

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Seventh  
Legislature*

OF THE

STATE OF MAINE

1975

KENNEBEC JOURNAL  
AUGUSTA, MAINE

## HOUSE

Wednesday, March 19, 1975

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

Prayer by the Rev. George E. Bullens of Gorham.

The journal of yesterday was read and approved.

## Papers from the Senate

From the Senate:

**RESOLVE**, Authorizing the State Director of Public Improvements to Lease Land in Augusta to the Maine State Employees Credit Union for the Erection of an Office Building (S. P. 308) (L. D. 1039)

Came from the Senate referred to the Committee on State Government and ordered printed.

In the House, the Resolve was referred to the Committee on State Government in concurrence.

## Reports of Committees

## Ought Not to Pass

Report of the Committee on Local and County Government reporting "Ought Not to Pass" on Bill "An Act to Annex the Town of Jay to Androscoggin County" (S. P. 67) (L. D. 187)

Was placed in the Legislative Files without further action, pursuant to Joint Rule 17-A in concurrence.

## Leave to Withdraw

Report of the Committee on Marine Resources reporting Leave to Withdraw on Bill "An Act to Amend the Non-resident Commercial Fishing License" (S. P. 134) (L. D. 439)

Came from the Senate read and accepted.

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

## Non-Concurrent Matter

Joint Order relative to Legislative Council Study of Distribution of Social Service Funds (S. P. 180) which was passed as amended by Senate Amendment "A" (S-14) as amended by House Amendment "A" (H-82) thereto in the House on March 14.

Came from the Senate with that Body having insisted on its former action whereby it was passed as amended by Senate Amendment "A" (S-14) in non-concurrence.

In the House: On motion of Mr. Goodwin of South Berwick, the House voted to adhere.

## Non-Concurrent Matter

Bill "An Act to Provide for Reciprocity in Permits and Fees Issued on Motor Vehicles for Hire under the Public Utilities Law" (Emergency) (S.P. 271) (L.D. 856) which was passed to be engrossed in the House on March 11.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" (S-29) in non-concurrence.

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

Non-Concurrent Matter  
Tabled and Assigned

Bill "An Act Authorizing the Department of Environmental Protection to License Privately-owned Septic Waste Disposal Sites" (Emergency) (H. P. 154) (L. D. 209) which was passed to be

engrossed as amended by Committee Amendment "A" (H-47) as amended by House Amendment "A" (H-53) thereto in the House on March 6.

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" (H-47) as amended by Senate Amendment "A" (S-27) thereto in non-concurrence.

In the House: On motion of Mr. Rolde of York, tabled pending further consideration and specially assigned for Friday, March 21.

## Non-Concurrent Matter

Bill "An Act Concerning Vehicles Left on the Premises of Commercial Garages and Certain Other Automobile Businesses for a Period of 6 Months or More" (H. P. 842) (L. D. 1027) which was referred to the Committee on Legal Affairs in the House on March 12.

Came from the Senate referred to the Committee on Judiciary in non-concurrence.

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

## Non-Concurrent Matter

Resolve, Confirming the Transfer of Certain Lands from the Department of Mental Health and Corrections to the Department of Conservation, Bureau of Public Lands (H. P. 843) (L. D. 1028) which was referred to the Committee on Public Lands in the House on March 12.

Came from the Senate referred to the Committee on State Government in non-concurrence.

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

## Non-Concurrent Matter

Bill "An Act to Clarify Certain Provisions of the Maine Right to Know Law" (H. P. 848) (L. D. 1035) which was referred to the Committee on Judiciary in the House on March 12.

Came from the Senate referred to the Committee on Legal Affairs in non-concurrence.

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

## Petitions, Bills and Resolves

## Requiring Reference

The following Bills and Resolve were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

## Appropriations and Financial Affairs

Bill "An Act Appropriating Additional Funds to Provide Matching Funds for State Participation in the United States Department of Commerce Sea Grant Program" (H. P. 923) (Presented by Mrs. Post of Owls Head)

Bill "An Act to Improve the Dental Health of Maine Children" (H. P. 924) (Presented by Mr. Garsoe of Cumberland) (Cosponsor: Mrs. Najarian of Portland)

(Ordered Printed)

Sent up for concurrence.

## Health and Institutional Services

Bill "An Act to Provide Dental Care to Developmentally Disabled Boarding and Nursing Home Clients and to Other Persons" (H. P. 918) (Presented by Mr. Hennessey of West Bath) (Cosponsor: Mrs. Goodwin of Bath)

(Ordered Printed)

Sent up for concurrence.

