

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Sixth  
Legislature*

OF THE

STATE OF MAINE

Volume II

April 23, 1973 to June 5, 1973

KENNEBEC JOURNAL  
AUGUSTA, MAINE

## HOUSE

Tuesday, May 15, 1973

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

Prayer by the Rev. Mr. Thomas Duffy of Hallowell.

The journal of yesterday was read and approved.

### Papers from the Senate

From the Senate: The following Joint Order: (S. P. 620)

WHEREAS, the 19th day of May of 1973 is "Armed Forces Day" throughout the United States and the State of Maine; and

WHEREAS, America sets aside this day to honor those American men and women in uniform who stand ready both at home and across the world to protect their nation and the freedom it represents; and

WHEREAS, their service to their country stands as a living memorial to those who served before and as an example for those young Americans who will step forward to serve in the years to come; and

WHEREAS, the United States Navy Destroyer U.S.S. LOWRY (DD-770) and her 22 officers and 240 enlisted men will visit the port of Portland from May 18th through May 22nd to participate in Armed Forces Day ceremonies in Southern Maine; and

WHEREAS, U.S.S. LOWRY is commanded by Commander Stanislaus G. Dyro, U.S.N., a Portland native who graduated from Portland High School in 1953 and the Maine Maritime Academy in 1956; now, therefore, be it

ORDERED, the House concurring, that the Members of the 106th Legislature join together on this occasion of Armed Forces Day in expressing its deep appreciation to all those men and women in our Armed Forces whose personal contributions have made a generation of peace an attainable goal and in saluting them for their commitment and sacrifice; and be it further

ORDERED, that the Members of the 106th Legislature take this occasion to welcome to Maine its native son, Commander Stanis-

laus G. Dyro and the officers and crew of the Navy Destroyer U.S.S. LOWRY; and be it further

ORDERED, that a suitable copy of this Order be delivered to the Commanding Officer of the U.S.S. LOWRY upon the occasion of the vessel's visit to the State of Maine.

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

### Reports of Committees

#### Ought to Pass in New Draft

Report of the Committee on Taxation on Bill "An Act Relating to Maine Sardine Inspection Service" (S. P. 159) (L. D. 393) reporting "Ought to pass" in New Draft (S. P. 615) (L. D. 1927) under same title.

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

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

### Non-Concurrent Matter

Bill "An Act Regulating Bank Branching" (H. P. 861) (L. D. 1146) which the House passed to be engrossed as amended by House Amendment "A" (H-355) on May 10.

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

In the House:

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

Mr. LYNCH: Mr. Speaker, I move the House recede and concur with the Senate and would like to speak briefly.

The SPEAKER: The gentleman from Livermore Falls, Mr. Lynch, moves that the House recede and concur with the Senate.

The gentleman my proceed.

Mr. LYNCH: Mr. Speaker, Ladies and Gentlemen of the House: I think you recognize as well as I do the futility of attempting to enact any legislation in the commercial bank field at the present time. The effort that was put forth over the weekend

doomed this and any other type of legislation, I am quite sure.

I think you must also recognize the frustration of any bank commissioner in the State of Maine attempting to adopt any rules or regulations in the best interest of the people of the state when he has an advisory board with the veto power that the present advisory board has.

I am most appreciative of the support given to me by the House on both bills, and I am sure the Governor's Bank Study Committee will be fully aware of your concern.

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

Mr. MORTON: Mr. Speaker, Ladies and Gentlemen of the House: I am sure that after hearing my impassioned remarks of last week in connection with this piece of legislation, you realize that I, too, deplore the loss of it. I think the people of Maine are the losers, but I understand the legislative process and I accept it. Looking through some of my quotations last night, I am reminded of one from Pickwick Papers by Dickens when he said — Mr. Pickwick, this is — “I am ruminating, Mr. Pickwick, in the strange mutability of human affairs. I say, in at the palace door one day, out at the window the next.” “A philosopher, sir?” “No, an observer of human nature, sir,” said Mr. Pickwick.”

I thank you, ladies and gentlemen, for the great support you gave this in the House.

Thereupon, the House voted to recede and concur.

### Orders

On motion of Mr. Jackson of Yarmouth, it was

ORDERED, that Marc Hildreth, Dana Hildreth, Peter Hazzard, Robert Hazzard, John Allyn and Alison Soule be appointed Honorary Pages for today.

On motion of Mrs. Lewis of Auburn, it was

ORDERED, that Gary Plavin of Auburn be appointed Honorary Page for today.

Mr. Farrington of China presented the following Joint Order and moved its passage:

WHEREAS, “Everything in nature tells a different story to all eyes that see and to all ears that hear;” and

WHEREAS, Mrs. Marilyn J. Dwelley has seen, heard and recorded the story of “Spring Wildflowers of New England” for such enlightenment; and

WHEREAS, Mrs. Dwelley has for many years touched the lives of elementary children in the communities of China and Vassalboro; and

WHEREAS, her colorful and knowledgeable book on wildflowers which is dedicated to her students is a rich contribution to her community and State; now, therefore, be it

ORDERED, the Senate concurring, that We, the Members of the Senate and House of Representatives of the 106th Legislature of the State of Maine, take this opportunity and pause from our duties to recognize and honor this outstanding teacher and author whose recent book, “Spring Wildflowers of New England,” has made a timely and valuable contribution to the lives, education and enjoyment of the people of the State of Maine; and be it further

ORDERED, that a suitable copy of this Order be presented to Mrs. Dwelley with our special thanks for her contribution. (H. P. 1508)

The Joint Order was read and passed and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

### House Reports of Committees Ought Not to Pass

Mr. Cooney from the Committee on State Government on Bill “An Act Relating to Vacation Leave for State Employees” (H. P. 283) (L. D. 355) reporting “Ought not to pass.”

Mr. Garsoe from the Committee on Labor reporting same on Bill “An Act Relating to Eligibility Conditions for Benefits under Employment Security Law” (H. P. 807) (L. D. 1054)

Mr. Cooney from the Committee on State Government reporting same on Bill “An Act Establishing

the Maine Land Sales Full Disclosure Act" (H. P. 1205) (L. D. 1573)

Mr. Curtis from same Committee reporting same on Bill "An Act Implementing the Reorganization of the Department of Mental Health and Corrections and the Department of Public Safety" (H. P. 1383) (L. D. 1871)

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

#### Leave to Withdraw

Mr. Binnette from the Committee on Labor on Bill "An Act Relating to Mediation Procedure for Disputes in the Public Sector" (H. P. 717) (L. D. 923) reporting Leave to Withdraw.

Mrs. Chonko from same Committee reporting same on Bill "An Act to Regulate Industrial Homework" (H. P. 1379) (L. D. 1835)

Mr. Brown from same Committee reporting same on Bill "An Act to Improve the Occupational Safety and Health Act of the State in Accordance with Federal Standards" (H. P. 1402) (L. D. 1868)

Reports were read and accepted and sent up for concurrence.

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

Mr. Trask from the Committee on Business Legislation on Bill "An Act Relating to Amendments to Charters of Corporations Without Capital Stock" (H. P. 1172) (L. D. 1509) reporting "Ought to pass" in New Draft (H. P. 1505) (L. D. 1933) under new title "An Act Relating to Amendments to Charters of Certain Corporations Without Capital Stock"

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

#### Divided Report

Majority Report of the Committee on Natural Resources on Bill "An Act Providing Funds for Shoreland Zoning Assistance to Municipalities Through Regional Planning Commissions" (H. P. 1262) (L. D. 1635) reporting "Ought to pass"

Report was signed by the following members:

Mr. SHULTEN of Sagadahoc  
— of the Senate.  
Messrs. MacLEOD of Bar Harbor  
SMITH of Exeter  
PETERSON of Windham  
BRIGGS of Caribou  
ROLDE of York  
HUBER of Falmouth  
CURRAN of Bangor  
HERRICK of Harmony  
— of the House.

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

Report was signed by the following members:

Mrs. CUMMINGS  
— of Penobscot  
Mr. MARCOTTE of York  
— of the Senate.  
Mrs. BERUBE of Lewiston  
Mr. PALMER of Nobleboro  
— of the House.

Reports were read.

On motion of Mr. MacLeod of Bar Harbor, the Majority "Ought to pass" Report was accepted.

The Bill was read once and assigned for second reading tomorrow.

#### Consent Calendar First Day

(S. P. 140) (L. D. 352) Bill "An Act Relating to Membership in State Board of Licensure of Administrators of Medical Care Facilities other than Hospitals" — Committee on Health and Institutional Services reporting "Ought to pass" as amended by Committee Amendment "A" (S-117)

(S. P. 363) (L. D. 1077) Bill "An Act Providing Pensions for Former Governors and their Widows" — Committee on Appropriations and Financial Affairs reporting "Ought to pass" as amended by Committee Amendment "A" (S-115)

(S. P. 481) (L. D. 1548) Bill "An Act Relating to Time of Holding a Municipal Caucus Prior to a State Convention" — Committee on Election Laws reporting "Ought to pass" as amended by Committee Amendment "A" (S-118)

(H. P. 434) (L. D. 583) Bill "An Act Relating to Administration of Funds for Social Services" — Committee on Health and Institutional Services reporting "Ought to pass" as amended by Committee Amendment "A" (H-378)

(H. P. 630) (L. D. 844) Bill "An Act to Amend the Minimum Lot Size Law" — Committee on Natural Resources reporting "Ought to pass" as amended by Committee Amendment "A" (H-379)

(H. P. 1408) (L. D. 1848) Bill "An Act to Authorize the Investment by Savings Banks in Real Estate for Purpose of Historic Preservation" — Committee on Business Legislation reporting "Ought to pass"

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

### **Consent Calendar Second Day**

(H. P. 751) (L. D. 965) (C. "A" H-374) Bill "An Act Relating to Exceptional Children"

(S. P. 523) (L. D. 1654) Bill "An Act to Grant Comex, Inc. Certain Rights Within the State of Maine"

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

### **Second Reader Later Today Assigned**

Bill "An Act to Revise the Election Laws" (S. P. 613) (L. D. 1916)

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

Mr. Ross of Bath offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-377) was read by the Clerk.

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

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: This refers to the municipalities which choose to have their absentees counted at one place under the jurisdiction of the clerk.

On page 11 in section 6 of the bill, this explains exactly how it will work. Basically, it is the same as it works now in the wards. The ballot clerk or counter for each ward will take the incoming check-lists to the central counting place. The redraft states that the people must be named prior to the election, but it does not say who will name them. This amendment says that the clerk will name them.

The bill also says that they will be evenly divided as to political parties. Now that would be all right if you had an even number of wards. If you had eight wards you would have four from each party, but if you have an uneven number, the amendment also says that evenly divided as possible between the political parties.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I have an amendment that is being prepared. It touches on this and I, frankly, just got the amendment and it hasn't been reproduced. I was wondering if this item could be set aside until later in the day.

On motion of Mr. Martin of Eagle Lake, tabled pending the adoption of House Amendment "A" and later today assigned.

### **Second Reader Tabled and Assigned**

Bill "An Act Relating to Comparative Negligence in Civil Cases" (S. P. 342) (L. D. 1041)

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

(On motion of Mr. Simpson of Standish, tabled pending passage to be engrossed and tomorrow assigned.)

### **Passed to Be Enacted Emergency Measure**

An Act to Replace Lump Sum Financing of State Employees Retirement with Percentage Financing Based upon Payrolls Paid. (H. P. 216) (L. D. 289)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 113 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

### **Passed to Be Enacted**

An Act Repealing Certain Definition of Timber and Grass Relating

to the Public Lots (S. P. 290) (L. D. 837)

An Act Relating to the Certification of State Employees' Compensation (S. P. 326) (L. D. 1030)

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 to Clarify the Barber Law and Increase Certain Fees. (H. P. 387) (L. D. 516)

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

(On motion of Mr. Birt of East Millinocket, tabled pending passage to be enacted and tomorrow assigned.)

An Act Appropriating Funds to Facilitate Access to Services Essential for Older People (S. P. 547) (L. D. 1701)

An Act to Revise the Maine Insurance Code as Related to Separate Accounts Established by Insurance Companies (H. P. 870) (L. D. 1158)

An Act to Enable Communities to Establish Multiple Community Solid Waste Districts (H. P. 1138) (L. D. 1520)

An Act Relating to Oral Settlements or Releases from Injured Persons Confined to Hospitals (H. P. 1154) (L. D. 1487)

An Act Relating to Venue of Personal and Transitory Actions Involving the Residents of Brunswick and Harpswell (H. P. 1169) (L. D. 1508)

An Act Appropriating Funds to Provide a Public Information Officer at Bangor State Hospital (H. P. 1254) (L. D. 1631)

### **Finally Passed**

Resolve Providing Funds for the Maintenance of Ocean Beaches (S. P. 278) (L. D. 826)

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

### **Orders of the Day**

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

Bill "An Act Raising the Age of Persons Who May Purchase Alcoholic Beverages or Sell as Licensees" (H. P. 799) (L. D. 1069),

Tabled—May 11 by Mr. Silverman of Calais.

Pending — Acceptance of either Report.

On motion of Mr. Silverman of Calais, tabled pending acceptance of either Report and specially assigned for Thursday, May 17.

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

Mr. LeBLANC: Mr. Speaker, is the House in possession of L. D. 1118, House Paper 844?

The SPEAKER: The Chair would inform the gentleman that it is not in the possession of the House.

The L. D. is presently being procured and will be on the end of today's calendar.

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

Bill "An Act Relating to Location of Women's Correctional Center and Operation of the Halfway House Program" (H. P. 1201) (L. D. 1541) (C. "A" H-367)

Tabled—May 11 by Mr. Dam of Skowhegan.

Pending — Acceptance of Committee Report.

On motion of Mr. Dam of Skowhegan, the Report was accepted.

The Bill was read once and assigned for second reading tomorrow.

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

Bill "An Act to Provide a Portion of all Public Places and Transportation Vehicles to be Set Aside for Non-smokers" (S. P. 322) (L. D. 989) (C. "A" S-108)

Tabled—May 11, by Mr. Farley of Biddeford.

Pending — Passage to be engrossed.

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

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

Bill "An Act to Provide a Maine Citizen's Preference on State Civil Service" (H. P. 678) (L. D. 885)

Tabled—May 11, by Mr. Martin of Eagle Lake.

