mr. Ross of Bath to recede and concur. All in favor of tabling will vote yes; those opposed will vote no.

A vote of the House was taken.

31 having voted in the affirmative and 51 having voted in the negative, the motion did not prevail.

Thereupon, on motion of Mr. Ross of Bath, the House voted to recede and concur.

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

Bill "An Act Providing Funds for Director of the State Crime Laboratory" (S. P. 446) (L. D. 1413) which was indefinitely postponed in the House on April 26.

Came from the Senate with the Bill passed to be enacted in non-concurrence.

In the House:

Mr. Jalbert of Lewiston moved the House insist.

Mr. Simpson of Standish moved the House recede and concur.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I hope the motion to recede and concur is defeated. The argument was brought out, as a matter of fact, by an opponent, who I believe was a proponent, admitting that this man would be hired. There was \$25,000 involved and this man would be hired to decide whether or not

there was a feasibility — whether a crime laboratory was feasible.

I could state many reasons — the vote was overwhelming to kill this measure and it is back with us again. Somewhere along the line we have got to accept the philosophy that all bills can't be kept alive.

I certainly hope that the motion to recede and concur does not prevail so we can finally put this bill to rest with my motion to insist.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I guess I was one of those who either helped in getting this bill to its demise the last trip around, or I was indirectly involved. I must rise and indicate to you this morning that I have changed my position somewhat from the position that I gave to you last trip around.

I indicated to you that one of the problems that I thought existed was the fact that we were using federal programs to start programs and then no one was coming around to getting the positions approved. Actually, in this particular instance, the Commissioner of Public Safety, Parker Hennessey, is indeed coming to us for approval prior to the hiring. For that I highly agree with that position.

The second factor that I gave to you, why I had reasons for opposing it, was the fact that I thought we might be ending up into a situation where we would be constructing a crime laboratory which would cost us an awful lot of money. Because of the misinformation that I gave the House last time, I have had distributed a letter from Parker Hennessey addressed to me which you have a copy of on your desks. I would appreciate it if you would take a quick look at it.

Basically the problem that we have now is maintaining the evidence once we have it and making sure that once we have the evidence when a crime has been committed that we know the individual is going to be brought to trial. Very often what happens in this state and in other states, there

is a break in the evidence and the evidence cannot be used in the courtroom and as a result, the criminal gets away. Last year in this state we lost a couple murder cases for that very reason.

I don't know what price we have to pay in order to prevent individuals from getting away from being convicted of murder, but it seems to me that whatever avenue we can take, if we can take it we ought to take it.

This individual who is being considered, as the memo points out, is an individual who is presently involved in working with the FBI. He apparently is the best. He apparently would come here to attempt to work out the situation as to whether or not we need a crime laboratory or whether we could do it on our own. It seems to me at this time a wise investment and I would, with somewhat having egg on my face, ask that you follow me to some degree, because I feel strongly that I gave you misinformation last time and I at least wanted an opportunity to redeem myself, if not with the commissioner, at least with my own conscience.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I am sure that the gentleman from Eagle Lake was speaking for himself and I am happy to hear he admits he has got a conscience. But I just want to figure out in my own mind here just exactly where we are heading. We are going to take a man who has already been practically hired and for part of the time he is going to be federally funded and then he is going to come before us, and as was stated in debate, the idea would be whether or not the feasibility of a crime lab would be in order.

I am sure that we have enough people lying around the state now who can make that survey and come up with the answer, and I don't have any doubt in my mind what the answer would be.

This is, in my opinion, just a useless money bill. You keep passing these bills or you keep taking the calendar for the other branch

and see what is on the table now, you figure out the amount of money we have got already on the table nestled there and it will scare you to death. At least it scares me, coupled with the fact that this bill was roundly defeated and for me naturally, a letter from the Chief of State Police who is the Honorable Colonel Parker Hennessey, who is a personal friend of mine doesn't impress me in the least, — I have read the letter, I knew what the contents would be in the first place, and I just feel that once the House takes a stand on a measure like this the way it did, overwhelmingly defeating this thing, I should think it would be put to rest.

Now on something that might have been close to me, I moved to kill my own measure and to accept the other measure because I was sick and tired of it, number one; and number two, I didn't want the thing to drag forever and ever.

It is now May 3. We are headed toward July or we are headed toward August. I certainly hope the motion of the gentleman from Standish, Mr. Simpson, doesn't prevail so I can make my motion to insist.

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: I cannot agree with my good friend Mr. Jalbert. In fact, I am not agreeing with anybody either pro or con on this thing we have before us this morning.

But I would like to inform the House that I spent two years trying to investigate the fires that were occurring in the eastern end of the State of Maine. And when I spent two months at this thing, then I started checking into state law to find out why sheriffs departments were not reporting into a fire prevention bureau in the state and found the 103rd Legislature had repealed the law that required this to be done.

There is no question in my mind but what we have got to have a crime laboratory in this state. We have got to know what ingredients are being used in these fires which are strictly arson and not spontaneous combustion or anything else. The loss to the state in tax-

able property is running into the millions of dollars. Now, without a crime laboratory we are not going to find out how this is being done.

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

Mr. SIMPSON: Mr. Speaker, Ladies and Gentlemen of the House: The other day when this issue came before us I did not have the opportunity to get involved in it. I think we are talking about something here that ought to be very close to us and that is law and order. In many ways I agree with the gentleman from Lewiston, Mr. Jalbert, in his statements, except that I believe we have one item here that I think it would be very unwise if we did not start to make a step in bettering the law enforcement in this state and giving our authorities a little bit more protection and a little bit more of an opportunity to get closer to the situation.

Sometimes I get a little bit concerned about putting the cart before the horse. But in this particular instance, I don't know whether we have got one before the other or not and I am willing to take that gamble right now. I believe we ought to recede and concur with the Senate.

The SPEAKER: The pending question is on the motion of the gentleman from Standish, Mr. Simpson, that the House recede and concur with the Senate. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken. 80 having voted in the affirmative and 20 having voted in the negative, the motion did prevail.

The SPEAKER: This being an emergency measure, it requires for its enactment a two-thirds vote of the entire elected membership of the House: All those in favor of its passage as an emergency measure will vote yes; those opposed will vote no.

A vote of the House was taken.

Mr. Farnham of Hampden 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 expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is 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 passage as an emergency measure will vote yes; those opposed will vote no.

### ROLL CALL

YEAS — Albert, Baker, Berry, G. W.; Berube, Birt, Boudreau, Bragdon, Brawn, Brown, Bunker, Cameron, Carey, Carter, Chonko, Churchill, Conley, Connolly, Cooney, Cressey, Crommett, Curtis, T. S., Jr.; Dam, Davis, Deshaies, Donaghy, Dow, Drigotas, Dunleavy, Dyar, Emery, D. F.; Evans, Farnham, Farrington, Fecteau, Flynn, Fraser, Gahagan, Garsoe, Gauthier, Genest, Good, Goodwin, K.; Greenlaw, Hamblen, Hancock, Herrick, Hobbins, Hoffses, Immonen, Jackson, Kauffman, Kelley, Kelley, R. P.; Kilroy, Knight, LaCharite, LaPointe, LeBlanc, Lewis, E.; Lewis, J.; Littlefield, Lynch, MacLeod, Maddox, Mahany, Martin, Maxwell, McCormick, Merrill, Mills, Morin, V.; Morton, Murchison, Murray, O'Brien, Palmer, Parks, Perkins, Pontbriand, Pratt, Ricker, Rolde, Rollins, Shaw, Sheltra, Simpson, L. E.; Smith, D. M.; Soulas, Sproul, Stillings, Susi, Talbot, Tanguay, Theriault, Trask, Trumbull, White, Whitzell, Willard, Wood, M. E.; The Speaker.

NAYS — Berry, P. P.; Binnette, Bither, Chick, Clark, Cote, Curran, Dunn, Finemore, Henley, Hunter, Jacques, Jalbert, Kelleher, Keyte, McHenry, McMahon, McNally, Morin, L.; Peterson, Ross, Strout, Walker.

ABSENT — Ault, Briggs, Bustin, Carrier, Cottrell, Dudley, Farley, Faucher, Ferris, Goodwin, H.; Haskell, Huber, Lawry, McKernan, McTeague, Mulken, Najarian, Norris, Santoro, Shute, Silverman,

Tierney, Tyndale, Webber, Wheeler.

Yes, 101; No, 26; Absent, 23.

The SPEAKER: One hundred one having voted in the affirmative and twenty-six in the negative, with twenty-three being absent, this Bill is passed to be enacted as an emergency measure.

Signed by the Speaker and sent to the Senate.

#### Non-Concurrent Matter

Bill "An Act Limiting Sunday Harness Racing" (H. P. 900) (L. D. 1188) which was indefinitely postponed in the House on May 1.

Came from the Senate with the Bill passed to be enacted in non-concurrence.

In the House:

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

Mr. COTE: Mr. Speaker, I move we recede and concur.

Mr. Dam of Skowhegan requested a roll call on the motion.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: This item was debated at great length the other day, and this House defeated this bill overwhelmingly. I hope the House holds its position this morning and gives this bill the proper motion, which should be to adhere after we defeat the recede and concur motion.

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

Mr. O'BRIEN: Mr. Speaker, Ladies and Gentlemen of the House: I agree with Mr. Kelleher, we did debate this at great length. In fact we debated it twice, but I don't recall it being defeated overwhelmingly. In fact if I remember the first vote, it was 80-some-odd to 40-some-odd for passage. The second vote was a very, very narrow squeak-by vote where it was defeated by a very, very few votes.

This bill on two different occasions has been debated at great length and I don't want to prolong the morning too long, but, Mr. Dam's opposition to the bill

seemed to be in the title. So I did some research on this title that was confusing Mr. Dam, and come to find out, at the hearing the proponents of the bill asked the committee at the hearing to change the title because they were afraid it would be misleading and the committee felt this was not of any importance at all and they didn't feel they even wanted to change the title.

Now, what the bill actually asks for is Sunday racing. We have had that debate. We have liquor on Sunday now, we drink on Sunday, we dance on Sunday, we have had Sunday racing in days gone past. But most important, the important part of this bill to me is the revenue that is going to be returned to the state and the revenue that is being returned to our horsemen and to the fair associations. The fair associations and the horsemen in this state are a very, very large industry. Here a week ago, we took one-half of one percent from the State Treasury through the activities of harness racing and runners in the past in this state.

Now, we can replenish that tax supply by allowing Sunday racing. But Mr. Kelleher argued that they closed on Tuesday nights. Well, I don't find no objection to that. As a businessman I would simply close my business on the very, very poor days in hopes that I could open up on a much better day to increase the handle and increase the business, which would also increase the purses of the state.

It is estimated that Scarborough Downs alone, because of the increased betting at that track on Sunday's, during the runners, the purses would be increased approximately \$6,000 per week. Our industry, and it is an industry, of the harness horsemen and the breeders and the racers themselves, is a very big industry here in Maine. We should do all we can to help them stabilize industry to increase their purses. So I ask you very sincerely this morning to remain with your first vote which was an overwhelming passing of this bill and vote for recede and concur.

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

Mr. COTE: Mr. Speaker, Ladies and Gentlemen of the House: I haven't debated this bill previously, but I feel if we are going to be a recreational state, over the weekends we have an influx of guests, especially at Old Orchard Beach coming down from Canada, and this is the type of entertainment that they enjoy.

I don't believe that all agricultural fairs are going to Sunday racing. I think it is going to be concentrated in the Scarborough area. I feel that these people who wish to go to the race track on Sunday, as we have been able to in the past, because they used to have it in Scarborough — it is true it was running horse racing and now it is going to be harness — I think we should provide all the recreational facilities we can for our weekend guests here in Maine.

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

Mr. DESHAIES: Mr. Speaker, Ladies and Gentlemen of the House: I concur with the gentleman from Portland, Mr. O'Brien and Mr. Cote from Lewiston. We allow the sale of liquor on Sunday, we are allowed to fish, we are allowed to play golf, any kind of recreational activities are allowed. I see nothing wrong with Sunday harness racing.

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

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: I will be very, very brief on this. There is nothing in here that I am not concerned about Sunday harness racing. I voted for the Sunday sale of liquor, for the Sunday sale of take-out beer. Now, the only thing I have said, and I will say again, that the title on this bill was misleading and had it been advertised under the proper title you would have had a lot better hearing. I don't care what the committee decides to do, that is not what I am talking about, what you decide to do in committee. What I am talking about is what is put out to the public of the

State of Maine. And in this bill, it says "An Act Limiting Sunday Harness Racing." Then for those who favor this bill, to ease their conscience, those that do have a conscience, they said this does limit it, but for a kind. But what this does is to expand it and to allow Sunday harness racing, and that is the reason and I hope today we kill this bill.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: I stated here the other day, as I did four years ago, of what the intent of this bill was. One is, it is aimed at one primary race track in the state, which is Scarborough Downs. They have a beautiful plant down there, they are very capable people, but you must remember that this plant was operated by Maine people a few years ago. It was sold to out-of-state interests, and the first thing that these gentlemen did, one of the first things that they did when they got into the state was to initiate Sunday running racing and Sunday harness racing.

Now, when the bill was heard before us four years ago, it included harness horse racing. These gentlemen didn't believe they could get the harness horse people to cooperate with them, so they had them amended out of the bill and they went with the single running horse racing at Scarborough Downs. The argument then, as it has been this morning, is that this would generate more money for the state treasury and this is not true. Because it would only be true if this particular track, and it is only this particular track that is interested in it, would race seven days a week. Now, they won't race seven days a week, they probably won't race six days.

I am sure that they are going to eliminate at least one day, and that is a good business practice. But what is the state gaining by it? They are not gaining anything by it. I don't believe that the fairs, as stated this morning, would adopt this bill. I don't believe that Scarborough Downs, if they raced on Sunday, would race Monday or



Tuesday, but that is neither here nor there.

I would just think if I lived down in the York County, Cumberland County area where recreation is a great part of their livelihood in the summer months, I wouldn't think this is fair competition to them. I don't believe that we should just gear this House or this legislature for the interests for one particular area, which is Scarborough Downs.

I am not so sure that even the horsemen in this state are entirely in favor of this bill. I know that their board of directors endorsed it, but I don't believe that the majority of the horsemen themselves are in favor of it. So I do not accept that argument to any great degree. As I said before, this bill was aimed at one area which is Scarborough Downs. I am surprised that when the bill came in there wasn't a local referendum question on it so the people in the town where these races would be taking place could vote themselves whether they want Sunday racing or not. I think that the sponsor and the people who were behind it should have taken their feelings into consideration and not the operators of a harness track or a running race track.

I hope that the House would stand by their vote of a day ago and not recede and concur.

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

Mr. SIMPSON: Mr. Speaker and Ladies and Gentlemen of the House: I stand before you this morning completely as an individual that is interested in this thing. I have had a few years experience around the race tracks, not at the window and not with the horses, but I have had the opportunity to have the food concessions at Cumberland for quite some time, which I no longer have, so I don't believe that I have a conflict of interest there any more, Ed.

For years I have been opposed to Sunday racing and I remember when I was there that they used to come around and talk about Sunday racing and wanting to get involved seven days and I would

have to admit that personally, when I took a look at it, if I could open on Sunday, no doubt about it, my net income and my net profit at the end of the season would be far better than it would be if I could be open Monday and Tuesday night where the nights were very very weak.

I am also in the recreational industry in this state and I have to ask myself, if we allow different things to take place — the gentleman from Portland mentioned we now can drink on Sunday and just about everything else — then I would say I guess as individuals we ought to have a choice as to what we want to do on Sunday. Therefore, even though I admit being deep inside opposed to Sunday racing, I don't think that I should block it or try to block it.

It was also mentioned that we did take money out of our coffers the other day by changing the amount of return from the windows to the state and it was my understanding that hopeful — if this did go through — we would possibly get into Sunday racing where the income would be greater on that particular day.

Now if we are going to talk about just Scarborough, fine. I will admit that we are talking about one area of the state, but it is an area that in the summertime has a lot of recreational activity and when people come into the state, they want to do some things. Maybe they don't want to just go to Sebago and stay on the beach. Maybe on Sunday they would like to go to states.

I have had the opportunity to follow the fairs. When we first started out we were going just Wednesday — that was the big day — and maybe Saturday and then they started to fit in Thursday and Friday and now they have pushed themselves back into Tuesday and into Monday and now it has gotten to the point where we have to set up on Sunday. And when we set up on Sunday, there was nothing doing. Now it is a race to go all night Saturday night to get open Sunday morning at 11 o'clock to meet the competition that is going to be on the fairgrounds Sunday afternoon. The

beanos run, the flat stores run and if you want to talk about something, I can get into that for a long time when you talk about the flat stores we allow in the state, even the girl shows run on Sunday.

As far as I am concerned, I think if somebody wants to go to the window and place a \$2 bet, then I don't think we ought to stop him. I would ask that you support this bill.

The SPEAKER: The Chair recognizes the gentleman from Madison, Mrs. Berry.

Mrs. BERRY: Mr. Speaker and Ladies and Gentlemen of the House. At this point I find myself agreeing with the gentleman from Skowhegan. I think this was not the title that it should be and I perhaps may be the only one among the few, who thinks this might be intentional — the title of this bill. I am sure that you could see that nobody was concerned until the day of the hearing, after it had been advertised.

The SPEAKER: The Chair recognizes the gentleman from Scarborough, Mrs. Knight.

Mrs. KNIGHT: Mr. Speaker and Ladies and Gentlemen of the House: The gentleman from Bangor, Mr. Kelleher, has suggested that perhaps the town of Scarborough should have a referendum on this particular question. I feel very sure that if a referendum were called and voted on, the Town of Scarborough would vote in favor of this bill. I do think Scarborough Downs should have this and would hope that when we vote you would vote to recede and concur.

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

Mr. JALBERT: Mr. Speaker and Ladies and Gentlemen of the House: As far as I am concerned, Sunday starts by my putting my best bib and tucker on and going to church. And from that time on—I agree with the gentleman from Standish, Mr. Simpson—whatever one wants to do, it should be his own privilege, his own doing.

I know a little something about horse racing. I know so much about horse racing that I remember the day that I used to keep a post office box so I could keep

the bills away from coming home. I now go to the horse races. I live within five minutes of the Lewiston raceway, which incidentally, would accept this bill. I have not been this year. At the long meet they had, I didn't go once. I have never gone to a Sunday racing bill.

I would like to ask, however, what the difference is between us voting two or four years ago to allow racing with a man astride the horse, what the difference is between that and a wagon being pulled by a horse? I do not see that there is too much difference. I might have my feelings about what I like to see best. I do not think there is anything any prettier than seeing six or seven harness drivers coming down the home stretch.

I went along, last Saturday, to the Lewiston raceway. They have like a separate community there. There are over 600 people that live there. I spoke to several horsemen and several people in the business. They wholeheartedly told me that they wanted this bill and they hoped I would vote for it and I am going to go along with their wish.

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

Mr. BRAWN: Mr. Speaker and Ladies and Gentlemen of the House: I wonder how many of you listened to your radios this morning. I happened to be listening to WTVL and I heard it stated that this bill had been passed in both Houses and it had come from the Senate and was going to be signed by the Governor today. I think the news media had better get on the ball and report this out a little more honest.