## Judiciary

Bill "An Act Concerning Attorneys' Fees

and Costs to Wives and Husbands under the Divorce Statute" (H. P. 915) (Presented by Mr. Carey of Waterville)

(Ordered Printed)

Sent up for concurrence.

## Labor

Bill "An Act to Improve Procedures under the State Employees Labor Relations Act" (H. P. 916) (Presented by Mr. Garsoe of Cumberland) (Cosponsor: Mr. Snow of Falmouth)

(Ordered Printed)

Sent up for concurrence.

## Liquor Control

Bill "An Act to Authorize Class A Taverns to Serve Spirituous and Vinous Liquors" (H. P. 913) (Presented by Mr. Hobbins of Saco by request)

(Ordered Printed)

Sent up for concurrence.

## Local and County Government

Bill "An Act to Grant Counties Certain Powers to Enter on Lands and to Contract with the Federal Government and other Bodies" (H. P. 920) (Presented by Mr. Faucher of Solon)

Bill "An Act to Authorize the Appropriation of Funds for Full-time County Administrators" (H. P. 919) (Presented by Mr. Faucher of Solon)

Bill "An Act to Repeal the Legislative Power to Change Specific Line Categories within the Annual Estimates for County Taxes" (H. P. 922) (Presented by Mr. Faucher of Solon)

(Ordered Printed)

Sent up for concurrence.

## Natural Resources

Bill "An Act Relating to the Structure of the Board of Environmental Protection" (H. P. 914) (Presented by Mr. Carey of Waterville)

(Ordered Printed)

Sent up for concurrence.

## State Government

Resolve, Authorizing Conveyance of State Land and Easements to City of Calais for Drainage and Road Construction Regarding the High School Project (Emergency) (H. P. 917) (Presented by Mr. Silverman of Calais) (Approved for introduction by a majority of the Committee on Reference of Bills pursuant to Joint Rule 10)

(Ordered Printed)

Sent up for concurrence.

## Veterans and Retirement

Bill "An Act to Provide Retirement Credit to Forester's Spouse under the Maine State Retirement System" (H. P. 921) (Presented by Mr. Faucher of Solon)

(Ordered Printed)

Sent up for concurrence.

## Orders

Mr. Usher of Westbrook presented the following Joint Resolution and moved its adoption: (H. P. 928)

## IN MEMORIAM

Having Learned Of The Death Of

PAUL L. CARON

of

WESTBROOK

The Senate and House of Representatives of the State of Maine do hereby extend our sincere heartfelt condolences and sympathy to the bereaved family and friends of the deceased; and further

While duly assembled in session at the

State Capitol in Augusta under the Constitution and Laws of the State of Maine, do herein direct that this official expression of sorrow be forthwith sent to the family of the deceased on behalf of the Legislature and the people of the State of Maine.

The Resolution was read and adopted and sent up for concurrence.

Mr. Gauthier of Sanford was granted unanimous consent to address the House.

Mr. GAUTHIER: Mr. Speaker, Ladies and Gentlemen of the House: As I did yesterday, I would again like to advise you that today and tomorrow we will have in Room 114 Professor Sanford J. Fox to answer any questions the members of the House or the Senate would like to ask him. I would advise that it would be a good time for anyone who is interested in putting in amendments on the bill to be at these hearings either this afternoon or tomorrow.

On motion of Mr. Binnette of Old Town, it was

ORDERED, that David W. Bustin of Augusta be excused March 20th and 21st for personal reasons.

On motion of Mr. Binnette of Old Town, it was

ORDERED, that William Garsoe of Cumberland be excused March 19, 20, and 21 for legislative business.

#### House Reports of Committees Leave to Withdraw

Mr. Walker from the Committee on Local and County Government on Bill "An Act Increasing Payments to Oxford County Law Library" (H. P. 217) (L. D. 272) reporting Leave to Withdraw

Mr. Carpenter from the Committee on Local and County Government on Bill "An Act Increasing the Annual Payment to the Washington County Law Library" (H. P. 380) (L. D. 473) reporting same.

Reports were read and accepted and sent up for concurrence.

