

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fifth*

*Legislature*

OF THE

STATE OF MAINE

1971

KENNEBEC JOURNAL  
AUGUSTA, MAINE

**HOUSE**

Thursday, February 11, 1971

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

Prayer by the Rev. Mr. Ernest L'Heureux of Winslow.

The journal of yesterday was read and approved.

**Papers from the Senate**

From the Senate: The following Communication: (S. P. 213)

STATE OF MAINE  
DEPARTMENT OF EDUCATION  
AUGUSTA, MAINE

February 9, 1971

Honorable Members of the 105th Legislature:

Transmitted herewith is the report prepared by the Maine Education Council in response to an order of the 104th Legislature directing the Council to review school construction aid percentages.

For the Maine Education Council,  
(Signed)

LINCOLN T. FISH  
Chairman

Lincoln T. Fish, Chairman  
Came from the Senate read and with accompanying papers ordered placed on file.

In the House, the Communication was read and with accompanying papers ordered placed on file in concurrence.

From the Senate: The following Order:

ORDERED, the House concurring, that the Legislative Finance Officer be authorized to approve the expenses of his office and accounts for payment (S. P. 212)

Came from the Senate read and passed.

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

From the Senate: The following Joint Resolution:

WHEREAS, at the commencement of the One Hundred and Fifth Session of the Maine Legislature, there comes from the City of Portland a man of outstanding works whose voice is known above all others throughout our State and

whose spiritual guidance has brought peace and joy into countless homes for more than thirty-eight years; and

WHEREAS, through his vision and perseverance the first radio church in the United States was born which for more than three decades brought the Word of God and messages of divine inspiration and solace to thousands of Maine people whose infirmities, age and residence forbade church attendance; and

WHEREAS, as pastor of this unique First Radio Parish Church of America, founded April 19, 1926, he became the spiritual leader of untold thousands of Maine citizens; and

WHEREAS, his spreading renown and reputation presented him with ever widening opportunities for public service, he gave freely of his ministry through the years to many of the educational institutions of the State, its hospitals, nursing homes, and shut-ins in their homes; and

WHEREAS, During World War II at the request of Mr. William Newell, president of the Bath Iron Works, he organized a personal service and morale department for that shipyard, as well as Todd-Bath and the South Portland Shipyards and through these offices ministered to, comforted, and assisted many thousands of workers; and

WHEREAS, in addition to his service to people of all faiths throughout the State as an ecumenical pioneer, he early understood the importance of higher education to youth and was among the foremost leaders who persuaded the Legislature to enlarge the stature of a struggling law school conducted by Portland University, which led to its foundation as an important part of the great institutions in Portland and Gorham now serving thousands of our young people; and

WHEREAS, upon retirement from his duties with the church of the air, his continuing desire to serve the less fortunate, along with the support of leading Maine businessmen, resulted in the

founding of Friendship, Inc. which did then and continues today to take into hospitals, nursing homes and private homes the warmth of personally shared comfort and spiritual ministrations so often unavailable to the forgotten elderly who are confined in these institutions; and

WHEREAS, he has also served frequent sessions of the Maine Legislature as a guest chaplain since 1926, and continues to serve in this capacity during the One Hundred and Fifth Legislature; now, therefore, be it

RESOLVED: That we, the members of the House of Representatives and the Senate of the One Hundred and Fifth Legislature of the State of Maine, do hereby make this public tribute to the Reverend Howard O. Hough, Doctor of Divinity, in grateful appreciation for the continued and lasting contributions of a true public servant; and be it further

RESOLVED: That a copy of this resolution, signed by the Speaker of the House of Representatives and the President of the Senate and duly attested by the Clerk of the House and the Secretary of the Senate, be transmitted forthwith by the Secretary of the Senate to this honorable gentleman in recognition of his outstanding service. (S. P. 211)

Came from the Senate read and adopted.

In the House, the Joint Resolution was read and adopted in concurrence.

Bills from the Senate requiring reference were disposed of in concurrence.

#### Non-Concurrent Matter

Bill "An Act to Authorize Bond Issue in the Amount of \$19,145,000 for the Construction and Renovation of Higher Education Facilities at the University of Maine" (S. P. 129) (L. D. 376) which was referred to the Committee on Appropriations and Financial Affairs in non-concurrence in the House on February 3.

Came from the Senate with that body voting to insist on its former action whereby the Bill was

referred to the Committee on Education.

In the House:

Mr. Susi of Pittsfield moved that the House recede and concur.

The SPEAKER: The gentleman from Pittsfield, Mr. Susi, moves that the House recede and concur, and the gentleman may proceed.

Mr. SUSI: Mr. Speaker and Ladies and Gentlemen of the House: This bill that we are concerned with now, item nine, is the first of several bills which will be before us here this morning in which the question generally is one of reference.

I would like to take a few moments to review what in my mind are some of the major considerations in this overall question.

When we first come into session each legislator is appointed to a committee, the committees are formed, and consideration is given in the matter of assignments to committees to the knowledge, experience, the background, and the interest of each of the legislators to the particular field of interest of the committee to which he is assigned. This has certainly been true of the Education Committee in this session.

We also have a Committee on Appropriations and Financial Affairs which I think in everyone's opinion and recognition is a rather special committee. Probably the members of that committee have the broadest interest and knowledge in the field of state government and the financing of state government of any of us here. And they are charged with the responsibility of state fiscal matters.

However, in the formation of policy in any field — and we are concerned in this particular bill with education — dollar matters and policy do have a certain parallel. And in our Reference of Bills Committee we have been concerned with this on several legislative documents and have come to the position that we should assign to the Committee on Education bills dealing with educational policy, so that that committee, with its special background in education, would have an oppor-

tunity to review the policy implications of the L. D. and make its recommendation and refer the bill, with its recommendation then, to Appropriations and Financial Affairs for their final disposal of the bill in as much as it does involve money.

So first off, let's establish that we are not eliminating any of these bills from the consideration of Appropriations and Financial Affairs so far as their right and obligation to review from the standpoint of the fiscal impact of the bill.

There has been a hint that this is an effort to refer educational bills to the Education Committee because they are a soft touch for anything having to do with education, that automatically by assigning to Education we are assuring that there will be affirmative action taken. I would like to dispel that notion. First off, for the obvious reason that unless money is available there isn't going to be the implementation of any bill. So there is that to start with.

And again, as I said before, after the Education Committee has had the opportunity to review any L. D. or L.D.'s referred to them having to do with educational policy and make their recommendation, Appropriations and Financial Affairs will then get the opportunity to fit this into the overall financial picture, and their recommendations certainly will be heard concerning it.

So I would hope that this morning you would support the motion to recede and concur on this item nine. It very definitely does involve educational policy, inasmuch as this committee all the time is attempting to concern itself with the percentage of state resources that will be allocated to vocational-technical institutes, to private colleges, to our state college system. And they just can't do the job unless these bills are made available to them for their consideration. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker, I want to later speak on this bill,

and I don't want to jeopardize my chance to do that. But if it might be permissible at this time, I would like to ask a question of the gentleman from Pittsfield, Mr. Susi, with regard to his method of referring, we will say, bills from one committee to another; and so that it would be a little clearer to me, and to other members of the House, how he proposes to do this. We have discussed this somewhat in the Appropriations Committee and come up with the conclusion that it is a wholly unworkable method that he is talking about.