Pending — Passage to be engrossed.

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

Mrs. BERRY: Mr. Speaker and Members of the House: We are still working on some amendments with suggestions from everybody. I would like to have a couple more days if we could have this set aside.

On motion of Mr. Simpson of Standish, tabled pending passage to be engrossed and specially assigned for Thursday, May 17.

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

Bill "An Act Repealing the Bank Stock Tax" (H. P. 1491) (L. D. 1919)

Tabled — May 11, by Mr. Cottrell of Portland.

Pending — Motion by Mr. Finemore of Bridgewater to indefinitely postpone House Amendment "A" (H-370)

Mr. Cooney of Sabattus withdrew House Amendment "A".

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

House Amendment "B" (H-380) was read by the Clerk and adopted.

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

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

Bill "An Act Authorizing a Business Manager for the Department of the Attorney General" (Emergency) (H. P. 1297) (L. D. 1683)

Tabled — May 11, by Mr. Shaw of Chelsea.

Pending — Passage to be enacted. (Roll Call Ordered)

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

Mr. MacLEOD: Mr. Speaker and Members of the House: I think there was some reluctance on people to vote on this bill the other day, because I think there is a lot of mystery that surrounds it, and maybe there isn't that much.

Could I pose a question at this time to somebody who cares to answer?

The SPEAKER: The gentleman from Bar Harbor may pose his question.

Mr. MacLEOD: I would like to direct it to some member of the Appropriations and Financial Affairs Committee, what this job entails, what it costs, and the necessity of it at this time?

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 Houlton, Mr. Haskell.

Mr. HASKELL: Mr. Speaker, Ladies and Gentlemen of the House: The testimony that the committee heard on this bill was that at the present time we are using an attorney in the capacity of a business manager. The department has expanded considerably and it seemed to the Attorney General that this was poor use of trained manpower, and that the attorney in question, his talents could be better used in the field for which he was trained. For that reason, the Attorney General has requested that a business manager be employed to handle the business functions in the office and to direct the activities of the clerical staff. The salary in question, I am sorry I don't have it at the top of my head, but it was substantially less than the salary of an attorney.

I think the money carried on this bill in the salary area was perhaps somewhere in the \$10,000 to \$12,000 range per year. The point the Attorney General was making, it seemed a poor use of the talents of an attorney to have



him serving as a business manager in the office.

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

Mr. DONAGHY: Mr. Speaker and Members of the House; I have a further question on this thing that I might pose through the Chair.

The SPEAKER: The gentleman may pose his question.

Mr. DONAGHY: To Mr. Haskell or someone like him, who would care to answer, I am wondering why this wasn't handled in the regular manner, through the budget, because the Appropriations Committee tells them what they are going to be allowed for attorneys and why can't this just be figured in as one of their other employees in the department? You must assign him and if he sees fit, why do we have to legislate it?

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

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

Mr. JALBERT: Mr. Speaker and Members of the House: The departmental heads submit to the budget office their requests for the next biennium. From there the Governor writes up his budget and he submits it to the legislature. From there a bill is drafted, then it goes to what the Governor's budget message indicates.

That does not preclude anybody from putting a bill deleting some jobs or adding some jobs. It does not preclude anybody from putting in a bill from adding to a program or deleting from a program, this is done every day. I mean, every bill that has got a price tag on it is not necessarily setting up new programs, it is setting up additional money to old programs or deleting money from old programs. Also, of course, there are bills put in that would call for new services and additional services, and it doesn't necessarily have to come through the budget office.

Now, insofar as I am concerned on this particular measure here, I had some reluctance on it because it added an additional person to the department. I am not the greatest spender in the world anyway as far as the budgetary matters are concerned. But I think the gentleman from Houlton, Mr. Haskell, has explained the thing just as it is. They are using at the present time the services of an attorney who is doing this work and it is costing us a great deal more than if we would use an individual.

The item could have gone into Part II. It could have gone in, as the gentleman suggests, into the budget, but it didn't. So it came through in the manner of an L. D.

I hope I explained the question to the gentleman from Lubec, Mr. Donaghy, and if I haven't, well, he can ask a further question and I will try to further explain.

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

Mr. KELLEHER: Mr. Speaker and Members of the House: I would like to pose a question through the Chair to any member of the Appropriations Committee. I noticed in Part II of our budget document on expanded and new budget, the department requests for employees in the Attorney General's Office was for 15. But the Governor's recommendation was zero. Is it the intention of the Appropriations Committee to add any more personnel to the A.G.'s office?

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

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

Mr. NORRIS: Mr. Speaker, Ladies and Gentlemen of the House: In answer to the gentleman's question, we just heard the Attorney General's request for Part II and his explanation. To answer in all honesty, this is for attorneys to help the Environmental Protection Department and so forth and so on, that is the increased work load.

The Appropriations Committee has not, I repeat, has not made any determination on this. We just had the hearing the other day, and there were some strong arguments for increasing the attorneys, but there was no request for increase in personnel. This business manager, see, the Attorney General is new, he is new, to further answer Mr. Donaghy's question, and he came in and it was his feeling — after he came in and after the budget had been prepared, it was his feeling that it would be very necessary, and in my opinion it is very necessary, to have a business manager in that office. When you have a group of professional attorneys that are trying to do the, and I hate to say mundane work, but certainly work that requires less expertise than that of an attorney is certainly good sense and in the long run will save the state, in my opinion, considerable money.

I would hope that you would go along with the passage of this bill this morning.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: Just to comment one bit further, as you all know, the present Attorney General was not in office when the past budget was presented to the Governor. It was a previous Attorney General.

Part of the problem, obviously, that we had at that point was for many years that attorneys in the office had been doing the work of administration. Unfortunately, that is a poor way to run a shop. If you are going to have someone handle paper clips and memos, it shouldn't have to be done by a professional, but can be done very, very well by a person who is trained for that job. Basically, this is what this bill allows for. Obviously, the present A.G. was not in a position to have that included in the budget, since he was not around when the budget process was being made. It was the other A.G. that was here at the time.

If you will note, the budget calls for \$2,700 appropriation for the

remainder of this year, of this biennium. And then, of course, the funding would continue for the next two years into the biennium. It seems to me a way for us to save money rather than to spend it. I would much rather, for example, give them a business manager and perhaps give them one less attorney, because in the final analysis we are going to get money out of it. There is no question, at some point more attorneys will have to be added, but this is not the issue here today.

I would hope that if we want to insure better government and a cheaper way of running the show in the A.G.'s office then I think this is the proper approach to take.

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

Mr. KELLEHER: Mr. Speaker and Members of the House: I am a little slow on the uptake this morning; Mr. Norris kind of confused me. So I would like to pose another question, if I may, to that gentleman or any member of the Appropriations Committee.

If I understand you correctly this morning that your committee heard a request yesterday from the A.G.'s office requesting additional help, if I understood you correctly this morning. Now, was this help for more attorney generals or more office staff or both?

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

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

Mr. NORRIS: Mr. Speaker and Members of the House: To answer my good friend Mr. Kelleher's question, that was for more assistant attorneys general, more lawyers to help enforce the increased laws that we have on the books and the increased commissions all across the board. I could go into the whole Part II if you would like to read it in your budget Mr. Kelleher, but you will find that in the budget document that there is nothing in there about this particular position. This position is for an office manager for that and we are not

repeating, we wouldn't be hiring two, all we want is one down there.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I am not taking issue with the gentleman from Brewer, Mr. Norris, but I want to explain the thing so that it won't come home to haunt me in a month or five weeks if it has to. The Part II, as presented by the Attorney General's Office, called for additional assistant attorneys general and secretaries. It also called for more help. And, while I am at it, I might say that as far as I am concerned, Part II is not one of my fondest of loves these days or any days. But it did definitely call for not only assistant attorneys general but also secretaries and more help. I want that straightened out. It won't come home to haunt at least me, and after yesterday I believe in self-preservation.

As far as this measure is concerned here, what this does is it takes a lawyer — we have had a fantastic turnover in the Attorney General's Office in the last few years. We are a training center for lawyers; they just don't pay enough money. I was talking to a gentleman of the court yesterday, and it is getting ever so much harder to get lawyers, there is such a demand for attorneys today, the money that they earn in private practices makes them refuse to accept jobs with the judiciary. You would be amazed to know that in a certain section of the state it was almost impossible for months for the front office to find a man to serve on the bench. I mean, their expenses are high, and some of their fees might not be the lowest, and also the fact that the federal government is frowning on giving more money for legal assistance, it makes their work load all the harder. On several occasions — I know this for a fact, and I have been known to clobber the legal profession here to put over a point, but I know that on several instances that attorneys do do work that they don't get too much of a fee for.

We are way behind as far as salaries are concerned for judges.

This thing here, for instance, George West, he does some of this work. Another attorney does some of this office work. Another attorney, John Benoit does some of this work. These are extremely valuable men. And if you would know and go down and go down on the second floor two years ago and four years ago, you would see that outside of the Attorney General, George West, and John Benoit you would have seen an entirely new personnel. It has changed because these people just get the training and away they go.

This just puts the office work under one roof. It is an \$11,000 job. As I say, I repeat myself, I am not one of those who will throw money helter skelter, but I really think this measure ought to pass. We need the help now. The Attorney General is new. He is overloaded with work. He is overloaded with office work, and there is nobody down there to manage the office and they want an office manager.

And in spite of the fact — and I have felt exactly the way that some of the people feel now in opposition to it, I felt exactly the way they did until the thing was fully explained to me. I saw the light, and I went along with it. I do hope that you go along with this measure; I think it is a good bill.

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

Mr. CAREY: Mr. Speaker, Ladies and Gentlemen of the House: If the ladies and gentlemen of the House will look at the budgets that were presented to us in the form of L. D. 342 and the supplemental budget L. D. 343, you will find that it is a little questionable as to why they have to pay somebody \$11,000 to administer a \$90,000 budget. The budget in the Attorney General's Office runs to \$364,000, of which \$540,000 is for personnel services in his office, \$235,000 is for the county attorney's salary. So obviously the business manager isn't going to be managing those businesses. All he has left is "All Other" code of \$81,000,

Capital Expenditures of \$3,700, and all other in the county attorneys code of \$2,800. So there is less than \$90,000 for a business manager to administer annually, and if you are going to pay \$11,000 for somebody to administer a \$90,000 business I am thinking that you are really misusing your money.

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

Mr. JALBERT: Mr. Speaker and Ladies and Gentlemen of the House: Just because there is only \$90,000 — and I don't call \$90,000 exactly peanuts, the gentleman from Waterville may, but I don't — the fact of the matter is that there is a great many people who are members of the personnel of that department. There is a certain amount of office work that comes through their desks that is far better done by a business manager or someone that is acquainted more with figures or more with office work than a lawyer whose sole job is practicing law. And I think that it would be — it is a crime to see these higher paid men doing office work.

I am certainly not going to get on my knees on this thing. I think it is a good measure. They need an office manager and the fact that the budget is divided and that there are a lot of people working for it, even adds more impetus to the argument that they need an office manager.

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

Mr. DONAGHY: Mr. Speaker and Ladies and Gentlemen of the House: This is nothing new. They have had an office manager down there in the past and as I understand it, she was a clerk IV. If they have decided under the new Attorney General to put an attorney over this department, this seems to be the problem of the Appropriations Committee and the Attorney General. But I think it is our duty to not see this thing proliferate down there as far as number of attorneys is concerned. And this is just what is happening here. They already were running along there with one of the gals in the office, who is now up here

working for the legislature, as a matter of fact, in the Clerk's office. I just do not see the need of this.

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

Mr. NORRIS: Mr. Speaker and Ladies and Gentlemen of the House: Very briefly, I would charge the gentleman from Lubec if it is the responsibility of this legislature along with the Attorney General's office and the Appropriations Committee I do feel that this person is vitally needed down there. I know that in preparing the budget — I don't know how many hours goes into it but from the presentations that have been made — I am a freshman on the Appropriations Committee — and from the presentations that are made to the Appropriations Committee, it is certainly a known fact that many many hours must go into preparing these budgets; because every dime that they get, they have to convince us, and we have to come here in turn and convince you. So this was a discussion that was made during the Part I hearing, and the fact was obvious and was made known that George West had spent many many hours working on the budget to be presented to the Appropriations Committee and to this legislature when he could have been doing certainly things of a much more important nature as far as his training is concerned. He probably can do the work, but I think you are paying an excessive amount of money to have this work done. That is why I went along, and I think why the rest of the members of the Appropriations Committee have gone along with this bill.

As I said before, I do think it is the responsibility of the legislature to keep good business practices down there and hopefully everywhere else along the line that we move.

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

Mr. CAREY: Mr. Speaker and Ladies and Gentlemen of the House: The gentleman from Brewer, Mr. Norris said that they had

to come in and convince us on the Appropriations Committee that these things are needed. If you will look at your Advance Journal and Calendar of the Senate today, you will find there is over 125 different items on that calendar. I would suggest to you that the Appropriations Committee may be easily convinced on a lot of matters.

I have a secretary — they are talking about \$90,000. I have a secretary who is also a bookkeeper who administers over \$400,000 of the city's money. I do not need a business manager down there to administer that. And all I am telling you is that they need a secretary who is trained in keeping books. They can do that within the personnel they are already authorized. This position is not needed.

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

Mr. SMITH: Mr. Speaker and Ladies and Gentlemen of the House: I do not know how much more I can add to this discussion that hasn't been said. I think that we ought to realize that the workload in the Attorney General's office is increasing vastly. We heard reports yesterday of how much work there is to be done in the Consumer Protection Division; how much more work than a year ago in the Civil Division and how far behind he is in the criminal matters.

The choice here is very simple. We want to take George West and leave him to do just exactly what he is doing at \$24,000 a year, shuffling papers around and lining up work for other attorneys and hire another attorney to take his place in the practice of law, or do we want to leave George West practicing law where his expertise really is and that is what we are really paying him for and hire a business manager at \$10,000 or \$12,000. The savings there, anyway you cut it, is about \$20,000. I think the choice is just that simple.

There is a lot of work to be done in the Attorney General's office. They are falling behind, and they need a good business

manager. It is either George West or somebody else.