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

Mr. Dam from the Committee on Local and County Government on Bill "An Act Increasing the Annual Payment to the Nathan and Henry B. Cleaves Law Library of Cumberland County" (H. P. 222) (L. D. 278) reporting "Ought to Pass" in New Draft under New Title Bill "An Act Relating to Payments to the County Law Libraries in the Several Counties of the State" (H. P. 1003) (L. D. 1066)

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

#### Consent Calendar Second Day

In accordance with House Rule 49-A, the following items appear on the Consent Calendar for the Second Day:

Bill "An Act Amending the Charter of the Boothbay-Boothbay Harbor Community School District to Require that District to Provide and Fund Pupil Transportation" (Emergency) (H. P. 629) (L. D. 780)

Resolve, to Reimburse Edgar Tupper of Madison for Loss of Beehives by Bear (H. P. 493) (L. D. 612)

Bill "An Act Relating to Conveyance or Loan of Property to the Cumberland County Recreation Center" (H. P. 540) (L. D. 656)

Bill "An Act to Amend the Charter of Erskine Academy" (H. P. 592) (L. D. 732)

Bill "An Act to Establish County Commissioner Districts in Penobscot County" (H. P. 56) (L. D. 68)

Bill "An Act Relating to Limit of Insurance Risk Exposure under the Maine Insurance Code" (C. "A" H-83) (H. P. 292) (L. D. 344)

Bill "An Act Relating to Education and Training under the Laws of Barbering" (C. "A" H-84) (H. P. 437) (L. D. 545)

Bill "An Act Relating to Pulmonary and Cardiac Diseases Under the Workmen's Compensation Act" (C. "A" H-85) (H. P. 230) (L. D. 286)

No objections having been noted at the end of the Second Legislative Day, the House Papers were passed to be engrossed and sent up for concurrence.

#### Passed to Be Engrossed

Bill "An Act to Increase Certain Fees Paid to the State Board of Nursing" (H. P. 496) (L. D. 614)

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

#### Second Reader Tabled and Assigned

Bill "An Act Relating to Dealers in Used Personal Property" (H. P. 502) (L. D. 618)

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

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

Bill "An Act Relating to Irreconcilable Marital Differences as a Ground for Divorce and Mental Illness as an Impediment to Divorce" (H. P. 911) (L. D. 1032) (Later Reconsidered)

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

#### Amended Bills

Bill "An Act to Revise the Laws Relating to the State Board for Registration of Architects" (H. P. 179) (L. D. 196) (C. "A" H-86)

Bill "An Act Relating to Apprentices and Journeymen Plumbers and Establishing the Classification of Trainee Plumber" (H. P. 240) (L. D. 318) (C. "A" H-87)

Bill "An Act to Clarify Certain Laws Relating to Boxing" (H. P. 388) (L. D. 480) (C. "A" H-88)

Bill "An Act to Provide for a Booth License under the State Barber Laws" (H. P. 438) (L. D. 539) (C. "A" H-89)

Bill "An Act Increasing Certain Permit, Examination and License Fees for Hairdressers and Providing for Biennial Renewal of Certain Licenses" (H. P. 453) (L. D. 559) (C. "A" H-90)

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

#### (Off Record Remarks)

#### Constitutional Amendment Tabled and Assigned

Resolution, Proposing Amendments to the Constitution to Provide Single Member Districts for the House of Representatives, to Provide for Apportionment of the House and Senate and to Establish an

Apportionment Commission to Plan for all Apportionments of the House and Senate reported by the Committee on Engrossed Bills as truly and strictly engrossed.

(On motion of Mrs. Najarian of Portland, tabled pending final passage and tomorrow assigned.)

#### Passed to Be Enacted Emergency Measure

An Act to Amend the Charter of the Freeport Sewer District (H. P. 441) (L. D. 515)

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. 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.

#### Emergency Measure

An Act to Create a Law Enforcement Education Section within the Criminal Division of the Department of the Attorney General (S. P. 141) (L. D. 444)

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. 130 voted in favor of same and one against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### Emergency Measure

An Act to Provide for Renewal of Notary Public and Justice of the Peace Commissions (S. P. 116) (L. D. 381)

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

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

Mrs. BOUDREAU: Mr. Speaker, may I pose a question to anyone from the State Government Committee? Under the rules and regulations of this, would this permit the Secretary of State's Office to issue the renewals in a card form rather than the lengthy document they now use?

The SPEAKER: The gentlewoman from Portland, Mrs. Boudreau, poses a question through the Chair to any member who cares to answer.

The Chair recognizes the gentleman from Sabattus, Mr. Cooney.

Mr. COONEY: Mr. Speaker, the answer is yes.