Obviously one committee is not going to accept bills where another has had the hearing and knows all the facts and all the information, and then make a separate report of any kind from the report of the previous committee. I wish he would attempt to clarify how he wants to put that system into operation.

The SPEAKER: The gentleman from Perham, Mr. Bragdon, poses a question through the Chair to the gentleman from Pittsfield, Mr. Susi, who may answer if he desires. And the Chair recognizes that gentleman.

Mr. SUSI: Mr. Speaker and Members of the House: The Committee on Reference of Bills generally agreed to a procedure that is very much in line with what is spelled out under your Joint Rules on page 111, Item 16. And I will read it to you.

"Reference of Fiscal Matters to Committees. Every bill, resolve or order appropriating money shall be referred to the appropriate committee for consideration, and no further action shall be had thereon in either branch until the same shall have been reported back by said committee."

I think this is quite clear. Going further.

"The several clerks of the committees to which are referred bills, resolves or orders involving the appropriation or expenditure of money shall forthwith upon receipt of such bills transmit a copy thereof carrying endorsement of reference, to the Committee on Appropriations and Financial

Affairs. No bill shall be in order for advertising for hearing or any other procedure until such copy is so transmitted. The Appropriations Committee shall issue a printed report and tabulation of such bills weekly.

Every bill, resolve or order involving the appropriation or expenditure of money shall be presented to the Committee on Appropriations and Financial Affairs for examination and recording before it is engrossed, and no further action shall be had on such bills, resolves or orders until proper endorsement thereon is made by said Committee." Referring to the Appropriations Committee.

So I feel that the position that has been taken by the Reference of Bills Committee has been in full implementation of the rules under which we are presumably operating. Thank you.

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

Mr. JALBERT: Mr. Speaker and Members of the House: It is my intention to also speak later on this problem, and later my intention would be to move, if this motion is defeated, it would be my intention to move that we would insist and ask for a Committee of Conference.

But now we have the present question to dispose of first.

However, not jeopardizing my opportunity to speak later on this thing, I would like to ask a question of the gentleman from Pittsfield, Mr. Susi. Where was this measure referred to originally? And can he inform me to what committee it was referred to, and can he inform me if any other committee but the Appropriations Committee has ever had a bond issue before it?

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, poses a question through the Chair to the gentleman from Pittsfield, Mr. Susi, who may answer if he desires. The Chair recognizes that gentleman.

Mr. SUSI: Mr. Speaker and Ladies and Gentlemen of the

House: The word "ever" to the gentleman from Lewiston, Mr. Jalbert, covers a lot more territory than it does with me. And I don't know whether bond issues have ever been referred to committees other than Appropriations and Financial Affairs. As to which committee this was referred to, I have only the calendar in front of me, and it says "which was referred to the Committee on Appropriations and Financial Affairs in non-concurrence in the House on February 3." Which would indicate to me that the original reference was to Education.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I think the gentleman misunderstood my question. Where did the Reference of Bills Committee — to what committee did it refer? The Reference of Bills Committee. Did the Reference of Bills Committee refer this bond issue to when it first came before either branch? The Reference of Bills Committee, of which he is a member.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, poses a further question through the Chair to the gentleman from Pittsfield, Mr. Susi, who may answer if he chooses. The Chair recognizes that gentleman.

Mr. SUSI: Mr. Speaker and Ladies and Gentlemen of the House: I gave the only answer that is available to me.

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: In further response to the question, if I recall it was referred by the Reference of Bills Committee to the Appropriations and Financial Affairs Committee. However, another bill also dealing with the same topic, dealing with the University of Maine construction of dormitories, was referred by the Reference of Bills Committee to the Education Committee.

I certainly, on behalf of — speaking of myself as a member of the Reference of Bills Committee — do not want to get into a hassle this year like we did two years ago over the Judiciary and State Government Committee in Reference of Bills, and in effect ending up killing a bill before it was even committed to a committee. I want to concur with the remarks made by the gentleman from Pittsfield, Mr. Susi.

I sat and I am sitting as a member of the Reference of Bills Committee because of my position within the Democratic party. It is not an easy task of attempting to determine where all bills should go. We have been meeting for three and four times since the original commitment of a bill to either Appropriations or Education took place.

And I would just like to relate to you some of the feelings that I had sitting there listening to the pros and cons of both arguments, and there are arguments on either side. What we finally agreed to yesterday was that the Education Committee, when attempting to determine whether or not there is educational policy in question, should be the committee that should perhaps check into the policy that ought to be taken, and to report back to us.

Obviously, as a former member of the Appropriations Committee, and where this bill happened to have gone two years ago, I had misgivings of this at first. But after thinking about the logic, about sending bills to where decisions dealing with philosophy and what ought to be done in education, then we thought that the Education Committee could spend more time in determining that philosophy.

And we do have a real problem in Maine as to whether or not we should spend more money at all for the University of Maine, and use what resources we have available into the vocational-technical institutes. This is a policy judgment that ought to be answered. And we felt at this time that perhaps the Education

Committee could do the job. And so I would ask the members to please agree with the motion made by the gentleman from Pittsfield, Mr. Susi, in receding and concurring with the Senate.

The SPEAKER: The Chair recognizes the gentleman from Dixmont, Mr. Millett.

Mr. MILLETT: Mr. Speaker and Ladies and Gentlemen of the House: We are right back here this morning where we were a week ago on the issue of reference here on these several bills. The two which are immediately in front of us, items nine and ten, are the two which we debated at length a week ago, at which time I attempted to state the position of the Education Committee. Our position did not carry, and I was prepared to accept that verdict.

I would like this morning to separate my function from that as House Chairman of Education to an interested individual here, and offer only my own viewpoints.

I fully concur with the position stated by the gentleman from Pittsfield, Mr. Susi, and the gentleman from Eagle Lake, Mr. Martin. Regardless of what has taken place in the past week or two, and regardless of what has taken place in past sessions, I think they have proposed a reasonable solution to the situation, and I am prepared to live with it if that is the will of this House.

I would like to make an observation — and this is purely a personal observation. I feel that we have reached a very critical point in Maine education where further evolution in the area of state involvement in financing educational facilities needs to be fully examined, beyond which we cannot go without duplication of state involvement in the area of financing facilities. I think you will all see a pattern to these four issues before you here this morning. I am referring to items nine and ten on page three, items one and three on page nine. Each and every one of these four measures has to do basically with the question of financing space for Maine students in public and

private education. From the level of kindergarten through the final graduate level of post secondary education.

As a personal point of view I feel that we can no longer afford to make such decisions on the basis of purely individual fragmented priorities — without intending that that statement go as a criticism of anything that has gone by in the past. I would like to make it very clear that I do not feel that way entirely. But I do feel we cannot go on with even the remotest of possibilities of individual priorities upsetting an overall total policy of state involvement in this very critical, and I might add very expensive area.