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 gentleman from Lewiston, Mr. Cote, that the House recede and concur with the Senate on "An Act Limiting Sunday Harness Racing," House Paper 900, L. D. 1188. All in favor of that motion will vote yes; those opposed will vote no.

### ROLL CALL

YEA — Ault, Berry, P. P.; Berube, Boudreau, Briggs, Brown, Carey, Carrier, Carter, Chonko, Churchill, Conley, Connolly, Cooney, Cote, Cressey, Crommett, Curran, Curtis, T. S., Jr.; Davis, Deshaies, Dow, Drigotas, Dunleavy, Dyar, Evans, Farrington, Fecteau, Flynn, Fraser, Gahagan, Garsoe, Gauthier, Genest, Goodwin, K.; Greenlaw, Hamblen, Hancock, Herrick, Jacques, Jalbert, Kelley, Kelley, R. P.; Keyte, Kilroy, Knight, LaCharite, LaPointe, LeBlanc, Lewis, E.; Lewis, J.; Lynch, Mahany, Martin, Maxwell, McCormick, Mills, Morin, V.; Morton, Mulkern, Najarian, O'Brien, Palmer, Perkins, Pontbriand, Ricker, Ross, Sheltra, Simpson, L. E.; Smith, D. M.; Smith, S.; Soulas, Stillings, Susi, Tanguay, Theriault, Trumbull, Whitzell, Willard, Wood, M. E.

NAY — Albert, Baker, Berry, G. W.; Birt, Bither, Bragdon, Brawn, Bunker, Cameron, Chick, Clark, Dam, Donaghy, Emery, D. F.; Farley, Farnham, Finemore, Good, Goodwin, H.; Henley, Hobbins, Hoffses, Hunter, Immonen, Jackson, Kelleher, Lawry, Littlefield, MacLeod, Maddox, McHenry, McMahon, McNally, Merrill, Morin, L.; Murchison, Murray, Parks, Peterson, Pratt, Rolde, Rollins, Shaw, Shute, Sproul, Strout, Talbot, Trask, Tyndale, Walker, White

ABSENT — Binnette, Bustin, Cottrell, Dudley, Dunn, Faucher, Ferris, Haskell, Huber, Kauffman, McKernan, McTeague, Norris, Santoro, Silverman, Tierney, Wheeler

Yes, 80; No, 50; Absent, 18.

The SPEAKER: Eighty having voted in the affirmative and fifty having voted in the negative, with eighteen being absent, the motion does prevail.

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

Mr. JALBERT: Mr. Speaker, I move we reconsider our action whereby we voted to recede and concur and when you vote, vote against my motion.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, moves the House reconsider its action whereby it voted to recede and concur with the Senate. All in favor of reconsidering will say yes; those opposed will say no.

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

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

### Messages and Documents

The following Communication:

The Senate of Maine

Augusta

May 2, 1973

Hon. E. Louise Lincoln

Clerk of the House

106th Legislature

Dear Madam Clerk:

The Senate voted to Adhere to its action whereby it Indefinitely Postponed, Bill, "AN ACT to Include Operators of Industrial Wastewater Treatment Plants in the Operator Certification Program." (S. P. 478) (L. D. 1534).

(Signed)

Respectfully,

Secretary of the Senate

The Communication was read and ordered placed on file.

### Messages and Documents

The following Communication:

State of Maine

House of Representatives

Augusta

May 3, 1973

The Honorable Richard D. Hewes

Speaker of the House

State House

Augusta, Maine 04330

Dear Dick:

The Committee on Fisheries and Wildlife is pleased to report the following:

The total number of bills being 78.

35—ought to pass

13—ought not to pass

13—leave to withdraw

8—divided reports

8—covered by other legislation  
1—in committee (omnibus)

If I can be of further assistance,  
please do not hesitate to contact  
me.

Sincerely,  
(Signed) **HERSCHEL GOOD**

Representative

The Communication was read  
and ordered placed on file.

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

Mr. Good from the Committee  
on Fisheries and Wildlife on Bill  
“An Act to Require Hunting and  
Firearm Safety Course Prerequi-  
site to Hunting License” (H. P.  
1303) (L. D. 1697) reporting “Ought  
not to pass.”

Mr. Rolde from the Committee  
on Natural Resources reporting  
same on Bill “An Act Defining  
Subdivision under Land Use Regu-  
lation Law” (H. P. 1102) (L. D.  
1438)

Mr. Briggs from same Commit-  
tee reporting same on Bill “An Act  
Relating to Definition of Land Sub-  
division under Municipal Regula-  
tion Law” (H. P. 1103) (L. D. 1439)

Mr. Peterson from same Com-  
mittee reporting same on Bill “An  
Act Relating to Definition of Sub-  
division under Site Selection Law”  
(H. P. 1104) (L. D. 1440)

Mr. McLeod from same Com-  
mittee reporting same on Resolu-  
tion, Proposing an Amendment to  
the Constitution to Provide for an  
Environmental Bill of Rights (H.  
P. 1279) (L. D. 1666)

Mr. Kelleher from the Commit-  
tee on Public Utilities reporting  
same on Bill “An Act to Provide a  
Choice of Telephone Service for  
Inhabitants of Eustis Village and  
Coburn Gore” (H. P. 882) (L. D.  
1169)

Mr. Henley from the Committee  
on Veterans and Retirement re-  
porting same on Bill “An Act Re-  
lating to Service Retirement of  
Employees in Direct Contact with  
Patients at State Hospitals” (H. P.  
212) (L. D. 285)

Same gentleman from same  
Committee reporting same on Bill  
“An Act Amending the Retirement  
Law Relating to Certain Em-  
ployees under the Department of  
Mental Health and Corrections”  
(H. P. 497) (L. D. 650)

Same gentleman from same  
Committee reporting same on Bill  
“An Act to Extend Accidental  
Death Benefits to Game Biologists  
of the Department of Inland Fish-  
eries and Game” (H. P. 600) (L.  
D. 791)

Same gentleman from same  
Committee reporting same on Bill  
“An Act Including Maine County  
Commissioners Association under  
State Retirement System” (H. P.  
712) (L. D. 918)

Same gentleman from same  
Committee reporting same on Bill  
“An Act Including Employees of  
Council 74 of the American Fed-  
eration of State, County and Mun-  
icipal Employees under State Re-  
tirement System” (H. P. 749) (L.  
D. 962)

Same gentleman from same  
Committee reporting same on Bill  
“An Act Including Employees of  
Maine School Management Asso-  
ciation under State Retirement  
System” (H. P. 884) (L. D. 1171)

Same gentleman from same  
Committee reporting same on Bill  
“An Act Relating to Retirement of  
Liquor Enforcement Officers” (H.  
P. 1251) (L. D. 1628)

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

### **Leave to Withdraw**

Mr. Farrington from the Com-  
mittee on County Government on  
Bill “An Act Expending Aroos-  
took County Funds for Presque  
Isle Airport” (H. P. 496) (L. D.  
669) reporting Leave to Withdraw.

Mr. Churchill from same Com-  
mittee reporting same on Bill “An  
Act Providing Kennebec County  
Funds for a Retarded Children  
Program” (H. P. 1318) (L. D. 1714)

Mr. Herrick from the Committee  
on Natural Resources reporting  
same on Bill “An Act Relating to  
Minimum Lot Size When Not  
Served by Public Sewer or Water  
Supply” (H. P. 727) (L. D. 933)

Mrs. Berube from same Com-  
mittee reporting same on Bill “An  
Act Relating to Shoreland Protec-  
tion” (H. P. 784) (L. D. 1021)

Mr. Soulas from the Committee  
on Public Utilities reporting same  
on Bill “An Act Regulating Com-  
munity Antennae Television Sys-

tems by Public Utilities Commission" (H. P. 227) (L. D. 299)

Mr. Dow from the Committee on Taxation reporting same on Bill "An Act Creating a Homestead Tax Exemption for Totally Disabled Veterans Who are Residents of Maine" (H. P. 1280) (L. D. 1667)

Reports were read and accepted and sent up for concurrence.

#### **Referred to Committee on Taxation**

Mr. Berry from the Committee on Agriculture on Bill "An Act to Amend the Farm and Open Space Land Law" (H. P. 1252) (L. D. 1629) reporting that it be referred to the Committee on Taxation.

Report was read and accepted, the Bill referred to the Committee on Taxation and sent up for concurrence.

#### **Referred to 107th Legislature**

Mr. Palmer from the Committee on Natural Resources on Bill "An Act to Provide a Sewerage Research Program" (H. P. 1106) (L. D. 1442) reporting that it be referred to the 107th Legislature.

Report was read and accepted, the Bill referred to the 107th Legislature and sent up for concurrence.

#### **Ought to Pass Printed Bill**

Mr. Carter from the Committee on Appropriations and Financial Affairs on Bill "An Act Authorizing a Business Manager for the Department of the Attorney General" (H. P. 1297) (L. D. 1683) reporting "Ought to pass"

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

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

Mr. Dudley from the Committee on Legal Affairs on Bill "An Act Relating to the Registration of Private Employment Agencies" (H. P. 1038) (L. D. 1358) reporting "Ought to pass" in New Draft (H. P. 1474) (L. D. 1899) under same title.

Mr. Finemore from the Committee on Taxation on Bill "An Act Relating to State Income Tax Deduction for Student Tuition Payments" (H. P. 790) (L. D. 1026) reporting "Ought to pass" in New

Draft (H. P. 1473) (L. D. 1898) under same title.

Mr. Peterson from the Committee on Natural Resources on Bill "An Act to Provide \$50,000 to Purchase Land for a Wildland Preserve in Warren Pond Area of York County" (H. P. 1250) (L. D. 1627) reporting "Ought to pass" in New Draft under New Title "An Act to Provide \$50,000 to Purchase Land for a Wildlife Management Area in Warren Pond Area of York County" (H. P. 1475) (L. D. 1900)

Mr. Palmer from the Committee on Natural Resources on Bill "An Act to Impose a Disposal Fee on New Car Sales" (H. P. 1261) (L. D. 1637) reporting "Ought to pass" in New Draft under New Title "An Act Relating to the Disposal of Junked Cars" (H. P. 1476) (L. D. 1901)

Reports were read and accepted, the New Drafts read once and assigned for second reading tomorrow.

The SPEAKER: Would the Sergeant-at-Arms kindly escort the gentleman from Dover-Foxcroft to the rostrum.

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

#### **Divided Report Tabled and Assigned**

Majority Report of the Committee on Public Utilities on Bill "An Act Relating to Determination of Just and Reasonable Electrical and Telephone Utility Rates by Public Utilities Commission" (H. P. 1192) (L. D. 1532) reporting "Ought not to pass"

Report was signed by the following members:

Mrs. CUMMINGS of Penobscot  
Messrs. ANDERSON of Hancock  
CYR of Aroostook

— of the Senate.

Messrs. KELLEHER of Bangor  
MADDOX of Vinalhaven  
TRASK of Milo  
CONLEY

of South Portland  
SOULAS of Bangor  
LITTLEFIELD

of Hermon  
CHICK of Sanford

— of the House.

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

Report was signed by the following members:

Messrs. MURRAY of Bangor  
GENEST of Waterville  
MULKERN of Portland  
— of the House.

Reports were read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bangor, Mr. Soulas.

Mr. SOULAS: Mr. Speaker, Ladies and Gentlemen of the House: I move we accept the majority report "Ought not to pass."

The SPEAKER pro tem: The gentleman from Bangor, Mr. Soulas, moves the House accept the Majority "Ought not to pass" Report.

The SPEAKER pro tem: The Chair recognizes the gentleman from Winslow, Mr. Carter.

Mr. CARTER: Mr. Speaker, Ladies and Gentlemen of the House: I am currently awaiting some more information from the PUC people, and from what I understand, this bill may not be necessary if the information proves correct. I would hope that somebody would table this for one day until I receive the information I requested.

Thereupon, on motion of Mr. Finmore of Bridgewater, tabled pending the motion of Mr. Soulas of Bangor to accept the Majority "Ought not to pass" Report and specially assigned for Monday, May 7.

### Divided Report

Majority Report of the Committee on Veterans and Retirement on Bill "An Act Relating to Service Retirement for Certain Members of the State Police" (H. P. 1009) (L. D. 1323) reporting "Ought to pass".

Report was signed by the following members:

Messrs. RICHARDSON  
of Cumberland  
SHUTE of Franklin  
DANTON of York  
— of the Senate.  
Messrs. HENLEY of Norway  
PRATT of Parsonsfield  
GAHAGAN of Caribou  
THERIAULT of Rumford

Mrs. KELLEY of Machias  
— of the House.

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

Report was signed by the following members:

Messrs. LYNCH  
of Livermore Falls  
BERRY of Buxton  
— of the House.

Reports were read.

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

Mr. HENLEY: Mr. Speaker, I move the acceptance of the majority "Ought to pass" report.

The SPEAKER pro tem: The gentleman from Norway, Mr. Henley, moves the acceptance of the Majority Report.

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

Mr. LYNCH: Mr. Speaker and Members of the House: As one of the two signers of the minority report, I should explain my reason. I object to changing the ground rules once they have been established.

I think you are going to find it hard to draw a line where you allow people on retirement to change their option once they have selected it.

The SPEAKER pro tem: The Chair recognizes the gentleman from China, Mr. Farrington.

Mr. FARRINGTON: Mr. Speaker, Ladies and Gentlemen of the House: Unfortunately, the case is not true here. The law was changed after these people had taken their retirement. This has to do — as I understand it, it was only four in the State Police Department. I also understand that there are only two of the four that would wish to take different options and to be under the same provisions of retirement as all the other State Police are presently. These few people were simply caught in the web of changes in the law and now they would like to be treated like everyone else.

I certainly hope that the House would go along with this, let it go as far as the Appropriations Table. There is a small appropriation on it. I really can't see why we

shouldn't treat all the State Police under retirement the same.

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

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: This is a very good piece of legislation. From my own experiences, I know that police and firemen, no matter where they may be located, are the biggest victims of heart attacks over the age of 55 on a sudden gong ring or a sudden alarm or sudden alert or an emergency calling. These people no longer are qualified as able bodied people.

Thereupon, the Majority "Ought to pass" Report was accepted, the Bill read once and assigned for second reading tomorrow.

#### Divided Report

Majority Report of the Committee on Taxation on Bill "An Act Providing for Payment of Sales Tax on Motor Vehicles at Time of Registration" (H. P. 1321) (L.D. 1727) reporting "Ought not to pass"

Report was signed by the following members:

Messrs. FORTIER of Oxford  
COX of Penobscot  
WYMAN of Washington  
— of the Senate.  
Messrs. IMMONEN of West Paris  
FINEMORE  
— of Bridgewater  
DOW of West Gardiner  
MERRILL  
— of Bowdoinham  
DAM of Skowhegan  
— of the House.

Minority Report of the same Committee on same bill reporting "Ought to pass in New Draft" (H. P. 1477) (L. D. 1902)

Report was signed by the following members:

Messrs. MORTON of Farmington  
SUSI of Pittsfield  
MAXWELL of Jay  
DRIGOTAS of Auburn  
COTTRELL of Portland  
— of the House.

Reports were read.

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

Mr. FINEMORE: Mr. Speaker, I move we accept the Majority "Ought not to pass" Report.

The SPEAKER pro tem: The gentleman from Bridgewater, Mr. Finemore, moves the House accept the Majority "Ought not to pass" Report.

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

Mr. SUSI: Mr. Speaker and Ladies and Gentlemen of the House: You see that my name is on the minority "Ought to pass" report and I would like to explain the position of the signers of the "ought to pass" report, at least from my viewpoint. In explanation, at the present time when you go and buy an automobile, you pay the sales tax to the dealer and periodically the dealer has to report to the State Sales Tax Division and pay his receipts on sales tax to the State Sales Tax Division. There is a lag in between the day that you as a purchaser pass this money into the hands of the dealer and the day that the dealer turns the money over to the Sales Tax Division.

Under this bill, if it were adopted, instead of paying to the dealer, you would pay to the state directly at the time you registered your automobile. It is believed that this would put this money, which of course is in considerable quantities, into the hands of the state some 20 days earlier on the average and would result in the state being able to use this money during the 20 days and the gain, it being in such substantial quantities, it would result in the state's gaining interest either from depositing it or obviating the need of their borrowing during that same period.

It would also be, at least in my opinion, a convenience to the dealers not having to handle this additional amount of money and serve as a tax collector on this amount. I doubt there would be any inconvenience to the purchaser of the vehicle inasmuch as he does have to go to the Automobile Registration Office to get the car registered in any case.

There is a question as to whether certain people would have the money to pay this sales tax and

the dealers have made assurances that they could finance the amount needed for the payment of the sales tax as they personally do and turn this amount over in the form of a check, perhaps payable to the state or however.

These are, in my opinion, some of the advantages of the bill.

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

Mr. MORTON: Mr. Speaker and Ladies and Gentlemen of the House: I hate to be in disagreement with my good friend and mentor, the gentleman from Bridgewater, Mr. Finemore, who does know a great deal about taxes, purchasing automobiles and all that sort of thing. But I have been an automobile dealer for many years and I do think I have some insight into the matter too.

You will note that we are dealing here with the original bill and a new draft. The new draft I direct your attention to is number 1902. It is on your desks this morning. The new draft is quite a bit longer and in more detail than the original bill. The original bill expressed a concept but it didn't really get into it deeply enough and the Tax Department advised us that they couldn't live with the original bill. So the bill that you have here, the new draft, number 1902, is a draft that was drawn up by the Taxation Department and which they can work with and live with.

About the only change in this from the original bill, as far as the concept is concerned, is that the new draft confines this collection of the taxes at the registries to passenger cars only. This was felt to be a big enough order for the Taxation Department to take on the first time around. If this bill in its new draft is passed and it works out, it may be that at some future time the legislature in its wisdom will decide to go ahead and make all of the taxes collectible at the registries.

This particular philosophy has long been a goal of automobile dealers or some automobile dealers for the reason that the sales tax on an automobile transaction to many Maine people is a pretty

significant sum of money. When you get up into three figures, most Maine people choke a little bit. They hate to pay it. And this is a tax which is very direct. You know when you pay it and it is a good sizable sum of money.

The dealers philosophically felt that it was kind of too bad that this particular thing had to be part of a transaction at a time when they were trading automobiles. They have felt that it might facilitate trading if the tax were not collectible at the dealership and therefore did not have to be part of the sale.

I will be very frank with you, ladies and gentlemen, if that were the only consideration, I couldn't stand up here on the floor of the House this morning and defend it very strongly because I think dealers are in business to trade automobiles and they have got to be sharp enough not to disobey the law and give the tax away, which is what people are asking you to do if it gets into the trade.

On that basis alone although many dealers support it on that basis, I couldn't stand up here today but after the bill was brought out and I began to learn about it from some of the proponents and get some of the figures together, it is pretty apparent. The dealers in paying once a month leave upwards of a million dollars in dealers hands for a period of ten, twenty or thirty days and this money could well be in the State Treasury and be drawing interest for the state.

Apparently to some dealers this amount of money is great enough and it amounts to ten, twelve, twenty thousand dollars sometimes, that a few of them — I didn't even know this was possible, so you can see how naive I am in the automobile business—but a few of them take advantage of the penalties that are built into the law at the present time and hold the money beyond the time they are supposed to send it in. They send in the report but they don't send the check. This creates a penalty and interest. But even so, apparently at some time some dealers are using this as a bank-



ing facility and therefore you can see that it is a pretty significant sum of money to them.