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

A vote of the House was taken. 132 having voted in the affirmative and one having voted in the negative, the motion did prevail.

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

#### Emergency Measure Tabled and Assigned

An Act to Reduce the Annual District Tax on Maine Forestry District Property

Due to Increased Valuation (H. P. 833) (L. D. 960)

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

(On motion of Mr. Smith of Dover-Foxcroft, tabled pending passage to be enacted and tomorrow assigned.)

#### Passed to Be Enacted

An Act to Require Industrial Accident Insurers to Maintain Agents within the State of Maine (H. P. 456) (L. D. 590)

An Act Relating to Possession of Intoxicating Liquor by Persons under 18 Years of Age in On-sale Premises (S. P. 181) (L. D. 582)

An Act Relating to Use of Studded Tires on Motor Vehicles (H. P. 433) (L. D. 544)

An Act to Protect Physicians Engaged in Peer Review (H. P. 174) (L. D. 204)

An Act Relating to the Sale of Vinous Liquors in Original Containers (S. P. 183) (L. D. 584)

An Act Relating to Nepotism in State Hiring and Promotional Practices (H. P. 615) (L. D. 728)

An Act Authorizing the Bureau of Forestry to Provide Funds to the Penobscot and Passamaquoddy Tribes to Procure Shade Trees (H. P. 526) (L. D. 643)

An Act Relating to the Use of Leg Hold Traps under the Inland Fish and Game Law (H. P. 400) (L. D. 489)

An Act Designating the Bureau of Taxation as the State Revenue Bureau and to Correct Errors and Inconsistencies in the Property Tax Laws (H. P. 110) (L. D. 156)

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 Eliminate Certain Sales Taxes to Patients in Hospitals (H. P. 378) (L. D. 471)

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

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

Mr. LaPOINTE: Mr. Speaker, I move that this item be indefinitely postponed.

The SPEAKER: The gentleman from Portland, Mr. LaPointe, moves that this Bill and all accompanying papers be indefinitely postponed.

Thereupon, on motion of Mr. Dam of Skowhegan, tabled pending the motion of Mr. LaPointe of Portland to indefinitely postpone and tomorrow assigned.

An Act Relating to Change in Location or Status Concerning Vehicle Registrations (H. P. 459) (L. D. 562)

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

#### Orders of the Day

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

House Divided Report — Majority (1) "Ought Not to Pass" — Minority (2) "Ought to Pass in New Draft" under same title (H. P. 840) (L. D. 986) — Committee on Human Resources on Bill "An Act Establishing the Civil Rights of Hemophiliacs" (H. P. 161) (L. D. 202)

Tabled — March 14, by Mr. Rolde of York.

Pending — Acceptance of either Report.

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

Mr. TALBOT: Mr. Speaker, I move we accept the Majority "Ought not to pass" Report and would speak to my motion.

The SPEAKER: The gentleman from Portland, Mr. Talbot, moves that the House accept the Majority "Ought not to pass" Report.

The gentleman may proceed.

Mr. TALBOT: Mr. Speaker, Ladies and Gentlemen of the House: This is a bill dealing with the establishing of civil rights of hemophiliacs. We heard the bill in committee. We heard the bill on several different occasions during our workshop sessions.

I should say, first of all, that the hemophiliacs within this state, who are a very small group, do have problems and they have worked very hard to correct those problems. But the bill that we have here with us and the redraft, the committee could not find where there was any real meat within the bill. In other words, in certain sections of the bill, being number one and number two, hemophiliacs are already covered under the Human Rights Act under the handicapped. And the other sections of the bill dealing in part with education can be resolved by going through the Department of Education. I think it is our intent on the committee to do whatever we can whenever we can to help this certain group of people. But it is also our feeling that we didn't want to pass out a bill that absolutely did nothing.

We also realize that dealing with this kind of legislation, we had to take a stand, and although we hate to kill a bill such as this, that has come here through the efforts of a small group of people who have worked very hard and who mean very much and who are very sincere, it is our belief that the bill in its present form, in its redraft, doesn't do any good insofar as the law is concerned. Therefore, it is our intention that whatever help hemophiliacs want or need in this state, this committee will help them to that end. Therefore, I would hope that you would go along with my motion.

The SPEAKER: The Chair recognizes the gentlewoman from Machias, Mrs. Kelley.

Mrs. KELLEY: Mr. Speaker and Members of the House: I am opposed to Mr. Talbot's motion. This is my bill, and it originated with the Hemophiliac Society in Bangor. These people do not feel that they are covered by the Human Rights. As I understand it, the Human Rights Act does not cover any aspects of education, and these are some of the difficulties these people have run into.