Until basic policy matters are decided it would be foolish for us and our counterparts to make decisions which further involve state moneys and actually make commitments over a very long period of time.

I made reference earlier to the position of the Education Committee, and I would like to point out at this time that I am very pleased with the membership we have on the House Education Committee, and also on the Senate Education Committee. I have complimented the Speaker on the appointments which have been made to this committee. We have, I think, a very true spirit of nonpartisan willingness to work. As an individual I am willing to work. But I am also willing to accept the verdict of this body here this morning.

I think the procedures as outlined by the gentleman from Pittsfield are very clear. They allow for full evaluation, and they finally resolve the matter of final responsibility for the appropriation itself within the very proper committee. I would like at this time just to encourage all of you to vote on the basis of whether you think we can continue to analyze separately issues of such major consequence. I am willing to accept that verdict, and let's continue with more important matters in the spirit of compromise and cooperation.

The SPEAKER: The Chair recognizes the gentleman from Perham, Mr. Bradgon.

Mr. BRAGDON: Mr. Speaker and Members of the House: I gave long consideration to the fact of whether or not I should get into this controversy. I made up my mind last night to get into it and I am now thoroughly convinced that I am batting in a pretty big league. However, I am not going to be dismayed. I am going to present my arguments and let you people decide on them as you may wish.

I don't want to appear as assuming that one committee has superior judgment over any other with regards to this issue of bond issues for construction. I want to emphasize too and in regard to my first remarks I don't believe there is any workable way that this can be handled by two committees. If you see fit to refer these matters to the Education Committee, they are going to make the decisions, they are going to report to the House. The Appropriations Committee is not going to have anything much to do with it; I think I could say they would not have anything to do with the issue.

Obviously the issue has become of great enough importance so we might safely say that it doesn't matter much which committee these matters are referred to, because it appears now obvious that the matter will be thoroughly debated at length in both this House and in the other branch. The final decision will be up to this House.

I want to go back and refer to what has been the traditional procedure with regard to bond issue bills in the Maine Legislature. I have been here in this body ever since they started constructing buildings by bond issues. I have served on the Appropriations Committee most of that time. I was also here in the good old days when we used our surplus and got along with that for our construction, when we had a surplus of \$10 million left over from the last session — that was our bricks and



mortar money and for many years we got along that way.

However, about the time I began to serve on the Appropriations Committee we did go into this idea of bonding for school construction aid. Traditionally, the trustees of the University of Maine, the presidents of our teachers' colleges, have come to the Legislature and sold their thinking to this Committee. I would point out also that they have considered it a necessity to sell their thinking to leadership in both branches of the Legislature. Traditionally, this Appropriations Committee has been very closely aligned with leadership and I have no reason to think that this session is going to be any different in that matter than any other.

I don't know what the quarrel is all about here yet. If you are critical that we as the Appropriations Committee over the years have been too generous, I don't wish to make any reply to that. If you are worried for fear that on this occasion we are going to be too niggardly, if these bills are given to us, I don't know what decision this Committee or the Education Committee, what disposal they are likely to make of these bond issue bills at this time.

I would only point out for the benefit of perhaps — or my views anyway, if they are worth anything, to the heads of the Education Department in the state, to people who are obviously interested in still selling their thinking for expanded educational facilities, that if they depart from this traditional method of referring these matters to the Appropriations Committee and coming before them and selling them their ideas with the expectation that the Committee would at a later date sell them to both branches of the Legislature, that they are definitely weakening their position. They are narrowing the scope of their contact with the Legislature when they attempt to see that these bills are referred to the Education Committee, and as such I have no quarrel with the Education Committee. I will simply state that traditionally they have been looked upon as

being a committee aligned closely with legislation and not needing much convincing to go along with the proposals of the University, we will say, the teachers' colleges now part of the University, and other educational proposals.

I think if you go back to the — you who were here last time will recall, and I wonder if you would not agree with me, that the Education Committee alone, or perhaps with the help of leadership, might have had serious difficulty in selling the bond issue to the House, because you recall it was a very much touch and go thing for some time.

Now I think you will attempt to decide this in what each one of you considers is the best method to follow. I think that the traditional method has worked good. I think that it will continue to work good. I am not saying whether I presently am in favor of bond issues for this session or not; I don't decide those things until I hear the facts, so that doesn't enter into it.

But I still believe that our traditional system is the safest system to follow. I think if the education people in the state analyze this they will agree with me. They have two committees and not one to sell their proposals, and when they depart from that I think they have lost their wallop. According to my recollections, every committee perhaps has times when they don't have the best of luck getting their ideas across, but I recall very recently a session when the Education Committee did not have exceptional luck in selling their proposals to the Legislature.

These I think are the facts on which you have got to decide where you want these bills to land. Whatever you decide I certainly will be very happy to concur with them.

The SPEAKER: The Chair recognizes the gentleman from Houlton, Mr. Haskell.

Mr. HASKELL: Mr. Speaker and Members of the House: There is just one point that I would like to make at this juncture. I think up to this time the Legislature has

not been faced with the very critical policy decisions that are going to have to be made over the next five years. The State has been in the situation where it was very obvious that we had to build increasing facilities for higher education on a catch-up basis. We had to expand vocational-technical opportunities in the state and in the whole educational picture there were not major policy decisions that had to be made.

Now in every state in the Union in the next five to ten years we are going to have the most dramatic reassessment of priorities in education that this nation has ever experienced. We are simply trying to devise a reasonable technique of examining the policy implications that have to be examined carefully.

It seems to me that the situation is that we have now arrived at a point where very major and very profound policy determinations have to be made and the whole picture has to be consistent with an overall policy determination.

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

Mr. JALBERT: Mr. Speaker and Members of the House: First I would like to suggest to the gentleman from Pittsfield, Mr. Susi, that I have the House action and the other branch action on this measure—

The SPEAKER: The Chair would advise the gentleman not to use the action of the other branch to influence the action of this branch.

Mr. JALBERT: Insofar as the House action is concerned, this body accepted the recommendation of the entire Reference of Bills Committee, of which the gentleman from Pittsfield, Mr. Susi is a member, to refer this measure to the Appropriations Committee. The action was questioned, a division vote was taken, and the vote was 130 to 9 to refer this measure to the Appropriations Committee.

The gentleman from Houlton, Mr. Haskell, discusses that policy must now be discussed, policy must now be thoroughly gone over; and I agree wholeheartedly with

that philosophy. I would suggest that the membership of the House as to who — concerning a bond issue, bricks and mortar, strictly appropriations, who would be the best judge of discussing that philosophy than the Appropriations and Financial Affairs Committee, admittedly of which I am a long time member, when they have already discussed this proposal on several occasions, particularly the last two occasions, and reported out a bill which both branches agreed upon a bond issue which would be referred to the people. Both times, incidentally, the people have turned this down.

Should this measure then be referred to another committee than the Appropriations Committee, regardless of a philosophy, for the moment if you may, wouldn't it be in effect, as the gentleman from Perham, Mr. Bragdon, so aptly states, wouldn't it in effect really weaken the position if the bond issue would go before the people after having been heard by the Committee on Education?

