

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Ninth
Legislature***

OF THE

STATE OF MAINE

Volume I

FIRST REGULAR SESSION

January 3, 1979 to May 4, 1979

HOUSE

Friday, February 23, 1979

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

Prayer by Father Valmont Gilbert of St. Augustine's Church, Augusta.

Father GILBERT: Almighty, everliving God, we come before you today to ask your guidance. Let this spirit come down on all who are here and in a special way enlighten the members of this House of Representatives who are dedicated to the people of Maine. Make it possible that through their efforts the wounds of injustices in our society be healed. May we never forget that before you, we, in all our institutions, are bound by human limits possessing fragile power. Move the members of this 109th Legislature to find ways of sharing the resources of our state with liberty and justice for all our people. This we ask through Christ, our Lord. Amen.

(Off Record Remarks)

The journal of yesterday was read and approved.

Papers from the Senate

The following Joint Order, an Expression of Legislative Sentiment recognizing that:

Pam Plumb of Portland has been selected by Maine Jaycee Women as an Outstanding Young Woman of Maine for 1979. (S. P. 236)

Came from the Senate read and passed.

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

The following Joint Order, an Expression of Legislative Sentiment recognizing that:

Ms. Carol Tracy of Lewiston has been selected as an Outstanding Young Woman of Maine for 1979 by the State Jaycee Women. (S. P. 237)

Came from the Senate read and passed.

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

Bill, "An Act to Establish Special Retirement Provisions for Former CETA Employees" (S. P. 244) (L. D. 693)

Came from the Senate referred to the Committee on Aging, Retirement and Veterans and ordered printed.

In the House, was referred to the Committee on Aging, Retirement and Veterans in concurrence.

Bill, "An Act Making Appropriations from the General Fund for Current Services and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 1981" (Emergency) (S. P. 238) (L. D. 687)

Bill "An Act Making Supplemental Appropriations from the General Fund for the Fiscal Years Ending June 30, 1980, and June 30, 1981" (Emergency) (S. P. 239) (L. D. 688)

Came from the Senate referred to the Committee on Appropriations and Financial Affairs and ordered printed.

In the House, were referred to the Committee on Appropriations and Financial Affairs in concurrence.

Bill "An Act to Amend the Maine Consumer Credit Code" (S. P. 243) (L. D. 692)

Came from the Senate referred to the Committee on Business Legislation and ordered printed.

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

Bill "An Act to Provide that SAD's May Contract for High School Education for its Students with any Other Approved School" (S. P. 242) (L. D. 691)

Came from the House referred to the Com-

mittee on Education and ordered printed.
In the House, was referred to the Committee on Education in concurrence.

Bill "An Act to Permit Independents to Vote in Party Primaries" (S. P. 245) (L. D. 694)

Came from the Senate referred to the Committee on Election Laws and ordered printed.

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

Bill, "An Act to Establish the Descent of Real Estate in Interstate Succession when, Prior to Death, a Parent has been Cared for by a Child or Children" (S. P. 241) (L. D. 690)

Bill, "An Act to Authorize Service of Process by Notaries Public and Justices of the Peace" (S. P. 246) (L. D. 695)

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

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

Bill "An Act to Permit Liquor Sales on Election Day" (S. P. 240) (L. D. 689)

Came from the Senate referred to the Committee on Legal Affairs and ordered printed.

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

Bill "An Act to Authorize County Appointment of Electrical Inspectors" (S. P. 248) (L. D. 698)

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

In the House, was referred to the Committee on Local and County Government in concurrence.

Bill "An Act to Allow Merchants to Retain a Percentage of Sales Tax Revenues" (S. P. 247) (L. D. 696)

Bill "An Act to Eliminate the Licensing and Reporting Requirements by the Owners of Diesel Powered Noncommercial Vehicles who Purchase only Fuel upon which Fuel Tax has been Paid" (S. P. 251) (L. D. 697)

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

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

Non-concurrent Matter

Bill "An Act to Prohibit Smoking at Public Meetings" (H. P. 5) (L. D. 11) which was passed to be engrossed as amended by Committee Amendment "A" (H-26) as amended by House Amendment "A" (H-29) thereto in the House on February 15, 1979.

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" as amended by Senate Amendment "A" (S-12) thereto in non-concurrence.

In the House: On motion of Mrs. Prescott of Hampden, the House voted to recede and concur.

Non-concurrent Matter

Recalled from Engrossing Department
Pursuant to Joint Order S. P. 230

Bill "An Act Converting Long Island Plantation into the Town of Frenchboro" (Emergency) (H. P. 51) (L. D. 60)

In House, passed to be engrossed on February 8, 1979.

In Senate, passed to be engrossed in concurrence on February 13, 1979.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" (S-13) in non-concurrence.

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

Messages and Documents

(2-1) The following Communication (S. P. 252)

State of Maine
SENATE CHAMBER

President's Office
Augusta, Maine

February 20, 1979

Honorable Barbara A. Gill
Honorable Sandra Prescott
Chairmen, Health and Institutional Services Committee
State House
Augusta, Maine 04333

Please be advised that Governor Joseph E. Brennan is withdrawing and renominating Edward F. Gorham to serve as a member on the Health Facilities Cost Review Board in order to allow the Joint Standing Committee of Health and Institutional Services more time to review the nomination.

Pursuant to M.R.S.A. Title 22, Section 353, this appointment is subject to review by the Joint Standing Committee on Health and Institutional Services and confirmation by the Legislature.

Sincerely,

S/JOSEPH SEWALL
President of the Senate

S/JOHN L. MARTIN
Speaker of the House

Came from the Senate read and referred to the Committee on Health and Institutional Services.

In the House, was read and referred to the Committee on Health and Institutional Services in concurrence.

Order Out of Order

On motion of Mr. Vose of Eastport, the following Joint Order: (H. P. 581)

ORDERED, the Senate concurring, that "RESOLVE, Authorizing the Bureau of Public Lands to Convey by Sale to the Town of Dennysville the State's Interest in Certain Real Property in Edmunds, Washington County," House Paper 72, L. D. 81, be recalled from the Governor's desk to the House.

The Order was received out of order by unanimous consent, read and passed and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

Petitions, Bills and Resolves

Requiring Reference

The following Bills were received and referred to the following Committees:

Aging, Retirement and Veterans

Bill "An Act to Permit Retirement with Full Benefits for any Member of the Maine State Retirement System when the Sum of the Member's Age Plus the Member's Years of Service Equals 85" (H. P. 582) (Presented by Mrs. Nelson of Portland)

Bill "An Act Concerning Benefits for Fire Fighters under the State Retirement System for Heart or Lung Injuries" (H. P. 583) (Presented by Mrs. Beaulieu of Portland)

(Ordered Printed)

Sent up for concurrence.