One of the fellows who testified at the hearing had had in writing from the doctor that he shouldn't take part in the physical education program at the college he was attending, but this was ignored and he was expected to take part in the program.

Another young lady who was at the hearing wanted to become a practical nurse. She apparently had the scholastic ability and her doctor felt she was physically able to take the course and do the work. She tried three different colleges and was refused because she was a hemophiliac.

A hemophiliac, as you probably all know, is a bleeder. They bleed inside. A slight twist of the ankle or knee can cause

one of these bleedings and then they should have immediate treatment; therefore, the clause in the bill regarding hospitals. These bleedings cause what they call an injury, but it is not permanent. So if they are careful and take proper care of themselves, they can lead pretty much normal lives. If a person has a real serious bleed and is classified as a hemophiliac, according to the Human Rights Commission, that person has a physical handicap. If that person doesn't have another bleed for two years, it would be rather difficult for that person to gain recognition as a physical handicap for any protection.

I do not feel that this group is asking for anything unreasonable in this bill. They simply want to nail down these things that might cover them under the Human Rights Act. I urge you to reject Mr. Talbot's motion so that we can accept the "ought to pass" and I would ask for a division.

Mr. Farley of Biddeford requested that the Clerk read the Committee Report.

Thereupon, the Report was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Kennebunk Mr. McMahon.

Mr. McMAHON: Mr. Speaker and Members of the House: I would like to pose a question to anyone that might answer it. Are there instances on record where hemophiliacs have been denied admission to Maine accredited educational institutions or denied state rehabilitation services or any of the other provisions included in this bill?

The SPEAKER: The gentleman from Kennebunk, Mr. McMahon, poses a question through the Chair to any member who cares to answer.

The Chair recognizes the gentlewoman from Machias, Mrs. Kelley.

Mrs. KELLEY: Mr. Speaker and Members of the House: To answer the gentleman's question, I understand, as I stated in my thing here that this young lady that spoke at this hearing has been refused admission into three colleges because she was a hemophiliac.

I also understand from talking to the doctor in Bangor, who is part of this Hemophiliac Society, that a person had been refused attention at a hospital because they couldn't pay the bills. They had run up their bills which, of course, was unfortunate, but they did need attention and the person had said to them, "You owe us so much money that we can't help you any more."

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

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: I am not an expert on this bill and have hardly read it myself, and I only rise this morning because one of my very close friends happens to be a hemophiliac. As a matter of fact, when I was just old enough to toddle around the neighborhood, he was the first young child I ever met and he became, over the years, one of my very closest friends.

I only want to relate to you a little bit of what he has gone through and a particular problem that I helped him with and I think it relates to this bill and perhaps will cause you to at least keep this bill alive long enough to look into it a little bit and make a more in depth judgment a little later on.

My friend started school with me in subprimary back in the early fifties, and each year his hemophiliac condition was

so severe that he would miss on the average of two or three months of school every year and would be shipped to Boston for treatment of this condition. Even so, he was one of the most capable students we had and was always in the top three or four in our class.

As medical science progressed over the period that we went to school, medicines were developed that by the end of our high school career could keep him in school most days, although this medicine was an extremely costly treatment. It involved certain shots of a substance that I just don't know anything about, except for the fact that it did keep him in town or if he had to leave town he was back within two or three days. But the technology and the research of the thing was so expensive that very few families could afford this. He was one of the fortunate ones; he was covered by insurance that was bought on him before he was born.

After he went to college and he attended the University of Maine with me, he started applying for jobs and he had very great difficulty trying to get a job anywhere. He came to me in great desperation some months after we had both graduated and he said, "Doug, I don't know what I am going to do; I can't get a job." So, I looked around in state government and I happened to spot a special project that was being undertaken by the Department of Indian Affairs, and I prevailed upon that department to hire him on this special project that was federally funded. They did so and he did such a reputable job there that shortly thereafter he was employed by another agency of State Government and has since then found employment in the public sector. He has not, as far as I know, missed an inordinate number of days, any more than any one of us would have, because of this new medicine. Nevertheless, he and a small group of hemophiliacs throughout the state are having very great difficulty in almost everything they attempt.