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

Mr. KELLEHER: Mr. Speaker and Ladies and Gentlemen of the House: I would like to pose a question through the Chair to the gentleman from Dover-Foxcroft, Mr. Smith, and the question is: From your committee hearing of the request of the Attorney General's office yesterday, is it in your humble opinion that you are going to give them more people to work down there?

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

Mr. SMITH: Mr. Speaker and Ladies and Gentlemen of the House: To answer the indignant gentleman, I would simply say that as far as I know, the Appropriations Committee hasn't decided what it is going to do. We heard their case yesterday, and I am sure we are going to consider it. But I am not ready to speak for the Appropriations Committee, and I am sure none of the other members of the Appropriations Committee are going to answer that question at this time either.

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

Mr. DUDLEY: Mr. Speaker and Ladies and Gentlemen of the House: I do not really like that word "indignant" because I think the question was very well put. However, I might remind you people that the same population exists in this state practically as it did two years ago. And we have hired already quite a few people and made a few commissions, and I am not one of those who want to hire any more, especially the type that comes before the Legal Affairs Committee and spends a whole afternoon on one piece of legislation that shouldn't have even been before us. So if this is what they are making themselves busy with, I suggest we find something to do that makes sense to these people. It is just like chasing around one blackbird all over the state or something. Some little

minor job like that is what they seem to occupy their time with.

A good example is they were before our committee one afternoon, and he spent the whole afternoon for a bill, in my opinion, that will probably get a unanimous "ought not to pass" report. This is what they are busying themselves at. So I suggest they get back to business that amounts to something; and if we have to, go back and get some of the Attorney Generals we have had in the past that could do the job.

I am very definitely against hiring any more personnel in that department or any other department until such time as the population of this state gets beyond the figure where it is now. With the people living here, in my opinion, they are no worse than they were ten years ago; and for this reason, I don't want to add any more personnel in any department, not only that one. I just don't think it is realistic.

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

Mr. MORTON: Mr. Speaker and Ladies and Gentlemen of the House: Just a few brief remarks. I knew very little about this bill until I heard the debate this morning. But it seems very evident to me that the state is attempting to do here what business does quite often and that is to spend some money to save some money. Sometimes you have to spend a little to save something. Mr. Smith put the point very well. You are taking a \$24,000 a year man and replacing him with an \$11,000 a year man. If that is not economy and if this legislature doesn't want to vote for economy, then I don't know what they do want to vote for. I hope you will support the measure.

Mr. Donaghy was granted permission to speak a third time.

Mr. DONAGHY: Mr. Speaker and Ladies and Gentlemen of the House: I am not speaking over here simply because I want to be against something. I was fortunate enough to be on State Government Committee and reorganization study, and we found that we needed a full-time Attorney Gen-

eral. We now have a full-time Attorney General.

In the reorganization we saw no need of this because this was — we had such a job and it was being handled by one of the girls in the office who was doing a very good job of it. If someone wants to twist this around and talk about freeing an attorney so that we can have another attorney in the office, this is fine with me if this is what you folks want. But I think those that haven't been in the position to go through that organization and the studies, I think it might be well before we make this decision for you to go back and look this up. This information is available.

The SPEAKER: The pending question is final enactment of L. D. 1297. A roll call has been ordered. The pending question is final enactment of Bill "An Act Authorizing a Business Manager for the Department of the Attorney General" House Paper 1297, L. D. 1683. This being an emergency measure, a two-thirds vote of the entire elected membership of the House is necessary. All those in favor of passage as an emergency measure will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Baker, Berry, G. W.; Berry, P. P.; Birt, Bither, Boudreau, Bragdon, Briggs, Brown, Bunker, Bustin, Cameron, Carter, Churchill, Clark, Conley, Connolly, Cooney, Cottrell, Crommett, Deshaies, Dow, Drigotas, Dunleavy, Emery, D. F.; Farley, Farnham, Farrington, Ferris, Fraser, Gahagan, Garsoe, Genest, Good, Goodwin, H.; Goodwin, K.; Hancock, Haskell, Henley, Herrick, Hobbins, Huber, Jackson, Jalbert, Kelley, R. P.; Kilroy, Knight, LaCharite, Lawry, LeBlanc, Lynch, MacLeod, Martin, Maxwell, McCormick, McHenry, McTeague, Mills, Morin, V.; Morton, Mulkern, Murchison, Murray, Najarian, Norris, O'Brien, Parks, Perkins, Peterson, Pratt, Rolde, Simpson, L. E.; Smith, D. M.; Smith, S.; Soulas, Sproul, Stillings, Susi, Theriault, Tierney, Trask, Tyndale, Walker, Webber, Wheeler, White, Whitzell, Willard, Wood, M. E.; The Speaker

NAY — Albert, Ault, Berube, Binnette, Brawn, Carey, Carrier, Chick, Cote, Cressey, Dam, Davis, Donaghy, Dudley, Dunn, Evans, Faucher, Fecteau, Finemore, Gauthier, Hoffses, Hunter, Immonen, Jacques, Kauffman, Kelleher, Kelley, Keyte, LaPointe, Lewis, E.; Lewis, J.; Littlefield, Mahany, McMahon, McNally, Merrill, Morin, L.; Palmer, Pontbriand, Ricker, Rollins, Ross, Shaw, Shute, Silverman, Strout, Talbot, Tanguay

ABSENT — Chonko, Curran, Curtis, T. S., Jr.; Dyar, Flynn, Greenlaw, Maddox, McKernan, Santoro, Sheltra, Trumbull

Yes, 90; No, 48; Absent, 12.

The SPEAKER: Ninety having voted in the affirmative and forty-eight having voted in the negative, with twelve being absent, the motion does not prevail.

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

Mr. CARRIER: Mr. Speaker, I move for reconsideration and I hope you vote against me.

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

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

Mr. Cote of Lewiston requested a vote.

The SPEAKER: The pending question is on the motion of the gentleman from Lewiston, Mr. Jalbert, that L. D. 1683 lie on the table one legislative day pending the motion of Mr. Carrier to reconsider. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

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

The following matter was taken up out of order by unanimous consent:

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

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

Tabled—May 14, by Mr. Susi of Pittsfield.

Pending—Passage to be enacted.

This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 128 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

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

Bill "An Act Increasing Minimum Wages" (H. P. 91) (L. D. 112)

Tabled—May 11, by Mr. Martin of Eagle Lake.

Pending — Passage to be engrossed.

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

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

Bill "An Act to Amend the Site Location of Development Act" (H. P. 1375) (L. D. 1831)

Tabled May 14, by Mr. Martin of Eagle Lake.

Pending—Motion by Mr. Farley of Biddeford for roll call on motion of Mr. MacLeod of Bar Harbor to accept the Majority "Ought not to pass" report.

On motion of Mr. Martin of Eagle Lake, tabled pending acceptance of the Majority Report and later today assigned.

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

Bill "An Act Relating to the Appointment of Active Retired Judges of the District Court" (H. P. 566) (L. D. 745)

Tabled—May 14, by Mr. Simpson of Standish.

Pending—Acceptance of Committee Amendment "A" (H-365)

On motion of Mr. Perkins of South Portland, tabled pending acceptance of Committee Amendment "A" and tomorrow assigned.

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

Bill "An Act Creating a Special Human Services Commission" (H. P. 572) (L. D. 751)

Tabled—May 14, by Mr. O'Brien of Portland.

Pending — Motion by Mr. LaPointe of Portland that a roll call be taken on motion of Mr. Curtis of Orono to accept the Committee's Majority "Ought not to pass" Report.

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

Mr. CONNOLLY: Mr. Speaker and Ladies and Gentlemen of the House: Again, I would like to speak briefly on the bill. I do not want to belabor the issue, but I would just like to point out to you the significance of it and what it means. If the bill passes, what would happen would be that a special human services commission would be created. The purpose of that commission would be to conduct a thorough, a complete, and a critical investigation of all the human service programs and human service needs that face us in the state.

It would involve in its planning representatives of the legislature, representatives of the municipal and county governments, and representatives of the business community as well as the labor community and the low income community throughout the state. All those members would be appointed by the legislature.

I would just like to make the point that as a first-term lawmaker, it is very difficult for me most of the time to keep abreast of all the issues and all the bills that come before us simply because I don't have enough time as I think most you don't, to research all the matters that come before us on which we have to make a decision.

It seems to me that most of the time when we vote, unless an issue is particularly close to us we vote out of ignorance, not out of stupidity but out of ignorance in not being aware of the significance or all the sides of a particular issue of a particular bill.

If this bill were to pass, it seems to me that it would give us, the legislative body, the House and

the Senate, the opportunity and the tool to deal with the question of poverty and human service needs, a tool that we need before we can make intelligent decisions.

I would hope that you would vote against the motion to indefinitely postpone so that we can keep this bill alive.

The SPEAKER: The Chair recognizes the gentleman from Freedom, Mr. Evans.

Mr. EVANS: Mr. Speaker and Ladies and Gentlemen of the House: Mr. Curtis isn't in his seat this morning and I think we ought to table this for one day.

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

Mr. O'BRIEN: Mr. Speaker, I move this item be tabled for one legislative day.

Mr. BIRT of East Millinocket requested a vote.

The SPEAKER: The pending question is on the motion of the gentleman from Portland, Mr. O'Brien, that L. D. 751 lie on the table one legislative day. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

36 having voted in the affirmative and eighty-four having voted in the negative, the motion did not prevail.

The SPEAKER: The pending question is on the motion of the gentleman from Orono, Mr. Curtis, that the House accept the Majority "Ought not to pass" Report. A roll call has been ordered. 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, Birt, Bither, Bragdon, Brawn, Briggs, Brown, Bunker, Cameron, Chick, Churchill, Cooney, Cote, Cressey, Crommett, Davis, Deshaies, Donaghy, Dudley, Dunn, Emery, D. F.; Evans, Farnham, Faucher, Ferris, Finemore, Gahagan, Gauthier, Good, Haskell, Henley, Herrick, Hoffses, Huber, Hunter, Immonen, Jackson, Kauffman, Kelley, Kelley, R. P.; Keyte, Knight, Lewis, E.; Lewis, J.; Littlefield, MacLeod, Maxwell, McCormick, McNally, Merrill, Morin, L.; Morton, Murchison, Norris,



Palmer, Parks, Pratt, Rollins, Ross, Shute, Silverman, Simpson, L. E.; Soulas, Sproul, Stillings, Strout, Susi, Theriault, Trask, Walker, Webber, Willard, Wood, M. E.

NAY — Boudreau, Carey, Carrier, Carter, Clark, Conley, Connolly, Cottrell, Dam, Dow, Drigotas, Dunleavy, Farley, Fraser, Garsoe, Genest, Goodwin, H.; Goodwin, K.; Hancock, Hobbins, Jacques, Jalbert, Kelleher, Kilroy, LaCharite, LaPointe, Lawry, LeBlanc, Lynch, Mahany, Martin, McHenry, McTeague, Morin, V.; Mulkern, Murray, Najarian, O'Brien, Perkins, Peterson, Pontbriand, Ricker, Rolde, Shaw, Smith, D. M.; Smith, S.; Talbot, Tanguay, Tierney, Tyndale, Wheeler, Whitzell, The Speaker.

ABSENT — Binnette, Bustin, Chonko, Curran, Curtis, T. S. Jr.; Dyar, Farrington, Fecteau, Flynn, Greenlaw, Hamblen, Maddox, McKernan, McMahon, Mills, Santoro, Sheltra, Trumbull, White.

Yes, 78; No, 53; Absent, 19.

The SPEAKER: Seventy-eight having voted in the affirmative and fifty-three having voted in the negative, with nineteen being absent, the motion does prevail.

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

Bill "An Act to Provide for Protection of the Air, Water and Other Natural Resources" (H. P. 729) (L. D. 935).

Tabled — May 14, by Mr. Emery of Rockland.

Pending — Motion by Mr. MacLeod of Bar Harbor to accept the Minority "Ought not to pass" Report.

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

Mr. BROWN: Mr. Speaker, Ladies and Gentlemen of the House: I rise this morning to oppose the motion of "ought not to pass." I also rise to request a roll call when the vote is taken.

This is my only claim in this natural resources field but inasmuch as it has a legal connotation and provides a legal procedure for damages to be alleviated, I felt this bill was one that I was interested in.

I don't like to get personal about some of these things. On the other hand, it is very difficult not to reflect your personality or your interest in the State of Maine in some of these measures.

I don't know why a person gives up some 25 years of lobbying in this legislature to become a member of this legislature except that on a few occasions there isn't an opportunity to express themselves in regard to the state in which you live.

In the last 50 years or thereabouts I have left this state twice. Once I guess I was up at Chain of Ponds doing a little fishing. Someone came along, came across the pond with a little telegram which said my friends and neighbors said I ought to be somewhere else. Six years later I returned.

A little later on, I guess it was 1950 or thereabouts, I was up at Norwich hunting, up at the junction of Dead River and Spencer; and someone came along with a telegram that says that Uncle Sam would like to have your services again and maybe for another two years you are gone. What I am trying to suggest is that my reasons for leaving Maine have been compulsory, it wasn't choice, it wasn't a desire. I have stayed here by choice, practiced law and enjoyed myself.

Now, I get concerned, and I think there is a need for us to be concerned about what we see is happening. I am mainly concerned about our new visitors and our new neighbors and the tremendous flood of people who wish to come into Maine. We have what they want. We have protected ourselves. They have messed their own nest and now they want what we have.

There are so few of us, less than a million, that we are almost on the list of extinct species. Have you ever been elsewhere outside the state and some says, "You're from Maine?" And they look at you and wonder what is this and then they say, "You were born in Maine, too? You have lived all your life in Maine?" They can't understand it. They think it is something wonderful. We who have

lived here all our lives don't appreciate what we do here.

I would like to bring to your attention the thought of Coney Island; the steel warehouses of Chelsea, Massachusetts; the oil refineries of Bayonne, New Jersey — or however you pronounce that place down there across from New York City — the industrial complexes that you have seen there, the tremendous number of apartment houses in Boston and the first hot, sunny day in Boston they come out of there like ants. Where are they headed? They are headed for Maine.

Now, I don't know, this is just one of the things we are going to get involved in here. I look at Old Orchard Beach here in this state. How many people can we accommodate on Old Orchard Beach, 20,000 people, 25,000, 50,000 people? When do we come to a saturation point? Whether either for health facilities or sanitation reasons or because of police enforcement, protection, you just overwhelm this beach until it is of no value to anybody.