Agriculture

Bill "An Act to Amend the Maine Commercial Fertilizer Law" (H. P. 584) (Presented by Mr. Austin of Bingham)

Bill "An Act to Regulate the Distribution, Labeling and Sale of Plant and Soil Amendments" (H. P. 585) (Presented by Mr. Austin of Bingham)

Bill "An Act to Regulate the Distribution, Labeling and Sale of Agricultural Liming Materials" (H. P. 586) (Presented by Mr. Austin of Bingham)

(Ordered Printed)

Sent up for concurrence.

Appropriations and Financial Affairs

Bill "An Act Making Adjustments in the Basic Need Standards and Payment Maximums of Aid to Families with Dependent Children Program" (H. P. 587) (Presented by Mrs. Masterton of Cape Elizabeth) (Cosponsors:

Mr. Boudreau of Waterville, Mr. Connolly of Portland, and Mrs. Prescott of Hampden)
(Ordered Printed)
Sent up for concurrence.

Business Legislation

Bill "An Act to Require the Use of Metered Service on Oil Deliveries" (H. P. 588) (Presented by Mr. Gwadodsky of Fairfield) (Cosponsor: Mr. Howe of South Portland)
(Ordered Printed)
Sent up for concurrence.

Education

Bill "An Act to Establish the School Finance Act of 1979" (H. P. 589) (Presented by Mrs. Curtis of Milbridge) (Cosponsor: Mr. Cunningham of New Gloucester)

Bill "An Act to Require Instruction in the Public Schools on the Ill Effects of Alcohol, Tobacco and Other Substances" (H. P. 590) (Presented by Mr. Dexter of Kingfield) (Cosponsor: Mr. Diamond of Windham)

Bill "An Act to Revise the Method of Allocation of Educational Subsidies to Local Units" (H. P. 591) (Presented by Mr. Cunningham of New Gloucester) (Cosponsor: Mr. Leighton of Harrison)

(Ordered Printed)

Sent up for concurrence.

Health and Institutional Services

Bill "An Act to Facilitate the Treatment of Minors for Alcohol and Drug Abuse Problems" (H. P. 592) (Presented by Mr. Hughes of Auburn)

Bill "An Act to Provide Birth Certificates for Foreign Born Adopted Children" (Emergency) (H. P. 593) (Presented by Mrs. Nelson of Portland) (Cosponsor: Mrs. Gowen of Standish)

Bill "An Act Concerning Rules and Regulations on the Licensing of Ambulances and Ambulance Personnel" (H. P. 594) (Presented by Mr. Diamond of Windham) (Cosponsors: Mr. Nelson of Roque Bluffs and Mr. Higgins of Scarborough)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act to Require that Certain Notices of Termination of Tenancy Contain Minimum Information" (H. P. 595) (Presented by Mr. Hughes of Auburn)

Bill "An Act to Prohibit Unjust Retaliatory Evictions" (H. P. 596) (Presented by Mr. Hughes of Auburn)

Bill, "An Act to Abolish County Subsidies to the Superior Court System" (H. P. 597) (Presented by Mr. Gillis of Calais) (Cosponsors: Mr. Silsby of Ellsworth and Mr. Wyman of Pittsfield)

Bill "An Act to Provide a Full-time Investigator for Each District Attorney" (H. P. 598) (Presented by Mr. Jacques of Lewiston)

Bill "An Act to Provide for Dismissal of Frivolous Title Claims to Personal Property in Forcible Detainer Actions" (H. P. 599) (Presented by Mr. Tarbell of Bangor)

Bill "An Act to Provide a Waiver of Court Costs and Fees" (H. P. 600) (Presented by Mr. Tarbell of Bangor) (Cosponsor: Mr. Tierney of Lisbon)

Bill "An Act Concerning Appeals to the Superior Court" (H. P. 601) (Presented by Mr. Stetson of Wiscasset) (Cosponsors: Mr. Barry of Fort Kent and Mrs. Berube of Lewiston)

Bill "An Act Concerning Child Abuse and Neglect" (H. P. 602) (Presented by Miss Aloupis of Bangor) (Cosponsors: Mr. Jacques of Waterville, Mrs. Payne of Portland, and Mr. Tarbell of Bangor)

(Ordered Printed)

Sent up for concurrence.

Labor

Bill "An Act to Increase the Wage Base on Which Employers Shall Pay Unemployment

Compensation Benefits" (H. P. 603) (Presented by Mr. Baker of Portland)

Bill "An Act to Provide for an Offset for Holiday Pay under the Unemployment Security Law" (H. P. 604) (Presented by Mr. Cunningham of New Gloucester)

Bill "An Act to Require the Disclosure of Relevant Information in Workers' Compensation Rate Filing Proceedings" (H. P. 605) (Presented by Mr. Wyman of Pittsfield) (Cosponsor: Mr. Tarbell of Bangor)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act Providing an Exemption for Churches and Religious Institutions to the Statute Governing Dissemination of Obscene Matter to Minors" (H. P. 606) (Presented by Mr. Hughes of Auburn)

Bill "An Act to Remove Duplicating License and Inspection Requirements for Victualers" (H. P. 607) (Presented by Mr. Morton of Farmington)

Bill "An Act to Establish the Beer and Wine Franchising Act" (H. P. 608) (Presented by Mr. Violette of Van Buren)

(Ordered Printed)

Sent up for concurrence.

Local and County Government

Bill "An Act to Provide Voter Approval of County Budgets" (H. P. 609) (Presented by Mr. Cunningham of New Gloucester)

(Ordered Printed)

Sent up for concurrence.

Tabled and Assigned

Bill "An Act to Provide for Full Disclosure of Tax Information on Tax Bills" (H. P. 610) (Presented by Ms. Benoit of South Portland) (Cosponsors: Mr. Davies of Orono and Mr. Kane of South Portland)

Committee on Local and County Government was suggested.

On motion of Mr. LaPlante of Sabattus, tabled pending reference and assigned for Monday, February 26.

Tabled and Assigned

Bill "An Act to Provide for Public Notice of Any Municipal Tax Increase" (H. P. 611) (Presented by Ms. Benoit of South Portland) (Cosponsors: Mrs. Berube of Lewiston, Mrs. Post of Owl's Head, and Mr. Laffin of Westbrook)

Committee on Local and County Government was suggested.

On motion of Mr. LaPlante of Sabattus, tabled pending reference and assigned for Monday, February 26.

Local and County Government cont'd.

Bill "An Act to Revise the Statute for Municipalities Undertaking Activities Pursuant to Housing and Community Development Act of 1974" (H. P. 612) (Presented by Mr. Hughes of Auburn)

(Ordered Printed)

Sent up for concurrence.

State Government

Bill "An Act Creating a Statehouse and Blaine House Commission" (H. P. 613) (Presented by Mrs. Nelson of Portland) (Cosponsors: Mr. Morton of Farmington, Mr. Jackson of Yarmouth, and Mrs. Kany of Waterville)

Bill "An Act to Provide Reserve Funds to Increase Employees' Salaries" (H. P. 614) (Emergency) (Presented by Mr. Rolde of York)

(Ordered Printed)

Sent up for concurrence.