The Department of Taxation, if this bill were passed, could reduce their work force by five people whose salaries amount to an estimated \$33,000 a year plus another \$16,000 in expenses or a total saving to the Tax Department of very nearly \$50,000. I think this is a significant thing. This is an attempt to get the taxing function back at the state level where it really belongs.

I would hope that you would take a pretty good look at the redraft and I hope that you will give us an opportunity to vote on the redraft by not accepting the "ought not to pass" motion that Mr. Finemore has put out this morning.

The SPEAKER pro tem: The Chair recognizes the gentlelady from Madison, Mrs. Berry.

Mrs. BERRY: Mr. Speaker and Ladies and Gentlemen of the House: I wonder if I could ask the gentleman of Farmington a question? By reducing the five positions in your Taxation Department, how many positions will we have to add to the Motor Vehicle Department? They tell us now that they are so busy down there that they need more motor vehicle registration offices around the state. Could you tell me what is going to happen here?

The SPEAKER pro tem: The gentlewoman from Madison, Mrs. Berry, poses a question through the Chair to anyone who may answer if he pleases. The Chair recognizes the gentleman from Farmington, Mr. Morton.

Mr. MORTON: Mr. Speaker and Ladies and Gentlemen of the House: I will certainly acknowledge that the Motor Vehicle Department did come into the hearing, did point out that they would need additional help. But as Mrs. Berry just very carefully said and I am sure she is correct, the Motor Vehicle Department feels that it needs more help anyway. And if they are going to be asking for positions on this bill, although we didn't put their amendment on the bill, or perhaps on some other bill, there is no question but what the

Motor Vehicle Department needs more people, if their testimony is to be believed and I am sure it is. But I do not think it is necessarily all confined to this bill. Therefore, I would say, let's face that issue when we come to it and let's take the \$50,000 saving we get in the Taxation Department on this bill.

The SPEAKER pro tem: The Chair recognizes the gentleman from Auburn, Mr. Pontbriand.

Mr. PONTBRIAND: Mr. Speaker and Ladies and Gentlemen of the House: I presented this bill and the reason I presented it is, my business is in the banking business and of course in the banking business we live a lot on "float money." This "float money" which averages about \$12 million per year, at the present rate could yield approximately \$50,000 more income to the state.

The other thing the state is faced with by not collecting these taxes immediately, it has in its accounts receivable \$541,000 which presently, if this bill is accepted, would wipe out these accounts receivable.

The state charges a half of one percent interest rate per month on the unpaid balance and that is cheaper than you can borrow money in any bank or any finance company—much cheaper. In fact, the going rate of that interest is 1½ percent, not a half of 1 percent.

We have talked to some of the dealers and I would say that 90 to 95 percent of the dealers are in favor of this. I know that the Motor Vehicle Department came in and wanted some more help but they also have two other bills to get more help. Like Mrs. Berry said, they do need more help now and this shouldn't affect my bill.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Madison, Mrs. Berry.

Mrs. BERRY: Mr. Speaker and Ladies and Gentlemen of the House: I believe that the help they are asking for isn't for this purpose. I have just been told that they said in committee that this would take 11 more people to do this.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bowdoinham, Mr. Merrill.

Mr. MERRILL: Mr. Speaker, Ladies and Gentlemen of the House: At the committee hearing on taxation it was brought out that this bill would add 11 additional employees with a price tag of about \$100,000. And that was one reason why I voted "ought not to pass" on the bill.

The SPEAKER pro tem: The Chair recognizes the gentleman from Auburn, Mr. Pontbriand.

Mr. PONTBRIAND: Mr. Speaker, Ladies and Gentlemen of the House: I have talked with Mr. Wyman and he feels that presently possibly he would need more extra help through the larger offices which are Portland, Bangor, Lewiston and Augusta. So this is on a trial basis and I am sure that sometimes you do go into the vehicle department and they are not always busy. It seems to me that the bill itself — he did say that he needed 11, but we have talked to him since. I think there would be a reduction in help.

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

Mr. O'BRIEN: Mr. Speaker, Ladies and Gentlemen of the House: I am in the automobile business, and I am not as naive as the former member of the automobile business is. I consider myself a professional. Let me just explain that word slowly. I make my living buying, selling, trading cars. And to survive in this business, you have to be sharp, you have got to stay awake every moment of the day.

Let me try and shed some light on this piece of legislation here. Some of the previous speakers just touched on it very very lightly. Let me explain some of the tricks of the trade, as it may be referred to. My friend Mr. Pontbriand is a banker. His estimates of the savings on this bill I would say are very very conservative. He feels that they will save approximately \$100,000 in the course of a year. It is my estimation that it will save closer to \$300,000 in the course of a year.

You have to remember that the automobile business in this state is a big business. The new and used car dealers turn over to the

State of Maine in excess of \$13 million a year in sales tax. Well, let me explain what happens when a large dealer is holding ten, fifteen, twenty thousand dollars worth of sales tax — there is nothing illegal about it. As you may or may not know, in most large dealerships their floor plan — by floor plan I mean they borrow money to buy their cars and they pay interest on the money usually somewhere around 9 or 10 percent per month. But if I am so fortunate or a large dealer is so fortunate to be holding nine or ten thousand dollars of the state's money, which I really enjoy, I file my sales tax receipt but I don't send a check and they penalize me  $\frac{1}{2}$  of 1 percent. Now, the money the state has borrowed to operate for the following 30 days while I'm holding their sales tax money, the state is paying 6 $\frac{1}{2}$  percent and charging me a half of a percent. Now, who in business can resist such a temptation? So let me say to you the majority of the dealers in this state are late in filing their sales tax, very late.

This bill — both the Department of Transportation and the Motor Vehicle Department were in agreement with this bill to start with. Both of them were at the hearing and neither one testified as an opponent to the bill. But like all department heads, suddenly they see a chance. The Taxation Department is suddenly giving up five or six people. The Motor Vehicle Department sees a chance to grab five or six people to expand their own certain, particular area. It was then that the opposition started to the bill, when suddenly the Motor Vehicle Department realized they have got three bills coming before this House dealing with motor vehicle problems this session. On all three of them they intend to attach an appropriation. Now, they feel, for example, in reference to this legislation, we have a title state coming, and we need it. They will attach an appropriation to that, because they feel that somewhere these three bills will pass and they will get their appropriation.

There is no need for an appropriation on this bill right now.

We all have towns close by where there is a motor vehicle registry office where we register our cars. These people are there, they can collect the sales tax just as easy. If you don't have an office close by you, you can mail your sales tax by mail if you want to.

You cannot convince me that the people behind those windows are so busy eight hours a day that they don't have time to have a gentleman or a lady who appears before them, signs their name and takes the sales tax at that time. No one will ever convince me of that.

I urge you to reject the "ought not to pass" report and accept the "ought to pass report."

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

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: I am not an automobile dealer, all I do is keep them in business. And I believe I do my share of that.

It rather amuses me to hear the testimony when they mention — especially the gentleman from Portland, Mr. O'Brien, said the Transportation Department. I am on the committee. I very seldom go to sleep on Taxation. I usually try to stay awake and there is no member of the Transportation Department that attended that meeting or appeared before the hearing.

Also, Mr. Wyman has stated a loss, the people he would have to have and I don't think he has changed his mind. I am not disputing anyone here or saying they are making misstatements. But I find they are true. I don't believe there is a member of this House who would like to buy a new car for \$5,000 outright we'll say. Maybe buy it on time, which today 95 percent of the cars are bought that way. That is about the only way you can buy if you are on a salary, is buy them, stay and pay for them. How many of them would like to go to the office and try to dig up the \$250? They say, well, they are going to finance it and the dealer is going to write the check.

Now, the statement has also been made here that 95 percent of the dealers are in favor of this. I must be very unfortunate, because I called three dealers and they are against it. And I have got three of the 95 percent already. So I am almost batting 100 percent.

As far as the state borrowing money. They are financially fit to a very incorrect statement because the state does not borrow money. They are financially fit to carry on with their tax the way it goes.

Another gentleman has made the statement here of the money we make on it, because there would be so many thousands or millions of dollars coming in each month. He is figuring that interest on the total month. Well, in no time would the total month be in there till the end of the month when they would be in anyway. So that statement is very incorrect. The expense being transferred, that is true, some of it would be. So all in all I don't think the people would like to go or either mail it in or go to the registration office and mail this.

We have a majority report here, we have put a lot of time on it. We have put time on the redraft, we put time on the bill. I can see the dealers—if the dealers weren't paying other sales tax, I can see it. But today how many dealers don't have other items, tires or parts or stuff like that that they are paying tax on. Therefore, they are doing no extra business, no extra work, because it is all locked in.

I hope you will go along with the "ought not to pass" of this report.

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

Mr. DYAR: Mr. Speaker, Members of the House: I am somewhat confused after hearing some of the mathematics tossed about here and would pose a question through the Chair to anyone who might care to answer the difference between 6 percent interest a year and  $\frac{1}{2}$  percent interest a month?

The SPEAKER pro tem: The

gentleman from Strong, Mr. Dyar, has posed a question through the Chair to anyone who may wish to answer.

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

Mr. FINEMORE: Mr. Speaker and Members of the House: In answer to the gentleman's question, you know, it is just a matter of handling money. I don't think you would accumulate too much that way. Although they always say that you can accumulate that way, it reminds me of a story an old fellow up country, that the income tax people asked him how he knew he was making money, he didn't keep any books. Well, he said, if he bought a darnin' needle for one cent and sold it for three, he wasn't losing any money.

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

Mr. MORTON: Mr. Speaker and Members of the House: Just a couple brief remarks. I want to thank the gentleman from Portland, Mr. O'Brien, for supporting me. Although he did it in a kind of backhanded way.

I do want to correct one statement. I don't want to fly under false colors here on the floor of the House. I am not a former new car dealer, I am still a new car dealer, still in business. I just happen to have an excellent manager who is doing a better job than I did when I was in the business on the job every day. Ladies and gentlemen, there is no doubt that a successful used car dealer is much sharper than most new car dealers.

The SPEAKER pro tem: The pending question is on the motion of the gentleman from Bridgewater, Mr. Finemore, that the House accept the Majority "Ought not to pass" Report. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

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

On motion of Mr. Morton of Farmington, the Minority "Ought to pass" Report was accepted, the

New Draft read once and assigned for second reading tomorrow.

At this point, Speaker Hewes returned to the rostrum.

SPEAKER HEWES: The Chair thanks the gentleman and commends him on an excellent job.

Thereupon, the Sergeant-at-Arms escorted Mr. Smith to his seat on the floor of the House, amid the applause of the House, and Speaker Hewes resumed the Chair.

### Consent Calendar

#### First Day

(H. P. 415) (L. D. 564) Bill "An Act Increasing Compensation of Full-time Deputy Sheriffs in all Counties" — Committee on County Government reporting "Ought to pass" as amended by Committee Amendment "A" (H-309)

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

### Tabled and Assigned

(H. P. 473) (L. D. 620) Bill "An Act Establishing the Lewiston-Auburn Airport Authority" — Committee on Legal Affairs reporting "Ought to pass" as amended by Committee Amendment "A" (H-310)

On the request of Mrs. Lewis of Auburn, was removed from the Consent Calendar.

(On further motion of the same gentlewoman, tabled pending acceptance of Committee Report and specially assigned for Monday, May 7.)

(H. P. 540) (L. D. 722) Bill "An Act Relating to Nature of Foreclosure of Tax Lien Mortgages" — Committee on Legal Affairs reporting "Ought to pass" as amended by Committee Amendment "A" (H-311)

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

(H. P. 1129) (L. D. 1464) Resolve Authorizing County Commissioner of Aroostook County to Extend Route 161 — Committee on County Government reporting "Ought to pass"

On the request of Mr. Martin of Eagle Lake, was removed from the Consent Calendar.

Thereupon, the Report was accepted, the Resolve read once and assigned for second reading tomorrow.

(H. P. 1160) (L. D. 1493) Bill "An Act Establishing a State Register of Natural Areas" — Committee on Natural Resources reporting "Ought to pass" as amended by Committee Amendment "A" (H-312)

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

(H. P. 1326) (L. D. 1738) Bill "An Act to Annex Town of Brunswick to Sagadahoc County" — Committee on County Government reporting "Ought to pass" as amended by Committee Amendment "A" (H-313)

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

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

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: This is a very complicated situation, although the bill itself is very simple. It just lets Brunswick join the County of Sagadahoc, the smallest county in the state in area and the third smallest in population.

Now, we may be small, but we are important. We have one of the largest industries in the state. We have several of the best beaches, we have the best museum and other things.

We have a nonpartisan political climate. For instance, here in the House we have two Republican men and two Democratic women. So we believe in nondiscrimination, not only as far as political parties go but also as far as sex goes. Aside from this, we are steeped in tradition, particular in the City of Bath. We not only had the first governor in the state, Governor King, but we also at one time had a candidate for vice president of the United States.

Commercially, at one time there were 26 wooden shipyards up and down the river near Bath and once Bath was the third largest port in the United States. In order it went: New York, Boston and Bath, Maine. We built the first steel ship in the United States.

But to leave aside history and memories and get back to the bill, it is intriguing but filled with ramifications. It has never been done before, except for the Isle au Haut which was allowed to leave Hancock and join Knox in 1913 and there were several islands that moved in the 19th Century.

Brunswick tried to do this once before and it was defeated. But at this time I am willing to let it go to the enactment stage because I am sure that by then you will have had letters and heard arguments from both of the counties concerned.

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

Committee Amendment "A" (H-313) was read by the Clerk and adopted and the Bill assigned for second reading tomorrow.

### Order Out of Order

Mr. Kauffman of Kittery presented the following Order and moved its passage:

ORDERED, that Thomas Philbrook, Sherri Frisbee, Kenneth Gray, Patricia Walton, Dana Jewett and Maria Kagilery of Kittery be appointed Honorary Pages for today.

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

### Consent Calendar Second Day

(S. P. 337) (L. D. 1036) Bill "An Act Relating to Credit Unions" (C. "A" S-98)

(S. P. 414) (L. D. 1253) Bill "An Act to Repeal Borrowing Limitations Relating to Trust Companies"

(H. P. 277) (L. D. 353) Bill "An Act to Prevent Sex Discrimination Under Human Rights Act"

(H. P. 1298) (L. D. 1684) Bill "An Act to Provide for Secret Ballot by Alternative Means at Town Meeting"

(H. P. 1353) (L. D. 1785) Bill "An Act Transferring Laws Relating to Education of War Orphans and Widows to Bureau of Veteran's Affairs"

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

#### **Passed to Be Engrossed**

Resolve, Designating Kennebas Road in Indian Township, Washington County as a State Road (S. P. 601) (L. D. 1892)

Bill "An Act Relating to the Maine Automobile Insurance Cancellation Control Act" (S. P. 258) (L. D. 755) (C. "A" S-99)

Bill "An Act Relating to Procedure Applicable to the Use of Federal Revenue Sharing Funds by Counties" (H. P. 1470) (L. D. 1895)

Bill "An Act to Coordinate and Effectively Utilize Resources Available to Maine's Elderly" (H. P. 1228) (L. D. 1618)

Bill "An Act Relating to Reburial of Indian Bones and Skeletons" (H. P. 1471) (L. D. 1896)

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

#### **Enactor**

##### **Tabled Later in Day**

An Act to Validate and Amend the Charter of the Kennebec Sanitary Treatment District (H. P. 1457) (L. D. 1884) (Emergency)

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

(On motion of Mr. Simpson of Standish, tabled pending passage to be enacted and later today assigned.)

##### **Passed to Be Enacted**

An Act Repealing the York Beach Village Corporation and the York Harbor Village Corporation (S. P. 47) (L. D. 104)

An Act to Clarify the Notice Procedure on Decisions of Zoning Board of Appeals (S. P. 321) (L. D. 988)

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 Displaying of Fireworks on Sunday (S. P. 405) (L. D. 1207)

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

On motion of Mr. O'Brien of Portland, under suspension of the rule, the House reconsidered its action whereby the bill was passed to be engrossed.

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

House Amendment "A" (H-316) was read by the Clerk.

On motion of Mr. McNally of Ellsworth, tabled pending the motion of Mr. O'Brien of Portland to adopt House Amendment "A" and tomorrow assigned.

An Act to Enable the Department of Environmental Protection to Study the Groundwater Problem of the State. (H. P. 817) (L. D. 1110)

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

An Act Prohibiting Bringing Animals Into Food Stores and Restaurants (H. P. 986) (L. D. 1306)

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

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

Mr. DYAR: Mr. Speaker and Ladies and Gentlemen of the House: This bill prohibits the bringing of animals into food stores and restaurants. This day and age, we are always hearing of the violation of constitutional rights, civil rights and so forth. It would seem to me that an individual owning a restaurant or a food store or a store handling food, should have the prerogative of posting his premises as to whether or not he wants animals within his business.

Due to the nighttime activities of many people, we find businessmen are faced with the problem of having unwanted visitors in their

businesses during the nighttime and it has become a prevailing practice at the present time of having dogs loose within the business during the nighttime hours when the business is closed to discourage these people coming into the building.

It seems to me that this bill is pretty all encompassing and denies the owner of a business to make decisions on his own whether or not he wants animals brought into his business. Based on this, I move indefinite postponement of this bill and all its accompanying papers.

The SPEAKER: The gentleman from Strong, Mr. Dyar moves indefinite postponement of this bill and all its accompanying papers.

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

Mr. DUDLEY: Mr. Speaker and Ladies and Gentlemen of the House: I am inclined to support the gentleman, Mr. Dyar. The way this strikes me, we have some people, the only way they can get to the store is with their dog. One of the ministers from my area is a blind man and he depends on his dog to go for the mail, to go to the store, to go to the restroom or anywhere he goes and there are quite a few of these people that depend on their dogs to even go to the store. I do not know if this bill makes an exception or not, I haven't seen any amendment or I haven't had time to study it. But this being the case, this would bar these people that are blind from going to the store. I wonder if this has been considered.

I would seem to think if I run a store and I wanted to put a sign on the window, "No Dogs Allowed," this would be allowable now and I think that chain stores already say that no dogs are allowed to be put into their grocery carts. I think this is private property and they can do this now. I do not see any need for this type of legislation.

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

Mr. BRAWN: Mr. Speaker and Ladies and Gentlemen of the House: I thought Mr. Dudley at-

tended this hearing because we are both on this Legal Affairs. This bill here was entered by my good friend over here, Mr. Bustin, and this does give the right for all blind people to enter with their dog. It also allows the man who owns it to leave a dog there to protect it — his own personal dog. There is nothing wrong with that.

Maybe some of you people have been in a store as I was the other night. I walked into a store and I saw a dog in there and there was sugar there. I know what the dog did on the sugar and I saw the young lady buy the sugar. Now I didn't call this very good.

I also went into Zayre's store in Waterville the other night and I had on a brand new pair of shoes and I felt something slippery. Now I am not going to explain what it was because I know I cannot here on the floor, but I think you have all got education enough to know what I am talking about. The lady who had the big elephant of a dog who messed my shoe all up, she just said the poor dog couldn't hold it any longer. They went out and they got a poor little girl who worked there to come in with napkins and wash it up. She worked there, she had to be the slave. I think the woman who had the dog should have done it. I didn't ask her to wash off my shoes, but it didn't smell very good even when I got in the car.