Let's look at Sebago Lake. How many boats can you put on Sebago Lake, 50,000, 55,000, 65,000? I don't know. But there does come a point of saturation.

Now, let's look at Acadia National Park, a beautiful place. We enjoy it as it is. Can you accommodate a million people at Acadia National Park or half a million? If you do, you have such a traffic jam at Bar Harbor, it will take the rest of the summer to clear it.

Down here at the tollgates down at York, used to be at Kittery. Have we reached a saturation point when the traffic is backed up 9 miles bumper to bumper or have we got to wait for 20 miles or 30 miles from the tollgates at York? Now, this is one of the problems that we are faced with.

Now, in addition to that, let's come right back to my community and possibly your community. I live in a community that over the last 50 years has had problems involving rendering plants, ridiculous; people burning soft coal; people dumping garbage and other wastes in the lakes and ponds of

this community. These are the things which we are specifically involved with.

Now, I would like to get down to what the attorney generals — in the past, these problems have not been coped with and they were unable to cope with them through the county attorney's office or the Attorney General. I would like to read to you what the Attorney General has said about this particular L. D. which is L. D. 935 or L. D. in the new draft 1923. This letter was addressed to Senator Schulten on March 28 and it is signed Jon Lund, Attorney General. "Dear Senator Schulten: This is to let you and the members of the Committee on Natural Resources know that this office is solidly in support of L. D. 935, An Act to Provide for Protection of the Air, Water and Other Natural Resources, in its amended form as presented at the committee hearing.

"This office has three attorneys whose responsibilities include servicing the following state agencies: Environmental Protection, Land Use Regulation Commission, State Planning Office, including Coastal Planning and Water Resources Planning, Pesticides Control Board, Agriculture, Inland Fisheries and Game, Parks and Recreation, Sea and Shore Fisheries, Baxter State Park, Forestry.

"This includes advising these agencies, prosecuting violations and representing the agencies in court. It is obvious, however, that even with additional personnel there must be a great many environmental violations which this office will not be able to take to court simply because we haven't the people to adequately prepare and represent the case.

"We find ourselves in the position of declining to prosecute violations brought to our attention because of the limitation of time and money.

"We view L. D. 935 as nothing more than a removal of the procedural stumbling block which sometimes prevents the courts getting to the merits of an environmental controversy."

The principal opponents to this L. D. are the paper companies

or some 75 large landholders. I am not concerned about them, and I have no fight with the pulp or paper companies. They, I believe, are taking care of the wildlands so well that they haven't let you or I in or not even themselves onto the premises. But they have got plenty of lawyers, and they have plenty of resources. This problem is an every day problem for every day people. These are the people who cannot go to the county attorney. These are the people who cannot go to the Attorney General for the support that is necessary. Have you ever looked at what the county attorney does? Today's Kennebec Journal says here in Kennebec County Don Marden has got 60 cases, criminal cases, at this term of court. He cannot begin to cope with his problems either. So the average person coming in here with an average problem doesn't even know of the Attorney General. He has a problem just getting to the county attorney. The county attorney is too busy to handle these problems.

Now, as a rule, in order for you to succeed in one of these cases, or as it is now, you have to show that you have been particularly damaged or particularly hurt, and this is difficult, very difficult. That is what this bill would provide, an opportunity for Maine people to bring an action when they have been damaged along with many others, but they don't have to show that they have been particularly harmed.

Now, this bill is not very dangerous. The lawyers are opposed to it. They have opposed everything that is new starting with the automobile in our time and on down, social security, Exchange Securities Commission, everything else you can think of that is built up so they have a great volume of law they have opposed, no matter what it is. Anytime it is new, the lawyers will oppose it; and this is the way they have advised their clients, the paper companies. You cannot blame them. They want a precedent that is four square with what they have had in the past in

order to determine for their client what they can do in the future. So this is the reason.

Now, this has been changed, as you can see, by a new draft. The lawyers have not caught up with it, and they haven't changed their recommendations to their clients. Their recommendations remain the same because these are new provisions, but it is a provision which is going to give you, an average person, you and I, a chance to protect ourselves from damages of others.

God gave us the right to clean water and fresh air. This is your state and it is my state, and I think we have the responsibility to take care of it and to make sure that it remains this way regardless of this horde of people who are trying to get in here to have what we now have.

You know, frankly, I have run into men on a three-day pass who go out and blow their dough, get drunk, kick them out afterwards. And you know that after Labor Day they usually fumigate. Aside from that, we have something to protect here, and I think it behooves us to make sure that we do protect for ourselves and our posterity hereafter.

I hope you oppose the motion of the gentleman from Bar Harbor.

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

Mr. DAM: Mr. Speaker and Ladies and Gentlemen of the House: I rise to support the motion of the gentleman from Bar Harbor to accept the "ought not to pass" report.

Now, Mr. Brown has just given us quite a discourse on this. He is much more capable of presenting his arguments than I am, but I can assure you people that I am not a lawyer; but I am going to oppose this bill.

Now, when Mr. Brown started off, he said the out-of-state people want what we have. I agree with him. I also say they are fast getting what we have, and the more we tie up this state so that we have no industry and no jobs and the people are forced to sell their land because they cannot meet

their taxes, the out-of-state people will gain it that much faster.

Now, Mr. Brown talks about the every day people or the average people. These are the very same ones I am talking about, not the haves but the have-nots, and sometimes when the haves rise on the floor of the House, I have suspicions when they speak for the have-nots.

We have had the label put on us and on the State of Maine as being anti-industry. That is not a misleading label or a false label. I think by some of the actions we have done in the past legislatures, we have made it quite clear that we do not want too much industry in the State of Maine, that we are willing to tax and tax and tax and support welfare and keep industry out.

Now, as far as the A. G.'s office supporting this bill, that has no merit as far as I am concerned, because it is quite evident from past proceedings that the present Attorney General has been quite anti-industry and pro environmentalist; and again, it boils down to that one question of the haves and the have-nots.

Now, as far as Mr. Brown saying that we have the God given right to have clean air and clean water, I say he is right; but we also have the God given right to give industry to the people of this state so they can earn a decent living, so they can educate their children and so that they can stay in the same state, keep their land and not be forced to sell it to the out-of-staters.

In my estimation, L. D. 935 is a bad bill. It gives any person the right to bring an action. And in the first paragraph, it says, "where the alleged violation occurred or is likely to occur." You don't have to wait for the problem to be there. You just got to surmise that the problem is there, and then you can bring an action.

It seems very strange to me that when we have bills before us that involve people, human beings, certain members will stand on the floor of this House and tell how overworked the Attorney General department is and how much it would cost the taxpayers of the

State of Maine to protect these rights of the individuals who cannot afford the services of a lawyer. But this bill will put the same burden on the people of the State of Maine. The Attorney General's office will be in here the next session asking for more help, and again, that same segment of the people of the population of this state will be asked to fund this through more taxes. This bill, in this case, will only be protecting the haves, those who do not have to go out and work everyday in the factory from seven in the morning to five at night.

I think somewhere along the line that we have got to give some thought to trying to change the image that we have projected not only in this state but to the other states as well of being anti-industry. I do not by any means say that we have to do away with every environmental law that has been enacted, but I do say that somewhere along the line we have got to use a little common sense. We have got to temper the environmental factor with the economic factor.

Every session we come here we are faced with increased costs of state government. At the local level you are faced with increased costs of funding your school districts and your schools and your municipal functions. The only way this can be funded is if we have a healthy economy. We are not going to have a healthy economy if we keep outlawing every industry that wants to come into this state by passing legislation that will hamstring them.

I hope today that we go along with the motion of the Representative from Bar Harbor, Mr. MacLeod, and accept the "ought not to pass" report.

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

Mr. MacLEOD: Mr. Speaker, Members of the House: I find myself caught in two binds here this morning, I guess, getting complimented on one shoe and knocked down on the other. But I would like to say in deference to my good friend, the barrister from

York Beach and Augusta, I wish he had gone fishing this morning.

I don't want to make a big hassle over this bill. There were several of us on the committee who felt that we had written some very fine environmental bills in the State of Maine. I think you will all agree with me; and living where I live, the same as the gentleman from Augusta and who summers in York, I understand, we live in a real nice part of the country, especially down on Mount Desert Island. This made it a very difficult choice for me, because I could have put my stamp on it as being an environmentalist and voted for it.

Now, we have heard testimony here this morning that we cannot keep young lawyers in the Attorney General's office. There has to be one of the reasons—I think it adds up that we are writing so much legislation today and so much of it along the environmental line that these young fellows can step right out into private practice and make more money than they can here in our Attorney General's office.

This bill had a hearing, as all bills do, and there was not a multitude of people there knocking down the door saying we need it. We had the sponsor who did a very nice job on it; and when they found out the bill was a little bit in trouble or they got some gossip from somewhere that it might not get an acceptance report, they hurried right out and somebody came back in with the rewrite. So just for the record this morning, Mr. Speaker the bill we are talking about is not L. D. 935, it is L. D. 1923 which has just been recently given to you.

There is another thought that I would like to make at this time. You have asked industry in this state to clean up and follow a time schedule on its polluting factories. You have air quality standards now, and these concerns are all trying to adhere to these schedules. Now, I am not going to stand here and say that industry hasn't been remiss in what they should or shouldn't do. How-

ever, I do feel that a lot of them are trying to play catch-up today at a tremendous cost to them.

We were told a story here in the last session about Scott Paper Company down in Winslow, which very easily could move to Canada. The welcome mat is out in Canada, and it wouldn't take a company in an old old mill such as they have too much persuasion to go over the border.

So I think that this bill for this particular time, if we would let some of this legislation live and back it and fund it, that we do not need this legislation at this time. I just think it would be a further harassment of the existing things that are happening and God knows we cannot stand too much more of that. I want to see us have that clean water and that clean air and that land governed, but I think you have to agree with me that we have written some very forceful legislation in this state and our very constitution in Washington and our state constitution says that we have an unalienable right to this clean air and clear water.

The SPEAKER: The Chair recognizes the gentleman from Durham, Mr. Tierney.

Mr. TIERNEY: Mr. Speaker and Ladies and Gentlemen of the House: This weekend my wife and my two-year-old son and I had the distinct opportunity to get away from the house and visit some friends in a part of the state I hadn't been to in some time. Indeed it is the area which is so ably represented in this House by the gentleman from Brooks, Mr. Wood and the gentleman from Freedom, Mr. Evans and the gentle lady from Union, Mrs. McCormick.

As I drove through this lovely part of the state, I couldn't help but think about the environment in which we live. For those of you who do not know me very well, you might think I was just thinking in terms of the ecological environment which, of course, is in a very precarious position. But I also divided environment in a broader scope, the environment that Mr. Dam was speaking about,

our economic environment; because we all want to live in an environment which has a stable and prosperous economic system. And so whenever an environmental bill comes before this House and it comes before me, when I make up my mind how I am going to vote, I weigh these issues very carefully.

If the environmentalists brought before us this morning a new bill, a new environmental bill, I would be extremely hesitant to vote for it. For you see, I am not writing new law here this morning, because we are not talking about the law itself. We are talking about the process of enforcement, and these are very different things. We have been told many times that once a law is on the books of this state and once our legislature has issued a public policy, that that law should be enforced because there is no faster way to build contempt for all the laws in our society than to selectively enforce them.

So we are talking about the enforcement of the laws, and it seems to me that we have two ways we can do it. Number one, we can do it through our criminal procedures. That means the hiring of more attorney generals. It means beefing up the staff of our county attorneys. It means increasing the number of staff people in the Department of Environmental Protection. Now this seems to me to be an extremely expensive proposition.

So I have looked forward to this bill, because it does not deal with the criminal aspects at all. It deals with the civil aspects. And what it does is to shift the burden of enforcement of the law away from the criminal aspect and onto the shoulders of the very people who have been injured. I think this is a good idea and that is why I oppose the motion of the gentleman from Bar Harbor, Mr. MacLeod.

One final word—one final word about the factory worker, the mill worker which the gentleman from Skowhegan spoke of. What about the factory worker, who, together with his wife, has worked long and

hard and finally been able to buy that boat or buy that camp on one of Maine's beautiful lakes. Now, what happens when that factory worker finds himself and the other factory workers on his lake injured by some infraction of the environmental law?

Now, at the present time, if he is fortunate and lucky enough to be able to get through to the Attorney General's office and if the Attorney General is able to handle his complaint, because it is probably relatively small, because after all, he is just a factory worker and he just owns a simple camp, he might get some satisfaction by the fact that the polluter might be fined. But that doesn't do him any good. It doesn't make the lake he swims in any cleaner. It doesn't make his mornings on the lake as he fishes any more enjoyable.

In a civil action—in a civil action, ladies and gentlemen, he does have some recourse. And that is why I am in favor of this bill, and I hope we reject the motion of Mr. MacLeod.

The SPEAKER: The Chair recognizes the gentleman from Falmouth, Mr. Huber.

Mr. HUBER: Mr. Speaker and Ladies and Gentlemen of the House: I think it is important to emphasize one point which the gentleman from Durham, Mr. Tierney, brought out, which is that the redraft of this bill, L. D. 1923, applies only to our existing laws. This isn't any new environmental law.

I would like to read from subsection 1263 of the redraft. "This chapter shall be supplementary to existing laws, regulations, and ordinances and shall be applicable only in those cases in which the plaintiffs seek to show violation of existing laws, regulations, or ordinances for the protection of the air, water, land or other natural resources."

This change in the law from the original draft, I think, is very important. It would allow groups of individuals or organizations an equal chance to appeal. For example, under a site selection law, only the developer can appeal. In essence, this bill would allow the

have-nots the same right of appeal that the haves possess now. It is also important to note that the chapter is applicable only to Maine residents or Maine property owners.

I do not feel that this bill is going to keep any industry out. I do feel it is a valuable tool to enforce our existing environmental regulations. I hope you will not accept the minority "ought not to pass" report. I request a division.

The SPEAKER: The Chair recognizes the gentleman from Nobleboro, Mr. Palmer.

Mr. PALMER: Mr. Speaker and Ladies and Gentlemen of the House: I rise to support the "ought not to pass" report of the committee. As a member of the committee signing that report, I want to give you my reasons.