Taxation

Bill "An Act to Repeal the Sales Tax on Fuel Oil and to Enact in its Place an Excise Tax on Fuel Consumed in Industrial and Manufacturing Establishments" (H. P. 615) (Presented

by Mr. Kelleher of Bangor) (Cosponsor: Mr. Garsoe of Cumberland)

(Ordered Printed)

Sent up for concurrence.

Transportation

Bill "An Act to Allow Municipal Law Enforcement Officers to Use Blue Flashing Lights on Personal Vehicles During an Emergency" (H. P. 616) (Presented by Mr. Tarbell of Bangor)

Bill "An Act to Provide for an Exit Sign at the Orono Exit and at the Stillwater Exit on I-95 to Direct Traffic to the University of Maine at Orono" (H. P. 617) (Presented by Mr. Davies of Orono) (Cosponsor: Miss Gavett of Orono)

Bill "An Act to Revise the Laws Relating to Motor Vehicle Operator's Licenses" (H. P. 618) (Presented by Mrs. Curtis of Milbridge)

(Ordered Printed)

Sent up for concurrence.

Orders

An Expression of Legislative Sentiment (H. P. 579) recognizing that:

David Lackey of Boy Scout Troop #58, Cumberland Center, has attained the high honor and distinction of an Eagle Scout.

Presented by Mr. Garsoe of Cumberland.

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

A Joint Resolution (H. P. 580) in Memory of F. Parker Hoy, lifelong resident of Lewiston and former member of the Maine Legislature Presented by Mrs. Lewis of Auburn. (Cosponsors: Mr. Jalbert of Lewiston, Mr. McMahon of Kennebunk and Mrs. Berube of Lewiston)

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

House Reports of Committees

Leave to Withdraw

Mr. Hall from the Committee on Energy and Natural Resources on RESOLVE, Directing the State to Assume the Cost of Clean-up Operation for a Gas Spill in Brooks, Me. caused by Vandals (H. P. 38) (L. D. 49) reporting "Leave to Withdraw"

Report was read and accepted and sent up for concurrence.

Divided Report

Majority Report of the Committee on Legal Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (H-37) on Bill "An Act Relating to Payment for Sales in Retail Stores under the Liquor Laws" (H. P. 6) (L. D. 12)

Report was signed by the following members:

Messrs: FARLEY of York

COTE of Androscoggin

— of the Senate

Messrs: McSWEENEY of Old Orchard Beach

DELLERT of Gardiner

Miss GAVETT of Orono

Messrs: CALL of Lewiston

VIOLETTE of Van Buren

SOULAS of Bangor

MAXWELL of Jay

— of the House

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

Report was signed by the following members:

Mr. SHUTE of Waldo

— of the Senate

Mr. STOVER of West Bath

Ms. BROWN of Gorham

Mr. DUDLEY of Enfield

— of the House

Reports were read.

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

Mr. VIOLETTE: Mr. Speaker, I move that

the House accept the Majority "Ought to Pass" Report as amended by Committee Amendment "A."

The SPEAKER: The gentleman from Van Buren, Mr. Violette, moves that the House accept the Majority "Ought to Pass" Report.

The Chair recognizes the gentleman from West Bath, Mr. Stover.

Mr. STOVER: Mr. Speaker, Ladies and Gentlemen of the House: I signed the Minority "Ought Not to Pass" Report on this bill, and I would like to give you my thinking on it.

I can remember when I was in high school some 50 years ago. We had a speaker there from the state police, and he said that of the two greatest problems they had in enforcement, one was liquor and the other was speeding. Fifty years later, all we have done is increase the problem for the state police.

Last year, we voted in this legislature to lower the age from 18 to 17 in allowing people to sell liquor at the checkout counters. This bill calls for it to be lowered to 16.

We heard testimony from the president of Shaw's grocery stores telling of the inconvenience it made for his establishment and to the customers. We also listened to testimony from the enforcement agencies telling us how this is going to increase their problems. I am not so much worried about Shaw's, they are a big concern and I am sure they will run a pretty tight ship, but they are just a small part of the retail outlets we have in the State of Maine. We have stores on every corner and every crossroad, and to ask a 16-year-old person to make the decision as to whom he shall sell this liquor, it seems to me is quite a lot of responsibility.

It is easy enough for an 18 year old to tell a 16 year old that they can't buy liquor, but for a 16 year old to tell this to an 18 year old is a different proposition. Say this person comes in, it could be the football hero, it could be the president of the class or whatever, everybody wants to be a good fella, and in my mind, it is putting a lot of pressure and a lot of responsibility on this particular individual.

I was kind of interested when I went home the other night, I talked this over with my 19-year-old granddaughter and told her how I had signed out this report, and she said, "I agree with you a hundred percent. It is very difficult for any 16 year old to blow the whistle on someone older than he is and I feel you are absolutely right."

When the vote is taken, Mr. Speaker, I would ask for a division on this.

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

Mr. VIOLETTE: Mr. Speaker, Ladies and Gentlemen of the House: There was a feeling of the majority of the committee that 16 year olds can make accurate judgment decisions. Under present law, 17 year olds may check out alcoholic beverages as long as there is adequate supervision on the premises.

Sixteen year olds can presently bag alcoholic beverages, carry alcoholic beverages out to the cars, handle half-filled empties returned to the stores under the returnable bottle bill, stock alcoholic beverages and check out all items in the store except alcoholic beverages.

The 16, 17 and 18-year-old age bracket is the most important supplier of cashiers. Because of the present law, frequent delays occur at the checkout counter. When you have a 16-year-old person, this person has to go into the store and ask the supervisor or ask the store manager or somebody else, the store owner to come out and ring up the sale of the alcoholic beverage. This causes a great deal of customer dissatisfaction.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: One of the most major problems in the school systems today is alcohol, as we all know. I can understand and appreciate the concerns of the gentleman from

Van Buren, Mr. Violette, with the problems created at the checkout counters, but I am also concerned with the availability of youngsters to be able to purchase beer in grocery stores across the state. That is the argument I think we should consider here today, the availability of a 16-year-old youngster to ring up the beverage of moderation, as they call it, in the grocery stores across the State of Maine, and that I am absolutely against.

I think this House would be in error this morning if it supported the recommendations of the good gentleman from Van Buren. I move for indefinite postponement, Mr. Speaker, of this bill and all its accompanying papers, and I request the yeas and nays when the vote is taken.

The SPEAKER: The gentleman from Bangor, Mr. Kelleher, moves that this bill and all its accompanying papers be indefinitely postponed.

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

Mr. CALL: Mr. Speaker and Members of the House: I suppose at this time, delivering my first soliloquy on my return to this House, that it is only fitting and proper to state what is well known—that the bad penny has returned.

Mr. Speaker, I am afraid that as was the case in the 107th Legislature, that you and the honorable clerk will just have to make the best of my many and varied eccentricities.