We do not have here, to ask permission by asking the membership to vote in the Appropriations Committee on this or any other financial matter. All we have to do with any bill that comes before this body, according to Rule 16-A, any bill regardless of what it is, we can invoke the rule that indicates that these measures before they are engrossed, with any money price tag on it, must be referred to the Appropriations Committee.

I for one want no part of the invocation of this rule, because I think in a great many instances where it involves strict policy, even though there might be a price tag on it, I agree and have accepted over the many years the thinking and the judiciousness of whatever committee these measures may come out of.

The gentleman from Dixmont, Mr. Millett, and a very capable House chairman on the Education Committee, says in his remarks originally—"I would like now to have you look upon me as a member of the House and not necessarily as House chairman of the

Education Committee." How could you ever look upon Mr. Bragdon of Perham, or myself possibly if I were to get up speaking on a measure, what would you say inside when I would say—"Please, I would like to divorce myself from being a member of the Appropriations Committee." I have no intention of doing that, because I might make an aside comment when I sought an office a few weeks ago I was told on many occasions, "I will support you if you do not serve in a dual capacity and be a member of the Appropriations Committee."

My answer to that is clear and concise. The Appropriations Committee is as much a part of my life as the seat wherein I sit, and I will suggest that the gentleman from Dixmont, Mr. Millett, fits his rule very aptly and very well, very conscientiously, as a House chairman and a member of the Education Committee.

Reference was made to other items that are coming before us today, which were returned to the Appropriations Committee. One, is the one that the gentleman from Houlton, Mr. Haskell himself has on the table, which refers itself to an appropriation "Appropriating Funds for Educational Costs for Maine Students in Private Schools of Higher Education." The Reference of Bills Committee referred this measure to the Appropriations Committee.

In my humble opinion, the gentleman from Houlton, Mr. Haskell has tabled this measure, in my humble opinion I will agree with the philosophy that he will bring forth this morning and has talked to me about, which indicates that this item here involves itself a great deal more with the philosophy of education than it does with the price tag that is on it. And I intend when he makes the motion to refer this measure to the Education Committee, I intend to support him with my vote, that this bill would go before the Education Committee.

A second item, as suggested on the tabled matters, involves itself with a colt stake program, which was tabled by the gentleman from

Bangor, Mr. Kelleher. Again a unanimous reference to the Appropriations and Financial Affairs Committee. This is a brand new program wherein it concerns harness racing in Maine, which is the birthplace of harness racing. This involves a great deal of philosophy as to whether or not we should go into a colt program. It has a price tag on it, but in my humble opinion, even though it has been referred to the Appropriations Committee, I envision the gentleman from Bangor, Mr. Kelleher, making a motion to the effect that this measure here would be referred to the Committee on Agriculture, where they would be better equipped to discuss the philosophy of a new colt stake program in Maine. And I intend to speak my piece or intend to vote for the re-reference of that measure to the good Agricultural Committee, feeling they are properly equipped.

I am not asking this body here today to agree with me; I am asking you to defeat the motion as made by the gentleman from Pittsfield, Mr. Susi, in receding and concurring, so that I can make a subsequent motion, which must be made in that order according to the rules of our voting, which would indicate a Committee of Conference and agreeing with the gentleman from Dixmont, Mr. Millett, that we would waste no further time and come out with an agreement, hopefully, out of the Committee of Conference.

I might suggest to the body that I myself have a bill in here that would ask the Constitution to authorize the Legislature to enact self-amortizing bonds by the Legislature instead of going to referendum. This is my own measure and I wholeheartedly agree and recommend that it be referred to the Committee on State Government, because it is better equipped.

I feel in my own mind, and I don't say this within any area of conceit or self-importance, but I see in my own mind that if this measure is referred to the Committee on Appropriations I feel that I am equipped because never since I have been here has a measure in-

volving itself, of this type, has it been referred to any other committee but the Appropriations Committee. And I don't feel that I would be equipped, even before engrossment, if it were referred to me, or to our Committee I mean, that I would be equipped to discuss it with you when it comes back on the Floor of the House.

I might say that this is just the possible whim of one individual, who is a friend of mine, who said to me in hoping for the referral — we would like some work to do. I want some work to do in the area where I am best fitted to do it. Never having had a fishpole or a hunting knife in my hand, I assure you that I have to resort to the good judgment of the members of the Wildlife and Fisheries Committee; and the same would go wherein it concerns itself with Agriculture or any other committee. Invariably or under very extreme circumstances have I ever opposed a majority report from another knowledgeable committee, under extreme circumstances.

I must say for my own self that the major reason why this should go to a Committee of Conference, because the original objection by the admission of the chairman, the good chairman of the Education Committee, the gentleman from Dixmont, Mr. Millett, that he had no objection when he accepted last week the philosophy of the vote of 130 to 9. And as an individual, whether I am a member of the Appropriations Committee or not, and I am; whether or not I would be a member of this body, and I am; and whether or not this measure goes before the Appropriations Committee or the Education Committee or the Agriculture Committee, I want to serve notice here and now that I assure you of one thing — and I am giving you a pre-judgment or a pre-preview of my vote, I assure you of one thing and it is this. That I have absolutely no intention of referring this bauble of \$19,400,000 in its present form, not after a defeat twice by the electorate of the State of Maine.

This item at least, the motion of the gentleman from Pittsfield, Mr. Susi, should not be passed so that a subsequent motion would be made to insist and ask for a Committee of Conference, so that we can discuss in a Committee of Conference the philosophy, so we can discuss and probably arrive as to where this thing should belong and should go without any further ado.

It is for that reason, and strong reason, Mr. Speaker, I ask the members of this House to defeat the motion to recede and concur so that I can make the subsequent motion.

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

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen of the House: More than money is involved in the question before us here. I think that probably I am readily recognizable as a representative from Orono, where the University of Maine at Orono is. I would like to make it clear that I am not a spokesman for the University however. But I do think that it is important that the educational policies of Maine be considered by those charged with the primary responsibility of planning for progress in education throughout the entire state.

I urge my colleagues to support the gentleman from Pittsfield, and vote yes.

The SPEAKER: The pending question is on the motion of the gentleman from Pittsfield, Mr. Susi, on Senate Paper 129, L. D. 376, Bill "An Act to Authorize Bond Issue in the Amount of \$19,145,000 for the Construction and Renovation of Higher Education Facilities at the University of Maine," that the House recede from its former action of referring this to the Appropriations and Financial Affairs Committee and concur with the Senate in referring it to the Committee on Education. All in favor of receding and concurring will vote yes; those opposed will vote no.

A vote of the House was taken.

78 having voted in the affirmative and 66 having voted in the negative, the motion to recede and concur did prevail.

**Non-Concurrent Matter**

Bill "An Act to Authorize Bond Issue in the Amount of \$3,850,000 for Student Housing at Central Maine Vocational Technical Institute, Eastern Maine Vocational Technical Institute, Northern Maine Vocational Technical Institute, and the Maine Maritime Academy, Site Improvements at Washington County Vocational Technical Institute, Heating and Air Conditioning Shop and Laboratory at Southern Maine Vocational Technical Institute, Completion of School Building at Peter Dana Point Reservation and Tribal Halls for Penobscot and Passamaquoddy Reservations" (H. P. 175) (L. D. 233) on which the House insisted on February 3 on its action whereby the Bill was referred to the Committee on Appropriations and Financial Affairs on January 20.