I am all in favor of Mr. Bustin's rule a hundred percent. This has nothing to do with eliminating dogs of blind people. It has nothing to do at all with the man who owns the store. If you folks run through it — I don't have too many new shoes and I hope that this won't happen to you.

I hope that you will go along with Mr. Bustin's bill and not indefinitely postpone this bill.

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

Mr. JALBERT: Mr. Speaker and Ladies and Gentlemen of the House: I value my batting average greatly. My batting average today is 500. I want to move it up a few points and I know that everybody in this House is going to

agree with me when I say that the gentleman from Oakland, Mr. Brown, is priceless.

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

Mr. EMERY: Mr. Speaker and Ladies and Gentlemen of the House: I notice that the sponsor of this bill is not in his seat and I think out of courtesy it would be appropriate if someone would table this bill for one day, please.

The SPEAKER: The pending question is on the motion of the gentleman from Strong, Mr. Dyar, to indefinitely postpone L. D. 1306 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. 17 having voted in the affirmative and 97 having voted in the negative, the motion did not prevail.

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

An Act Changing the Name of the U. M. P. G. Alumni Association. (H. P. 1302) (L. D. 1696)

#### Finally Passed

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

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, Bill passed to be enacted, Resolve finally passed, both 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 Exempt Houseparents at Boys Training Center from Law Dealing with Housing and Food Supplies Furnished by State Departments" (H. P. 1025) (L. D. 1347)

Tabled — April 30, by Mr. Norris of Brewer.

Pending — Passage to be enacted.

The SPEAKER: This being an emergency measure, a two-thirds vote of the entire elected membership of 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.

122 having voted in the affirmative and 1 having voted in the negative, the motion did prevail.

Signed by the Speaker and sent to the Senate.

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

Bill "An Act to Transfer the Motor Vehicle Division of the Department of the Secretary of State to the Department of Transportation" (H. P. 687) (L. D. 894)

Tabled — April 30, by Mr. Simpson of Standish.

Pending — Acceptance of either Report.

On motion of Mr. Birt of East Millinocket, retabled pending acceptance of either Report and specially assigned for Monday, May 7.

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

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

Tabled — May 1, by Mrs. Boudreau of Portland.

Pending — Adoption of House Amendment "A" (H-307)

The SPEAKER: The Chair recognizes the gentleman from Milo, Mr. Trask.

Mr. TRASK: Mr. Speaker and Ladies and Gentlemen of the House: I rise to oppose the proposed House Amendment "A" sponsored by the gentleman from Standish, Mr. Simpson. This bill was heard by the Business Legislation Committee and reported out by the committee unanimously "ought to pass."

At the hearing, a representative of the home builders appeared and urged the committee to adopt an amendment similar to the one now being proposed. The committee, after deliberation, decided not to amend the bill. The 105th Legislature authorized savings and loan associations to invest in service corporations and the definition enacted at that time is the same



definition which is contained in this L. D.

It was the committee's opinion that savings banks should be authorized to invest in service corporations in the same manner as savings and loan associations. It is obviously unwise to have two different definitions of the same thing in our banking laws. The home builders did not oppose the definition during the 105th. No evidence was presented that any state savings and loan association has attempted to use this device to make equity investments.

The purpose of a service corporation owned by one or more mutual savings banks is to start a mortgage company. This will allow savings banks to sell mortgages among themselves so that they may better utilize their deposits for mortgage purposes. A service corporation could also provide bookkeeping and other statistical services.

Ladies and gentlemen, I hope you will support the committee report and vote against the amendment.

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

Mr. MILLS: Mr. Speaker and Ladies and Gentlemen of the House: I have not done my homework on this bill but I am curious over a remark that was made. If I understood the gentleman correctly, he said that a bank who has a mortgage may sell to another bank to make their assets fluid or words to that effect. Now I am wondering if a bank up in my territory can sell a mortgage to a bank in the western end of Maine. Now if this is so, I would like to have it stated.

The SPEAKER: The pending question is the adoption of House Amendment "A". All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

4 having voted in affirmative and 101 having voted in the negative, the motion did not prevail.

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

On motion of Mr. Simpson of Standish, the House voted to take from the table

An Act to Validate and Amend the Charter of the Kennebec Sanitary Treatment District (H. P. 1457) (L. D. 1884)

which was tabled earlier in the day and later assigned pending passage to be enacted.

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

Mr. SIMPSON: Mr. Speaker, I move this be recommitted to the Committee on Public Utilities and would explain very briefly why.

This is a validation which the bond counsel, Roberson Gray—the question to begin with, there is some question right now as to the way we handled the bill as it came through here and whether we actually had the bill in our possession when we took our initial action, which would be in violation of our own rule number 47. Therefore, we would like to send it back to the committee and have them bring it back to us and we can push it through here tomorrow and put it back in the position it is in.

Thereupon, on motion of Mr. Simpson of Standish, recommitted to the Committee on Public Utilities in non-concurrence and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

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

Bill "An Act Relating to the Builder's and Supplier's Lien Law" (S. P. 94) (L. D. 240)

Tabled—May 1, by Mr. Shute of Stockton Springs.

Pending—Passage to be enacted.

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

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

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

Tabled—May 1, by Mr. Jackson of Yarmouth.

Pending—Motion by Mr. Ault of Wayne to indefinitely postpone Bill and all accompanying papers.

The SPEAKER: The Chair recognizes the gentleman from Camden, Mr. Hoffses.

Mr. HOFFSES: Mr. Speaker and Members of the House: I notice the absence of the gentleman from Wayne, Mr. Ault. I would hope that someone would table this matter for one more legislative day.

On motion of Mr. Finemore of Bridgewater, tabled pending the motion of Mr. Ault of Wayne to indefinitely postpone Bill and all accompanying papers and specially assigned for Monday, May 7.

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

Bill "An Act Relating to the Redemption Value of Trading Stamps" (H. P. 810) (L. D. 1056) (C. "A" H-213)

Tabled—May 1, by Mr. Martin of Eagle Lake.

Pending—His motion to reconsider whereby the House voted to recede and concur.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I hope that you do reconsider the passage. I know the gentleman from Bridgewater, Mr. Finemore, is going to get up to oppose me. But I want to give you some reasons as to why we ought to reconsider this bill.

Maine is one of those states that sets no limit as to the amount of the value of stamps. If at any point in time you wish to cash those in, the benevolent trading stamp companies will give you 88 cents for a book of stamps, that is actually, so they say, and they claim, and they admit is worth \$3.00. What I am saying to you is that if you want to protect and you want to help the housewives and the individuals who collect stamps, then you ought to vote to reconsider this bill which has been introduced by the gentleman from Orrington, Mrs. Baker.

I became involved and interested in this bill purely by accident, which is probably how an awful lot of us get interested in bills or how we got here in the first place, because someone brought to my attention from my local area that they had gone in to cash one of these books and they were really taken for a ride. I couldn't believe it. I started to check it out and found indeed it was true. The stamp company paid exactly what it wanted to because this state has no criteria and has established no criteria.

This bill is a way that we can establish some criteria that the companies can use and that the citizens are not going to be taken for a ride. If the bill is imperfect, and some people say it is, so imperfect that they want to kill it all, then I am sure we can work out something. But at this point I would hope that you would accept my motion to reconsider whereby we finally dispose of this bill.

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

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: I am glad this morning that the gentleman from Eagle Lake, Mr. Martin, has used some of my speech. I am also glad that he can read my mind, because I don't think I told him that I was going to say anything about this bill.

Many people have asked me how it stood at this time and what has happened to it. This bill was passed in the House and indefinitely postponed in the Senate. And at the present, then it came back to the House, we receded and concurred with the Senate, which would be indefinite postponement at the present time we are trying to reconsider.

The stamp business of the State of Maine is a big business in the State of Maine, it is a big business for the housewife. And I might add the very first thing, it is a big business for Christmas presents because most people build them up. And I will agree with them a hundred percent, the cash value of these books isn't very much,

but they are worth two and five-tenths mills per stamp or \$3 per book.

I am not using a canned speech, which I was accused of at one time, and I said I would never do again, and I haven't.

These companies have been good citizens of Maine, they have a large payroll here and operate many redemption centers in the state. And furthermore they purchase millions of dollars worth of goods and services from the Maine manufacturers.

Now I wrote down a lot of stuff but I am not going to use it because it is late in the day. But I would like to say a few things here that are actual figures. These aren't my figures, they have been given to me by people who understand them. Some are from Tax Division and we have a pretty fair group of figures.

The purchases from Maine firms last year was \$915,045. Such business as Bates manufacturing, Hathaway Shirts, West Point Pepperel, Charles Eaton Shoes, Houlton, even out of Houlton, Houlton International smoking stands and Danforth Eastern.

They have in Maine 13 redemption stores, they use 104 employees, the payroll is \$436,722. The taxes paid in Maine, the state and federal, was \$259 and \$2,582. The rent is \$110,000; the freight was \$432,000.

And we must remember that each item they buy in these stores each time they redeem a book is 15 cents sales tax. This all helps the State of Maine.

I might add here, I very seldom, I think in fact this is the first time I have ever spoken against a bill of the gentlewoman from Orrington, Mrs. Baker, but this bill, I feel we should stick by our guns and keep it indefinitely postponed. Many people today will have 35, 40, and 50 books of these at Christmas time. We find them in Aroostook County; of course in Aroostook County times aren't quite so hard. But, they use these books, they never redeem them for cash. When you hear of a book being redeemed for cash it is very, very, rare. I have checked with stores and it is very rare, some-

one will come in then go back out again and keep the book and purchase something. Anyone who would take 88 cents or 85 cents, whichever it happened to be for this book, when they could turn around and buy a piece of merchandise worth \$3 and sell it for more than that. The redemption value I don't think has anything to do with it.

I hope this morning you won't go along with the reconsideration.

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

Mrs. BAKER: Mr. Speaker and Members of the House: I think the gentleman from Bridgewater, Mr. Finemore, gave us interesting statistics in regard to the size of this business. I don't think that is any reason why they shouldn't pay as good a cash redemption in Maine as they do in any other state in the Union. And that is all that my bill asks, that Maine people be given equal treatment, that they pay as much cash redemption value in Maine as they do in any other state in the Union.

Now the fact that they conduct a big business here is no secret. And the reason that more people have not redeemed the books for cash is because they didn't know that they could have a cash redemption on it.

However, I am sure that people will go on redeeming them for merchandise, because even at the maximum cash redemption value they would not get as much as they would with merchandise. So I don't see that the argument has any basis on the return to the state or to the people in the state, the sales tax value. Because certainly they will go on redeeming them for merchandise. And this bill of mine is a simple bill and it gives Maine people the same rights that they would have in any other state in the Union.

The committee was in favor of it. They put on the small amendment as a request of the opponents of the bill and it came out of committee with a good report. I know the only reason that this bill suffered in the other body is because of the adverse lobbying that it had. I would like to see

this House give it an affirmative vote now. I see no reason to back away from it.

The SPEAKER: The Chair recognizes the gentleman from Gorham, Mr. Hamblen.

Mr. HAMBLÉN: Mr. Speaker and Ladies and Gentlemen of the House: I must admit that I was the only one on the Business Legislation Committee that voted against this bill. The only proponent of this bill was from the Attorney General's office and he got the idea from another state that had passed similar legislation. As I recall it, the figures that we heard valued a book at something like \$1.20 for cash value. I think that something less than 1 percent of the people actually did turn these books in for cash. It doesn't make too much sense to turn a book in for cash whether it is \$1 or \$2 when you can get at least \$3 worth of merchandise.

My real complaint on this bill was that it was another area where the state was trying to set minimum pricing. Every time that the state does this, it just creates more controversy. So I would be opposed to reconsidering this bill.

The SPEAKER: The Chair recognizes the gentleman from Biddeford, Mr. Fecteau.

Mr. FECTEAU: Mr. Speaker and Ladies and Gentlemen of the House: I was in the grocery business for quite a long time. I am not now. When we first started with stamps, the stamp companies would sell us stamps for about \$7 a book. I hear they are now up to about \$13 or \$14 a book. Two years ago, some of these church organizations would cash these books and they would receive \$2 per book. So I am surprised to hear this morning that they are only worth 88 cents.

I am willing to reconsider this bill and really fix up a price that would really change that price because — let's say, if we put a price on of \$2, that would still give them a dollar difference from their retail price. I think this would only be fair to the people who save stamps.

The SPEAKER: The Chair recognizes the gentleman from Bar Harbor, Mr. MacLeod.

Mr. MACLEOD: Mr. Speaker and Ladies and Gentlemen of the House: May I pose a question to any member of the Business Legislation Committee who would care to answer? I understand and have been told that there is forthcoming a federal legislation which will regulate the value of these books in our country and I am wondering how soon or what we may look forward to in that direction?

The SPEAKER: The gentleman from Bar Harbor, Mr. MacLeod, poses a question through the Chair to anyone who may answer if he or she wishes. The Chair recognizes the gentleman from Eagle Lake, Mr. Martin.

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: I am not a member of the Business Legislation Committee obviously. But yesterday I spent time talking with some people from Washington talking about this thing. At the present time, there is no legislation that is pending in Congress specifically dealing with this problem. There is presently in Washington, however, before the Federal Trade Commission, a proposed regulation which has not been adopted and there is no hope of knowing when it is going to get adopted. It could be five years from now or it could be tomorrow. If it is adopted, this bill would be the same thing. In other words, we would not be off if they adopt their proposal. We would be in concurrence with it so there would be no problem at all.

What the industry obviously is concerned about is that we are moving ahead of that proposed federal order, which, as you well know the way some of these things occur in Washington, it might never happen. That is the reason why Mrs. Baker from Orrington has got her bill.

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

Mr. LAPOINTE: Mr. Speaker and Ladies and Gentlemen of the House: This morning I drove up here and I stopped at a gasoline

station. You are all well aware of the price of gas and how it is soaring and there are estimates that the price of gas might be up as high as 60 cents a gallon by the end of summer. I paid 39 cents a gallon for this gas and the gentleman gave me an amount of stamps equal to the total purchase. Frankly, I would rather have that discount at the time of the sale. And I think what Mrs. Baker's bill is trying to do is reimburse the consumer for purchasing goods on a delayed basis. I think she is trying to help out the consumer in the State of Maine.

I think it is a very valuable bill. I think we should reconsider it because we are helping out the people in the State of Maine who are now suffering from prices which are the victim of spiraling inflation. I think if we are going to do anything for the people in the State of Maine — this is a good bill, it is a sound bill and it is placing the cash value of these stamps on a parity with other states. I think it is a good bill and I hope we all reconsider it.

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

Mr. DONAGHY: Mr. Speaker and Ladies and Gentlemen of the House: I think you have already been told of the vote of the committee that heard this at some length. We feel that, although we think a great deal of the gentleman from Orrington, Mrs. Baker, this bill does not fit in to what we think is the best for the consumers of the State of Maine at this time. I hope that you will go along with the committee.

The SPEAKER: The Chair recognizes the gentle lady from Portland, Mrs. Boudreau.

Mrs. BOUDREAU: Mr. Speaker and Ladies and Gentlemen of the House: I hope we do reconsider this morning. I am a member of the Business Legislation Committee.

Just in reply to some of the remarks that were made here, the gentleman from Biddeford indicated that when a charitable organization trades these stamps in, they do receive \$2 per book; but you must realize that this is a

taxable item — a tax deductible item for the company where they are giving the money to charity.

Also, Mr. Finemore mentioned all the items that they buy from Maine. Well, this is true. Also, many of these small items your small businessmen no longer carry because of the competition I had occasion at Christmastime to look for a smoking stand for a gift, I had the necessary books. The stamp people did not have it in the store. I went to several local furniture stores and they informed me they hadn't carried them for years on account of the competition from the stamp people.

Also, not many people turn these in for cash. I think if this bill is enacted, it isn't going to change that situation very much, but I think they should have the chance to be treated fairly.

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

Mr. DESHAIES: Mr. Speaker and Ladies and Gentlemen of the House: I am also a member of the Business Legislation Committee and this bill came out of committee 10 to 1 "ought to pass." At the hearing we had a representative of S&H Green Stamps which is the largest distributor of stamps in this state. He appeared at the hearing and he agreed on a redemption value of \$2 as proposed in the original bill. They still make a profit.

I would hope we would reconsider our action and go along with Mr. Martin. When the vote is taken, I request the yeas and nays.

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

Mr. MILLS: Mr. Speaker and Ladies and Gentlemen of the House: After listening to the debate here, the point sticking in my mind is the fact that these are \$3 books in other states and 80 cents in this state. And if we do not reconsider, what we are doing is gypping the people, and I am talking about the working people who save these stamps for Christmas, out of \$2.20.

The SPEAKER: The Chair recognizes the gentleman from Gardiner, Mr. Whitzell.

Mr. WHITZELL: Mr. Speaker and Ladies and Gentlemen of the House: I rise in support of Mr. Mills. Ten years ago when I lived in Ohio for a couple of years and worked for an insurance company, one of the methods in other sales promotional advertising operations, we used to use S&H Green Stamp, Top Value, Elephant stamps, they had all different types of stamps. But all the trading stamps in Ohio at that time, ten years ago, were worth \$3 per book. I think the injustice in Maine is just too gross to even consider and a 10 to 1 report certainly isn't anything that we should ignore and I think that we should reconsider our action.

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

Mr. FINEMORE: Mr. Speaker and Ladies and Gentlemen of the House: Books are worth \$3 apiece in the State of Maine and they have been for a considerable length of time, that is S&H.

The only thing that I wanted to say anyway when I got up was the assistant attorney general was asked a question at the hearing whether or not they had had any complaints. His statement was that they had not had any complaints. If we haven't had any complaints, why would we want to change the law?

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Eagle Lake, Mr. Martin, that the House reconsider its action whereby it voted to recede and concur with the Senate on L. D. 1056. All in favor of that motion will vote yes; those opposed will vote no.

## ROLL CALL

YEA — Albert, Ault, Baker, Berry, G.W.; Berry, P.P.; Berube, Binnette, Birt, Bither, Boudreau, Bragdon, Brawn, Briggs, Bunker, Bustin, Cameron, Carey, Carrier, Carter, Chick, Chonko, Churchill, Clark, Connolly, Cooney, Cressey, Crommett, Curtis, T.S., Jr.; Dam, Deshaies, Donaghy, Dow, Drigotas, Dunleavy, Dunn, Dyar, Emery, D.F.; Evans, Farley, Farnham, Farrington, Faucher, Fecteau, Garsoe, Gauthier, Genest, Goodwin, H.; Goodwin, K.; Greenlaw, Hancock, Haskell, Henley, Herrick, Hobbins, Hoffses, Huber, Hunter, Immonen, Jackson, Jacques, Jalbert, Kelley, Kelley, R.P.; Kilroy, Knight, LaCharite, LaPointe, Lawry, LeBlanc, Lewis, E.; Lewis, J.; Littlefield, Lynch, MacLeod, Maddox, Mahany, Martin, Maxwell, McCormick, McHenry, McMahon, McNally, McTeague, Mills, Morin, L.; Morin, V.; Morton, Mulhern, Murray, Najarian, Norris, Palmer, Parks, Perkins, Peterson, Pontbriand, Pratt, Ricker, Rolde, Rollins, Ross, Shaw, Shute, Simpson, L.E.; Smith, D.M.; Smith, S.; Stillings, Susi, Talbot, Theriault, Tierney, Trask, Trumbull, Tyndale, Walker, Webber, White, Whitzell, Willard.