L. D. 12 is not a chicken bill. You would be surprised, Mr. Speaker, how many people I never knew until I came here to the 109th Legislature have heard about that chicken bill.

You will recall that I was taken unfair advantage of on my chicken bill. I had to fight for it without having it delayed one day, and I stated that I was not prepared, but after I had given a rather lengthy dissertation, there were those who spoke in disagreement of my not being prepared. Today I am prepared, reasonably anyway.

All right, I say this is not a chicken bill. However, there may be those here who would say that in view of the fact if this bill passes, that the 16-year-old girls who ring up beer sales on the cash register could be referred to as 'chicks'.

As has been stated, L. D. 12, if it becomes law, will eliminate a nuisance prevalent now in supermarkets and other stores where beer and wine are sold. My bill would permit a juvenile to ring up the cash sale of beer or wine providing that a supervisor, age 18 or older, is present in the retail store.

Under the law as it stands at the present time, the juvenile at the cash register, after he or she has handled the beer and wine and put them in paper bags, must look about the store for an adult to ring up the sales concerning alcoholic beverages. In the first place, the situation embarrasses and inconveniences the juvenile cashier, as well as the immediate customer and other customers in line. Further inconvenience results with the adult who has to be called away from some other activity. If he or she is talking with a customer or salesman, that individual is inconvenienced also.

Mr. Speaker, I urge strongly that L. D. 12 be passed and that we vote against the motion that it be indefinitely postponed. Again I say, Mr. Speaker, we are all aware that the bad penny has returned, but I am delighted to be back here and have a reunion with my good friends from the 107th and the 105th Legislatures and also pleased to make many new acquaintances.

The Speaker: The Chair recognizes the gentleman from Calais, Mr. Gillis.

Mr. GILLIS: Mr. Speaker, Ladies and Gentlemen of the House: Somewhere along the line, we are going to have to start placing some trust in the teenagers.

Many comments have been made here this morning concerning the ringing in of sales of beer and wine at the cash register. Who do these people think unload these trucks? Who

carries the bags out to the customers' vehicles? They are carrying the wine and the beer out, unloading the wine and the beer. I think it is time we showed the 16-year-olds and up that we put a little trust in them.

I urge you to vote against the indefinite postponement.

The SPEAKER: The Chair recognizes the gentleman from Gorham, Ms. Brown.

Ms. BROWN: Mr. Speaker, Ladies and Gentlemen of the House: I signed the minority report, and I would like to defend my position. I cannot understand the argument of the majority report that it is an inconvenience to hold up a checkout line when a minor cannot ring up the sales. I think it is more important to make it more difficult for 14 and 16 year olds to acquire beer and wine, and you know as well as I do that that is exactly what will happen if this bill passes.

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

Mr. VIOLETTE: Mr. Speaker, Ladies and Gentlemen of the House: Hiring of those under age is the prerogative of the owner. Presently, the owner can hire 17, 18 and 19 year olds. If he is liable and if he hires those under age, he will hire responsible minors or he will accept the consequences, and as such, I am in hopes that you will vote against the motion to indefinitely postpone.

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

Mr. CALL: Mr. Speaker and Members of the House: Let me add some rebuttal to this argument about the juveniles coming up with their beer and wine to have it checked out by somebody younger than they are. I doubt very much if a youngster is going to do this when he knows he is in a goldfish bowl in a great big store where people are going to see him or her, underage, with the beer in the wagon and have to wait five minutes or so before reaching the checkout area.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: If you would look at the statistics, the national statistics and the statistics here in the State of Maine, of youngsters abusing themselves with alcohol, you would be just as concerned about it as I am; and I can assure you that the parents are of these children across the State of Maine.

I think it would be poor judgment on behalf of this House this morning if we support this L.D. I do hope that you will support my motion to indefinitely postpone.

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

Mr. DUTREMBLE: Mr. Speaker, Ladies and Gentlemen of the House: I was the owner for 25 years of a small grocery store. On the concern on this bill about 16 years olds in the supermarkets where there is a lot of supervision, what I am very concerned about is the 16 year old being left alone in the corner market and that is why I will go along and support Mr. Kelleher in his motion.

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.

Mr. Call of Lewiston was granted permission to speak a third time.

Mr. CALL: Mr. Speaker and Members of the House: I don't know if it has been brought out or not, but from what Mr. Dutremble said, the gentleman from Biddeford, I think it is only fitting and proper to state that with this bill, the same restriction holds that held when the age

got to be 17, and that is that there must be somebody at least 18 years old in the store in a supervisory capacity.

The SPEAKER: A roll call has been ordered. The pending question is on the motion of the gentleman from Bangor, Mr. Kelleher, that this bill and all its accompanying papers be indefinitely postponed. All those in favor will vote yes; those opposed will vote no.

The Chair recognizes the gentleman from West Bath, Mr. Stover.

Mr. STOVER: Mr. Speaker, I would like to pair my vote with the gentleman from Millinocket, Mr. Marshall. If he were here, he would be voting no and if I were voting, I would be voting yes.

ROLL CALL

YEA — Beaulieu, Birt, Blodgett, Brenerman, Brodeur, Brown, A., Brown, K.L., Brown, K.C., Bunker, Carroll, Carter, D., Carter, F., Chonko, Churchill, Cox, Curtis, Davis, Dexter, Dutremble, L., Fenlason, Fillmore, Garsoe, Gowen, Gray, Hanson, Higgins, Howe, Hughes, Hunter, Immonen, Jackson, Joyce, Kelleher, Laffin, Locke, Lougee, Lund, MacBride, Mahany, Martin, A., Masterman, McHenry, McKean, McPherson, Morton, Nelson, N., Paul, Payne, Pearson, Peltier, Peterson, Prescott, Reeves, J., Rollins, Sewall, Sherburne, Silsby, Simon, Smith, Sprowl, Stetson, Strout, Studley, Theriault, Tierney, Vose, Wentworth, Wyman. The Speaker.

NAY — Aloupis, Austin, Bachrach, Baker, Barry, Berube, Bordeaux, Boudreau, Bowden, Brannigan, Brown, D., Call, Cloutier, Conary, Connolly, Cunningham, Damren, Davies, Delert, Diamond, Doukas, Dow, Drinkwater, Dutremble, D., Elias, Fowlie, Gavett, Gillis, Gould, Gwadosky, Hall, Hickey, Hobbins, Huber, Hutchings, Jacques, E., Jacques, P., Kane, Kany, Kiesman, Lancaster, LaPlante, Lizotte, Lowe, MacEachern, Masterton, Matthews, Maxwell, McMahon, McSweeney, Michael, Nadeau, Nelson, A., Nelson, M., Norris, Paradis, Reeves, P., Rolde, Roope, Small, Soulas, Tarbell, Torrey, Tozier, Tuttle, Twitshell, Vincent, Violette, Whittemore, Wood.