Now, one of the arguments that is apparently being lodged against this bill is that it overlaps with the Human Rights Act and, frankly, I don't know if that is the case. If it is, it wouldn't be the first time we enacted a law that had a little overlap in it. I call to your attention a lot of the environmental protection laws that we have enacted in the last few years here and a lot of other bills too. My feeling on this is that while you all take a look at this thing and perhaps give this matter some consideration, it would be well worth your while to keep this bill alive for a couple of days at least and look it over and listen to what some of the proponents of this have to say and maybe we can get a couple of these people down here to explain to you in person what the problem is. So, I would urge you at this point to keep the bill alive.

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

Mr. INGEGNERI: Mr. Speaker, Ladies and Gentlemen of the House: I must confess that I didn't pay too much attention to this bill until a doctor in Bangor brought it to my attention. I told him that I had just personally read the bill and I knew a little bit about it and that I would appreciate whatever facts he could tell me about it. And really this position opened my eyes.

I must submit that the gentlewoman from Machias and the gentleman from Dover-Foxcroft have done an excellent job

of giving you the specifics, so I would not want to prolong that and kind of tire your attention.

I would like to regard this bill in a broad sense. Remember what the poet John Donne said. He said no man is an island entire to himself. We are all connected with the mainland. And he ends his poem by saying, do not ask for whom the bell tolls, it tolls for thee. My point is that whatever right you diminish of any one person, if there is a minority of one and you diminish the rights of that person, you diminish the right of all.

Mr. Talbot said that this is a very small group. I wonder if he has any statistics as to that. The doctor in Bangor told me what he is concerned about are those hemophiliacs who are not admitted hemophiliacs. And do you know why they are not admitted hemophiliacs, it is because as soon as they tell a doctor that they are hemophiliacs, and they have a tag, and this information is important to anyone, they are barred from employment, they are restricted as to activity.

The restriction of hemophiliacs is a two-edged sword. It works against them when they wish to be excused from some activity and it works against them when they wish to partake of some activity. For example, if a doctor gives a high school student — and this has happened — a slip of paper that he should be excused from violent exercise, there are many instances where the coach or the physical training teacher has taken an attitude and said, "Oh, come on, you can't be a sissy," and has refused to honor the doctor's opinion.

On the other hand, there was an instance where a girl belonged to a band, and she was told she could not travel in the bus with the other members of the band. She had to arrange to have her father travel with her in a separate car because one small individual official took it upon himself, in case of an accident, what should happen to this person.

The central question here should be, that individual should make up his own mind and be cognizant of the risks involved. I am surprised that Mr. Talbot has said the Human Resources Commission would look over them, the Human Rights Commission would look after their welfare. I don't believe that is the way government should operate, that one committee should take each case singly, one by one. I believe that this body has to enact laws which protect the rights of all and not leave it to the benevolence of any one committee or any one individual.

I strongly urge you to reconsider the report of the committee.

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

Mr. MORTON: Mr. Speaker, Ladies and Gentlemen of the House: I will make no observations about the bill, except I would like to ask a question of anyone who might answer it. Reading the language of the bill, I think we have to be careful how we draft this legislation here, and I would like to know what this means. It says under 4702, one, hospital treatment, the right to receive and so forth. If a hospital licensed by the Department of Health and Welfare, which operates an emergency ward available to the public, my question is, does this mean or can it be construed that every hospital which is licensed by the Department of Health and Welfare must

be prepared in a specialized way to treat hemophiliacs?

The SPEAKER: The gentleman from Farmington, Mr. Morton, has posed a question through the Chair to any member who cares to answer.

The Chair recognizes the gentlewoman from Machias, Mrs. Kelley.

Mrs. KELLEY: Mr. Speaker and Members of the House: To answer the question, this means yes, because as I understand it, anybody who goes to an emergency ward in any accredited hospital is supposed to be accepted, regardless of what they have. And if this bill is passed, this would certainly include the hemophiliacs.

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

Mr. TALBOT: Mr. Speaker, Ladies and Gentlemen of the House: I guess I am a little perturbed at the gentleman from Bangor, although I respect his remarks and he is absolutely right in some of those remarks, but I think this committee, and especially myself, look very carefully at the rights of individuals, whether they be hemophiliacs or anything else. And I don't think this committee, and I know myself, wouldn't do anything to diminish the rights of anybody. I think we looked this bill over very very carefully.

Let me explain to you that this bill first came to us during the first part of the session. I am not really out to fight over the killing of this bill, but we looked over this bill and we had a public hearing, and at that public hearing, nobody showed up. So we had another public hearing, a special public hearing where they did show up, and hemophiliacs testified, and I think there were about four or five, if I am correct, hemophiliacs there who gave excellent testimony insofar as their trouble is concerned.