NAY — Brown, Conley, Cote, Curran, Davis, Dudley, Finemore, Flynn, Fraser, Gahagan, Good, Hamblen, Kauffman, Kelleher, Keyte, Merrill, Soulas, Sproul, Wood, M.E.

ABSENT: Cottrell, Ferris, McKernan, Murchison, O'Brien, Strout, Tanguay, Wheeler.

Yes, 119; No, 19; Absent, 11.

The SPEAKER: One hundred nineteen having voted in the affirmative and nineteen having voted in the negative, with eleven being absent, the motion does prevail.

The pending question is to recede and concur.

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

Mr. MARTIN: Mr. Speaker, Members of the House: I ask for a division and I ask you to vote no.

The SPEAKER: The pending question is on the motion 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

10 having voted in the affirmative and 116 having voted in the negative, the motion did not prevail.

On motion of Mr. Martin of Eagle Lake, the House voted to insist.

On the disagreeing action of the two branches of the Legislature on Bill "An Act Relating to Penalty for Burglary" (H. P. 206) (L. D. 279) the Speaker appointed the following Conferees on the part of the House:

Mrs. BAKER of Orrington  
Messrs. CARRIER of Westbrook  
FARRINGTON of China

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

Resolution, Proposing an Amendment to the Constitution Limiting the Maximum Rate of the Sales Tax. (H. P. 843) (L. D. 1117)

Tabled — May 1, by Mr. Martin of Eagle Lake

Pending — Acceptance of either Report,

On motion of Mr. Ross of Bath, retabled pending acceptance of either report and specially assigned for Monday, May. 7.

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

Bill "An Act Relating to Membership on the Maine School Building Authority" (S. P. 593) (L. D. 1874)

Tabled — May 1, by Mr. Birt of East Millinocket.

Pending — Enactment.

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

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: I think this is a bill that we may want to give quite a bit of thought to. The Maine School Building Authority was adopted quite some years ago and has from all I know done a reasonably successful job of administering funding for areas that needed assistance in school construction. The major number of the Authority were people who were appointed by the Governor,

half of them; the other four members were ex-officio members.

This bill wants to transfer all the duties and power of the Maine School Building Authority under the State Board of Education. The State Board of Education, as I understand it, also has the approval of all construction in the state. This transfer of powers under the State Board of Education would put both the ability to finance and the authorization of construction under one board.

Historically, our whole system of government has worked on a system of checks and balances. I think the passage of this bill would not be in the best interests of the state and I would move its indefinite postponement.

Thereupon, the Bill was indefinitely postponed 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 Tread Depth of Motor Vehicle Tires" (H. P. 1051) (L. D. 1380)

Tabled — May 2, by Mr. Fraser of Mexico.

Pending — Motion by Mr. Strout of East Corinth to Adhere.

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

Mr. GOODWIN: Mr. Speaker, Ladies and Gentlemen of the House: This is, as you will remember from last Friday, my bill. I introduced this bill at the request of my local police department and also after talking with the inspection station dealers in my area. They also endorse this.

What I would like to do today is ask you to vote no on this motion to adhere so that we can then vote to recede and concur and then I will offer an amendment to this particular bill. I can see a few problems with this bill as it is written now but I still feel it is necessary to keep the requirement of 2-32 tread depth to put it on the books.

What I would like to do, if I may so that you will understand what I hope to accomplish, is to offer an amendment that would

just take this bill and take out all of the parts relating to the unlawful operation of a motor vehicle with tires that have less than 2-32 tread and just put this in our present inspection laws, which, when the car is inspected, it would need to have 2-32 tread on the tires.

The reason for this is — and I passed out the other day a copy of this section of laws as they are now. I took this directly from this book here, Motor Vehicle Inspection Manual, that all the inspection stations have. Let me read to you exactly what is on the books now relating to the tread depth of tires: "Cause for rejection. Number 1: Any tire worn to the point where little or no tread design remains or any part of the ply or cord construction is exposed." In other words, this is all the inspection stations have to go by, "little or no tread." "Little or no tread" contradicts itself.

Now, at the hearing there were statements from the State Police who supported this measure, the highway safety people supported this measure. An inspection station mechanic came and he wasn't able to stay but he left a statement which stated that under this law here they do not have any standards to go by. He inspected a car, he felt there was enough tread on there and by doing so, the police evidently stopped the car on routine inspection, decided that there wasn't enough tread and he lost his license. Yet, he was going under the law as it is stated here. He used his judgment as the law says.

What my amendment would do would give the inspection stations a standard and they would be responsible. There would be no fines or penalties or anything like that involved with the people driving the cars. They would just have to have these good tires or tires with at least 2-32 tread when they get their tires inspected every six months.

There are many reasons for this, many safety reasons for this 2-32 tread. It allows a tire better stopping ability, cornering ability on wet roads; it reduces the chance for hydroplaning.

Therefore, I would move that the House recede.

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

Mr. HENLEY: Mr. Speaker, Members of the House: I haven't talked on this bill before but I feel that if we demand 2-32 tread groove, that instead of setting up guidelines, we are going to allow for a lot of perplexity in this interpretation. Anyone who has viewed tires on the front end of a car and found that they had to have their wheels aligned because the tread wore practically smooth perhaps on the inside, you take the tires and put them on the back end and you still have got thousands of miles of wear in them. You can find places on those tires, in fact pretty well all the way around on one edge of the tread, where there is no tread depth whatsoever. The tire is still perfectly usable for thousands of miles.

Furthermore, in the construction of tires, a reasonably good tire, the safety factor is considered in grooving the tread. I feel that it is too bad that we must pay the price that we do for tires and then consider that we can only use something like 8-10 of what we are paying for in the tread. The treads are put on new tires in such a way that you have safety after the tread is gone as long as it is wearing smoothly and evenly. Now, you do not have quite as good traction under certain conditions but I might remind you that racing cars use smooth tires. They seem to have quite a bit of traction.

I just feel that we are trying to place the responsibility and channelize it too much for the inspectors. It seems to me as the rules now apply that they are supposed to use their judgment. If the tread shows through — I don't mean the tread, if the canvas shows through the ply, it should be ruled out, to be sure. But I do not like that 2-32 tread depth because anybody that has checked with a gauge 2-32 — the average tire, I believe, is 16-32, so that gives you the other amount out of that, 16-32 is a half an inch.



You are going to take one quarter of that practically and rule that you cannot use it.

I still say that there are many times that your front tires will wear sufficiently uneven that if they happen to test the outside area instead of recommending that they go on the back wheels, they can say your tires are unserviceable and make you buy a new one. I think that is unfair to a lot of people who just cannot afford to buy a tire when there is 2,000 or 3,000 miles left on it.

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

Mr. STROUT: Mr. Speaker, Members of the House: Just to answer a couple of comments of the gentleman from Norway, I would inform him that a new tire has 11-32, not 16-32.

This has been tossed around for a week now and in committee I asked the Motor Vehicle Department what the problems were with tires that had less than 2-32 tread wear left. They informed me — they couldn't give me the statistics on all the accidents that were caused from tires when they got down to less than 2-32. They did tell me of the accidents involved with tire problems, that 80 percent of the accidents involved with tire problems were caused when there was less than 10 percent of 11-32. So in my book, that is less than 1-32.

I still believe that this piece of legislation is not necessary. I have read the amendment this morning and I feel that the amendment does nothing more than what the inspection stations are doing now and I believe in the State of Maine that we have competent inspection stations that are doing their jobs. I do not believe that we need these law enforcement officers to check these tires. It is my understanding that they are going to set up road-blocks. They are going to check this depth on these tires and if they are less than 2-32 — not less than 2-32 but 2-32 or less, they are going to give us a warning that we will have to go to the inspection station and have these tires replaced.

Now, I wonder if the good gentleman from Berwick, Mr. Goodwin, has talked to these service stations and are they prepared when a tire is taken in for an adjustment, you are given an allowance on tread wear. Now when you have 2-32 left I wonder if these stations are going to be prepared to allow 20 percent on every tire brought in with 2-32 tread wear left on it. I don't think they are. I hope that you will not recede and I hope that you will go along with my motion to adhere.

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

Mr. KELLEY: Mr. Speaker, Ladies and Gentlemen of the House: I drive on an average, over 40,000 miles a year. It is my belief that good tires on an automobile are the best life insurance a person can have. I have seen many accidents caused by baldheaded tires. Automobiles are what they call a toboggan. In other words, they will get on a film of water when they haven't got tread and they will go out of control. You drive in for an inspection every six months. If you just barely have tires that qualify and the people keep on driving them, they are going to be driving with baldheaded tires. Without an occasional check on the roads, there are going to be too many baldheaded tires on the road.

Now, it is your life as well as the life of the people driving these cars that is threatened. And I think in the name of safety for everybody, we should insist on automobiles using good tires.

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

Mr. GOODWIN: Mr. Speaker and Members of the House: I would like to answer a few points that have been brought out. First of all, racing tires, the only racing tires that are smooth are drag slicks, slicks that are used in drag races, which is a straight line quarter mile run. They don't have to be used to stop. They are of specially developed rubber that is made to grip asphalt. And they also, every other racing tire used, to my knowledge, and I follow rac-

ing very closely, has tread on it and they usually change it during the race when it gets worn down.

Also, under the amendment there will be no, the police will not go around setting up roadblocks and giving fines or penalties or anything of this nature. At times police presently set up roadblocks just on like big weekends and they check if people have beer in their car, they check if the lights work and stuff. They can also look at the tires if they want to. But the whole thing is that it wouldn't be unlawful necessarily to be riding with a tire with under 2-32 tread. You would only be unable to get an inspection sticker if you were coming up to be inspected at that time.

Therefore, I would hope that you would go along with the motion to recede and concur.

Excuse me, one other thing, this 2-32 limit that I came up with. All new tires that have been manufactured for about the last five years or so, I am not sure of the exact date, under federal regulations have wear bars all around the tires. These are set at 2-32 and also all the other states have adopted this type of requirement using 2-32 and this is why I chose this. This is from studies the federal highway department has done and safety code people have done to determine when a tire becomes unsafe in normal operating procedures such as driving in rain, or cornering and this type of thing.

Again I would ask you to recede and concur so I can offer my amendment.

The SPEAKER: The pending question is on the motion of the gentleman from South Berwick, that the House recede. All in favor of receding will vote yes; those opposed will vote no.

A vote of the House was taken.

58 having voted in the affirmative and 50 having voted in the negative, the motion did prevail.

Thereupon, the Majority "Ought to pass" Report was accepted and the Bill read once.

Mr. Goodwin of South Berwick offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-308) was read by the Clerk.

The SPEAKER: The pending question is on the motion of the gentleman from South Berwick, that House Amendment "A" be adopted. 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 34 having voted in the negative, the motion did prevail.

Under suspension of the rules, the Bill was read the second time, passed to be engrossed as amended by House Amendment "A" in non-concurrence and sent up for concurrence.

On motion of Mr. Curtis of Orono, it was

ORDERED: that Nancy Carpenter, Susan Dunham, Tammy Nesbit and Jennifer Whelden of Orono be appointed Honorary Pages for today.

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

Bill "An Act Increasing License Fee for Nurserymen" (H. P. 1019) (L. D. 1342)

Tabled — May 2, by Mr. Garsoe of Cumberland.

Pending — Motion by Mr. Trumbull of Fryeburg to recede and concur.

On motion of Mr. Garsoe of Cumberland, the House voted to recede from its action whereby the Bill was indefinitely postponed.

On further motion of the same gentleman, the House voted to recede from its action whereby the Bill was passed to be engrossed.

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

House Amendment "A" (H-314) was read by the Clerk.

On motion of Mr. Trumbull of Fryeburg, tabled pending the adoption of House Amendment "A" and specially assigned for Monday, May 7.

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

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

Tabled — May 2, by Mr. MacLeod of Bar Harbor.

Pending — Further consideration.

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

Mr. CAREY: Mr. Speaker, I move we adhere and would speak to my motion.

The SPEAKER: The gentleman from Waterville, Mr. Carey, moves that the House adhere.

The gentleman may proceed.

Mr. CAREY: Mr. Speaker, Ladies and Gentlemen of the House: We had some words on this a couple of days ago and it went under the hammer indefinitely postponed. I see no reason why we should change our stand today.

But in the event that some people wanted more information, I did go look up the Peaks Island Conference Center Study Committee. This was supposedly a committee report that was put out by Senator Berry, who was chairman of that particular committee, and said that it could be picked up at either Legislative Research or the State Library, and there were copies available for everybody. It is like pulling hens teeth to get a copy of this thing. I have only got it out on loan and it is from the library, and it has got some very interesting information, much of it is just a reproduction of the advertising material that has been put out by the Center people themselves. It is still a private enterprise which they hope to use state money for.

The committee report says continually throughout it that the scope of this report did not allow us to do this, the scope of the report did not allow us to do that. In fact, they did very little studying, but what studying they did do would certainly prove that it couldn't pay for itself.

They mentioned in the report the number of people for instance that they would serve. They tried to duplicate the services of the center in Durham, New Hampshire, the conference center out there, the New England Center for Continual Education.

They are talking about a center here that would hold some 260 people or so. The report does indicate that in Durham 78 percent of the conferences held over there have under 50 people attending. And 33 percent, in fact, ran between 11 and 20 people. So it looks to me we are going to be handling a very exclusive little organization.

They continually point out in this thing that one of the most important things that they can have or that they should have is an excellent golf course. The golf course is a necessity; an excellent golf course is a must. And if you are going to do all of this for 11 or 20 people, I think we are spending the money poorly.

The bond holders, I remember telling you there were 50 of them and they all got a half acre lot out on this thing. Well, who is going to benefit on the island from the use of the golf course? I would tell you that it is those people who sacrificed \$1,000 so that they could get a half acre lot out there and they will end up pretty much with a private little golf course.

They tell us in this report that it is hoped, at least by the Center people, that many of the conferences will be held in the summer. Let me point out to you the experiences at Durham. There is an obvious dropping off in the summer. There are only 8.7 percent of the total number of conferences that were held in the months of July and August, and yet they tell us the golf course is a must. I would assume if Peaks Island is anything like the City of Waterville, they are certainly not going to play golf in February and March.

The whole thing is just a farce. The New England Center, for instance, in Durham operates on a \$750,000 annual budget and they have 150 employees and 8 on the administrative staff. It tells us here that the fact that overnight accommodations, only one third as large as those plants in Durham as those plants on Peaks Island, indicate that the island center would require a larger operational budget.

They tell us that the budget would run about a million dollars. They also tell us that it is assumed that a million dollars a year would be sufficient to operate Peaks Island Conference Center but they tell us that the income is only a million dollars. Then they say that the ability of the center to generate \$250,000 to \$500,000 a year to pay off long-term construction debts obviously rests on the ability to obtain gross revenues in excess of operating expenditures. This report tells you they cannot do that.

I would certainly hope that you do adhere to our former position.

The SPEAKER: The Chair recognizes the gentlewoman from Portland, Mrs. Boudreau.

Mrs. BOUDREAU: Mr. Speaker, Ladies and Gentlemen of the House: I would like to thank Mr. MacLeod of Bar Harbor for tabling this.

The project is really not quite as bad as has been described. Originally, the Peaks Island project was 167 acres of land. A hundred acres of this has been reserved for open space. A mile of shore front has been reserved for the public. It is true, 25 acres have been sold to private individuals in half-acre lots. The remainder has been reserved to construct a facility that hopefully would bring Peaks Island back to where it used to be a few years ago.

During the 105th Legislature, several members of this body were appointed to the Advisory Committee of the Casco Bay Island Association. I am not one of those members. I became involved in this as chairwoman of the Cumberland County delegation. I was asked to distribute the material you have on your desks.

I am in sympathy with the aims of the people on the island. I also realize the great demands on state money, but I would hope that this could go along to the Appropriations Table and take its place and take its chance with many other bills. Therefore, I move that we recede and concur.

The SPEAKER: The pending question is on the motion of the gentlewoman from Portland, Mrs.

Boudreau, that the House recede and concur.

The Chair recognizes the gentleman from Westbrook, Mr. Deshaies.

Mr. DESHAIES: Mr. Speaker, Members of the House: Mr. Carey raised the issue of private enterprise or private interests rather. I would remind him that we eliminated the tax on fuel to burn the blueberry lands in Washington County and that is a private enterprise. We went along with the expansion of the Bangor Airport, which I agreed to.

I know the problem with this bill. It only requests \$20,000. If the request were \$200,000, we would probably go along with it. I agree with the gentle lady from Portland, Mrs. Boudreau, and I hope that we recede and concur.

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

Mr. McNALLY: Mr. Speaker, Members of the House: I wish to inform the gentleman from Westbrook that not only Washington County, Washington County, Hancock County, Knox County and several other counties, Lincoln County — if he would just take a little ride around the coastal areas of the State of Maine, he would see how many counties raise blueberries.

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

Mr. CARRIER: Mr. Speaker, Members of the House: I speak briefly today to support the motion to recede and concur. As a property owner on Peaks Island, as I mentioned before — the only reason I say that is because so somebody won't get up and say that I am hiding something. I can tell you the place that I own down there is of very minimal value. Whatever goes on down there I don't think will affect me one way or the other too too much.

On the other hand, I don't know about all these reports about Peaks Island. I have great interest down there because it is along the seacoast. I think there is room for great improvement down there. I think that the year-round citizens along with the summer residents

have a great interest in making it a nice place to live, an interesting place to live, a recreational area. As I said before, I think that the request for \$20,000 to invest both in a recreation area and in cultural affairs is very minimal and I think it would be a good investment.

Now, I don't — as somebody that is fairly active in that particular island's activities, I do not recall — and maybe I haven't been informed — about having a golf course over there. Now, I would say to you that if it is the intention of having a golf course over there, I would not be in favor of having a golf course.

Now, what we are talking about, actually, is something — there is quite a few installations that were left there by the army. The utilities are in most places and it is just a matter of getting going and doing something and attracting the people down there. Peaks Island is a place which has been growing all the time and there is a lot of the young people getting married and starting a household today that do move to Peaks Island to buy a place down there because the real estate value is at a price that they can afford.

I think that this particular place, there is also a lot of elderly citizens on the island and they enjoy and they receive the benefits of an elderly citizens center and a day-care center and everything else. We don't even have that in Westbrook.

So, I think for the people and for the state this is a good investment. I don't have any idea and I would not promote anything about coming back to the state and asking for money again; and in the first place, it was not my idea to come here and to ask for money. On the other hand, I think it all adds up that if we are investing and doing something for the state — we spend hundreds of thousands of dollars paying for some foolish land down our way with a maximum frontage of 60 some odd feet, hundreds of thousands of dollars to get to the beaches to make public recreation with back lots.

Now, if we are going to do that, it seems to me that \$20,000 on

Peaks Island, giving everybody there the access to all of the island frontage except private property, I think there is no comparison whatsoever. I am not here to criticize whatever investments the state has gotten into, but I would assure you if any of you have ever been to Peaks Island or to the other islands down there, that it would be a good experience, really. So I do hope that you do support the motion to recede and concur.