Came from the Senate with that body voting to insist on its former action whereby the Bill was referred to the Committee on Education in non-concurrence, and asking for a Committee of Conference with the following Conferees appointed on its part:

Messrs. BERRY of Cumberland  
KATZ of Kennebec  
VIOLETTE of Aroostook

In the House: On motion of Mr. Susi of Pittsfield, the House voted to further insist and join in a Committee of Conference.

The Speaker appointed the following Conferees on the part of the House:

Messrs. BRAGDON of Perham  
JALBERT of Lewiston  
GILL of South Portland

**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 to Provide Loans to Encourage the Practice of Fam-

ily Medicine to Assist in Maintaining the Health of Maine Residents" (H. P. 577) (Presented by Mr. Gill of South Portland)

Bill "An Act Appropriating Moneys to Maine Port Authority for Liability Insurance Premiums" (H. P. 578) (Presented by Mr. Maddox of Vinalhaven)

Resolve Appropriating Funds to Equalize the Salaries of Classified Employees at the University of Maine and the State of Maine" (H. P. 579) (Presented by Mr. Curtis of Orono)

(Ordered Printed)  
Sent up for concurrence.

**Business Legislation**

Bill "An Act Revising the Laws Relating to Credit Unions" (H. P. 580) (Presented by Mr. Simpson of Millinocket)

(Ordered Printed)  
Sent up for concurrence.

**County Government**

Bill "An Act Authorizing York County to Raise Money for the Reconstruction and Renovation of the County Court House" (H. P. 581) (Presented by Mr. Farrington of Old Orchard Beach)

Bill "An Act Authorizing York County to Raise Money for a New County Jail" (H. P. 582) (Presented by Mr. Fecteau of Biddeford)

Bill "An Act Increasing Salaries of County Officers of York County" (H. P. 583) (Presented by Mr. Sheltra of Biddeford by request)

Bill "An Act Creating Piscataquis County Commissioner Districts" (H. P. 584) (Presented by Mr. Trask of Milo)

Bill "An Act relating to Setting Salaries of All County Officials Except County Attorneys and Their Assistants" (H. P. 585) (Presented by Mrs. Wheeler of Portland)

(Ordered Printed)  
Sent up for concurrence.

**Education**

Bill "An Act relating to Courses in State and Federal Government for Graduation from High School" (H. P. 586) (Presented by Mr. Farrington of Old Orchard Beach)

Bill "An Act relating to Reimbursement Rates for Transporta-

tion and Special Educational Expenditures" (H. P. 587) (Presented by Mr. Millett of Dixmont)

(Ordered Printed)

Sent up for concurrence.

#### **Election Laws**

Bill "An Act relating to Form and Arrangement of Ballots in General Election" (H. P. 588) (Presented by Mr. Ross of Bath)

(Ordered Printed)

Sent up for concurrence.

#### **Fisheries and Wildlife**

Bill "An Act relating to Open Season on Muskrat in the Northern Zone" (H. P. 589) (Presented by Mr. Birt of East Millinocket)

Bill "An Act Prohibiting Beaver Trapping by Nonresidents" (H. P. 590) (Presented by Mr. Dyar of Strong)

(Ordered Printed)

Sent up for concurrence.

#### **Health and Institutional Services**

Bill "An Act Prohibiting Administering Behavioral and Tranquilizing Drugs in Schools" (H. P. 591) (Presented by Mr. Emery of Auburn)

Bill "An Act relating to Out-of-state Ambulance Services and Eliminating Fees for Ambulance Personnel" (H. P. 592) (Presented by Mr. Marsteller of Freeport)

Bill "An Act Revising Licensing of Hearing Aid Dealers and Fitters" (H. P. 593) (Presented by Mr. Vincent of Portland)

Bill "An Act relating to Salary and Duties of Executive Director and Assistant Director to the State Board of Nursing" (H. P. 594) (Presented by Mrs. Wheeler of Portland)

(Ordered Printed)

Sent up for concurrence.

#### **Judiciary**

Bill "An Act relating to Possession of Certain Drugs" (H. P. 595) (Presented by Mr. Rocheleau of Auburn)

Bill "An Act to Disclose Source of Title to Real Estate Prior to Recording" (H. P. 596) (Presented by Mr. Webber of Belfast)

(Ordered Printed)

Sent up for concurrence.

#### **Labor**

Bill "An Act relating to Disqualification of Benefits under the Employment Security Law" (H. P. 597) (Presented by Mr. Jalbert of Lewiston)

Bill "An Act relating to Claims for Benefits under the Employment Security Law" (H. P. 598) (Presented by same gentleman)

"Bill "An Act relating to Increased Payments and Amounts under the Employment Security Law" (H. P. 599) (Presented by same gentleman)

Bill "An Act to Provide for Administrative Enforcement of the Municipal Public Employees Labor Relations Law" (H. P. 600) (Presented by Mrs. Lincoln of Bethel)

"Bill "An Act relating to Applicability of Workmen's Compensation Law of Employers of One or More Employees" (H. P. 601) (Presented by Mr. Simpson of Millinocket)

(Ordered Printed)

Sent up for concurrence.

#### **Legal Affairs**

Bill "An Act Changing Name of Downeast Association of Independent Schools" (H. P. 602) (Presented by Mr. Page of Fryburg)

Bill "An Act Repealing the New England Welfare Compact" (H. P. 603) (Presented by Mr. Pontbriand of Auburn)

(Ordered Printed)

Sent up for concurrence.

#### **Natural Resources**

Bill "An Act Providing for Repair, Maintenance and Operation of State-owned Dam on Dead River, Androscoggin County" (H. P. 604) (Presented by Mr. Ault of Wayne)

Bill "An Act to Revise Laws Relating to Outdoor Advertising" (H. P. 605) (Presented by Mrs. Brown of York)

Bill "An Act Reclassifying the Waters of Lake Auburn and Little Wilson Pond, Androscoggin County" (H. P. 606) (Presented by Mr. Pontbriand of Auburn)

Bill "An Act Prohibiting Supersonic Flights by Nonmilitary Air-

craft" (H. P. 607) (Presented by Mr. Whitson of Portland)

Bill "An Act Prohibiting Dumping Grounds on Banks of Rivers, Lakes and Estuaries" (H. P. 608) (Presented by same gentleman)

(Ordered Printed)  
Sent up for concurrence.

#### State Government

Bill "An Act relating to Salary of the Supervising Inspector of Elevators" (H. P. 609) (Presented by Mr. Lewin of Augusta)

Bill "An Act relating to Data Processing and Central Computer Services in Department of Finance and Administration" (H. P. 610) (Presented by Mr. Pontbriand of Auburn)

Resolve Authorizing Forest Commissioner to Convey Certain Land in Island Falls (H. P. 611) (Presented by Mr. Williams of Hodgdon)

(Ordered Printed)  
Sent up for concurrence.