The committee went to work and decided that we would come out with a divided report on this particular bill. We went back to the sponsor, talked to the sponsor, and we held the bill some more. We were supposed to get another redraft of the bill, which we did. We got another redraft of the bill which didn't do that much more to the bill. We said to the sponsor, there really isn't much we can do. The bill doesn't do that much, doesn't do anything. Why I am saying is, I personally, and the committee personally, talked to the executive director of the Human Rights Commission, and she assured us that they are covered under the Human Rights Act. They are covered now. I am saying that if there was anything possible that we could do insofar as this piece of legislation is concerned, we would do it — I would do it. But they are already covered.

This bill, as this committee sees it, as I see it, doesn't do anything. It doesn't do anything. And if this body can show me or show the committee where this bill does do something and is constructive and is fundamental, then I will change my vote. I will vote for it. But I think this committee deserves the credit of this body to realize that this bill didn't do anything, and that is the way we voted. I think we voted honestly and sincerely on this piece of legislation, not entirely on our emotions and not entirely from our testimony, but honestly and truly on this piece of legislation.

I am not standing here as chairman of this committee to say that I am going to fight to the end to kill this report. I am

saying that if this body can show me, show this committee that this piece of legislation is going to help hemophiliacs in this state, then I will stand up on my two feet and vote for it. That is all I am saying. But at least give this committee credit for what it has done.

I take exception to the fact that when anybody tries to belittle this committee or myself, and maybe I am wrong, maybe I need to be corrected, insofar as the rights of individuals are concerned, then I take exception to that. That bothers me, that bothers me.

We went over the redraft, we went over the bill, we went back to the sponsor, we talked with Mr. Smith, we talked to everybody we could talk to about the bill, and we explained our position, and that is our position.

Mr. Speaker, if it would help, I wish the majority leader in this body would table this bill for two days, for another two days, if it will help. I would ask that of our majority leader.

Thereupon, on motion of Mr. Rolde of York, tabled pending the motion of Mr. Talbot of Portland to accept the Majority "Ought not to pass" Report and specially assigned for Friday, March 21.

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

Bill "An Act to Decrease the Insuring Limitation on Certain Programs of the Maine Guarantee Authority" (H. P. 832) (L. D. 959).

Tabled — March 14, by Mr. Silverman of Calais.

Pending — Passage to be Engrossed.

Mr. Silverman of Calais offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-91) 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 third tabled and today assigned matter:

Bill "An Act Preventing a Lien on Real Estate When Owner has Paid Contractor" (H. P. 896) (Committee on Reference of Bills suggested Committee on Judiciary)

Tabled — March 18, by Mr. Gauthier of Sanford.

Pending — Reference.

Thereupon, the Bill was referred to the Committee on Judiciary, ordered printed and sent up for concurrence.

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

Bill "An Act to Prohibit the Unlawful Piracy and Resale of Recorded Musical Performances" (S. P. 269) (L. D. 855)

Tabled — March 18, by Mr. Rolde of York.

Pending — Passage to be Enacted.

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

On the disagreeing action of the two branches of the Legislature on Bill "An Act Relating to the Authority of Bail Commissioners" (H. P. 263) (L. D. 310) the Speaker appointed the following Conferees on the part of the House:

Messrs: GAUTIER of Sanford  
SILVERMAN of Calais  
McMAHON of Kennebunk

(Off Record Remarks)

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

Mr. DeVANE: Mr. Speaker, I would make a motion that the House reconsider its action where item 3, bills in the second reading, was passed to be engrossed for the purpose of offering an amendment.

The SPEAKER: The gentleman from Ellsworth, Mr. DeVane, moves that the House reconsider its action of earlier in the day whereby Bill "An Act Relating to Irreconcilable Marital Differences as a Ground for Divorce and Mental Illness as an Impediment to Divorce," House Paper 911, L. D. 1032 was passed to be engrossed. Is this the pleasure of the House?

(Cries of Yes and No)

The SPEAKER: The Chair will order a vote. If you are in favor of reconsideration you will vote yes; if you are opposed, you will vote no.

A vote of the House was taken.

Whereupon, Mr. Perkins of South Portland requested a roll call vote.