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

Mr. CAREY: Mr. Speaker, Members of the House: I will attempt to answer some of the points that have been brought up. Mr. Deshaies from Westbrook brought up the fact that this is a minor order, it is only asking for 20,000 and that if it were \$200,000, that he could understand why maybe he would not support it. Let me tell you that this is the way these things get started. The center in Durham started out this same way, little appropriations here and there to study this and to study that and finally they hit the state legislature and the state legislature had approved because they had spent a considerable amount of money by then; \$500,000 for a bond issue. Their little center ran three and a half to four million dollars, as I recall the figure.

This item here is asking eventually for a \$7 million center and it would only benefit those very people who are, we will say, on the particular island because I would have assumed this is the only way you can get to the island is by boat or by helicopter as they point out in their little summary here; that the people will be picked up at the airport, they will be run back out to the airport. So I cannot picture the economy of the City of Portland gaining anything by the fact that this thing is going to be out on the island.

It seems to me this is going to be another type of boondoggle where the people from the entire area are going to be forced to pay for something like this big sports center or convention center in Portland that the whole county has got to pay for that some of the

towns would very much like to get out from under. Maybe this is why Brunswick actually is trying to get out of Cumberland County, I don't know. So the City of Portland would not benefit as much as some people say they would.

The open space that was talked about by Mrs. Boudreau has already been deeded over to the City of Portland. So it already belongs to the City of Portland. That won't be affected.

I would certainly hope that you vote against receding and concurring and move to adhere.

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

Mr. CURTIS: Mr. Speaker, Members of the House: I am not from Cumberland County and I don't have any particular interest in Peaks Island except for the fact that I am on the committee that the legislature had established two years ago to study this entire problem. I believe they wanted something from outside the area.

It seems to me this concept is developing the Maine coast in the finest possible ways and is an excellent concept and it should be supported, and I do support the motion of the gentle lady from Portland, Mrs. Boudreau.

Mrs. Najarian of Portland requested a roll call.

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

Mr. PERKINS: Mr. Speaker Ladies and Gentlemen of the House: I am from this area so I do have a particular interest in it. I do applaud the efforts of the group that is attempting to develop Peaks Island as an international center. However, I don't care whether it is \$20, \$20,000 or \$200,000, I am not in favor of the state supporting a program that may develop into something in the area of a boondoggle, as Mr. Carey of Waterville suggested, first of all.

Secondly, we had a meeting the other day in which we were asked specifically how they budgeted this \$20,000 and it still is not clear to me and I am not sure it is clear to anyone else.

Also, as to whether or not this money would be needed for this

year or next year, they hope there will be enough left over for next year. They were not sure. As to whether or not they would be back for additional monies, they are not sure.

Consequently, I urge you not to vote to recede and concur.

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

Mr. NORRIS: Mr. Speaker, Ladies and Gentlemen of the House: Just to refresh your memories on the report out of the Appropriations Committee, it was a unanimous "ought to pass" report.

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. 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 Portland, Mrs. Boudreau, that the House recede and concur with the Senate on L. D. 1127. All in favor of that motion will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Albert, Berry, P. P.; Berube, Binnette, Boudreau, Briggs, Bunker, Bustin, Carrier, Carter, Chonko, Clark, Conley, Connolly, Cooney, Cottrell, Cressey, Curran, Curtis, T. S. Jr.; Deshaies, Drigotas, Dunlevy, Dyar, Emery, D. F.; Farley, Flynn, Fraser, Gahagan, Good, Goodwin, H.; Goodwin, K.; Hamblen, Hancock, Haskell, Jalbert, Kelleher, Kelley, R. P.; Kilroy, LaPointe, LeBlanc, Lewis, J.; Lynch, Maddox, Mahany, Martin, Maxwell, McCormick, McTeague, Mills, Morin, L.; Mulkern, Najarian, Norris, O'Brien, Pontbriand, Rolde, Rollins, Ross, Shute, Smith, D. M.; Soulas, Stillings, Talbot, Theriault, Tierney, Webber, White, Whitzell, Willard.

NAY — Ault, Baker, Berry, G. W.; Birt, Bither, Bragdon, Brawn, Cameron, Carey, Chick, Churchill, Cote, Crommett, Davis, Dow,

Dunn, Evans, Farrington, Faucher, Fecteau, Finemore, Garsoe, Greenlaw, Henley, Herrick, Hobbins, Hoffses, Hunter, Immonen, Jackson, Kauffman, Kelley, Keyte, Knight, Lawry, Lewis, E.; Littlefield, MacLeod, McHenry, McMahon, McNally, Merrill, Morin, V.; Morton, Murchison, Murray, Palmer, Parks, Perkins, Peterson, Pratt, Ricker, Shaw, Simpson, L. E.; Smith, S.; Sproul, Strout, Susi, Tanguay, Trask, Trumbull, Tyndale, Walker, Wood, M. E.

ABSENT — Brown, Dam, Donaghy, Dudley, Farnham, Ferris, Gauthier, Genest, Huber, Jacques, LaCharite, McKernan, Santoro, Sheltra, Silverman, Wheeler.

Yes, 69; No, 64; Absent, 16.

The SPEAKER: Sixty-nine having voted in the affirmative and sixty-four having voted in the negative, with sixteen being absent, the motion does prevail.

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

Mr. Soulas of Bangor was granted unanimous consent to address the House.

Mr. SOULAS: Mr. Speaker, Members of the House: Thank you very much for this privilege. I just received a letter and I would like to read it to you. It comes from the Cerebral Palsy School in Bangor and it states: "Dear Representative Soulas: We are students at the Cerebral Palsy School in Bangor. On May the 3rd at one-thirty p.m. we will be visiting the State House. Our whole class will be there. We are studying Maine all year. Each of us have learned who our state representatives and senators are. We are writing to you because you are one of our representatives. If you have time when we are there, we would like to meet you. We are looking forward to our visit. Sincerely yours, Alan Elliot, Ellen Veilleux and Beth Talbot."

Now, the reason I am stating this today is because I have known and become very very deeply involved with one of the students in regards to a problem that she had and it is due to hearing. I

was very successful in helping her. Well, we got to be very very close for many many years and she happens to be the sister to one of our representatives from Portland, the Honorable Gerald Talbot.

On motion of Mr. Hobbins of Saco, it was

ORDERED, that Ann Hobbins and Thomas Jordon of Saco be appointed Honorary Pages for today.

On motion of Mr. Stillings of Berwick, it was

ORDERED, that Sarah Dowling of Berwick and Tammy Hanson of Lebanon be appointed Honorary Pages for today.

Mr. Dyar of Strong was granted unanimous consent to address the House.

Mr. DYAR: Mr. Speaker, Members of the House: I apologize. The other day there was an agreement there would be no discussion on a bill that came out unanimous "ought not to pass." This morning we passed out a bill relative to the telephone service of Coburn Gore.

I agreed with the committee to have my bill come out "ought not to pass" because there are conditions that pertain to the Public Utilities Commission and to the Somerset Telephone Company that I would like to have go in the record this morning so that we will have some force in the future to make sure that these agreements that have been made will be followed through. And I hope that some member of the Public Utilities Commission will comment on these views.

Mr. Kelleher of Bangor was granted unanimous consent to address the House.

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: The bill that Representative Dyar was referring to was heard in our Public Utilities Committee and there was considerable support for it, both by the proponents and the members of the committee.

Due to a problem that was taken over by the Somerset Telephone Company concerning the telephone service in the Coburn Gore area, there was an agreement reached between the committee and Representative Dyar that the Public Utilities Commission themselves would see that this problem up in the Coburn Gore area be corrected. They indicated in talking with the Somerset Telephone Company that it would take six to eight months to correct the situation on service.

They also indicated that if this telephone company did not correct this situation in the Coburn Gore area, that there would be legislation put in at this session and the special session to see that it is done. I just want to make these remarks to be known that there was an agreement made and I am sure the Public Utilities Committee, Representative Dyar, will see that they are lived up to.

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

Bill "An Act Relating to Certification of Nomination Papers for State and County Elections" (H. P. 1338) (L. D. 1774)

Tabled — May 2, by Mr. Ross of Bath.

Pending — Acceptance of either Report.

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

Mr. ROSS: Mr. Speaker, Members of the House: I move that the House accept the majority 12 to 1 "ought not to pass" report of the committee.

Members of both political parties, including all of us, first get our nomination papers filled out, we have them notarized, and we bring them to Augusta to the Secretary of State's office where they cross out the obvious mistakes; such as using the term Mrs. so and so or initials only. However, unenrolled aspirants or third-party candidates who seek the nomination by the petition route rather than like the rest of us have to do, take their petitions to the registrar of each municipality to

have the names actually checked according to the voting list. The reason the Secretary of State cannot do this, which this bill requires, he does not have the checklists of each town and he does not have the personnel to process this.

One of the major reasons that third-party candidates have to have each name checked is they are getting out of primary contests. And it is not fair to make it easier for them as opposed to the rest of us who believe it is our duty to enroll in one party or another. We must go through the primary contest and they don't need to.

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

Mr. CONNOLLY: Mr. Speaker, Ladies and Gentlemen of the House: First of all, I would just like to tell you that this is my bill, I don't want to put up a fight on it, because I think that it is probably impossible to win. But I would like to briefly explain the issue to you.

First of all, this bill applies only to elections that are county-wide or state-wide in nature. As you know there are two methods for nomination. The first is nomination by petition. The second is the method of nomination by primary.

In nomination by primary, which applies to the candidates of the major party, we have our nomination papers filled out. They are signed by a notary of the public in the municipality where we live and then they are brought to Augusta where they are supposedly certified. But I think most of you who have brought your papers to Augusta realize that all that happens here is that the Secretary of State's staff goes through the nomination papers and simply checks off the names that you can't read or that are signed "Mrs. John Jones" or are initialed instead of written out in full.

In effect, even though we may be required to have Democrats sign a Democratic candidate's petition, they are not verified for that. A number of names that appear on those petitions could either be nonvoters or nonregistered voters



or people who belong to another party.

On the other hand, when candidates who are independent or belong to a third party want to be nominated, their method is a little bit different. They are required after they have their nomination papers filled out to take them first to each municipality where voters signed them and to have them certified, to have them checked name by name in each municipality and then brought to the state.

The purpose of this bill is twofold. First of all, it would remove a large amount of the workload of the local registrars at the time of the year when they are busiest and I have got several letters back from registrars across the state saying that they support that concept or that idea in the bill.

The second thing is that it would make the nomination procedure fair for all candidates regardless of party affiliation, whether or not they are a member of one of the major parties or whether they are an independent candidate or a member of the third party.

The objections that were raised at the hearing were threefold. First, Mr. Damborg said that this would cost the state approximately \$50,000 for the first year and that an appropriation should be attached to the bill. He said that that money would be needed to pay for staff, to pay for voting lists, to pay for storage space, to pay for the updating of the voting list. My only response to him was that this is something that the state should already be doing now; because if in fact nomination papers are not certified by the Secretary of State's staff when they come to Augusta now, then it doesn't see that we are having a legitimate process in asking voters to sign nomination papers.

The second objection was that it would, in keeping with our ideals of the two-party system, the idea is to make it as difficult as possible for people who are not candidates of the two major parties to have their names put on the ballot on election day. And my response to that is that our constitution does

not outlaw third party or independent candidates; that everyone in this country, regardless of their party affiliation, has a right to run and everyone should be treated equally.

The third objection was that it would make it easier for candidates of parties such as the American Independence party or the Communist party to get on to the ballot. And I would just say that that is an opportunity or right or privilege that is extended to all of us and that we should be able to get on in the same manner as any other candidate if an individual was a member of a third party.

I don't expect this bill to pass. But I did want you to understand the problem that exists with our election law system.

Mr. Speaker, just for the record, I would like to call for a roll call on the vote.

The SPEAKER: The Chair recognizes the gentleman from Bethel, Mr. Willard.

Mr. WILLARD: Mr. Speaker, Ladies and Gentlemen of the House: I will go along with the gentleman from Bath. He has explained it very well and I hope you will vote to defeat this bill.

The SPEAKER: The Chair recognizes the gentleman from Casco, Mr. Hancock.

Mr. HANCOCK: Mr. Speaker, Ladies and Gentlemen of the House: This bill has been explained quite well by the gentleman from Bath, Mr. Ross, and the gentleman from Portland, Mr. Connolly.

A couple of points I would like to emphasize again, Mr. Connolly mentioned the expense to the state, which as I recall, was something in excess of \$50,000; in addition to which the Deputy Secretary of State, Mr. Damborg, indicated to the committee that they would be quite a problem with storage, because you realize that these voting lists would have to come in from each and every municipality in the state and from each of the voting precincts.

In addition, this would be not an initial cost which would then never recur but it would be a recurring cost because these voting lists have to be kept up to date

all of the time. This is done now as best as possible at the local level, but it would have to be done at the state level also if this bill should become law.

The storage for all of this is space demanding. It would be very difficult down there. I admit that our present system could stand improvements. I don't question that at all, but I do feel that the so-called independent candidate should not have any undue advantage over the candidate in the regular political parties. All of us as Democrats, as Republicans at this stage of the game have to withstand the fire of a primary campaign and a primary election in which the people have some opportunity to make a decision at that time.

This would allow whimsical candidates to come in. I am not suggesting that a member of the Communist party would be a whimsical candidate; in fact, I would consider him to be quite the opposite. But I don't know as I am going to make it any easier for a member of the Communist party or the Bra-burners of the World Unite party or any of these such fanciful ideas to get on our ticket. I think the system that we have now, though it can stand improvement, is quite good, and we should keep it this way at this time.

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

Mr. BINNETTE: Mr. Speaker, Ladies and Gentlemen of the House: After hearing that bill, I was very happy to go along with our chairman, Mr. Ross. What I would have said was said by my good friend, Mr. Hancock, this morning, so I will not elaborate any further on that.

It will create another additional cost for our local registration board to have another copy sent down to the State House. That is one of the things that I felt was uncalled for. And after hearing Representative Connolly say that he expected this bill to be defeated, let's not disappoint him, let's defeat it.

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 gentleman from Bath, Mr. Ross, that the House accept the Majority "Ought not to pass" Report on L. D. 1774. All in favor of that motion will vote yes; those opposed will vote no.

#### ROLL CALL

YEA: Albert, Ault, Baker, Berry, G. W., Berry, P. P.; Binnette, Birt, Bither, Bragdon, Brawn, Briggs, Bunker, Bustin, Cameron, Carey, Carter, Chick, Chonko, Clark, Conley, Cote, Cressey, Crommett, Curran, Curtis, T.S., Jr.; Davis, Donaghy, Drigotas, Dunleavy, Dunn, Dyar, Emery, D.F.; Farnham, Farrington, Faucher, Fecteau, Finemore, Flynn, Fraser, Gahagan, Garsoe, Good, Goodwin, H.; Goodwin, K.; Greenlaw, Hamblen, Hancock, Haskell, Henley, Herrick, Hobbins, Hoffses, Huber, Hunter, Immonen, Jackson, Jalbert, Kauffman, Kelleher, Kelley, Kelley, R.P.; Keyte, Kilroy, Knight, Lawry, Lewis, E.; Littlefield, Lynch, MacLeod, Mahany, Martin, Maxwell, McCormick, McHenry, McMahon, McNally, McTeague, Merrill, Mills, Morin, L.; Mulhern, Murchison, Murray, O'Brien, Palmer, Parks, Perkins, Peterson, Pratt, Ricker, Rolde, Rollins, Ross, Shaw, Shute, Simpson, L.E.; Smith, D.M.; Soulas, Sproul, Stillings, Strout, Susi, Theriault, Tierney, Trask, Trumbull, Tyndale, Walker, Webber, Willard, Wood, M.E.

NAY — Berube, Connolly, Cooney, Cottrell, Dow, Genest, LaPointe, Lewis, J.; Morin, V.; Najarian, Smith, S.; Talbot, Whitzell.

ABSENT — Boudreau, Brown, Carrier, Churchill, Dam, Deshaies, Dudley, Evans, Farley, Ferris, Gauthier, Jacques, LeBlanc, Maddox, McKernan, Morton, Norris,

Pontbriand, Santoro, Sheltra, Silverman, Tanguay, Wheeler, White.

Yes, 111; No, 13; Absent, 25.

The SPEAKER: One hundred eleven having voted in the affirmative and thirteen having voted in the negative, with twenty-five being absent, the motion does prevail.

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

Bill "An Act Relating to the Erection of a Sign on Maine Turnpike for the Evergreen Valley Recreational Area" (H. P. 1077) (L. D. 1400) (C. "A" H-304)

Tabled — May 2, by Mr. Briggs of Caribou.

Pending — Motion by Mr. Briggs of Caribou to reconsider engrossment.

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

Mr. BRIGGS: Mr. Speaker, Members of the House: My concerns on this measure that it will not be merely another billboard blight probably coated with a thousand coats of lead paint have been well satisfied. Therefore, I withdraw my motion to reconsider engrossment.

Thereupon, the Bill was sent to the Senate.

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

Bill "An Act Relating to Legislative Counsel or Agents" (S. P. 463) (L. D. 1494)

Tabled — May 2, by Mr. Farnham of Hampden.

Pending — Passage to be engrossed.

Mr. Carey of Waterville offered House Amendment "A" and moved its passage.

House Amendment "A" (H-317) was read by the Clerk.

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

Mr. CAREY: Mr. Speaker, Ladies and Gentlemen of the House: This amendment only does a couple of things, and it doesn't kill the bill. It does take out the part on the second page on the top in dark print, "The nature of the

compensation to be paid the legislative counsel." I don't know what the nature of compensation is, and I don't know if anybody else can tell me of what nature it is.

The second part of it says that if would remove the last three lines in section B of part 2, "Including all disbursements paid, incurred or promised to legislative counsel or agents, and also specifying the nature of said legislation and the interest of the person, firm, association or corporation."

What it does leave in is the part that says, "The itemized statement shall show in detail all expenses paid, incurred or promised directly or indirectly in connection with legislation pending at the last previous session" — and I think probably the most important part here, "with the names of the payees and the amount paid to each." What we are trying to do is cut out that portion of it that brings down the disbursements by the legislative agent himself. They are not disbursements to the legislators, let me make that clear. But what it is is why should we try to point out, for instance, that a guy from Aroostook, it costs him more money to act as a legislative agent for somebody than somebody from Augusta, because he has mileage expenses, he has housing accommodations to put up with, he has meals to put up with. We are primarily interested in what the legislative agent is going to get paid, by who he is getting paid and what he is lobbying for and this amendment doesn't touch those three things.

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

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen of the House: I think this is a matter that is going to be debated rather extensively. I would like to consider the amendment for just a moment, if I may.

On the first matter that the gentleman from Waterville raised regarding the nature of the compensation to be paid to the legislative counsel or agents, it seems to me that it is entirely possible we would have a legisla-

tive counsel or agent who would be paid in something other than a check or cash. There would be some other type of reimbursement made to him and we ought to provide some arrangements that would indicate what the nature of that would be. I don't want to give any examples, because I am not sure this has happened in the past, but it might. At least this would provide a potential.

It seems to me that in the second paragraph of the amendment, it seems to me this is taking the heart out of the proposal; because as far as I can read it, it leaves only the expenses paid to the legislative agent or counsel. It does not include the disbursements; that is, the pay provided to that legislative counsel or agent. If I am wrong, I will be happy to be corrected, but that happens to be the way I read it.

Before I sit down Mr. Speaker, I would like to ask if the Clerk would read the committee report. I have had several inquiries as to how this came out of committee, and I think the members of the House would be interested.