ABSENT — Benoit, Berry, Carrier, Dudley, Jalbert, Leighton, Leonard, Lewis, Mitchell, Post.

PAIRED — Marshall-Stover.

Yes, 69; No, 70; Absent, 10; Paired, 2.

The SPEAKER: Sixty-nine having voted in the affirmative and seventy in the negative, with ten being absent and two paired, the motion did not prevail.

Thereupon, the Majority "Ought to Pass" Report was accepted and the Bill read once. Committee Amendment "A" (H-37) was read by the Clerk and adopted and the Bill assigned for second reading the next legislative day.

Divided Report

Majority Report of the Committee on Transportation reporting "Ought Not to Pass" on Bill "An Act to Require Sand, Gravel, Peat and Other Fill Transported by Truck to be Covered" (H. P. 87) (L. D. 98)

Report was signed by the following members:

Messrs. O'LEARY of Oxford
EMERSON of Penobscot

— of the Senate.

Messrs. ELIAS of Madison
JACQUES of Lewiston
Mrs. HUTCHINGS of Lincolnville
Messrs. MCPHERSON of Eliot
HUNTER of Benton
CARROLL of Limerick
LOUGEE of Island Falls
STROUT of Corinth
McKEAN of Limestone
BROWN of Mexico

— of the House.

Minority Report of the same committee reporting "Ought to Pass" on same Bill.

Report was signed by the following member:
Mr. USHER of Cumberland

— of the Senate.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Limerick, Mr. Carroll.

Mr. CARROLL: Mr. Speaker, I move we accept the Majority "Ought Not to Pass" Report.

The SPEAKER: The Chair recognizes the gentleman from Hampden, Mrs. Prescott.

Mrs. PRESCOTT: Mr. Speaker, Ladies and Gentlemen of the House: I oppose the motion of the gentleman from Limerick, Mr. Carroll. I think he means well, but I think this bill, L. D. 98, deserves a little debate today.

I represent, with this bill, my constituents, not the contractors, not Maine Municipal Association, not the Department of Transportation or the truck drivers, but the constituents and the people who are affected by the gravel and the sand that is being hauled by trucks.

We are having a very serious problem in my district with the trucks and with the hauling of sand and gravel. I receive more complaints on the trucks that travel throughout my district than probably on any other piece of legislation that you may see this session. My constituents begin complaining to me early in the spring, and they don't let up until the fall when they can't do any more hauling.

We have one road in our town which is not a main artery, and last year we had the chief of police check the number of trucks that traveled on that road and the number would surprise you—100 trucks that day, and that is an average. We have a main artery, Route 1, we have other town and county roads throughout our district, and we have 8,000 cars and up a day traveling on the roads, and many, many of these are trucks. We have caravans of trucks. They start from dawn and they don't stop until darkness.

The complaints that I have been receiving are complaints of broken windshields, complaints of the residents that live along the truck routes, those people that are concerned for the safety of their children. They are residents along those routes; they have little recourse.

I am concerned about those complaints I am receiving on the windshields that are being broken, but that is not my main concern. The trucks that I am concerned about are not overloaded, the law will protect those people from overloaded trucks; but this is a situation where it is improperly loaded. The truck leaves the pit with the sand or the gravel not properly loaded on the truck, so when the truck goes 40 or 50 miles an hour the debris is falling off causing my constituents to complain to me because they have broken windshields, because their children have been hit with a rock that has blown off while they were riding their bicycles. Motorcyclists have complained to me, and I just had to appear before the Transportation Committee with this bill, and as I understand it, this is about, as one member of the committee said, the tenth time that this bill has appeared before the committee. Well, I submit to you that if that is so, it is about time somebody paid attention, because if it is appearing before the committee that many times, there is indeed a problem.

The committee suggested to me that enforcement was my problem—enforcement is not my problem. My chief of police appeared before the committee and explained to them just why the present law could take care of this problem with an ordinance. That is not so. You cannot regulate those trucks or traffic that travel on a state road or a county road; an ordinance will not help us. So, I submit to you that perhaps the reason that this bill was rejected was based on the cost of the Department of Transportation and of the towns that would have to comply with their trucks that are out sanding the roads and doing the snow removal. Well, if that is indeed the case, I recommend to you that in second reading we can amend that problem by exempting those vehicles during inclement

weather when they do spread the sand and take care of the roads.

I am asking that you not support the committee's report. I know that it is 12 to 1. I do not have support in this House from any House member on that committee, but I am asking you to take it to second reading and amend away the problems that you might have with the bill.

Ms. Brown of Gorham requested a roll call vote.

The SPEAKER: 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 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 Gorham, Ms. Brown.

Ms. BROWN: Mr. Speaker, Ladies and Gentlemen of the House: I am the cosponsor of this bill. Several of my constituents have asked me to sponsor this legislation. I feel that it is a dangerous problem. Trucks hauling any material of loose nature fly off moving trucks causing a serious hazard. Sometimes these trucks are loaded with no concern for anyone but to get as much material as possible on the truck. Some prime examples can be seen on Route 25 and 114 or by the entrance to the Blue Rock Company on Main Street in Westbrook during the hauling season.

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

Mr. JACQUES: Mr. Speaker, Ladies and Gentlemen of the House: If this bill were to pass, it would cost the people of the State of Maine maybe \$2.5 million for these covers. These are things that these municipalities can do on their own. They can enact ordinances; they can take care of their problems right at home. Why should we pass a law here for just a couple of communities.

In my community, we happen to have an ordinance on it, so why should we cost the state—as a matter of fact, I imagine that we would exempt the state, there would be an amendment here to exempt the state from covering these trucks. Why pass this law when it is not needed? I hope you do go with the indefinite postponement of this bill.

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

Mr. GRAY: Mr. Speaker, Men and Women of the House: I have a community that is also plagued with this problem, and I can't help but be amazed at the negative attitude towards this bill.

At a period in history when the citizens are awakening to the need to take a serious look at one of this state's most valuable assets, an asset that we know has its limits, and I am talking about our environment. We require a monetary deposit on cans and bottles in an effort to clean up our roadsides; we fund a multi-million dollar state bureau to police our air and water; we are considering legislation to prohibit smoking because it pollutes the air, causing discomfort and health hazards for others, yet, we are telling our truck drivers that even though they load their trucks to the point where they spill over, that the loads they haul can cause a hazard and is just as unsightly as bottles and cans, we are not going to require them to cover their load with just a simple tarpaulin. It seems to me that we are being inconsistent and arbitrary in our approach to our environmental laws.

Let's give this bill its first reading and then if anyone has any problems, perhaps we can amend it, but let's at least put it in a position or posture where we can offer an amendment. I am asking you today to please pass it.

The SPEAKER: The Chair recognizes the gentleman from New Gloucester, Mr. Cunning-

ham.

Mr. CUNNINGHAM: Mr. Speaker, Ladies and Gentlemen of the House: I would just like to take issue with the kind of a scare that I hear that it is going to cost an awful lot of money.