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

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

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

Mr. HENDERSON: Mr. Speaker, I assume it is proper to debate this at this time, and I would just like to indicate that, at least as I understand it, this reconsideration is not to kill this bill, which some people may feel that it is. Maybe I am wrong, but I am in favor of the bill, but I also understand that the gentleman has an amendment which he would like to attach to it. That is a progressive kind of thing, I believe, so if people would look at the amendment, they might indicate or decide on that basis. I just had the feeling that there might be some misunderstanding.

The SPEAKER: The Chair would advise the members that they are not to discuss the amendment at this time since it is not before this body.

The pending question before this House is on the motion of the gentleman from Ellsworth, Mr. DeVane that we reconsider our action whereby this Bill, L. D. 1032, was passed to be engrossed. If you are in favor of reconsideration you will vote yes; if you are opposed you will vote no.

#### ROLL CALL

YEA — Albert, Ault, Bagley, Berry, G. W.; Berry, P. P.; Berube, Binnette, Birt, Blodgett, Boudreau, Bowie, Burns, Bustin, Call, Carey, Carpenter, Carroll, Carter, Chonko, Churchill, Clark, Conners, Connolly, Cooney, Cote, Curran, P.; Curran, R.; Curtis, Dam, DeVane, Drigotas, Dudley, Durgin, Farnham, Faucher, Fenlason, Finemore, Flanagan, Fraser, Gauthier, Goodwin, H.; Goodwin, K.; Gould, Hall, Henderson, Hennessey, Hewes, Higgins, Hobbins, Hughes, Hutchings, Ingegneri, Jacques, Jalbert, Jensen, Joyce, Kany, Kelley, Kennedy, Laffin, Laverty, LeBlanc, Leonard, Littlefield, Lizotte, Lunt, Lynch, MacEachern, Mackel, MacLeod, Mahany, Martin, A.; Martin, R.; Maxwell, McBreairty, Mills, Mitchell, Morin, Mulkern, Nadeau, Najarian, Norris, Peakes, Pelosi, Perkins, T.; Peterson, P.; Peterson, T.; Pierce, Post, Quinn, Raymond, Rideout, Rolde, Shute, Silverman, Snow, Spencer, Sprowl, Teague, Theriault, Tozier, Truman,

Tyndale, Usher, Wagner, Wilfong, Winship, The Speaker.

NAY — Bachrach, Bennett, Cox, Dow, Dyer, Farley, Gray, Hinds, Hunter, Immonen, Jackson, Kauffman, Kelleher, LaPointe, Lewin, Lewis, Lovell, McKernan, McMahan, Morton, Perkins, S.; Powell, Rollins, Saunders, Smith, Snowe, Strout, Stubbs, Susi, Talbot, Tarr, Torrey, Twitchell, Walker.

ABSENT — Byers, Davies, Doak, Garsoe, Greenlaw, Miskavage, Palmer, Tierney, Webber.

Yes, 108; No, 34; Absent, 9.

The SPEAKER: One hundred and eight having voted in the affirmative and thirty-four in the negative, with nine being absent, the motion to reconsider does prevail.

Mr. DeVane of Ellsworth offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-94) was read by the Clerk.

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

Mr. McKERNAN: Mr. Speaker, Ladies and Gentlemen of the House: Note that title of L. D. 1032 is an Act Relating to Irreconcilable Marital Differences as a Ground for Divorce and Mental Illness as an Impediment to Divorce. This amendment deals with changing the statute, according to statement of fact, to permit divorce by grounds of gross or wanton nonsupport. I question whether this is germane to the bill.

The SPEAKER: The gentleman from Bangor, Mr. McKernan, poses a question to the Chair as to the germaneness of the amendment. The Chair would rule that the first portion, An Act Relating to Irreconcilable Marital Differences as a Ground for Divorce does carry with it, I suppose, the provision that it could also deal with non-support as being an irreconcilable marital difference, and the Chair would rule that the amendment is germane.

The Chair recognizes the gentleman from Kennebunk, Mr. McMahon.

Mr. McMAHON: Mr. Speaker, Ladies and Gentlemen of the House: I assured the sponsor of this amendment that I had absolutely no difficulty with it and I don't. I want to so indicate. I also question the germaneness of it. However, I certainly accept the ruling of the Chair.

The amendment that is offered doesn't have any effect of any substantive change on the bill that we debated yesterday. So, considering the ruling of the Chair, I urge you to support the amendment.

Thereupon, House Amendment "A" was adopted.

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

On motion of Mr. McKernan of Bangor, Adjourned until nine-thirty tomorrow morning.