First of all, in deference to my good friend from Augusta, the gentleman Mr. Brown, I want to say that I left my pin-striped suit with the Phi Beta Kappa key at home as did I my wing-tipped black shoes and my gold rimmed glasses. So I am not an ogre here standing for industry. And neither am I an attorney.

Let's look for a few moments, if we can, at the history of this legislation. I want to remind the ladies and gentlemen of this House that those of us who were not here as well as those who were here know that the 104th and the 105th Legislatures of Maine passed some very strong environmental legislation, legislation which we call reasonable, sound and sensible.

The job of the 106th Legislature is the job of tempering, of listening to the public, of finding ways to clarify those laws. And this is exactly what the 106th Legislature is attempting to do and has been doing until this little gem arrived before our committee.

I want to reiterate the words of Mr. MacLeod that this bill bears no resemblance to anything living or dead which was presented to our committee. It has been redrafted and drafted and redrafted in trying to find a way to make it palatable for a majority of this House to accept.

I would like to tell you that I think this law is an umbrella law.

It is an environmentalist's dream. It is that kind of a law which says or which makes the environmentalist wring his hands with joy and say, "Now, just in case I have forgotten anything, this will take care of it." It is poor legislation. I submit to you that if we want to strengthen our environmental laws that we should address ourselves to specific subjects and adopt laws and pass laws which address themselves to that specific subject. But to take an umbrella, to take an overall view of this seems to me to be poor legislation. It is general, too general in nature and, therefore, I believe, too dangerous.

I would like to have you, as the clergymen would say, turn to the text. I want to analyze this innocuous little piece before you. 1923, if you will turn to it, is very short and seemingly very innocuous. But I would like to have you read a bit and think about it. It says in here, "The Attorney General. Any group of five individuals, any municipality, partnership, corporation, association, organization, government agency or other legal entity may maintain an action in a Superior Court" — and bear in mind, in the Superior Court, — "for declaratory and equitable relief against the state, any political subdivision thereof, any person, partnership—" so forth, so forth, so forth, down the line.

Let's just look at that for a moment. Every other piece of environmental legislation that I have seen has referred in it to the Superior Court which shall have jurisdiction over this action. In fact, this law is patterned after another law in another state and thank God there aren't very many states that have laws like this. And that law says, "in the Superior Court which has jurisdiction over the area where the alleged violation takes place." What this simply means is that here you may go to any Superior Court judge in the State of Maine you want to go to and so, for example, if you happen to have a judge who has a philosophy similar to our Attorney General's, for example, who has been lobbying this bill, if you happen to have his philosophy, if

he happened to be the judge, you can go to whatever court he happens to be in; because I am sure you know you will get a very fair hearing. It goes on to say that we are going to go there for declaratory relief against the state or against any political subdivision or any other government in the State of Maine.

Now I want to tell you, I don't think there is a law, I don't think there is any kind of litigation in Maine ever, like this. For example, this will say that you could go to court to sue the Department of Environmental Protection for failure to do its duty. I submit to you, if this is the case, if all of the laws were the same, then I should be able to sue the sheriff's department in Lincoln County if my house is broken into, because they failed to do their duty in preventing someone to enter my house. I can sue the state police because a fellow last night went by me going 95 miles an hour in a 40 mile zone, and I can sue them for not having done their duty. That is exactly what this law says you can do, sue any agency of the state government if you feel they have not done their duty, regardless of whether or not they have issued a permit for their activity.

Let's go on to just one more point, and I won't belabor this too much. My good friend, the gentleman from Falmouth, Mr. Huber, pointed out the last paragraph of this bill, talking about it is supplementary only to existing law. Let me have you turn, if you will, to the procedure under this bill, 1923, section 1262, paragraph 1262, called remitting.

This paragraph basically says that if you feel someone has violated the air, the water or the land in this state you may go to Superior Court with an action. The court may remit this action to the agency involved. Now, it may be that you did not have a permit, in which case, fine. The agency studies the case and says either you do get one or you don't get one. Your action is blunted if you do not have one. This is fine. Nothing wrong with it. But it goes on to say, in so remitting the court may grant temporary equitable relief

where necessary. It also says, in so remitting, the court may retain jurisdiction of the action, which simply means that regardless of what the agency has done, regardless of the fact that you, as an individual, may have a permit for whatever activity you were in, the court may superimpose its judgment over the judgment of the agency.

I tell you now, ladies and gentlemen of the House, it has been done before and I want to cite to you, for example, the fact that in one of the states which has a law like this, two thirds of all of the actions which have been brought under this law have been brought against the state, agencies of the state, subdivisions of the state, and local municipalities.

So when we talk about an Attorney General asking you to support this bill, who just this morning wanted a business manager because they were too busy, who in the Part II budget is asking for 15 more people because in the Part II budget it states very specifically that we have not reached the height of environmental litigation, I assure you, we have not and we will not if we pass this bill.

I ask you to consider it, study it carefully and vote for the "ought not to pass" report of this committee.

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

Mr. BROWN: Mr. Speaker and Ladies and Gentlemen of the House: I am sorry to rise again, but I think a few comments might be of assistance to you in coming to a conclusion.

In the first place, I would think that this is a minority report which we are voting on. The majority report was the "ought to pass." The minority report is "ought not to pass." So as we discuss this little gem, I think it might be well to point out that this is a minority of the committee.

Now, he just made reference, my good friend from Nobleboro, Mr. Palmer, to another state which has this legislation on the books. I think the state is Michigan that he is referring to. It is a



very heavily wooded state just as we are here. I think there is something like 7 million people out there, or thereabouts, give or take a million. And I believe also that for the last several years, since they have passed this legislation, they have had something like 30 cases in the court system. I do not think that this number in that volume of people is so overwhelming, and it shows an experience rating which is going to greatly deter this proposition here.

We are talking about injuring industry. I think for the most part the Attorney General and the 75 big landowners in the state can fight this out pretty well, take care of the Bigelows, the Saddlebacks and so on. This isn't what we are involved with for the most part. We have a traditional process set up here. And I wish the gentleman from Nobleboro had gone on a little further on that bill, on this document, 1923, and read the second paragraph of item 6. "No restraining order or preliminary injunction shall be issued except upon the giving of security by the plaintiff in such sum as the court deems proper for the payment of such costs and damages as may be incurred or suffered by any party who has found to have been wrongfully enjoined or restrained provided that for good cause shown and decided" and so on, the court may waive this security.

This is a judicial process. You are going to the courts. We are not awarding damages here. We are not giving—confiscating property. We are giving a procedure, a method by which problems can be settled. That is what this does here. And it is a procedure that the average person is not able to take advantage of today.

Scott Paper may have threatened to leave. I would hate to see them go. I have no problems with Scott paper, but I absolutely believe that if Scott Paper goes to Canada, it won't be because of this gem here. It will be for many other reasons beside this. It won't be for this particular reason. Now, tomorrow, they may come in and say that is the reason, but I can tell you as a practical proposition, I won't believe it for a minute.

I do not want to see them go any more than anybody else does.

I might also call to your attention that the Environmental Bill of Rights, which has been killed by this same committee, was in both Republican and Democratic party platforms. That bill is not now before us because it has been killed, and it is much broader than this little procedural matter, much broader.

Now, the reason this bill is in a new draft is primarily because I put it that way by demanding that a lot of procedural matters that are already in the statutes be removed and cut it down to the meat and potatoes, so we can see what the bill is; and it is exactly what was in there before in the original draft, if you wish to look, except for a lot of procedural matters. There have been one or two gems added such as from one person to five to prosecute the matter and its Maine citizens.

I hope you will oppose the minority "ought not to pass" report.

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

Mr. ROLDE: Mr. Speaker and Ladies and Gentlemen of the House: As the gentleman from Augusta has said, our committee, the Natural Resources Committee, had two attempts to consider another similar bill calling for an environmental bill of rights which was a platform item in both party platforms. The environmental bill of rights would have set out a broad statement of principle that the people of this state have a constitutional right to clean air, clean water, clean environment, et cetera; and presumably if these rights were violated, a citizen then would have the standing to sue to remove whatever source of pollution was causing a violation of his rights.

On both of the occasions when our committee considered the environmental bill of rights, we rejected it with a unanimous "ought not to pass." We felt — and I certainly concurred — that the authority given under an environmental bill of rights would be too broad and too vague and would

cause too many problems, although the purpose of protecting the environment and the environmental rights of our citizens was a worthy one.

The bill before you today sets out ground rules for any possible citizens suits for environmental rights. It would make frivolous lawsuits impossible; and to my mind, it is a responsible method for dealing with a question of standings assuming environmental matters.

I would make one final point. I have heard this bill referred to as a lawyer's bill. Of the majority members of the committee who voted ought to pass on this, there were no lawyers.

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

Mr. COTTRELL: Mr. Speaker and Ladies and Gentlemen of the House: I am getting up here just to recite greater experiences. I think this problem is the most important problem facing this state, our future development. I don't look to see this state ever become a great industrial state. I have been here a long while, and I have heard many many people talk about developing industry here. We have our one great industry, wood products, paper and so forth; and our second largest business is our recreational business. That is the one that is growing very rapidly. We are probably losing more industry than we are gaining.

To those of you who live in Lewiston, I know you are worried about the final denouement of Bates Manufacturing. That is getting to be a very marginal industry here.

I am preaching for industry. I think we have a chance to develop something in York County in that present trend, also from Rumford over to Bath, south. We have been told that. I think if the score was actually taken, we would be losing more industry today than we are actually getting.

We don't have to advertise the State of Maine. We never have had to advertise the State of Maine. If industry wants to come up here, it has its economists and it has its people, they are going to make

the final decision. But they are not making it toward Maine today. But we do have this other problem.

Recently, a Mr. and Mrs. Somebody — this was reported fully in the Portland Press Herald this last week, I forgot to bring a copy up here — but a Mr. and Mrs. Somebody from Massachusetts came up and bought 60 acres of land in Gorham-Buxton area. Now, they are going to develop that into a stockcar racing track, and the people of Gorham-Buxton were quite upset. But since they are going to keep the track under 20 acres, the site selection law could not prevail. They have gotten the go ahead.

Now, I don't know whether they came up here because Massachusetts is more strict in their handling of areas than we are.

We do know that many many snowmobiles are coming in here. We don't know how many from Massachusetts. They have 35,000, but Massachusetts has put a curfew on it, eleven o'clock curfew, and they restricted snowmobiles very severely, so that we are being flooded with out-of-state snowmobiles. And we ourselves up here have no regulations. Anybody two years or older can drive a snowmobile in our state.

We have minibikes going all through our woods now. There is no regulation on minibikes. I don't know as noise is part of pollution, but it certainly is getting to be part of pollution. We are going to have millions and more millions, and each summer, and spring, and winter we are going to have more millions come up here.

Snow is one of our great resources. And I think this is an important business. I think you have got to go into history and check history. Our great teachers have said if you neglect the lessons of history, you are going to commit those mistakes all over again yourself.

I am not going to say any more. But I think this is an important problem in our state. I think it should be given this great consideration.

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

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: The bill we have before us today is one of the best drawn legal phraseology bills I have ever seen. But, the whole nub of this thing here comes in the first section, and it is in two words, "damage or destruction." Under the meaning of the word "damage" it can be anything in somebody's opinion. And this bill here will be the best gift to the Maine Bar Association I have ever read.

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

Mr. PETERSON: Mr. Speaker, Ladies and Gentlemen of the House: One brief point which I don't think has been emphasized enough on the floor of the House this morning concerning this legislation is that we always have the fear of losing business or that business is going to move out of the state when we pass any environmental legislation. But it has impressed me in my first term here, especially on the Natural Resources Committee, that the Department of Commerce and Industry has said and officials from the larger cities in the state have said — whose job it is to attract private business or large corporations to this state—the consideration which is down on their list most, toward the bottom of the list in the high priority item is environmental matters. They are more interested in the cost of electricity, the cost of labor, property evaluation and the size of the labor force. The environmental considerations are very far down on the list. And so I don't think that every time that somebody uses this as an argument that we should automatically vote against an environmental bill. I happen to feel that this is a good bill.

I am not an ogre, I am not against industry, I think we need a balance of both. But as I said earlier, environmental concerns are on very low priority with industry when it comes into the state. They have other priorities which they considered. I don't

think that this one piece of legislation is going to lose industry or that it is going to ward off any industry that might want to come into the state.

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

Mr. BRAWN: Mr. Speaker, Ladies and Gentlemen of the House: I think that you will find that most of us, Democrats and Republicans alike, did attend the meeting the other night of the Scott Paper Company and of the Keyes Fibre Company. They held nothing back from us. Any questions we asked they will tell you were presented fairly.

Gentlemen, I don't know how many of you have been fishing with a spear. But if you go out here and you take a spear and there is a bunch of fish there, and you throw it in, you are sure going to hit some of them, you are going to kill them, they are going to die. If you put this in and the Scott Paper Company moves to Canada, you are going to kill Winslow, Oakland, Belgrade, Rome, Vassalboro, and along with it you are going to take Keyes Fibre — and this is not a laughing matter — when they employ in three shifts over 2,500 people, this is going to cripple my district.

These men were not lying to us. They held nothing back. Mr. Carey was there, Mr. Hunter was there, and they heard just as I did. I was impressed with these gentlemen. Any questions I asked them, they didn't think I was arrogant. They showed me as they did everybody else.

Gentlemen, they are putting a lot of money in here. Now, if you would rather have a place to go pleasure rather than something to put in your stomach and something on your back, you vote for this bill.

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

Mr. MILLS: Mr. Speaker and Members of the House: To further substantiate, ladies and gentlemen, what I have told you I would like to have you look under the first section, 1261, under Actions, and the second section in there of five

words, to bring out jurisdictional action against any new company that wants to come into the state, big, little, indifferent or moving from one part of the state to the other. And that action can be taken by any group of five individuals.

In good common sense, do you know of any municipality that doesn't have at least five people that are in opposition to anything being done to their town or their city.

The SPEAKER: The Chair recognizes the gentleman from Nobleboro, Mr. Palmer.

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House: I just want to take one or two more minutes to answer a couple of questions brought up by my good friend from Augusta, Mr. Brown, and that will suffice.

He did mention this was a minority report; it was, 7 to 6. It wasn't a 12 to 2 or 13 to 1. I will admit 7 to 6 was the vote of this committee.