I happen to have been a dump truck driver at one time, believe it or not, and I had to do the driving in Massachusetts because I was living there. We had a law in Massachusetts that all trash, gravel and everything that you haul on the back of a truck had to be covered with some kind of a covering. Now, the law did not say that you had to buy a \$20 piece of covering or a \$40 piece of covering or anything like that, so the contracting firm that I worked for, we scrounged old rugs off the dump and put those on as covers over the load. An old rug is always being thrown away by somebody. If you drive around, you will see them thrown away a lot. That is heavy enough to cover the load and it can be attached to the banker board of the truck without any difficulty. That is a free piece of material that would encourage a lot of recycling. We talk about conservation and recycling, well, let's recycle some of the old rugs that are being thrown away and cover these loads and prevent the damage to our environment as referred to by the previous speaker.

One day coming up to this legislature, I was riding with a gentleman from Windham. We were driving up the turnpike and on the other side of the turnpike going south was a great big truck hauling junk steel and everything else. These loads are supposed to be secure. A big hunk of iron fell off the back of that truck and I looked at the gentleman from Windham and said, you know, I think I will put a bill in to require that loads be covered. Before I got the bill in, I noticed that the gentlelady from Hampden, Mrs. Prescott, had the same kind of a bill in and I didn't want to cause a lot of clogging up, etc., in the Legislative Research, so I didn't put my bill in. But I want to stand up and support her today and, as the previous speaker said, I can't understand why there is so much negativism in this body today. It isn't going to cost \$2 million. Just recycle a few old rugs. We can get by with that.

The SPEAKER: The Chair recognizes the gentleman from Limestone, Mr. McKean.

Mr. MCKEAN: Mr. Speaker, Ladies and Gentlemen of the House: Truthfully, I do not feel that I can debate this bill today. I don't see how anybody can debate the bill because there is a definite fact that this bill needs a fiscal note which it does not have at this time. I would like to see the bill delayed a legislative day until a fiscal note is on the bill.

The SPEAKER: A roll call has been ordered. The pending question is on the motion of the gentleman from Limerick, Mr. Carroll, that the House accept the Majority "Ought Not to Pass" Report. All those in favor will vote yes; those opposed will vote no.

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

Mr. TARBELL: Mr. Speaker, I would like to pair my vote with the gentleman from Woolwich, Mr. Leonard. If Mr. Leonard were here, he would be voting no and I would be voting yes.

ROLL CALL

YEA — Austin, Bachrach, Barry, Beaulieu, Birt, Boudreau, Bowden, Brown, D.; Brown, K. L.; Brown, K. C.; Bunker, Call, Carroll, Carter, D.; Carter, F.; Churchill, Conary, Curtis, Damren, Davis, Dellert, Drinkwater, Dutremble, D.; Elias, Fenlason, Garsoe, Gavett, Gillis, Gould, Gwadosky, Hall, Hanson, Higgins, Hobbins, Hunter, Hutchings, Immonen, Jacques, E.; Joyce, Kany, Kelleher, Laffin, Lancaster, LaPlante, Lizotte, Lougee, Lowe, MacBride, MacEachern, Mahany, Masterman, Matthews, Maxwell, McHenry, McKean, McMahon, McPherson, McSweeney, Nadeau, Nelson, A.; Nelson, N.; Norris, Paradis, Paul, Pearson, Peltier, Peterson, Reeves,

J.; Roope, Sewall, Sherburne, Silsby, Simon, Small, Smith, Soulas, Sprowl, Stetson, Stover, Strout, Studley, Theriault, Torrey, Tozier, Viollette, Whitemore, Wood, Wyman

NAY — Aloupis, Baker, Berube, Blodgett, Bordeaux, Brannigan, Brennerman, Brodeur, Brown, A.; Chonko, Cloutier, Connolly, Cox, Cunningham, Davies, Dexter, Diamond, Doukas, Dow, Dutremble, L.; Fillmore, Fowlie, Gowen, Gray, Hickey, Howe, Huber, Hughes, Jackson, Jacques, P.; Kane, Kiesman, Locke, Lund, Martin, A.; Masterton, Michael, Morton, Nelson, M.; Payne, Prescott, Reeves, P.; Rolde, Rollins, Tierney, Tuttle, Twitchell, Vincent, Vose, Wentworth

ABSENT — Benoit, Berry, Carrier, Dudley, Jalbert, Leighton, Lewis, Marshall, Mitchell, Post,

PAIRED — Leonard-Tarbell.

Yes, 88; No, 50; Absent: 10; Paired, 2.

The SPEAKER: Eighty-eight having voted in the affirmative and fifty in the negative, with ten being absent and two paired, the motion does prevail.

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

Mr. NORRIS: Mr. Speaker, having voted on the prevailing side, I now move that the House reconsider its action whereby the Majority "Ought Not to Pass" Report was accepted.

The SPEAKER: The gentleman from Brewer, Mr. Norris, moves that the House reconsider its action whereby the Majority "Ought Not to Pass" Report was accepted. Those in favor will say yes; those opposed will say no.

A Viva Voce Vote being taken, the motion did not prevail.

Sent up for concurrence.

Divided Report

Majority Report of the Committee on Transportation reporting "Ought Not to Pass" on Bill "An Act to Require the Secretary of State to Give Notification when the Renewal of Motor Vehicle Registrations are Due" (H. P. 39) (L. D. 50)

Report was signed by the following members.

Messrs. EMERSON of Penobscot
USHER of Cumberland

— of the Senate.

Messrs. LOUGEE of Island Falls
ELIAS of Madison
Mrs. HUTCHINGS of Lincolnville

Messrs. HUNTER of Benton
STROUT of Corinth
JACQUES of Lewiston
BROWN of Mexico
McPHERSON of Eliot

— of the House.

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

Report was signed by the following members:

Mr. O'LEARY of Oxford

— of the Senate.

Messrs. CARROLL of Limerick
McKEAN of Limestone

— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Limerick, Mr. Carroll.

Mr. CARROLL: Mr. Speaker, I move that the House accept the Minority "Ought to Pass" Report.

Mr. Strout of Corinth requested a vote.

The SPEAKER: The pending question before the House is the motion of the gentleman from Limerick, Mr. Carroll, that the House accept the Minority "Ought to Pass" Report. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

Mr. Dow of West Gardiner requested a roll call.

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. Those in favor 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 West Gardiner, Mr. Dow.

Mr. DOW: Mr. Speaker, Ladies and Gentlemen of the House: This little bill, "An Act to Require the Secretary of State to Give Notification when the Renewal of Motor Vehicle Registrations are Due" is a little different than has been presented in the last couple of terms of the legislature. The bill asks that a fee be attached to the registration to defray the cost of mailing out the notices.

I went down to the Secretary of State's Office and got a little information. They registered about 506,000 vehicles last year. They figured the cost to mail out this notice would be about 16½ cents. The Secretary of State assured me that they would not add to the cost of the registration more than 25 cents to defray the cost that they are figuring of \$85,000 on this bill.