#### Taxation

Bill "An Act relating to the Poll Tax and Use of Proceeds for Volunteer Ambulance Service" (H. P. 612) (Presented by Mr. Dyar of Strong by request)

Bill "An Act Repealing the Farm Machinery Tax Exemption" (H. P. 613) (Presented by Mr. Morrell of Brunswick)

Bill "An Act Providing Income Tax Deduction for Child Care Services Necessary to Allow a Parent to Be Gainfully Employed" (H. P. 614) (Presented by Mr. Vincent of Portland)

(Ordered Printed)  
Sent up for concurrence.

#### Transportation

Bill "An Act relating to Reimbursement to Certain Municipalities for Winter Maintenance of State Aid Highways" (H. P. 615) (Presented by Mr. Birt of East Millinocket)

Bill "An Act to Increase Fees for Junkyards and Auto Graveyards" (H. P. 616) (Presented by Mrs. Brown of York)

Bill "An Act to Provide a Feasibility Study for Improvement of U. S. Route 1 between Bath and Ellsworth" (H. P. 617) (Presented by Mr. Emery of Rockland)

Bill "An Act to Provide a Feasibility Study for Improvement of Route 17 between the Cities of Augusta and Rockland" (H. P. 618) (Presented by same gentleman)

Bill "An Act relating to Steel Guardrails on the Maine Turnpike" (H. P. 619) (Presented by Mr. Lizotte of Biddeford)

Bill "An Act to Revise Laws Relating to Aviation" (H. P. 620) (Presented by Mr. Page of Fryeburg)

Bill "An Act relating to Waiving Motor Vehicle License Examinations" (H. P. 621)

(Presented by Mr. Whitson of Portland)

(Ordered Printed)  
Sent up for concurrence.

#### Veterans and Retirement

Bill "An Act relating to Retirement of State Employees with 20 Years of Service" (H. P. 622)

(Presented by Mr. Bustin of Augusta)

Bill "An Act Eliminating Restriction on Unemployment Benefits for Military Retirees" (H. P. 623) (Presented by Mr. Emery of Auburn)

Bill "An Act to Remove Remarriage Restriction on Survivor Benefit Payments under State Retirement System" (H. P. 624) (Presented by Mr. Faucher of Solon)

Bill "An Act relating to Service Retirement of Teachers under State Retirement System" (H. P. 625) (Presented by Mr. Rollins of Dixfield)

(Ordered Printed)  
Sent up for concurrence.

#### Orders

Mr. Gill of South Portland presented the following Order and moved its passage:

WHEREAS, the selection of the Speaker of the House of Representatives of the State of Maine from their extraordinary wisdom, capacity and virtue requires the choice of the member so preeminently qualified among them to exercise the office; and

WHEREAS, the membership, in consulting the public good, has chosen the Honorable Sphinx from Milbridge, David J. Kennedy, who above all the others is most pre-

fectly versed in the whole nature and system of government; and

WHEREAS, the illustrious Kennedy has very usefully employed his studies in finding out effectual remedies for all diseases and corruptions to which the several kinds of public administration are subject by the vices or infirmities of those who govern; and

WHEREAS, all are agreed that there is a strict universal resemblance between the natural and political body; and

WHEREAS, nothing is more evident than the health of both must be preserved and their diseases cured by the same prescriptions; and

WHEREAS, it is allowed that senates and great councils are often troubled with redundant, ebullient and other peccant humors, with many diseases of the head, and more of the heart; with strong convulsions, with various contractions of the nerves and sinews in both hands, but especially the right; with spleen, vertigoes, and deliriums; besides many others needless to mention; now, therefore, be it

ORDERED, that, upon the meeting of the House of Representatives, the Speaker, at the close of each day's debate, shall feel the pulses of every member, after which, having maturely considered and consulted upon the nature of the several maladies, and the methods of cure, provide that they shall on the next day return to the House attended by their apothecaries stored with proper medicines; and before the Members sit, administer to each of them as their several cases require; and be it further

ORDERED, that, as this will not be of any great expense to the public, the Speaker adopt such procedures as he shall deem appropriate and useful for the dispatch of business, begat unanimity, shorten debates, open a few mouths which are now closed, and close many more which are now open, curb the petulance of the young and correct the positiveness of the old, rouse the stupid and damp the pert; and be it further

ORDERED, that because it is a general complaint that the mem-

bers are troubled with short and weak memories and fail to remember that the business of the House that would be done is dependent upon the continuing infallibility of Speaker Kennedy and those qualities of body and mind for which he is valued—his valor, politeness, health and wit, for the quantum of what he possesses; and be it further

ORDERED, that, as is customary in those cases involving less illustrious personages, the mythicism of words, syllables and letters surrounding the natal advent of Speaker Kennedy be suspended under the Rules of the House, and the bulk of the Members together with their several subservient subalterns and hacks, rise to a man to restore new vigor to his administration and the House on this the occasion of the Sixty-fourth birthday of its most profound Speaker; and be it further

ORDERED, that the Clerk of the House, ever mindful of her careful stewardship of the Legislative Appropriation (and the approbation of the Assistant Legislative Finance Officer) expend such sums incidental to commemorate the occasion by funding the price of a good five cent cigar for his pleasure; and be it further

ORDERED, that appropriate credit be given by the House to the late Dean Swift of Dublin from whom the Speaker is today indebted for these learned precepts which have so assisted him in facilitating the present business of the House; and be it further

ORDERED, that an engrossed copy of this Testimonium, subscribed by the Speaker of the House, and duly attested by the Clerk of the House be transmitted forthwith by the Clerk of the House to the Speaker of the House with such affectionate and warm wishes of the House which the Clerk of the House for the House is authorized in her discretion and official capacity to bestow upon the Speaker of the House.

(Applause, the Members rising)

The SPEAKER: Under the circumstances the Chair has the power and does rule that this order is highly dilatory, facetious, indiscreet, and out of order and



will not be considered by this body.

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

Mr. Marsh from the Committee on Public Utilities reported "Ought not to pass" on Bill "An Act to Provide for Certain Records of Water Companies" (H. P. 12) (L. D. 12)

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

**Leave to Withdraw**

Mr. Maddox from the Committee on Business Legislation on Bill "An Act Creating the Escheat of Postal Savings System Accounts Act" (H. P. 220) (L. D. 302) reported Leave to Withdraw.

Report was read and accepted and sent up for concurrence.

**Ought to Pass  
Printed Bills**

Mr. Bartlett from the Committee on Public Utilities reported "Ought to pass" on Bill "An Act relating to Filing Certificate of Agent's Appointment by Certain Carriers" (H. P. 275) (L. D. 364)

Mr. Conley from same Committee reported same on Bill "An Act Increasing Borrowing Capacity of Ashland Water and Sewer District" (H. P. 274) (L. D. 363)

Mr. Shute from same Committee reported same on Bill "An Act relating to Application to Public Utilities of the Law Relating to the Regulation of Elevators" (H. P. 304) (L. D. 404)

Mr. Williams from same Committee reported same on Bill "An Act relating to the Powers of Houlton Water Company to Issue Bonds, Notes and Other Certificates of Indebtedness" (H. P. 303) (L. D. 403)

Mr. Dudley from the Committee on Transportation reported same on Bill "An Act to Allocate Money from the General Highway Fund for State Aid Construction" (H. P. 248) (L. D. 329)

Reports were read and accepted, the Bills read twice and tomorrow assigned.