Now, he mentioned the state of Michigan. I am so glad he brought the state of Michigan up, because this is where the real test case is on this law. And that is the fact that in the State of Michigan the cases have not been against industry, they have not been against the things you expect. They have been against agencies of government, against the state itself, against subdivisions of the state, against local governments. I submit to you that this is a terribly expensive proposition.

I want to read to you just one little section of a bill. Now, the statement has been brought out that this is only supplementary to existing law and that this should prove the case that therefore, it is not dangerous. I want to read to you just one section, for example from the site selection law. "The commission shall approve a development proposal wherever it finds that —" Now one of the criteria it must use is this, that the developer has made adequate provision for fitting the development harmoniously into the existing natural environment and that the development will not adversely affect existing uses, scenic character or natural resources in

the municipality or in the neighboring municipalities. Now, I submit to you that any five people in the State of Maine can prove that any development — I don't care what it is — violates that chapter if they want to and if they have the proper kind of a judge to listen to it.

Now, the final thing I would like to mention is this, that I am not speaking here this morning for industry. This has not been my concern either. And though I appreciate what the gentlemen have said, the danger to this bill, as far as I am concerned, it is not so much what it will do to industry as what it will do to individuals and to agencies of government. I submit to you that if you have faith at all in the agencies of government that you have and the laws which you have passed, you don't need this bill; and secondly, I think you have a right to your own privacy.

Foolish as it may seem, I will tell you of an instance not too long ago in a neighboring state where five people objected to a man cooking a hamburger outside because he violated the air that was going over their backyard. I know it may be silly, but the same thing can happen to outboard motorboats and snowmobiles and cookouts. To me it is an umbrella, a legislation which says if we haven't got you here, we will get you there.

I hope we will accept the "ought not 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 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 Bar Harbor, Mr. MacLeod, to accept the Minority "Ought not to pass" Report on L. D. 935. All in favor of that

motion will vote yes; those opposed will vote no.

### ROLL CALL

**YEAS** — Albert, Ault, Baker, Berry, G. W.; Berry, P. P.; Berube, Birt, Bither, Boudreau, Bragdon, Brawn, Bunker, Cameron, Carey, Carrier, Carter, Chick, Churchill, Conley, Cote, Cressey, Dam, Davis, Deshaies, Donaghy, Dudley, Dunn, Evans, Farnham, Farrington, Faucher, Fecteau, Ferris, Finemore, Fraser, Garsoe, Gauthier, Genest, Good, Hancock, Haskell, Hoffes, Hunter, Immonen, Jalbert, Kauffman, Kelleher, Kelley, Kelley, R. P.; Keyte, Knight, Lawry, LeBlanc, Lewis, E.; Lewis, J.; Littlefield, Lynch, MacLeod, Mahany, McCormick, McHenry, McNally, Merrill, Mills, Morin, L.; Murchison, Norris, O'Brien, Palmer, Parks, Perkins, Pontbriand, Pratt, Ricker, Ross, Sheltra, Shute, Silverman, Simpson, L. E.; Sproul, Strout, Theriault, Trask, Walker, Webber, Wheeler, White, Willard, Wood, M. E.

**NAYS** — Binnette, Briggs, Brown, Bustin, Clark, Connolly, Cooney, Cottrell, Crommett, Dow, Drigotas, Dunleavy, Emery, D. F.; Farley, Gahagan, Goodwin, H.; Goodwin, K.; Greenlaw, Hobbins, Huber, Jackson, LaCharite, LaPointe, Martin, Maxwell, McMahon, McTeague, Morin, V.; Morton, Mulkern, Murray, Najarian, Peterson, Rolde, Rollins, Shaw, Smith, S.; Soulas, Susi, Talbot, Tierney, Tyndale, Whitzell.

**ABSENT**—Chonko, Curran, Curtis, T. S., Jr.; Dyar, Flynn, Hamblen, Henley, Herrick, Jacques, Kilroy, Maddox, McKernan, Santoro, Smith, D. M.; Stillings, Tanguay, Trumbull.

Yes, 89; No, 43; Absent, 17.

The **SPEAKER**: Eighty-nine having voted in the affirmative and forty-three having voted in the negative, with seventeen being absent, the motion does prevail.

Sent up for concurrence.

On motion of Mr. Carrier of Westbrook, it was

**ORDERED**, that Dwayne Welch, David Rondeau, Frances Ledoux, and Michelle Sidebottom of West-

brook be appointed Honorary Pages for today.

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

Bill "An Act Extending the Period of Entitlement to Compensation for Partial Incapacity under the Workmen's Compensation Law in Certain Cases" (H. P. 616) (L. D. 814)

Tabled — May 14, by Mr. Martin of Eagle Lake.

Pending — Consideration.

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

Mr. **BROWN**: Mr. Speaker, I move we recede and concur with the Senate.

The **SPEAKER**: The gentleman from Augusta, Mr. Brown, moves that the House recede and concur with the Senate.

The Chair recognizes the gentleman from Presque Isle, Mr. Dunleavy.

Mr. **DUNLEAVY**: Mr. Speaker, Ladies and Gentlemen of the House: We had a lengthy debate on this matter on May the 8, and we passed the minority report by a vote of 79 to 55.

I am not going to belabor the point and go into an extensive debate on this question at this time, because I think that we are running late on many matters and we should get to a final decision on every matter before us as quickly as possible.

I would only state that I ask you to vote against the motion to recede so that a motion to insist can be made.

I ask for a roll call on this motion.

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

Mr. **ROSS**: Mr. Speaker, Ladies and Gentlemen of the House: I also am against the motion to recede and concur. As a Republican, over the years I have sponsored a great many labor bills. These have included increases in workmen's compensation, the unemployment compensation law, safety laws. I sponsored the first minimum wage laws. All of these I considered fair to the average

working man and not just unrealistic schemes. However, several times I was threatened that as a Republican I should back away from my stands, or I would lose votes when I ran again. Of course, I ignored these remarks as being made in haste. I certainly would never have mentioned them on the floor of the House or Senate because this would accomplish nothing.

On another bill, several times both in this House and outside the House I was accused of being, of all things, a murderer. I still thought that the best course of action was silence.

I also voted for this bill before us now, because I think it is fair for the injured employees. Several representatives of management have said that I was wrong. But I still feel it is fair, I still support the bill, and I will vote against the motion to recede and concur.

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 Augusta, Mr. Brown, that the House recede and concur with the Senate on L. D. 814. All in favor of that motion will vote yes; those opposed will vote no.

#### ROLL CALL

YEA—Ault, Baker, Birt, Bither, Bragdon, Brown, Cameron, Cressey, Farnham, Farrington, Garsoe, Haskell, Henley, Huber, Hunter, Immonen, Jackson, Kelley, Knight, Littlefield, Maxwell, McNally, Morton, Murchison, Pratt, Rollins, Simpson, L. E.; Sproul, Trask, White, Willard

NAY — Albert, Berry, G. W.; Berry, P. P.; Berube, Binnette, Boudreau, Brawn, Briggs, Bunker, Bustin, Carey, Carrier, Carter, Chick, Churchill, Clark, Conley, Connolly, Cooney, Cote, Cottrell,

Crommett, Dam, Davis, Donaghy, Dow, Drigotas, Dudley, Dunleavy, Emery, D. F.; Farley, Faucher, Fecteau, Ferris, Finemore, Fraser, Gahagan, Genest, Good, Goodwin, H.; Goodwin, K.; Greenlaw, Hancock, Hobbins, Hoffses, Jacques, Jalbert, Kauffman, Kelleher, Kelley, R. P.; Keyte, LaCharite, LaPointe, Lawry, LeBlanc, Lewis, E.; Lewis, J.; Lynch, Mahany, Martin, McCormick, McHenry, McMahon, McTeague, Merrill, Mills, Morin, L.; Morin, V.; Mulhern, Murray, Norris, O'Brien, Palmer, Parks, Perkins, Peterson, Pontbriand, Ricker, Rolde, Ross, Shaw, Sheltra, Shute, Silverman, Smith, S.; Soulas, Strout, Susi, Talbot, Theriault, Tierney, Tyndale, Walker, Webber, Wheeler, Whitzell, Wood, M. E.

ABSENT — Chonko, Curran, Curtis, T. S., Jr.; Deshaies, Dunn; Dyar, Evans, Flynn, Gauthier, Hamblen, Herrick, Kilroy, MacLeod, Maddox, McKernan, Najarian, Santoro, Smith, D. M.; Stillings, Tanguay, Trumbull

Yes, 31, No, 97; Absent, 21.

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

On motion of Mr. Ross of Bath, the House voted to Insist.

The SPEAKER: The Chair would inform the gentleman from Van Buren, Mr. LeBlanc, that the House is in possession of L. D. 1118, House Paper 844, An Act Relating to Membership of the State Board of Barbers, which the House had passed to be engrossed with Committee Amendment "A"; then the Senate indefinitely postponed it and which yesterday the House receded and concurred with the Senate.

The Chair recognizes the gentleman from Van Buren, Mr. LeBlanc.

Mr. LeBLANC: Mr. Speaker, I now move we reconsider our action whereby we voted to recede and concur.

On motion of Mr. Simpson of Standish, tabled pending reconsideration and tomorrow assigned.

The Chair laid before the House the following matter: Bill "An Act to Revise the Election Laws" Senate Paper 613, L. D. 1916, which was tabled and later today assigned:

House Amendment "A" was adopted.

Mr. JALBERT of Lewiston offered House Amendment "C" and moved its adoption.

House Amendment "C" (H-382) was read by the Clerk.

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

Mr. ROSS: Mr. Speaker and Members of the House: House Amendment "C" would completely do away with voting the absentee ballots at one place.

Now, this was one of the chief recommendations of the municipal clerks, including Mr. Berube the clerk from Lewiston; Mr. Duffy from Portland and many other smaller places.

Now, Mr. Berube is one of the outstanding and most respected clerks in the state. He is chairman of the state association.

The purpose of this legislation was to save time in counting the absentee ballots to assure greater accuracy and to make it much more efficient. Now, they are counted in the wards, and the absentees are counted last. The counters in many places are older people. By this time they are very tired, and this holds up the election results.

Now, this section of the law does not make this mandatory, but it says if they want to have them counted in a central place, they may. But the amendment before you right now would do away with the whole provision of counting absentees in a central place.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I might like to continue the love affair between the city clerk and Mr. Ross by saying that I presented a bill years ago that would make the city clerk of the City of Lewiston a full-time employee — I mean a permanent employee. He does

not have to be subjected to yearly appointments. So personally, I probably would indicate that way that I have got a little feeling for the city clerk in Lewiston, but I am not married to him. I did not give him a mortgage on my soul.

This amendment is a good amendment. And if this means Mr. Ross' people in Bath are tired, just call on us in Lewiston and we will send him a few counters. This is a good amendment.

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

Mrs. BOUDREAU: Mr. Speaker and Members of the House: As Mr. Ross said this is permissive, and I am not hung up on it one way or another. But if you do accept this amendment, the amendment must be amended, because in section 51 the last sentence must be retained because that applies to no matter where your ballots are counted and is a new section.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I might say that I inherited this amendment this morning, I haven't even looked at it. And it is my friend from Bath, Mr. Ross that got me up on my feet. I just stated my position, I state my case and there it is.

On motion of Mr. Binnette of Old Town, tabled pending the motion of Mr. JALBERT of Lewiston to adopt House Amendment "C" and tomorrow assigned.

The Chair laid before the House the following matter:

Bill "An Act to Amend the Site Location of Development Act" (H. P. 1375) (L. D. 1831) which was tabled earlier in the day and later today assigned.

The SPEAKER: The pending question is on the motion of the gentleman from Bar Harbor, Mr. MacLeod to accept the Majority "Ought not to pass" Report. A roll call has been requested.

The Chair recognizes the gentleman from Biddeford, Mr. Sheltra.

Mr. SHELTRA: Mr. Speaker and Members of the House: I certainly appreciate the privilege that was given to me yesterday. I understand it took quite a bit of deliberation and I certainly appreciate the courtesy of having my bill tabled.

When I was first introduced to this bill, my first impression was I was being asked to go against motherhood, meaning the environmental aspect of our State of Maine. However, after giving the bill due consideration and looking into the nitty gritty of the bill, I found, frankly, that it is a very good bill.

We had a public hearing. At the public hearing we heard the technical aspects of both sides. I was glad to hear the debate today, and this is what my bill is all about. I was glad to hear the debate today pertaining to the environmental aspects, not alone, but also the economic impact of bills that might come up.

You gentlemen heard both sides of the story. Now, 1831 dictates that the Environmental Commission, when holding their hearings, also allowed testimony as to the effect of the economic impact on a community. In other words, gave industry its side; let it tell its side of the story, which up until now it hasn't done so in a most righteous manner. If you were up in front of a jury, you certainly would want to hear both sides of the story. I am sure that the plaintiff would be heard and I am also sure that the defendant would want to be heard.

At the hearing it was pointed out when Mr. Warren, the DEP Commissioner was asked, "Well, what about the economic impact of a certain environmental bill?" He said, "We are not properly staffed to handle and to judge the economic impact of an economic picture." My answer to this would be that they should become properly staffed. On the other hand, industry coming into the state certainly would make data available to them pointing out all the advantages of their wanting to locate here. So, consequently, it would only serve on their part as to just check out the different

aspects of the different items that are being brought about.

A young planning engineer got up afterwards. He followed Commissioner Warren, and he said it is not the duty of the Environmental Commission to entertain any testimony, any testimony, mind you, that does not deal specifically with the environmental aspect, meaning to say that anything on the other side of the picture we can't hear. He pointed this out specifically, that the commission would not allow this testimony. Now I ask you, ladies and gentlemen of this House, is this fair? I feel certainly that it is not.

We are not attempting here in any way to change the duties or the functions of the Environmental Commission. The final decision would still be theirs to make. All this bill is asking for is that the environmental as well as the economic picture be pointed out—the total picture.

When we try to induce industry to come to Maine, we don't want industry from out of state thinking for one moment—or we shouldn't anyway—that we are unfriendly to industry. I think we want very much to have good industry come into our state and I think that the environmental laws should be strict, but I also think and feel very strongly that they have a right to be heard.