All the information that I can gather from talking to the people that I represent and the state is that there has been a tremendous increase in the convictions of operating an unregistered motor vehicle. The law was changed in 1975 and, at that time, in 1976, the figure on the convictions went from 928 to 1235, or a 33 percent increase in that one conviction. Most of these people are people that have never had a conviction for a motor vehicle in their life and through no fault of their own did not pay to have their car registered. I firmly believe there are a lot of people out there that are driving an unregistered motor vehicle at this time.

I have discussed this bill with a number of people and have not had any opposition from anyone. Everyone gets billed for their services, insurance, taxes, lights, and I think it is something that the people want and are willing to pay for it.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mrs. Berube.

Mrs. BERUBE: Mr. Speaker, I would like to pose a question through the Chair to anyone on the committee.

What the payment for the additional fee would amount to to the individual registering his or her car?

The SPEAKER: The gentlewoman from Lewiston, Mrs. Berube, has posed a question through the Chair to anyone who may care to answer.

The Chair recognizes the gentleman from West Gardiner, Mr. Dow.

Mr. DOW: Mr. Speaker, Ladies and Gentlemen of the House: I don't think that the committee set a fee, but I spoke to the Secretary of State and he said that they would set a fee of around 25 cents.

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

Mr. JACQUES: Mr. Speaker, Ladies and Gentlemen of the House: This is another old chestnut that we have had for many years in front of our committee and it is coming up again.

As a matter of fact, I don't think there is a fiscal note on this bill and I think this has to have a fiscal note on it.

Mr. Speaker, could I ask that question? This could cost the state maybe \$55,000 to initiate this program.

The SPEAKER: The Chair understands that the Legislative Finance Committee furnished the Committee on Transportation all matters relating with the fiscal note and the Chair is not in possession of either one of those documents. The Chair is not a member of that committee. The gentleman may continue.

Mr. JACQUES: Mr. Speaker, Ladies and Gentlemen of the House: We have provided you time. If you forget your registration, forget to register your car, the State Police gives you

time to get to a registration point and register your automobile. The committee felt that right now with the \$2 million deficit we have in our highway account, and how we are going to make it up; the Governor has suggested putting another \$5 on your plate, I don't think that we should go ahead and add on another \$55,000 plus the other that we are going to have on other bills, so I hope that you don't go along with the Minority "Ought to Pass" Report.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mrs. Martin.

Mrs. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I have a solution to all this. If we are capable of driving a vehicle, we should be capable of remembering when our registration is due.

The SPEAKER: The Chair recognizes the gentleman from Hope, Mr. Sprowl.

Mr. SPROWL: Mr. Speaker, Ladies and Gentlemen of the House: I think the reason, and I am not on the committee and I didn't intend to speak and probably most of you will realize I shouldn't speak after you hear me, but in the bill it says "the Secretary of State or his designee." I think that his "designee" may mean the individual towns. I think that might be the reason why there isn't a fiscal note. It will may be that it won't cost the Secretary of State or the state anything but it will cost each of our towns. A designee, I believe, could mean the tax collector in the individual towns and the towns will have to notify all of the inhabitants in the town. I think they would be notifying many people who would not be registering their cars, and I think this would be most costly for the towns and I would certainly oppose this bill.

Mr. Dow of West Gardiner was granted permission to speak a third time.

Mr. DOW: Mr. Speaker, Ladies and Gentlemen of the House: Just to clarify a couple of points. Actually, the bill was \$85,000, that is what Finance said. As I said, the Secretary of State said it would be 16½ cents—they, not the towns, would add 25 cents to the bill. They will be mailing out the notifications, taking the information off the state computer.

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

Mr. STROUT: Mr. Speaker, Ladies and Gentlemen of the House: The reason that I opposed this was not what the gentleman from Hope, Mr. Sprowl, has brought out, but one of the big things was that it says in the bill that this notification shall be sent out no more than 60 days nor less than 30 days. If we give a notice now of 30 days, what good is it going to do? You are just as bad off 30 days from now as you are today.

The other reason that I oppose it is that the State Police at the present time, if your registration runs out, you are on the road—I got this checked out today so I would be accurate—they will give you a permit that allows you to go to the nearest registration office. Years ago they didn't do this. Years ago, they would stop you on the highway and you probably would be taken in for a fine. Today, they will do this.

If you get up some morning and you find out that the registration has expired, you can call any municipal law enforcement officer, whether it is county, local or state, and they will issue you a permit that says you can go to your nearest registration office and there is no penalty. You will get your re-registration taken care of and, besides, I know that in a lot of the small towns, including ours, we are notifying everybody at the present time. When our registrations expire, they are being notified anywhere from two to five days to get their registrations renewed. I think this is probably more important than having a 30-day notice.

I didn't hear any complaints from the larger cities in the state, so evidently they must be getting along all right or they would have been at the hearing.

The SPEAKER: The Chair recognizes the gentleman from Limerick, Mr. Carroll.

Mr. CARROLL: Mr. Speaker, Ladies and Gentlemen of the House: My approach to this bill was lukewarm when it was heard in our committee, but when I went home recently, checked the vehicles in the yard and one of them was 90 days overdue, now, that is a whoopoo, isn't it? Ninety days riding around the state without registering the vehicle. That car has been all over this state, up in northern Maine and everywhere. If that vehicle had been registered when it should have been in November, the state would have been in receipt of some funds which they didn't get until just the other day. We assumed that the town clerk would notify us, she had in the past, but when you have anywhere from three to eight vehicles, you can easily overlook one unless you have a clerk or someone in your family assigned to look out for motor vehicle registrations. I detect here that we can pick up a little cash flow called income to the state. So, I changed my lukewarm approach. I think we should have a redhot approach because we do have a serious problem.

Representative Strout says that they will give you permission to go get your registration. Let me tell you, brother, that if you are 90 days overdue, you don't get permission to go anywhere. You get a notice, you go down and see the judge and pay a fine.

There are some innocent people affected by this. The state made money when they changed the program. They had to recall a little financial bonanza, or anything you want to call it, to make a little money. They did away with registering all on one date and they went to staggered registration.

Staggered registration has affected a lot of people in this state, good folks, folks who were never stopped on the highway and never had a ticket. One man appeared at the hearing, last year they nailed him. You know something, it is a good thing it wasn't his wife, because he probably would have said, you know, that is a woman driver for you but she didn't say that to the man driver because this year the state nailed her.

We do have a serious problem and I feel we should try to address this problem. I hope that you will do your best to turn this around and give us your vote today.

The SPEAKER: The Chair recognizes the gentleman from Wiscasset, Mr. Stetson.

Mr. STETSON: Mr. Speaker, Ladies and Gentlemen of the House: In answer to the gentleman from Limerick, who is interested in cash flow, I suggest that we had better be interested in petroleum flow, and I urge that we kill this bill.