The SPEAKER: The pending question is the adoption of House Amendment "A". The Clerk may read the report.

Thereupon the report was read by the Clerk.

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

Mr. SUSI: Mr. Speaker and Ladies and Gentlemen of the House: Having been around here quite a long time and watching this operation, I am going to first off make this prognosis. In this situation, the finest talent, finest legal talent in the State of Maine was available for the drafting of this amendment. To claim that this amendment doesn't completely and absolutely gut the bill would be, in effect, slurring the character of our lobby and indicating that the lobby were not capable of doing their work. We know that isn't so. They are extremely capable and very diligent people. So we might just as well, first off, recognize that the amendment is the bill, that the bill will be absolutely and completely gutted if we adopt the amendment.

So we are in the ball game all the way right now on the amendment. If we want lobbyist disclosure, we have to kill the amendment.

At this time, I would like to make the motion that we indefinitely postpone the amendment.

Lobbying is getting to be a bigger and bigger business down here. We have had the reputation in Maine of having legislative affairs under the control of certain interests throughout the history of the state and I think that is generally accurate. There has been a change in emphasis, but still, the lobby is an extremely potent force on the scene here.

I know that many, particularly those who have had a minimum exposure to the legislative process will say, "Well, no one has ever approached me on a bill." And there are probably 90 or 95 per cent of the bills that the lobby has little or any concern with. Out of the 2,000 bills that we will have, I am going to guess there are probably 1,900 or more that the lobby could care less whether or not it is passed or isn't passed or what we do with it.

There are those that the lobby is interested in. When they are, if it is a minor bill today—I mean one of minimum scope—it is from 5,000, 10,000, 15,000, like that, is expended in either promoting or killing that legislation. If it is a more major effort that is required, it goes to considerable amounts beyond that.

Okay, now we are opening up a whole ball of wax here. What interest should I have in this? Well, first off, as an effective legislator, I would be interested to see the price tag that the interested parties put on this various legislation. If we had disclosure, we would know that there was for instance, \$50,000 or \$100,000 being expended to promote or to kill certain legislation and then we could find out what the legislation says. Lots of times, it is almost impossible to tell what legislation does. But if you saw that there was a big expenditure being made, you could at least be curious about it and find out why somebody is interested in expending this kind

of money to promote or kill legislation. So it would give us a guide as to what legislation is important and what isn't.

I think we had a fine example just this morning for those who doubt that the lobby has any particular effect. We had a complete reversal on a bill that was entirely and completely due to the efforts of a very effective lobby who were doing their work. They switched a great number of votes and as it happened, I supported the end results. I believe that the state benefited from it. But there are so many instances where the people of the State of Maine suffer and suffer greatly because special interests are served due to the efforts of the lobby.

I do not at all have any notion in my mind that the lobby should be eliminated. I think that they are part of the scene. They serve a real useful purpose and there are those who will stand here today and say this is an infringement on the privacy of these people to ask that they expose to us and to the world what their compensation is for their services. So far as their private lives are concerned, I certainly would agree with that. However, we are dealing with the public interest down here and particularly now, when I believe government is in quite low repute, I think it would be quite reassuring to the people of Maine if we gave them evidence that we are at least attempting to expose to them the big money that is being exerted to promote or to kill various pieces of legislation here in Maine.

A thought that I have used in considering this general subject that seems to me quite apropos is that if you were going to the boxing matches some evening and you were able to find out that one boxer got a usual fee of \$20 for participating in a match and another boxer got \$2,000 as a usual fee for participating in a match, now who would you bet on? Well, the people out here in the corridor, they start at \$5,000 and go to \$10,000, \$15,000, measure how many of these fine gentlemen — personal friends of mine, many of them. I admire them, I admire their capabilities but this term their fees

are really right out of this world and I think it behooves us to make known to the public what a great effort is being made and the expenditure of funds for these purposes.

Obviously, I am very interested in this. I could go on forever. We have an amendment that guts the bill. I hope that you will vote for the indefinite postponement of the amendment and then support the bill and keep faith with the public that we are attempting to represent.

The SPEAKER: The Chair recognizes the gentleman from York, Mr. Rolde.

Mr. ROLDE: Mr. Speaker and Ladies and Gentlemen of the House: First of all I would like to ask for a roll call on the motion of the gentleman from Pittsfield.

The statement of fact on this bill begins by saying that "The high moral standards of the members of the third house of the Maine Legislature are fully recognized." I certainly won't quarrel with this statement. There is no implication here of wrongdoing and obviously there is no wrongdoing as far as I have ever heard in the operations of the lobbyists here. Therefore, why should there be any resistance to revealing their expenses?

We, as candidates, have to do this. We have to make extensive reports of the money we receive and spend on our campaigns. We really have to account for every penny. Federal law in this regard has become increasingly stringent and is now almost impossible not to reveal and even have published all of one's contributors and expenditures.

I have often heard said about lobbyists that they are performing a service. There is no doubt about that. But we all recognize that they are all performing this service for a reason. Registered agents are not here as volunteers. If we are to view them as public servants in the same sense that we are public servants, then I believe we should require of them the same disclosure of expenditures and contributions.

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

Mr. JALBERT: Mr. Speaker and Ladies and Gentlemen of the House: First, I would like to correct one statement that the fine young man from York, Mr. Rolde, made that we as candidates have to disclose every cent that is involved in our campaigns. That is not so. You can be given 4,500, 49.95's and you don't have to report any part of it at all.

I take a little bit of issue with the gentleman from Pittsfield who is very knowledgeable in this field because he has studied it. He is as interested in this proposal as I would be in abortion bills.

I want to vote finally for a bill that would pass and somewhere along the line it is a cordial disagreement that I might have wherein it concerns gutting of a bill by an amendment. I do not think that the bill is that gutted if the amendment did pass.

As far as I am concerned, I think if you recall, last year there was a question as to whether I would be in conflict of interests. I immediately asked the committee on ethics to give me their ruling. It was strange to me that the day after they gave their ruling, one of the members of the Legislative Ethics Committee was appearing before the Public Utilities Commission asking for a hike in rates for the company that he owned. I did not say anything. It was perfectly all right with me. The ruling was six to nothing in my favor. If it had been six to nothing the other way, I would have accepted it because I asked for the ruling originally.

I think at least we would get something on the books. I think the amendment is a fair enough amendment. I do not think it guts the bill to that extent. I would say possibly there are those, as the gentleman from Pittsfield talked on, that say we are not dealing with public funds. I question whether or not some of the work that the lobby does would be done in their office at their homes or done here, how that would be declared as far as the fee was concerned. I go along with the fact that they should declare their expenditures.

The gentleman from Pittsfield, Mr. Susi, also mentioned the fact that the people in government are at a low ebb in this country. The first thing I would like to mention to him is that I wasn't very happy when I read in the paper last Saturday \$10 reward for return of passport and food stamp book. I called the person and I know who the person is. He is not a member of the legislature. Also he is not a member of the third house.

This bill, whichever way it goes, raising our stature, if it is at a low ebb, I can say that in 30 years here, I have never had anybody talk to me as to whether the members of the third house should or should not disclose or what they should do. I have never had anybody mention to me any member of the third house. Oftentimes I have asked their advice, I have not taken it. Oftentimes I have not asked their advice and I have been right. Oftentimes I have not asked their advice, I have been wrong.

I think this amendment is a fair amendment. I think it would allow us to have a bill on the books. There are two other bills coming and I would like to see something go on the books and I would like to see this amendment passed.

The SPEAKER: The Chair recognizes the gentleman from Yarmouth, Mr. Jackson.

Mr. JACKSON: Mr. Speaker, Ladies and Gentlemen of the House: I have great respect for the lobby, and I might add to this that some of my best friends are lobbyists. But, unlike a donut, I think that this amendment would remove the center out of the bill, and I think that the center in this particular bill is very important and I hope that we will move ought not to pass on it.

The SPEAKER: The Chair recognizes the gentlelady from Portland, Mrs. Najarian.

Mrs. NAJARIAN: Mr. Speaker, the lobbyists have more than ample opportunity to influence legislation in this House. They appear before hearings, they draft bills for some of the members, and many members go to them for advice and information. But when they write an amendment and submit it on the floor of this House, attempt-

ing to rewrite a bill that got a majority report out of a committee, I think that is going a bit too far, and I hope you will vote for indefinite postponement.

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

Mr. CAREY: Mr. Speaker, I would like to remind the gentle lady from Portland, Mrs. Najarian, that I am not a lobbyist, have never been a lobbyist, don't expect to be a lobbyist, and it was my understanding that as a member of this House I could submit an amendment to any particular bill that I felt needed amendment. So that amendment was placed in my name. It had been placed in my name, I had mentioned or spoken on it by using my own name, and I would certainly hope that the lady would refrain from using the language that she did or the insinuation that she puts out that suddenly I have become a member of the lobby.

I would like to point out, in reference to the gentle lady from Portland, that there are many people who are on this side of the glass that do a considerable amount of lobbying themselves, and it might be interesting to find out how some of them lobby on some bills, some of where they get their own money from on the outside. I have seen it happen, and very unfortunately some of these people have not asked for a hearing before the Ethics Committee. I would certainly hope that they might in the future.

Mr. Susi from Pittsfield mentioned that there have been large expenditures and that this bill would give us the authority to check into those things. Well, if he will read the bill, he will find that we can check into the expenditures all right, thirty days after we adjourn, so you don't gain anything by this bill.

What this bill does, in effect, is leave what is paid as compensation to a legislative lobbyist between he and the person who hires him, but it does get involved in his expenditures. If he is expending money to influence legislation, then we want to know where it is coming from and where it is going.

These are the types of things we are particularly interested in; it is a step.

We have had problems with this bill. I recall in the last session that the gentleman from Pittsfield, Mr. Susi, sat in the lower right-hand corner of the House, and he attempted to have some work done in the last session on a bill similar to this and he was soundly defeated, as I recall. I am hoping that we can at least get something passed that will go progressively towards what we hope will be an ideal solution to this problem.

The SPEAKER: The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Smith.

Mr. SMITH: Mr. Speaker and Ladies and Gentlemen of the House: As a preliminary, I would just like to correct the correction of the gentleman from Lewiston, Mr. Jalbert. If you do receive a \$49.95 campaign contribution, you do have to report it. The law does not require that you state who it is that you have received it from, but you do have to report that you have received that sum of money.

I have become concerned, as I am sure many of the rest of you have, in these recent months about the reputations with which government officials are held and, regardless of party, I am really shaken by what has been happening recently at the national level. This morning the newspaper had a Harris Poll in which indicated an extreme distrust on the part of the people with government operations at the national level.

I think what we could do here at the state level is pass this bill without this amendment, which I feel guts it. Hopefully, it will display on the part of this legislature a sensitivity to the public view of our business here, that they may be suspicious, and that we want everything open and above board.

It is my own view that where money is involved in the transaction of public business, whether it be our salaries here or the money paid by lobbyists in connection with public business, such money should be revealed to the public. I don't think that this should be

viewed as a punishment or a deprecating kind of action, but simply as a matter of course, in the hopes that we can renew the public's faith in our institutions of government and politics. So I hope that you vote against the amendment which Mr. Carey has offered, which I believe does substantial damage to this bill and really undermines its basic purpose, and then vote, as the Representative from Pittsfield, Mr. Susi, has indicated, for the bill as it presently is written. Thank you very much.

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

Mr. BUSTIN: Mr. Speaker, Ladies and Gentlemen of the House: The gentleman from Waterville has indicated as a reason that we might accept this amendment is that Mr. Susi made the valiant effort last time and was defeated. I guess that is supposed to mean that he was wrong. I think you can be right in here and still get defeated. Further, one of the reasons he was defeated on that particular measure was that the lobby worked harder on killing the disclosure bill than they did on anything else in that whole session. And if you want to see them work hard again, let's let this thing proceed along its way.

It has been said that some of the fees that are paid to promote or kill legislation in this legislature would stagger the imagination of the public. Now, I don't know if that is true, but I would certainly like to know it.

I would further add that the Democratic Party Platform calls for full disclosure by legislative agents, and the rank and file members of the Democratic Party want it.

I would support Mr. Susi in his motion to indefinitely postpone this amendment which, in effect wipes out the bill.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I spoke in favor of an amendment. That doesn't mean to say that one wouldn't favor a bill if an amendment would pass.

Now, as far as I can understand the gentleman from Augusta, Mr. Bustin, for talking about the platform of our party, because he was Chairman of the Platform Committee, and he as well as others know exactly what my feelings are as far as party platforms are concerned; they are for minorities. And I am not considering myself a minority.

In answering the gentleman from Dover-Foxcroft, Mr. Smith, I might suggest to him that is just the idea of the thing. The thing to do would be to reveal the name, that is the important thing. The money doesn't mean anything; it is the name you want to reveal.

Now going back further into the lobby, I can give you a glaring example right at this very session. I put a bill in the legislature, the Armistice Day Bill, and the lobbyist for the company that I represent, that I work for, was lobbying hard and heavy against my bill. I knew the president of my company to whom I am answerable to, and to whom I am answerable to only, did not want this bill because I knew this bill would cost the company some money. But it was my understanding when I came down here that I was not to be concerned with anything that involved legislation that would involve the firm, and that is exactly what happened. They lobbied hard against my bill, I lobbied hard for it.

Now, I saw about five weeks ago a big article about a member of the unmentionable branch withdrawing himself from voting on a bill and, I mean, big deal; a picture in the paper and a long article. Why, it made my stomach crawl.

There was a bill that was presented in the Appropriations Room five weeks ago concerning a grain elevator that needs to be built. I very quietly stated, "Mr. Chairman, this bill here will involve my company and, if you have no objection, I would like to withdraw myself from the measure." I didn't run to the Gannett Press and make a big issue out of it. I just got up and got the hell out of the room, that's all.



The SPEAKER: The gentleman will restrain his language.

Mr. JALBERT: I knew you would do that, and I don't blame you, but I meant it. I mean, you know, that made me tired. He ran right to the paper. I have done it three times, but I didn't run to the papers yesterday and make the statement that I asked the Speaker to decide whether or not I was in conflict. I am going to be in conflict on a bill that is coming up on Item 10, and I am going to ask the same thing because I know I am in conflict, so I am going to ask to be excused.

Ethics and conflicts, that is your conscience. It is my conscience, and I have made a lot of mistakes, but I think I have known how to act from this seat. Now, this idea kills me about anybody getting up and saying "I love the lobbyists, they are my greatest friends, they are great fellows, but", and then out comes the knives. That is the same thing as some joker I met the other day coming out of a funeral parlor. I said "Where did you go?" He said "I went over to visit Joe." "Joe? You have been crucifying him for 25 years. What does that make him; a good fellow because he is dead?"

Let's stop turning on. If I am going to clobber somebody, I am going to start clobbering him, and there will be no word but; I will be consistent, I guarantee you of that. I think the amendment of Mr. Carey's is an honest amendment, and I join Mr. Carey in reminding the lady from Portland, Mrs. Najarian, that anybody, including her, has a right to put an amendment on any bill.

The SPEAKER: The Chair recognizes the gentleman from Exeter, Mr. Smith.

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: I found in campaigning this fall that I don't think there is any group that is more misunderstood by the public than the lobby. They are regarded, at least by the people in my area, as big spenders offering enticements to the members of this House.

I have found them to be hard-working, knowledgeable in the

ways of the law and how to get laws passed. If I were a member of the public and wanted to get a bill through this House, I wouldn't hesitate to hire a great number of them. However, I am astonished at the price that they command, even although I am sure that they deserve it.

I think the public should be informed that the lobby is upright, extremely capable, extremely intelligent, and it is very, very expensive. The public should know how much money is being spent on getting a very small selective number of bills through this House, and then maybe they could understand why I feel a bit outclassed when I come up against the lobby as a member of this body. I do urge you to reject the amendment and pass the bill as written. Thank you.

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

Mr. BRIGGS: Mr. Speaker and Ladies and Gentlemen of the House: Having served in this body quite some time ago, having had quite some experience with the great ability of the legislative agents, I think I am relatively well qualified to speak on their great ability to win legislation which they support and to defeat legislation which they do not support.

I have always been sort of chagrined, not so much at the tremendous effectiveness of these pressure seekers, because we all know they are very effective, because they represent the best legal minds that the State of Maine can produce, but the thing that discourages me, or has over the years, is the fact that so many legislators seem to feel that they are just sort of handy fellows useful for sharpening pencils and picking up paper clips, or possibly writing an occasional speech in which the words are sometimes mispronounced while it is being read.

Now, most of the legislators, as all of you know, we are accountable to someone. Before the next session of the legislature comes around, we shall all be accountable to someone. The lobbyist, on the other hand, is

accountable to no one except the vested financial interest which he represents.

Now, it has been stated here that money is not a very big factor, and I have always had a saying that money ain't everything, but it is away the dickens ahead of whatever is in second place. And insofar as this disclosure of how much these characters rake down for the heavy-handed pressure that they do actually and honestly put on the legislation which is before us, I think that that is a very proper concern of the legislature and of the citizens of this state, and I hope that you will vote to indefinitely postpone the amendment.

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

Mr. BRAWN: Mr. Speaker, Ladies and Gentlemen: I have just picked up the law book here, 1972 Elections of the State of Maine. I heard Mr. Jalbert speak in regard to the amount of money and I heard Mr. Smith. Now I would like to read to you, and you use your own judgment: "Filing of campaign reports and receipt of expenses: The report must contain an itemized amount of the money received to date, the names and addresses of each donor. It must also contain the itemized amounts of money spent for liabilities incurred to date. Exceptions: The names and addresses of the donors of less than \$50 need not be included. Contributions of total expended, if less than \$100, need not be itemized."

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

Mr. MORTON: Mr. Speaker and Ladies and Gentlemen of the House: I would like to rise to rather firmly endorse the motion of the gentleman from Pittsfield, Mr. Susi, to indefinitely postpone this amendment.

Now, the amendment deals with important and meaningful parts of the bill. Let's think about the bill itself. The bill itself deals with disclosure. I submit to you, ladies and gentlemen of this House, that disclosure is a pretty important word in the political world today.

Mr. Briggs has very ably rebutted the point made by the gentleman from Lewiston, Mr. Jalbert, that it is the name that is important and not the dollars, and I won't go into that. But you will notice in the second paragraph of the bill, on page 2, that it is the companies, it is those who hire the lobbyists, who have to make this report, not the lobbyists themselves. You are not asking anyone to disclose something about himself.

I urge you very strongly to support the gentleman from Pittsfield and indefinitely postpone this amendment.

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

Mr. FARNHAM: Mr. Speaker, Ladies and Gentlemen: As the lone wolf in the House who signed the minority ought not to pass report, I feel you need some explanation.

First, I am a cynic, and I think I would look at the reports, when this bill does pass, when the reports come in, and they come in and disclose after the fact, not during the lobbying, that I will also look at the reports very cynically.

Second, it is consistent with a position I have always had that what a man's income is or what he gets is his own business. Years ago I fought to keep the salaries of school teachers out of our town's annual report because I thought that was the teachers' or the individual's business, not everyone else's. We do have to disclose our income to two sources: the federal internal revenue people and the state income tax people, and those are the only people that ever will know what my income is, because that is my business, and I would think it was everybody else's business to know their own and not worry about somebody else's.