I do hope that you will reject the majority committee report of "ought not to pass" and accept the minority report of "ought to pass."

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

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: This is a department bill and it is being promoted by the Department of Commerce and Industry, which in the old days we knew by the name of the DED. The bill is quite simple in its intent. It is an attempt to weaken Maine's historic site selection law, one of the most important pieces of environmental legislation ever passed by the State Legislature.

It might almost seem a matter of puzzlement as to why this assault is now being made on the



site selection law; the law has served Maine well. Only two major industrial projects have ever been turned down under its provisions, the attempt by Maine Clean Fuels to put an oil refinery in Penobscot Bay and the King Resources Oil Terminal Project in Casco Bay.

But I am not really all that puzzled about that department's action and why they are lobbying so hard for this measure. It has come back to me that Commissioner Keefe is fond of making this type of anti-environmental gesture. I remember a bill he pushed during the last legislature that would have put a moratorium on the state enacting any new environmental laws. This effort was roundly defeated. I know, too, that Commissioner Keefe was a strong supporter of the Maine Clean Fuels proposal to put an oil refinery in Penobscot Bay. Perhaps his anger was incurred when the Board of Environmental Protection turned down what they felt was a doubtful project and an inappropriate location. I also remember that a great deal of the impetus for the site selection law in the first place followed the commissioner's championing of an aluminum smelter in of all places the Town of Trenton in the Mt. Desert area, one of Maine's most beautiful resort areas.

The proponents of this measure say it is needed because at the present time the Department of Environmental Protection cannot listen to economic factors in considering a site selection application. The fact is, economic matters and economic impact are included in site selection applications and these matters are discussed during public hearings on those particular projects where public hearings are deemed necessary.

For example, this February a large furniture making company, Ethan Allen, Incorporated, applied for site selection approval to expand its manufacturing plant in Burnham. Their application, under the heading of "Project Objectives" reads as follows: "The project involves the expansion of and

relocation of manufacturing processes within the existing Burnham Division manufacturing plant of applicant.

"The aggregate area of the plant will increase by reason of the expansion from 75,000 square feet to 228,000 square feet. The expansion will enable the applicant to not only increase the quantity of furniture produced at the Burnham Division but also the kinds of furniture produced. It is expected that employment will increase from 104 to about 300 persons and payroll from about \$1,400,000 to about \$2,100,000." This project was approved last month.

I have also read excerpts from the public hearing transcript of the application by Samoset Associates for the Samoset Village Recreational Project in the Rockland-Rockport area. Mention was made repeatedly of the approximately 300 jobs that would be created. Again, this project was approved, although not all of it, and the part that was disapproved, which was the filling of several water areas for docks, was sent back to be revised because it would have adversely affected the economic well being of lobster fishermen in the area.

In any testimony of projects before the DEP under the site selection law, the economic factors cannot be separated from the environmental. So it is difficult to understand why this legislation is necessary. But perhaps it is not so difficult. I am sure that it is a great temptation when one is trying to attract industry to be able to say, "Well, you don't really have to worry about our environmental laws. They look tough but we have managed quietly to gut them."

Possibly I wouldn't be so much on my guard, except that yesterday I received a copy of an article, courtesy of Commissioner Keefe. It was a newspaper story by Frank Sleeper about a business that was supposedly driven out of Maine due to anti-pollution laws. A closer look at the article and the discussion with people who know the local situation revealed that the company really left be-

cause they couldn't get enough of the raw material they needed; namely, milk. But even if water pollution laws were involved here, Commissioner Keefe's timing seemed ominous.

They sent this article to me during the debate on the site selection law which had absolutely nothing to do with the factory in question. Was he trying to tell me that this attack on the site selection law is only the tip of the iceberg, that if he is successful here in weakening the site selection law, next he is going after our water pollution laws?

Ladies and gentlemen of the House, too much is at stake here, even though this seems like an innocuous and harmless bill. I ask you to go along with the motion of the gentleman from Bar Harbor, to accept the "ought not to pass" report.

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

Mr. BRIGGS: Mr. Speaker, Ladies and Gentlemen of the House: It is very difficult to see how difficult it is to stretch both sides of the question so far that you can be for the environment and in favor of destroying the most important environmental law in the state. I know that this can be done because I have already heard that.

I didn't come down here to this legislature with any preconceived notions that I might put across some far-reaching and fierce environmental legislation. Neither did I come down to stand here or sit here while some ne'er-do-well sweeps in with legislation such as that which was prepared by James Keefe to destroy the most important and effective environmental law which we have on the statute books, and that is exactly what this legislation will do.

I think you all know that our site location law has been upheld by the Maine Supreme Court. In upholding the site location law, the Maine Supreme Court rejected all three arguments, contending that the public's right to a clean environment overpowers the subdivider's right to residential development. And they say further, if the environment is of a type and

capable of sustaining the proposed development, the public welfare demands that the land be used for another purpose, the state's highest tribunal declared, we do not consider the burden imposed by the law to be unreasonable in view of the overriding public interest. This is the Maine Supreme Court speaking and this is the law which they say they do not consider the burden to be unreasonable, which the majority of the committee is defending in their opposition to this ridiculous addition to the law this morning.

I will be disappointed, indeed, if you find it necessary to support any such devious legislation as this. If you cannot in good conscience stomach the addition of new environmental legislation, that is, of course, your prerogative and I will have to be guided by your best judgment. But I trust that you will be willing, at least, to support the successful and approved environmental legislation which we already have on the statute books.

I was very impressed by a letter from a person who you might feel would be disposed to take an opposite point of view on this question. The vice president of the Casco Bank and Trust Company in Auburn has addressed one of our fine legislators saying, "I am writing you in your capacity as our representative with reference to the proposed bill introduced by Representative Sheltra which requires the Board of Environmental Protection to consider economic factors in evaluating development applications. This has been the subject of a hearing before the Legislative Committee on Natural Resources and has received considerable publicity.

"Although I cannot speak for the Casco Bank, I would like you to know I am strongly opposed to this measure and I do not feel that it would be of any assistance whatsoever in attracting to Maine the types of industry we are seeking.

"What is implied in the bill is that we should be prepared to accept a social cost, perhaps in the form of some environmental degradation in turn for presumed economic benefit.

"I have had the opportunity of talking to many executives in large corporations, and the primary factor which attracts them to Maine is the quality of life which this state offers for executives and employees. The types of industry which the state has primarily interested, as defined by the Department of Commerce and Industry itself, are not attracted by giveaways in the form of cheap labor or environmental abuse. The negative factors as such industry views them are the following: One, the high cost of energy; two, the cost of transportation; three, the quality of public education; four, the availability of public recreational facilities; and five, the availability of housing.

"I might add, parenthetically, that there is no reason why the Board of Environmental Protection should be presumed to have the economic expertise necessary to weigh such factors anyhow. Let them stick to the job they are capable of doing. Sincerely yours, William G. Sears, Regional Vice President."

Now, ladies and gentlemen, this should, it seems to me, give you the type of commercial economic thinking which would demonstrate adequately enough for almost anyone that if this bill had an opportunity to be widely viewed it would be universally rejected. And I trust that will be your action today in accepting the majority "ought not to pass" report of the committee.

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

Mr. SIMPSON: Mr. Speaker, Ladies and Gentlemen of the House: I address you here today as an individual that is not putting a political party issue before you but my own personal thoughts in what I feel to be a very good piece of legislation.

I particularly don't care whether it was one department or the other, I guess, that put their emphasis for or against this particular bill. I guess it depends whose ox is getting gored as to what your position is.

I would like to see the day come in this legislature, maybe, when

I could stand here anyway and say, "Gee, you know, we have got a bill now where industry has got together with the environmentalists and we are trying to put together a package that can protect the economy of the state and also, at the same time, protect the environment of the state." I would hope that at that very same time we could see the Department of Commerce and Industry and the Department of Environmental Protection get together to the point where such a bill as this could be put into the site location law and the two of them work together on that particular thing as to what is in the best interest of the state. But to that date, right now, as to this date, we are not going along in that line in my opinion.

I would like to give you an example of what I think is just exactly what the attitude is among some people and I had the opportunity here a short while ago to listen to one of Nader's local raiders address a local Kiwanis Club pertaining to their initial report that they did on the pulp and paper industry in the State of Maine. And at that time a gentleman stood up and he made some comments in his speech pertaining to the site location law and also the law that we have pertaining to the environmental quality of our waters and so forth prior to 1976. He addressed himself to the Brown Company up in Rumford. He stated that the Brown Company was in such a position that they couldn't compete on the open market with their product because of the environmental standards, even though they were trying to do everything in their power to do it. And I am convinced today that the industries in this country want to improve our environment. They are not fools, they know what the attitudes are. They know what people think about industry and environment and they want to do something about it. But we are the ones who have let them go so long, so far, that now all of a sudden overnight we want them to pour millions of dollars into the environment to clean it up and at the same time that they do, not be

able to meet competition on the open market.

So when that gentleman stood before us and told us that the Brown Company couldn't meet that type of competition prior to 1976 and was going to look for some type of an extension, he said, "I don't think the State of Maine should give it to him." And under a direct question he was asked, "What about the economy of the region?" His statement was, "as an environmentalist I could care less about the economy of that region, all I care about is cleaning up the Androscoggin River." Now to me I think that is the attitude we don't need in this state, but unfortunately I think it prevails too much.

I believe that this bill does present an opportunity for us to decide whether the economics of that region are as good as the environment and the two ought to go hand and hand, and I would hope that you would support the bill and not the majority report.

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

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: The problem that this bill is trying to get at is one of attitudes, according to the proponents, and a negative attitude in this state with respect to industrial development.

It is said that our environmental laws are so constructed that they deter industrial development by portraying an impression to business that they are not wanted. The proponents claim this can be corrected by changing the wording in the site selection law. Has the site selection law really deterred businesses from coming into the state? Let's check the record. Of the 19 industrial applications they have so far decided on, only two have been rejected, both of these were oil related, as the gentleman from York, Mr. Rolde, told you.

It should also be noted that in no case has an applicant who has been refused permit here ever built the proposed development somewhere else. I think this gives an indication that our site selection law is probably no tougher than other laws in other areas.

It was also made apparent

during the hearing that in no case has the site selection law been a deterrent to any industry once they have inquired about our laws. According to Mr. Kelso of the Department of Commerce and Industry, in every case where an applicant questioned our environmental laws, the Department of Commerce and Industry personnel have been adequately able to defuse any concern that business had that our laws were unreasonable. The only problem evidently that we have is that there are some businesses not even inquiring because they think our environmental laws are too strict. If we accept this argument so far, I think we are going to ask two questions. First of all, will this bill, just by changing a few words in the site selection law, really significantly help promote industry? And second, will the change in this wording significantly affect the site location law itself?

It seems to me that in the first case, the answer must be no. The mere wording of this bill is not significantly going to help promote industry in the State of Maine. There certainly must be better ways to handle the promotion campaign or an advertising program to promote industry than merely changing a few words in a law.

The second question, does this weaken the site location law? And the answer definitely is yes. The general consensus is, if we pass this bill, there will be a court case. If there is one, the Department of Environmental Protection must take into consideration the economic impact when considering site location applications.

What does this really mean? How are we going to trade off jobs for environmental degradation? This presents all kinds of problems. For instance, jobs in one area would have a lot more impact than jobs in another area. Sixty jobs in Portland certainly wouldn't have the same impact as 60 jobs in Newport. Are you going to allow more economic degradation in the 60 jobs which has a higher economic impact than in an area for which it has a lower economic impact?

It is going to be difficult to adopt these standards and to apply them. It is also going to take quite a lot of manpower to compute the economic impact.

Earlier in this session when I was trying to evaluate the effect of the housing moratoriums on the state budget, I found only one person in state government who could come up with this type of computation. These are sophisticated, economic questions and it is going to take more manpower of economists somewhere in state government.

It seems to me that we should determine first of all what type of environment we want. Then we can determine what sort of regulations we need to attain that environment. Then we should give the DCI the promotional power, promotional abilities to get the industries that can fall within those guidelines.

There is a problem behind this bill. I was involved in the Hood Company's decision to leave Newport that was reported in last Sunday's paper. Mr. Sleeper did infer that it was a pollution problem that caused Hood to leave, and this is not accurate. It was the milk supply situation. The pollution problem did precipitate it, but there was a problem there because of the attitude involved of the DEP telling these people that they had to meet certain deadlines, which they do by law, but no one was there to help them meet those deadlines.

As a start, there certainly needs to be more cooperation between the Department of Environmental Protection and the Department of Commerce and Industry. These departments, probably more than any others, should be working together harmoniously and today it is obvious that they are not.

There are other tools that the Department of Commerce and Industry need to promote business within the environmental guidelines, but weakening the site selection law is not one of them.

I am having prepared now a joint order which directs the Department of Environmental Protection to take certain steps in working and cooperating with the

Department of Commerce and Industry to prevent situations like happened in Newport on May 7.

I would hope that you would accept the majority "ought not to pass" report on this bill. Let's not weaken the site selection law, but let's get at the real problem, let's get an order that will get some cooperation between the Commerce and Industry Department and the Environmental Protection Department and get down to the real problems at hand. I would urge you to accept the majority "ought not to pass." The order will be ready tomorrow and I hope you will support it at that time.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Over the last few years I had the pleasure of serving under the then Senator Briggs on the Natural Resources Committee. That was when we could serve on more than one committee. I heard Mr. Briggs — and I have a tremendous amount of respect for him. I like to sit with him. He is a witty gentleman and he is a fine gentleman. He has a way with words. With me it is facts. You know, if you lay it on the line, you lay it on the line with facts.

He makes the statement this morning here about "this devious piece of legislation." Then he reads us a letter and he said the gentleman that wrote the letter can't speak for the bank, but then when he finishes the letter he says the letter is signed by the executive vice president of the Casco Bank in Portland. I just spoke to a person of the Casco Bank in Portland, Mr. John Drake, who told me they had absolutely taken no position whatsoever on this bill.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I have listened very attentively to the gentleman from my county, Mr. Smith. He seemed to ask some questions and answer them. It wasn't to my satisfaction that he answered them.

I happen to represent the Town of Howland. On account of this very bill we are talking about this morning, two industries were not able to locate there. This I know first hand. I didn't get it from any department down here because I was involved with the Board of Trade in Howland that dealt with these people.