**Ought to Pass with  
Committee Amendment**

Mr. Evans from the Committee on Agriculture on Bill "An Act re-

lating to Definition of Agricultural Societies to Qualify for Stipend" (H. P. 219) (L. D. 301) reported "Ought to pass" as amended by Committee Amendment "A" (H-17) submitted therewith.

Mrs. Wood from the Committee on Election Laws on Bill "An Act relating to Persons Ineligible to Serve as Election Officials" (H. P. 224) (L. D. 306) reported "Ought to pass" as amended by Committee Amendment "A" (H-18) submitted therewith.

Reports were read and accepted and the Bills read twice. Committee Amendment "A" to each was read and adopted, and tomorrow assigned for third reading of the Bills.

**Passed to Be Engrossed**

Bill "An Act relating to Jurisdiction of the District Court in Civil Actions" (S. P. 52) (L. D. 90)

Bill "An Act relating to Registration Fee for Legislative Counsel or Agent" (S. P. 76) (L. D. 171)

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

**Third Reader  
Tabled and Assigned**

Bill "An Act to Validate Certain Proceedings Authorizing the Issuance of Bonds and Notes by School Administrative District No. 75" (S. P. 197) (L. D. 548)

Was reported by the Committee on Bills in the Third Reading and read the third time.

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

Mr. CURTIS: Mr. Speaker and Members of the House: As you can see, this bill 548 is a redraft of L. D. 82. Now there is much opposition to this bill in the two towns that I represent, the towns of Bowdoin and Bowdoinham.

You have had material put on your desks about the problems in the SAD 75, and I won't take your time here today to go over all of those problems, but I would like to oppose this bill.

In the first place, there is an emergency preamble, and there

is no emergency. There is plenty of time for a revote on this question. It would only take about two weeks to post a warrant and have these towns vote again on this bill.

The reason that they have come to the Legislature to validate this bill—and I have this from the superintendent himself—is that they do not feel they can get a majority vote of the four towns if they do put this to a revote. Now I feel if a majority of the people are not in favor of this bond issue at this time, that this Legislature is overstepping its power by validating the vote that was taken on two different occasions.

Now in the redraft the Education Committee, in its infinite wisdom, has found fit to call the vote on October 5 null and void. And the reason for this is, I believe, that they have decided that this vote should be null and void, is that the superintendent of schools and certain members of the board of directors tampered with the warrants after they were posted.

Now it seems that the superintendent and the directors of SAD 75 have been unable to draw up a legal warrant. They have attempted on three different occasions, and they still have not been able to get one that would satisfy bond counsel. Now the directors maintain that the technicalities were minor in these warrants that were drawn up, but I submit to you that they were not minor.

Now on the October 5 warrants, the Chairman of the Board of Selectmen told me that he was given to understand by the superintendent of schools that the polls should only be open four hours in the Town of Bowdoin. And so therefore he felt that a good many people did not get a chance to vote on this bond issue. And consequently, to me, that is a very serious matter.

Now in the last vote, three of the four towns opposed this bond issue. The only town that supported it was Topsham, and they had enough votes to carry the issue by 78 votes. But admittedly now by the superintendent of schools and by members of the board of

directors, they do not have the courage to put this up to the people once again because they feel that it would not carry.

Now should we validate this bond issue when there is a doubt in the minds of the superintendent of schools, and the board of directors that a majority of the people wish to have this bond issue ratified? And I honestly believe that the people have not had a fair chance to vote on it. So I would ask you to join me. And Mr. Speaker, I move that this bill be indefinitely postponed.

The SPEAKER: The gentleman from Bowdoinham, Mr. Curtis, moves that Senate Paper 197, L.D. 548, Bill "An Act to Validate Certain Proceedings Authorizing the Issuance of Bonds and Notes by School Administrative District No. 75," be indefinitely postponed.

Thereupon, on motion of Mr. Susi of Pittsfield, tabled pending the motion of Mr. Curtis of Bowdoinham to indefinitely postpone, and specially assigned for Tuesday, February 16.

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Resolution Proposing an Amendment to the Constitution Providing that the Term of Office of the Governor Continues Until His Successor has Qualified" (S. P. 12) (L. D. 40)

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

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#### Amended Bills

Bill "An Act relating to Penalty for Larceny" (S. P. 40) (L. D. 89)

Bill "An Act relating to Operation of the Livermore Falls Water District" (H. P. 78) (L. D. 118)

Bill "An Act relating to Creditable Service Under State Retirement Law for Certain Teachers" (H. P. 143) (L. D. 198)

Resolve Authorizing the State Tax Assessor to Convey by Sale the Interest of the State in Certain Lands in the Unorganized Territory" (S. P. 89) (L. D. 218)

Were reported by the Committee on Bills in the Third Reading, Bills read the third time, Resolve read the second time, all passed to be engrossed as amended by

Committee Amendment "A" and sent to the Senate.

**Finally Passed  
Constitutional Amendment**

Resolution Proposing an Amendment to the Constitution to Reduce the Voting Age to Eighteen Years (H. P. 35) (L. D. 67)

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

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

Mr. CURTIS: Mr. Speaker, and Ladies and Gentlemen of the House: The resolution before us was debated extensively last week in this chamber. Final passage of this measure would be, I think, an example of the responsiveness of representative government. Young people do not need to feel alienated from their institutions and from the decision-making process. We have a chance now to enact landmark legislation and take a necessary step toward bringing into the electorate a segment of our population which has amply demonstrated its concern with public policies.

Passage of this measure, I think, would be a victory. Not a victory for those of us in both political parties and of all ages who have worked for the 18-year-old vote. But passage will be the best possible example of the confidence that we, as elected representatives, have in the abilities of our young people. Passage will be a victory for the youth of Maine and the future of our State.

Mr. Speaker, I move the enactment of L. D. number 67.

The SPEAKER: The Chair recognizes the gentleman from Wayne, Mr. Ault.

Mr. AULT: Mr. Speaker and Ladies and Gentlemen of the House: I again speak in opposition to this resolution because I want to remind certain of you here today of the very seriousness of the actions you are going to take.

A crime is committed and, because of a technicality, the offender is allowed to go free — And the voice of Youth asks — What is truth?

Parents use pills to make them sleep, pills to pep them up, pills to prevent babies, and are horrified to find their youngsters experimenting with pills of their own. Parents are appalled for drunken driving or over-indulge at home and are appalled when their youngsters try marijuana. And the voice of Youth asks — What is truth?

Parents who for years have pampered their children, who have pushed them and tried to make them older than they are, who have neglected to instill a sense of responsibility, who have never said no, who were afraid to discipline them because it was easier not to, who aren't home evenings to answer questions of young people who want answers, ask now in astonishment: What's wrong with the young people of today who are rebelling and lack respect for their elders? And the voice of youth asks—What is truth?