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

Mr. GAUTHIER: Mr. Speaker and Members of the House: I would like to mention the fact that on the statement made by my good friend, Mr. Farnham, I would like to let him know that the taxpayers are paying for these reports. They are paying for it right through

their taxes. They are paying the salaries and this and that. They are supposed to know what is going on in the town.

I have been here for ten years, and I would like to endorse what the gentleman from Caribou has mentioned. If there is something, it is about time that we find out what is going on. And I think, in fact, the next thing we should do is put another bill in to find out how many in this House are being paid by companies to be lobbyists.

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

Mr. KELLEHER: Mr. Speaker and Ladies and Gentlemen of the House: I agree with the remarks made by the gentleman from Hampden, Mr. Farnham. I am not one that likes to look in to see what somebody earns. I figure what I earn is my business, big or small, no matter what it is.

But do you know who the biggest lobbyists are on this state capitol grounds that we are on? I said this before and I want to say it again. It is the State Office Department people, it is the University of Maine people, it is the Health and Welfare Department, it is the Transportation Department. They can really lobby us. Why, at one point in the last session, the 105th, they wanted to bring Mr. Stevens over here to lobby for an increase in the gasoline tax. They didn't think that the committee was capable enough, I guess, to put the arguments across for or against the increase in the gas tax, but they wanted to bring Mr. Stevens into this room right here that you are sitting in to lobby you people. Now, you don't give that much consideration to your own constituents back home.

It wasn't too long ago that I put an amendment on a bill here, or attempted to, on the Housing Authority. It was defeated. But you know, the gentleman that is the head of that department tried to lobby us individually as Democrats. I just don't think that is right, because we don't give that privilege to our own people.

The biggest lobbyists in this government that we are in are the department heads, the empire

builders. And how much of the taxpayers money is being spent? When they should be over in their own offices, they are over here trying to lobby you and I. These are the people that spend serious money, because that is the taxpayers' money, and we are paying them to do their work. And you are going to see it, you are going to see it before we get out of here, believe me, when it comes to the budget and proposed cuts that are going to be made, why, the University of Maine will be raining down on you, the Highway Department will be coming down on you, and those are the taxpayers' people who are trying to influence you and I in supporting expending programs for them. These are the real serious lobbyists.

I have got no serious objections to this bill, ladies and gentlemen, and I will probably vote for it. And I haven't got any real reservations about this amendment. I just dislike the idea of looking into what somebody earns for a living in this particular position. I ask the House to support the amendment and, if the amendment isn't defeated, to support the bill itself. But the real lobbyists, the real ones now, are the department heads. You wait and see now. I am going to tell you, this is the truth.

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: I must admit there is a fight to see who is going to get up first on this point. I want to, first of all, indicate a number of years ago, I think it was in 1967, that the Governor issued a memorandum which is now in force, and if the gentleman from Bangor has a department head in mind that is over here lobbying, there is a way to handle the situation.

Secondly, in reference to the Maine Housing Authority, the gentleman from Bangor and myself got into somewhat of a hassle at a Democratic caucus because I am the one who asked the gentleman to come in, since I felt there was some misinformation that was being batted around, and I thought that the best way to get the correct

information was to bring in the people who knew something about the situation.

Third, and this really to me is the best one of all, the gentleman from Bangor says that he is opposed to getting involved with letting people know, and you know, somewhere in the back of my mind — I am not sure — but I think he introduced the other which requires a snoop book to be printed, which spells out by name, by amount, and by salary level the salary of 12,000 state employees.

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

Mr. KELLEHER: Mr. Speaker and Members of the House: I have got to admit the gentleman from Eagle Lake is right, but that is taxpayers' money and we are not talking about taxpayers' money now; we are talking about private people being employed by other individuals. I have got to admit to you, Mr. Martin, I left myself wide open for that, but that is taxpayers' money that we are paying salaries with.

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

Mr. CURTIS: Mr. Speaker, once again, like two years ago, we are seeing an attempt made to talk about something off the topic. As we have just been pointed out in a very interesting exchange here, the other people whether or not they are lobbying, that do indeed work for the state or for the University have their salaries fully exposed. We have our salaries fully exposed, and some of us wonder sometimes why we are in this body and not behind the glass. But it will be very interesting, I think, for the people of this state to finally realize what indeed are the sums paid to those other people who are here strictly for the purpose of influencing legislation.

I would also like to point out finally that at the committee hearing before the State Government Committee there was one lobbyist who testified, and that gentleman has indicated that he has no objection to being identified, and of course he spoke in public, and that

was Mr. John Andrews of the Maine Municipal Association. He testified individually on behalf of himself and of Mr. Salisbury that he was in favor of this type of legislation, and he thought it was a good idea if the people of the State of Maine had a chance to know exactly what is involved in influencing legislation.

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

Mr. JALBERT: Mr. Speaker and Members of the House: First I would like to state that I am going to vote for the amendment and the bill. But I would like to comment concerning the remarks of the last speaker that we know what the employees or professors or personnel at the University of Maine disclose and we know what they make for salaries. We know what is shown. We don't know, however, that there are some working for the University of Maine who are also working for departments in this building next to us and making more money working for the departments next to us than they make working at the University of Maine. That we don't know.

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

Mr. DYAR: Mr. Speaker and Members of the House: The gentleman from Bangor, Mr. Kelleher, I think brought up a very important point. I have a bill being heard before a legislative committee next week on governmental reorganization. It was brought to my attention I believe the day before yesterday that a member of that department had started his homework, he had, I believe, met all the legislators who room at the Senator Motel and I guess his plans are to go on to the Holiday.

So in my mind, I am elected to represent my people. I come down here and present legislation and the department that might be affected sends a man out. I assume probably he may not be on overtime but he may be getting time off in the afternoon to cover his evening activities.

There was reference made to the so-called "Snoop Book." This is also another little document that we as taxpayers pay for in this state. It seems very convenient that the "Snoop Book" and the little book that the Department of Taxation on state evaluation seems to come out a week after we adjourn.

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

Mr. CROMMETT: Mr. Speaker, Ladies and Gentlemen of the House: Most of the people speaking today have expressed their love for lobbyists. I don't particularly care for the lobbyists and I have made that statement to many of them. But I don't take myself too seriously. I take my job quite seriously.

Talking to a friend of mine, I told him that the lobbyists didn't bother me any. Well, he says, you know they only talk to the influential people. That set me back a little bit and it is so, and I couldn't wait until I sprung it on one of my friends. So it is the rather influential people that can talk influentially and perhaps sometimes out of both sides of the mouth that the lobbyists do pay attention to.

I am not vindictive. I know who the gentleman is whose name is on this bill. He was a member of the House and a member of the State Government Committee when I proposed the same bill. He came before our committee, our situations are reversed, and he voted against me when I presented my bill. Now I am going to vote to support his bill and I am going to vote against the amendment because I fully believe that it is going to take the guts right out of the original bill.

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

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: After several sessions around here you will find out that there is actually a Third House out in the corridor. You will find that they are very effective in influencing people that are members of the legislature. You will also find that down through the years there has been

attempts made by organizations across the state to have some of the expenses, some of the payments and some of the things that are going on up here in the State House come out in printed form. With this bill here with the amendment indefinitely postponed, I think this is the proper procedure to do it.

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 gentleman from Pittsfield, Mr. Susi, to indefinitely postpone House Amendment "A". All those in favor will vote yes; those opposed will vote no.

### ROLL CALL

YEA — Ault, Baker, Berry, G. W.; Berry, P. P.; Berube, Binnette, Birt, Boudreau, Bragdon, Brawn, Briggs, Bustin, Cameron, Carrier, Carter, Chick, Chonko, Churchill, Clark, Conley, Connolly, Cote, Cottrell, Cressey, Crommett, Curtis, T. S., Jr.; Davis, Dow, Drigotas, Dudley, Dunleavy, Dyar, Emery, D. F.; Farley, Faucher, Fecteau, Flynn, Garsoe, Gauthier, Goodwin, H.; Goodwin, K.; Greenlaw, Hamblen, Haskell, Herick, Hobbins, Hoffses, Huber, Hunter, Jackson, Jacques, Kauffman, Kelley, Kelley, R. P.; Keyte, Kilroy, Knight, LaPointe, LeBlanc, Lewis, J.; Littlefield, Lynch, MacLeod, Martin, Maxwell, McHenry, McMahon, McTeague, Merrill, Mills, Morin, L.; Morton, Mulkern, Murchison, Murray, Norris, Palmer, Perkins, Peterson, Pontbriand, Ricker, Rolde, Ross, Shute, Simpson, L. E.; Smith, D. M.; Smith, S.; Soulas, Sproul, Stillings, Strout, Susi, Talbot, Theriault, Tierney, Trask, Tyndale, Walker, Whitzell, Willard, Wood, M. E.

NAY — Albert, Bither, Carey, Curran, Deshaies, Dunn, Evans, Farnham, Farrington, Finemore, Fraser, Genest, Good, Hancock, Henley, Jalbert, Kelleher, Mahany, McCormick, McNally, O'Brien, Parks, Pratt, Shaw, Tanguay, White.

ABSENT — Brown, Bunker, Dam, Donaghy, Ferris, Gahagan, Immonen, LaCharite, Lawry, Lewis, E.; Maddox, McKernan, Morin, V.; Najarian, Rollins, Santoro, Sheltra, Silverman, Trumbull, Webber, Wheeler.

Yes, 101; No, 32; Absent, 22.

The SPEAKER: One hundred one having voted in the affirmative and thirty-two in the negative, with twenty-two being absent, the motion does 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 Relating to Use of Studded Tires on Motor Vehicles" (S. P. 79) (L. D. 196) (H. "A" H-280)

Tabled — May 2, by Mrs. McCormick of Union.

Pending — Passage to be enacted.

On motion of Mrs. McCormick of Union, the Bill and all accompanying papers were indefinitely postponed in non-concurrence and sent up for concurrence.

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

Bill "An Act Relating to Railroad Crossings" (H. P. 815) (L. D. 1082) (S. "A" S-94)

Tabled — May 2, by Mr. Kelleher of Bangor

Pending — Passage to be enacted.

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

Mr. JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: I would be in direct conflict on this bill. May I excuse myself.

The SPEAKER: The gentleman may excuse himself.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: This bill was put before the Public Utilities Committee by request. It had some problems and it was the consensus of the committee that we pass it out. It has been amended in the Senate. I have talked with the sponsor of this bill this morning and some of the members of the committee and he has got no reservations whatsoever about the motion I am going to make now on indefinitely postponing this bill and all its accompanying papers.

Thereupon, on motion of Mr. Kelleher of Bangor, the Bill and all accompanying papers was indefinitely postponed in non-concurrence and sent up for concurrence.

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

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

Tabled — May 2, by Mr. Birt of East Millinocket.

Pending — Enactment.

The SPEAKER: The Chair recognizes the gentleman from Bethel, Mr. Willard.

Mr. WILLARD: Mr. Speaker, could I have this tabled for one more day, please?

Mr. Simpson of Standish requested a vote on the tabling motion.

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

A vote of the House was taken.

27 having voted in the affirmative and 76 having voted in the negative, the motion did not prevail.

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

Mr. HENLEY: Mr. Speaker, Ladies and Gentlemen of the House: I talked about this at length

the other day. I am not going to today. I am going to move for indefinite postponement of this bill and depend upon your judgment if you have read the editorial that I have placed on your desks.

I think perhaps that explains the situation far better than I can do. I feel that we would be making a mistake if we take this law right off the books. I feel that we should leave it up to the discretion of police, et cetera, and leave this law on the books.

I hope you will go along with me on indefinite postponement of this bill and all its papers.

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

Mr. NORRIS: Mr. Speaker and Members of the House: I would ask for a division and speak briefly.

As time goes on I believe less and less every day of what I read in the newspapers, so if that is what the gentleman is basing his debate on, we shouldn't certainly indefinitely postpone this bill.

Mr. Hoffses of Camden requested a roll call vote.

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

Mr. MURRAY: Mr. Speaker, Ladies and Gentlemen of the House: I urge you to defeat the motion of the gentleman from Norway, Mr. Henley, to indefinitely postpone. This bill had a thorough debate in the House the other day and I believe it was the consensus of this body that the redraft that the Judiciary Committee signed out, to the majority of that committee it was acceptable. I believe that the number of arguments in favor of the bill certainly outweigh any move to indefinitely postpone it at this time.

I would just like to reiterate my position that this is a necessary means of transportation for a number of people. Secondly, that there is nothing basically intrinsically evil about hitchhiking. This is simply an act of charity. Someone is asking another person for a ride.

I hope that you keep these facts in mind when you vote this morning.

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

Mr. COTE: Mr. Speaker, Ladies and Gentlemen of the House: This morning I endorse the indefinite postponement of this bill. I think what you are doing if you are going to pass this bill is you are going to be lowering people in to positions they shouldn't be into, murder, rape, all kinds of other infringements of the law. If we are going to lower our young people into this trap, I think we are doing wrong. So I think we should kill this bill.

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

Mr. BINNETTE: Mr. Speaker, Ladies and Gentlemen of the House: I hate to disagree with my good friend from Bangor, Mr. Murray. I think he is right when he makes the statement that it is going to be an act of charity to a lot of them. By that same token, after hearing the debate several days ago, I do know that the town officers of the Town of Orono are very strict against the hitchhikers and they have a hard time to get by in order to hitchhike a ride to go home. By that same action, there is a bus that runs there and it wouldn't be too expensive for them to take the bus to go to Bangor.

I think that if we leave this law as it is, we are giving our State Police an opportunity to exercise their rights in picking up a hitchhiker and that case has happened a good many times and from what I am told, they are found hitchhiking with concealed weapons, with marijuana, which now you don't know whether it is good or bad but nevertheless, I think they are trying to pick them out of the crowds if they can. It so happens there are a lot of these boys that deserve to be picked up.

I hope that we indefinitely postpone this measure.

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

Mr. BRIGGS: Mr. Speaker and Ladies and Gentlemen of the House: I hope that you will not

go along with the indefinite postponement of this bill.

I would like to relate a little experience that happened recently. On the way in from my favorite watering place where I spend my nights, the Senator Motel, I occasioned to have the good fortune to bring one of my young colleagues in this great body, the House of Representatives with me. Ensnounced upon the road down Western Avenue just a short piece, was that unmentionable president of that unmentionable body with his thumb up in the air hitchhiking to the State House. Of all the difficulties he may have gotten himself into this session, this could have been the most serious and I did not realize it before now. And probably if he had been arrested, he would have been found with marijuana or a knife or a Luger automatic pistol.

But, however, all great risks and hazards to the contrary notwithstanding, I took the occasion to stop for the gentleman and bring him along on his way. And I trust that the vast majority of the circumstances will not be so completely unlike the one I have mentioned to make them unworthy of your consideration. And I hope the motion to indefinitely postpone will not prevail.

The SPEAKER: The Chair recognizes the gentleman from Camden, Mr. Hoffses.

Mr. HOFFSES: Mr. Speaker and Ladies and Gentlemen of the House: I would like to point out just one simple fact here. The law says that anyone walking or traveling on a highway should be walking on the left hand side facing traffic. If we are going to abide by that law, how can we be over on the right hand side thumbing at the same time?

The SPEAKER: The Chair recognizes the gentleman from Bethel, Mr. Willard.

Mr. WILLARD: Mr. Speaker and Ladies and Gentlemen of the House: I can remember reading in the paper, I guess maybe it was a year ago or so, of five college girls that were found murdered by somebody that picked them up when they were hitchhiking to college. That is one reason I am very

much against this. We let them hitchhike now and largely they are not bothered, but if we pass this law where everybody can hitchhike, our granddaughters and our daughters will be hitchhiking and they will say, "Well, it's the law, why can't we do it?" I am definitely against it.

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

Mr. DUDLEY: Mr. Speaker and Ladies and Gentlemen of the House: I will be very brief. I was opposed to this the other day and I still am. Every law enforcement officer in Penobscot County that I have talked to is also in favor of this bill not passing. They gave me what I thought were some very substantial reasons. They said that we have it hard enough trying to keep them out of the road now, keep them from being run over by keeping them back and he said they are very arrogant as it is and he said this law will make them more arrogant. They found guns on quite a few and other things that are not desirable in our area. So I think — the good ones they give them a lift and I do, but this way, if you pass this law, they have no control for the undesirables. This way they do have a little something to say. He feels that they crowd in on the fringe of the tar now to some degree and you ask them to stand back a ways to clear the traffic and if this would pass, they wouldn't have that chance, they would be even more arrogant than ever.

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 gentleman from Norway, Mr. Henley, to indefinitely postpone L. D. 1875 and all accompanying papers. All in favor of that motion will



vote yes; those opposed will vote no.

### ROLL CALL

YEA — Ault, Baker, Berry, G. W.; Berry, P. P.; Binnette, Birt, Bragdon, Brawn, Cameron, Carrier, Chick, Cote, Crommett, Deshaies, Dudley, Evans, Farnham, Farrington, Finemore, Gauthier, Hamblen, Henley, Hoffses, Immonen, Kauffman, Kelley, Kelley, R. P.; Keyte, Knight, Littlefield, MacLeod, McNally, Merrill, Mills, Morin, L.; Morton, Murchison, Parks, Pratt, Shaw, Shute, Sproul, Stillings, Tanguay, Theriault, Trask, Webber, White, Willard, Wood, M. E.

NAY — Albert, Berube, Bither, Boudreau, Briggs, Bustin, Carter, Chonko, Churchill, Clark, Conley, Connolly, Cottrell, Cressey, Curran, Curtis, T. S., Jr.; Dow, Drigotas, Dudley, Dunleavy, Dunn, Dyar, Emery, D. F.; Farley, Faucher, Flynn, Fraser, Garsoe, Genest, Goodwin, H.; Goodwin, K.; Greenlaw, Hancock, Haskell, Hobbins, Hunter, Jackson, Jacques, Jalbert, Kelleher, Kilroy, LaPointe, Lawry, LeBlanc, Lewis, J.; Mahany, Martin, Maxwell, McCormick, McHenry, McMahon, McTeague, Mills, Morin, V.; Mulkern, Murray, Norris, Palmer, Perkins, Peterson, Pontbriand, Ricker, Rolde, Rollins, Simpson, L. E.; Smith, D. M.; Smith, S.; Soulas, Susi, Talbot, Tierney, Walker, Whitzell, The Speaker.

ABSENT — Brown, Bunker, Carey, Cooney, Dam, Davis,

Donaghy, Fecteau, Ferris, Gahagan, Good, Herrick, Huber, LaCharite, Lewis, E.; Maddox, McKernan, Najarian, O'Brien, Ross, Santoro, Sheltra, Silverman, Strout, Trumbull, Tyndale, Wheeler.

Yes, 49; No, 74; Absent, 27.

The SPEAKER: Forth-nine having voted in the affirmative and seventy-four in the negative, with twenty-seven being absent, the motion to indefinitely postpone does not prevail.

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

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

Mr. NORRIS: Mr. Speaker, having voted on the prevailing side, I move we reconsider our action and hope you vote against me.

The SPEAKER: The gentleman from Brewer, Mr. Norris, moves the House reconsider its action whereby we passed this bill to be enacted. All in favor of reconsideration will say yes; those opposed will say no.

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

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### (Off Record Remarks)

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On motion by Mr. Birt of East Millinocket,

Adjourned until twelve o'clock tomorrow morning.