If we do something about this bill this morning, we would at least have a chance to see whether we want these people all on welfare in the area, which they are now, a good part of them, or whether it would be better to put three or four hundred people to work in the area. I don't know which they would decide, but at least they would have a better chance to decide. Now there is no decision to it. It is an outright no. You can't do anything. I would like to see it in such a manner that we could at least discuss the issue, but presently we can't even discuss the issue, so these people are mainly on welfare.

I represent the Town of Howland where this plant is located. I heard him ask the question that none had been affected, as I understood him, but this isn't the case, whether they didn't get down here, whether we don't have good communications with Augusta or whether he has had communication bad with the office, but this did exist and still exists in one of the towns that I represent.

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

Mr. TYNDALE: Mr. Speaker, Ladies and Gentlemen of the House: First, I address you as a man who has spent almost two-thirds of my life in industry. The industry I was connected with, through my urging in the early days established four plants in the State of Maine—Sylvania Electric. Now what was the reason they came here? Number one, I sold them on the environment of this state. Two, there was plenty of water, and three, was the type of people they could get to work in their plant who would give them a day's work for the dollar that they had invested.

I can't see, if you want to get down to the nitty gritty part of this bill and read the Statement of Fact very carefully, how any industry could not help but like this bill as an incentive to come to the State of Maine.

Number two, I can't see why this amendment is necessary because the bill itself does this very thing. And if you read that Statement of Fact carefully, in which it states very specifically, "The purpose of this bill is to provide an opportunity to view Maine's total environment and to change Maine's attitude on the environment from a negative to a positive position." This is all that the site location act, which was approved by the Maine State Supreme Court, involves.

I have not known in one instance where any fine industry was not able to come to Maine because of this law. If you read it very carefully, you can't find a single point, but there are industries, and I am sure there are many that would like to come to a state if they could sneak in here very well by a laxity in the laws on environment.

Now don't forget for one moment that you have one of the biggest industries in this state, which is the vacation industry. And the reason that the people come here is they like the environment of the state. You take the recreation industry out of state and if you think you have got unemployment, then we can see it then. Your hunters, your fishermen and your tourists on a steady stream come in here at the rate of 2800 cars an hour through the lower toll. And I ask you to look at this very carefully. I don't think this amendment is necessary at all and I sincerely hope you will go with the majority "ought not to pass" report.

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

Mr. PETERSON: Mr. Speaker, Ladies and Gentlemen of the House: I signed the majority "ought not to pass" report on this bill because earlier in the session we had a bill presented before the

Natural Resources Committee by the gentleman from Standish, I believe, in regards to the land subdivision law in which planning boards were asked in the present law to consider the economic impact on their communities.

Under the revised bill that the gentleman presented, we were asked to delete this section because it could be used abusively. It might be used by the planning board to keep out interests which the community did not want. Well, they sold me on that argument, so we did remove it from the land subdivision law, which will be before this legislature very shortly. But now these very same people who wanted that section deleted from the land subdivision law now want it added to the site location law.

I really don't understand the logic or consistency behind this. It seems to me that a local planning board could abuse the power of economic consideration and possibly this might also be abused on a higher level. I wish somebody would explain the consistency of this position.

The SPEAKER: The Chair recognizes the gentlewoman from Auburn, Mrs. Lewis.

Mrs. LEWIS: Mr. Speaker and Members of the House: I would think we would accept the "ought not to pass" report and wait for Mr. Smith's order. I thought his order made perfect sense, that it would require the Department of Economic Protection to work with the Department of Commerce and Industry. Otherwise, this bill might require the Department of Economic Protection to hire economists. This way we would have two departments working together and he says he would put his order in tomorrow.

The SPEAKER: The Chair recognizes the gentleman from Nobleboro, Mr. Palmer.

Mr. PALMER: Mr. Speaker and Members of the House: Just very briefly I want to clarify two points in this debate, because I happen to be one of the signers of the "ought to pass" report.

The gentleman from Kennebunkport, Mr. Tyndale, read from the Statement of Fact on L. D. 1831. He was reading from the wrong Statement of Fact because under filing number H-375, you have an amendment which does away completely with that Statement of Fact and the new Statement of Fact says, and I quote, "The purpose of this bill is to allow the Board of Environmental Protection to solicit and receive testimony as to the beneficial as well as the detrimental effects for proposed development upon the public's health, safety and general welfare." I don't believe that this bill does gut the site selection law at all. It simply says we are going to look at beneficial as well as detrimental.

All of the conversation this morning has been on the economic effect. This really does more than that, it asks you to look at the human effect. But quite possibly, there may be a case where we need a hospital, we may need housing for the elderly, we may need low income housing, and this simply says let's look at all of the facets, detrimental as well as beneficial.

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

Mr. BRIGGS: Mr. Speaker, Ladies and Gentlemen of the House: Just briefly. The bill in question actually didn't accomplish very much. Most everything was attempted to be accomplished in the Statement of Fact, which is rather unique because the Statement of Fact has no status in law, as you all know. However, the Statement of Fact was so onerous — odorous, I guess I should say — that the sponsors felt obliged to replace it with this slightly less offensive Statement of Fact on the amendment, which, in fact, says about the same thing without using the words that they used previously.

I cannot emphasize too strongly for your consideration that this bill, as being requested, is one of the most serious environmental issues that could be considered by this legislature. I hope that you will

accept it in that context. It is a threat to our excellent and established and approved by the highest court site selection law. I am sorry that it seems that the gentleman from Standish, Mr. Simpson, and the gentleman from Caribou, Mr. Briggs seem to be working at cross purposes, and I would like it to be generally understood by all that I respect the opinions of the gentleman from Standish, Mr. Simpson, while at the same time seriously questioning his judgment in this instance. Therefore, may I say again that the passage of this bill would be a serious environmental threat to the site selection law. I certainly hope that you will accept the majority "ought not to pass" report of the committee.

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

Mr. SHELTRA: Mr. Speaker, Ladies and Gentlemen of the House: Perhaps I made a misquote earlier. I got a note here, but as far as the committee report, I want to make it perfectly clear that the decision was 8 to 5. So you can see, it was fairly close. And all we are demanding here, actually and truthfully, is fair and equitable treatment, the right to be heard.

I think this should be accorded to everybody, it is in the courts, it is everywhere in the land. This is all this bill amounts to. Why the commission should be so scared to hear testimony favoring the economic factor, I can't for the life of me understand.

As I said earlier, the final decision is still theirs. Why not at least give these gentlemen, these applicants, the right to be heard to show what they can do for the economy of our state. God knows, we have enough unemployed people, as was implied by my good friend, Mr. Dudley. Let's take some of our people off the welfare rolls; let's make them upright citizens; let's give them a chance and opportunity to work whenever possible, but most of all, let the right to be heard be upheld.

I hope you will go against the majority report "ought not to pass" and accept the minority

"ought to pass" report and I will call for a roll call, Mr. Speaker.

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

Mr. TYNDALE: Mr. Speaker and Members of the House: I would like to correct one statement with reference to Mr. Palmer. I was reading the Statement of Fact in the bill and if you read the Statement of Fact in the amendment it says, "the purpose of this amendment is to change the Statement of Fact as to the intent in the original bill is incorrect."

Now, he just made the Statement of Fact that it wasn't fair for the industry not to be heard. I think this is a contradiction and I will say this, that I can't find anything in the bill which doesn't survey all the facts in the case.

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

Mr. NORRIS: Mr. Speaker, Ladies and Gentlemen of the House: I will just very briefly address myself to Mrs. Lewis from Auburn, Mr. Smith from Exeter when they are going to try to substitute an order for the bill, that is the newest and latest ploy that I have ever heard of since I have been here to try and kill a bill. They are going to substitute a bill with an order. That doesn't even make good sense.

If Mr. Smith from Exeter feels that this is minor, the change isn't going to affect industry, and industry that we need, surely I think we all agree in the State of Maine. Why is he fighting it so hard?

The SPEAKER: The Chair recognizes the gentleman from Nobleboro, Mr. Palmer.

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House: I just want to clarify my statement to the good gentleman from Kennebunkport, I did not once — I think the record will show — mention industry at all in my statement. What I meant to say was that in the hearing before the committee on this bill, and in the Executive Session when the big objection was to the Statement of



Fact in the original bill, because it was cited that in the Supreme Court hearing on the site selection law the Statement of Fact was considered when the court passed down its decision. So this Statement of Fact was changed to satisfy that objection and all the Statement of Fact now simply says is that anytime you consider anything, consider both the detrimental as well as the beneficial effects. It doesn't say economic. It says to the public general health and welfare. So, it doesn't mean just for industry, it means for everyone, whether it pertains to housing or hospitals or institutions or industry, just simply consider both facets of the problem.

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

Mr. ROLDE: Mr. Speaker and Members of the House: I will just take up one moment. The bill actually does not spell out what is supposed to be considered. It just says "its effects," it is a very vague statement.

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 Bar Harbor, Mr. MacLeod, 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.

### ROLL CALL

YEA — Albert, Ault, Bither, Briggs, Brown, Bunker, Bustin, Chick, Churchill, Clark, Connolly, Cooney, Cottrell, Cressey, Crommett, Davis, Drigotas, Emery, D. F.; Farley, Ferris, Finemore, Fraser, Gahagan, Garsoe, Good, Goodwin, H.; Goodwin, K.; Green-

law, Haskell, Henley, Hobbins, Huber, Jackson, Keyte, Knight, LaPointe, Lewis, J.; MacLeod, Martin, Maxwell, McMahon, McNally, McTeague, Merrill, Morin, V.; Morton, Mulhern, Murchison, Murray, Najarian, Perkins, Peterson, Rolde, Ross, Shute, Silverman, Smith, S.; Soulas, Strout, Susi, Talbot, Tierney, Tynedale, Walker, Whitzell, Wood, M. E.; The Speaker.

NAY — Berry, G. W.; Berry, P. P.; Berube, Binnette, Birt, Boudreau, Bragdon, Brown, Cameron, Carey, Carter, Conley, Cote, Dam, Dow, Dudley, Dunleavy, Dunn, Evans, Farnham, Farrington, Faucher, Fecteau, Genest, Hancock, Hunter, Immonen, Jacques, Jalbert, Kauffman, Kelleher, Kelley, Kelley, R. P.; Kilroy, LaCharite, Lawry, Lewis, E.; Littlefield, Lynch, Mahany, McCormick, McHenry, Mills, Morin, L.; Norris, O'Brien, Palmer, Parks, Pontbriand, Pratt, Ricker, Rollins, Shaw, Sheltra, Simpson, L. E.; Sproul, Stillings, Theriault, Trask, Webber, Wheeler, White, Willard.

ABSENT — Baker, Carrier, Chonko, Curran, Curtis, T. S., Jr.; Deshaies, Donaghy, Dyar, Flynn, Gauthier, Hamblen, Herrick, Hoffses, LeBlanc, Maddox, McKernan, Santoro, Smith, D. M.; Tanguay, Trumbull.

Yes, 67; No, 63; Absent, 20.

The SPEAKER: Sixty-seven having voted in the affirmative and sixty-three in the negative, with twenty being absent, the motion does prevail.

Sent up for concurrence.

On motion of Mr. Hobbins of Saco, it was

ORDERED, that Brian Rose and Marjorie Harriman of Saco be appointed Honorary Pages for today.

Mr. Greenlaw of Stonington was granted unanimous consent to address the House.

Mr. GREENLAW: Mr. Speaker, Ladies and Gentlemen of the House: As you know, I represent Stonington, a spectacularly beautiful part of Maine's coastline. We enjoy our part of the country 12

months a year. Every summer, vacationing visitors from less fortunate states than ours swell our population by more than double the year-round number. It is a marvelous place to live. And although my family comes from Stonington, I am not a native — I have seen the light, and I would not want to live anywhere else.

I am afraid, however, that even the finest parts of Maine must have some disadvantages. Ours is the isolation from some of the important services we all require for our well-being, especially medical services. It is difficult to attract physicians to small towns like ours. I am sure that every one of you knows of many little towns without a physician.

A few years ago the citizens of Stonington and Deer Isle raised funds for a small Island Medical Center. Its services are set up for community medical and dental services on a part-time basis. Physicians from Castine and Blue Hill visit the center and provide some basic services. Emergency cases must be sent to the Blue Hill Memorial Hospital 26 miles away. Traveling this distance under emergency conditions, especially during the winter months is, to say the least, difficult.

I am happy to report a solution to our medical care problems has been found. Maine's Regional Medical Program studied our needs with community leaders in our area and recommended a sophisticated two-way television system to extend the services of the Blue Hill physicians to Stonington and Deer Isle. This is done with the help of a vivacious, energetic young lady, Miss Elaine McCarthy. She is a Maine native and a registered nurse with superb training and experience and is based at the Island Medical Center in Stonington. Miss McCarthy was in charge of the emergency room in a Viet Nam evacuation hospital. She received her master's degree in nursing at the University of Colorado where the nation's pioneer program in training nurse-

practitioners was developed. She has been with us since September, delivering the finest kind of medical care under the supervision of the five physicians at Blue Hill. She makes over 100 house calls a month and has brought 260 patients into our medical care system. Incidentally, Maine's Regional Medical Program has been training nurse-practitioners both in family nursing and pediatrics for several years. Graduates of these courses are expanding the services of physicians in several areas of the state.

This is a fine example of local citizens examining their problems, seeking assistance from Maine's Regional Medical Program, which provided the developmental skills and most of the funding, and forming a partnership with the local health professionals to create an exciting experiment in health care delivery.

You all have been sent invitations to attend the dedication ceremonies and open house to be held simultaneously at the Blue Hill Memorial Hospital and the Island Medical Center at Stonington this Saturday at 2:00 p.m. My good friend and colleague, the Representative from Ellsworth, Mr. McNally and I would like to extend this invitation personally and urge you to visit either one of the facilities. Perhaps you too will find the basis of a solution to some medical care problems in your part of the area. Although I realize that weekends are for rest and relaxation and for family problems, I do think that this might be a very interesting opportunity to visit a facility that I think has a great future in rural Maine. If any people are interested in attending, I certainly would like to know about it.

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(Off Record Remarks)

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On motion of Mr. Birt of East Millinocket,

Adjourned until eight-thirty o'clock tomorrow morning.