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

Mr. BRANNIGAN: Mr. Speaker, Ladies and Gentlemen of the House: A few weeks ago, one of the garage dealers that I deal with, not knowing anything about this bill, said to me, you ought to put a bill in up there at the legislature to let people know when their registration is up. The state would have a lot more money to deal with. He said that over and over again we are finding more and more registrations lapsing one, two, three and four months, and the state loses that money because the next year there are four months missing. He even said that one member of this body—I have two different car dealers, so one member of this body was three or four months in arrears. This is the sentiment of someone in this business from their own observation, knowing nothing about our debate, saying that the state is losing money by not having prompt re-registration. If that is true, and we are going to put on another added 25 cents, then this is a money-increasing bill for the State of Maine. I urge passage of this bill.

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

Mr. MASTERMAN: Mr. Speaker, Ladies and Gentlemen of the House: I would only make

one brief comment. I think, as legislators, we ought to pay attention to this. You know, if we always get in the automobile from the side part, probably we could overlook it, but it seems as though at one time or another we could go either to the front or the rear and on the plate there is a little sticker that says exactly the month that that runs out.

The SPEAKER: A roll call has been ordered. The pending question before the House is on the motion of the gentleman from Limerick, Mr. Carroll, that the House accept the Minority "Ought to Pass" Report.

The Chair recognizes the gentleman from Limestone, Mr. McKean.

Mr. MCKEAN: Mr. Speaker, I would like to pair my vote with the gentleman from Woolwich, Mr. Leonard. If Mr. Leonard were here, he would be voting no and I would be voting yes.

The SPEAKER: The pending question before the House is on the motion of the gentleman from Limerick, Mr. Carroll, that the House accept the Minority "Ought to Pass" Report. All those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Austin, Baker Brannigan, Brenerman, Brodeur, Brown, K.C.; Carroll, Cloutier, Connolly, Davies, Dow, Dutremble, D.; Fenlason, Fowle, Gillis, Hall, Hickey, Howe, Hughes, Kane, Kiesman, Locke, Lowe, MacEachern, Masterton, McHenry, McSweeney, Michael, Nelson, M.; Norris, Paradis, Paul, Peltier, Prescott, Reeves, P.; Rolde, Silsby, Simon, Soulas, Theriault, Tierney, Tozier, Tuttle, Twitchell, Violette, Vose, Whittemore, Wood, Wyman.

NAY — Aloupis, Bachrach, Barry, Beaulieu, Berube, Birt, Blodgett, Bordeaux, Boudreau, Bowden, Brown, A.; Brown, D.; Brown, K.L.; Bunker, Call, Carter, D.; Carter, F.; Chonko, Churchill, Conary, Cox, Cunningham, Curtis, Damren, Davis, Dellert, Dexter, Diamond, Doukas, Drinkwater, Dutremble, L.; Elias, Fillmore, Garsoe, Gavett, Gould, Gowen, Gray, Gwadosky, Hanson, Higgins, Huber, Hunter, Hutchings, Immonen, Jackson, Jacques, E.; Jacques, P.; Joyce, Kany, Kelleher, Laffin, Lancaster, LaPlante, Lizotte, Lougee, Lund, MacBride, Mahany, Martin, A.; Masterman, Matthews, Maxwell, McMahon, McPherson, Morton, Nadeau, Nelson, A.; Nelson, N.; Payne, Pearson, Peterson, Reeves, J.; Rollins, Roope, Sewall, Sherburne, Small, Smith, Sprowl, Stetson, Stover, Strout, Studley, Tarbell, Torrey, Vincent, Wentworth.

ABSENT — Benoit, Berry, Carrier, Dudley, Hobbins, Jalbert, Leighton, Lewis, Marshall, Mitchell, Post.

PAIRED — Leonard-McKean.

Yes, 49; No, 88; Absent, 11; Paired, 2.

The SPEAKER: Forty-nine having voted in the affirmative and eighty-eight in the negative, with eleven being absent and two paired, the motion does not prevail.

Thereupon, the Majority "Ought Not to Pass" Report was accepted and sent up for concurrence.

Consent Calendar

First Day

In accordance with House Rule 49, the following items appeared on the Consent Calendar for the First Day:

(H. P. 266) (L. D. 343) Bill "An Act Relating to the Small Grants Program for Municipal Conservation Commissions" — Committee on Energy and Natural Resources reporting "Ought to Pass"

(H. P. 97) (L. D. 124) Bill "An Act to Dissolve Membership of the Towns of Hope and Appleton from the Community School District" (Emergency) — Committee on Education reporting "Ought to Pass" as amended by Committee Amendment "A" (H-38)

(S. P. 109) (L. D. 202) Bill "An Act to Prohibit a Manufacturer or Wholesaler of Alcoholic

Beverages to Hold a Retail License" — Committee on Legal Affairs reporting "Ought to Pass"

(S. P. 89) (L. D. 174) Bill "An Act to Revise Certain Motor Vehicle Laws" — Committee on Transportation reporting "Ought to Pass" as amended by Committee "A" (S-14)

No objections being noted, the above items were ordered to appear on the Consent Calendar of February 26, under listing of Second Day.

Consent Calendar Second Day

In accordance with House Rule 49, the following item appeared on the Consent Calendar for the Second Day:

(S. P. 73) (L. D. 127) Bill "An Act to Amend the Procedure of the State Board of Arbitration and Conciliation" (C. "A" S-11)

On the objection of Mr. Garsoe of Cumberland, was removed from the Consent Calendar.

Thereupon, the Report was accepted in concurrence and the Bill read once. Committee Amendment "A" (S-11) was read by the Clerk and adopted in concurrence and the Bill assigned for second reading the next legislative day.

(H. P. 103) (L. D. 113) Bill "An Act to Revise the Statute Relating to the Removal of Dangerous Buildings" (C. "A" H-36)

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

Passed to Be Enacted

An Act to Exclude Certain Academies from the Category of "Public School" (S. P. 66) (L. D. 110) (C. "A" S-7)

An Act Relating to the Liability of Parents or Legal Guardians for Damage by Children (H. P. 4) (L. D. 10) (C. "A" H-23)

An Act Relating to Avoidance of Contracts Made on the Lord's Day (H. P. 136) (L. D. 146) (C. "A" H-24)

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:

Bill, "An Act to Require Motorcycle Operators and Passengers and Motor Driven Cycle Operators and Passengers to Wear Helmets if they are Minors" (H. P. 114) (L. D. 123)

Tabled—February 22, 1979 by Mr. Davies of Orono

Pending—Passage to be Engrossed.

Mr. McKean of Limestone Offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-40) was read by the Clerk and adopted.

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

By unanimous consent, ordered sent forthwith to the Senate.

(Off Record Remarks)

On motion of Mr. Blodgett of Waldoboro,
Adjourned until Monday, February 26, at ten o'clock in the morning.