The 18-year-old wants the vote because he believes he can do better and he expects to get it because he is used to getting what he asks for. The gentleman from Orono says we will alienate this group if we don't give them the vote. It should be obvious to everyone that respect is not gained by giving without earning.

These youngsters of today are probably the best informed and best educated group this State and Country has ever seen. Except for the usual minority, they are as morally straight and fine as we could hope them to be. They are compassionate, dedicated, idealistic citizens interested in correcting every wrong they see. A war is being fought that they don't comprehend and they say, we must end it today. Minority groups suffer injustices and these must end today. People suffer from hunger and want, and this must end today.

They might be justified in what they say, but they don't yet realize that there are many more sides to each problem than the obvious one. They have not yet acquired insight to see the problem as a whole and they have not yet come to realize that life, because many

different people are involved, is really Compromise.

Can each of you remember when you were 18? How easy it appeared to solve the world's problems of that time. But haven't you now come to realize that all is not black and white? Let these youngsters work for a living and they will realize one has to compromise in order to earn his way in this world. Let him pay taxes and he will realize that there is a limit to the money available to solve all the problems that he thought could be solved overnight. Let him marry and realize compromise.

Should these young, idealistic people, who have been under the wing of their parents or teachers for these 18 years, suddenly be allowed to say who should spend the taxpayers' money, how much of it should be spent and on what it should be spent? No — they have not yet experienced life nor have they started to pay their own way.

The two political parties have endorsed the 18-year-old vote. One has done so, because it believes the 18-year-old will vote its way. The other has done so because this may be so. And the voice of youth asks — What is truth?

I have contributed to my party. I have worked for its candidates. I am a Republican, but I assure you I am an American and State of Mainer first, who believes that good responsible government is more important than political expediency.

Contrary to what some say, the Supreme Court did not give the 18-year-old the right to vote in Federal Elections. It only determined if the Congress had the right to do so. Interestingly enough, the Court said Congress didn't have the right in State elections. I do not argue with the Court decision, but I do disagree with the irresponsibility of Congress.

Today you have an opportunity to gain respect without fear of alienation. You can make an independent decision based on fact and you can assume the responsibility with which you have been appointed. You can do something

to change the direction of the Permissive Society. You can do something to help erase what our Governor has called the peoples' distrust of their government. You can do so by voting a responsible nay on this resolution.

And then you and they will know. . . What is truth.

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

Mr. COTTRELL: Mr. Speaker and Members of the House. I know that many of my legislative associates were surprised to see my vote against this amendment last week. I think we discussed it for an hour. I cannot vote for this amendment at this time.

I would not like to repeat my biography, but my biography has been associated with the youth of the State of Maine for 36 years, three at Stephens High School in Rumford, 33 at Deering High School in Portland. I have just recently retired from the field of education. 17 of those years were spent as the head football and basketball coach in those schools.

I think my legislative record has shown that I have great concern for the interests and desires of the young people. In 1963 I introduced a bill, a qualified bill on the 18-year-old voting proposition. I qualified it in this way: that those who had passed examinations in history, government, and economics could qualify for the vote at 18 instead of waiting until 21. At that time it was constitutional, because the Supreme Court had not eliminated literacy qualifications as something to be considered in voting.

And then I was influenced by Boys' State. Boys' State is our state legislature composed of representatives from our high schools, held at the University of Maine every year. And Boys' State had never themselves passed the 18-year-old vote. And today I see no clamor, great clamor among youth for the 18-year-old vote. They are disturbed by many things. They have been greatly disturbed by this war which they themselves, the 18, the 19, the 20, the 21-year

olds have sadly had to bear such a great burden in our national defense.

To go on, in 1969, the last session, I introduced the amendment with the encouragement of Representative William Dennett, the Chairman of the House State Government Committee — the amendment to give the 20-year olds the right to vote, and all rights of citizenship. We debated that during the session.

It was discovered that we ourselves, here in the legislature, could give the 20-year olds the right to vote. And we did — not the right to vote — all of their rights as citizens, full rights. In fact they had all their rights as citizens before they had the right to vote. So when it went out in amendment it would have been a very peculiar situation if the electorate hadn't supported the amendment for them to have the additional right to vote.

My whole thinking has been that rights entail responsibilities. And we did a wonderful job, it seems to me, in that State Legislature last year, because we became the fifth state to lower the voting age in our country, and the third state to give them full rights.

The 18-year-old vote now is the low of our land, and it seems to me that the platforms of parties have been fulfilled by the Supreme Court. I am not disturbed because the 18-year olds have the right to vote in national elections. It means that each one of them now will have the right to vote for five people that operate in our national government.

But I am disturbed by the opinions of some of the Justices of the Supreme Court in reaching the method by which the 18-year-old vote should be settled. I had to shovel some snow this weekend, but I tried to read 185 pages of the opinions of the Justices, the full opinions of the Justices concerning the 18-year-old vote. This was not released until December 21, 1970, just before Christmas. It is the only copy of it in Augusta. I am the second one to have taken it out.

I have asked quite a few lawyers —and I have seen them around the halls—if they have read it. And they haven't had a chance to read it yet, the one I have seen. I am disturbed about the opinions of four Justices whose interpretation of history and our Constitution is a great departure. To me this is going to be a great landmark as an opinion.

Basically it was four against four. Four said that the granting of the voting right to large groups of our citizens should take place by the constitutional amendment. Every granting of the voting franchise in large numbers has taken place that way. The 15th Amendment to the Negroes; the 17th Amendment permitted the people to vote and elect in senatorial elections. They took the election of the senators away from the legislatures. The 19th Amendment gave the right to women; the 23rd gave the right to a vote to people in Washington, D.C. in national elections.

The other four based their judgment on an interpretation of the Equal Rights Clause in the 14th Amendment. And Justice Black went from one side to the other. He said Congress can establish the voting franchise. And then he switched over to the other side and said the states can determine their own future in that respect.

It seems to me it was an increasing erosion of our states rights. And the implications of this decision have not been yet fully determined. If we give the right to vote to our 18-year olds, it seems to me by a further application of the opinions expressed in this close vote, can be extended to force us to give full rights of citizenship to the 18-year old.

Now I feel most inadequate to handle the great problems which are going to arise, it seems to me, as a result of these opinions. I think at this point, if we turn this amendment out, after we have considered it only for a month, and discussed it perhaps for an hour or an hour and a half, and turn it out to the people with our stamp of approval on it, it will come to them in this form. The Supreme

Court has given the right to vote to the 18-year olds; your Legislature has done the same thing. What are you going to do?

I think we are representatives, and I think we should be very deliberative in moving on this question. We come up here and we are supposed to know more about issues than they are. That is why we are a representative republic. The people choose us to do their business for them, and trust in us, and hope we will do it adequately.

Now there are many things I could say. I could hope that everyone would familiarize himself with the opinions reached, and the reasoning behind the opinions. I am not saying at this time that I shall not vote to send this amendment out to the people. But I cannot vote for this amendment this morning. And I would hope that it might be placed on the table unassigned, or if not that, I could hope that it could be indefinitely postponed, because we have another bill coming before us which will give the 18-year old the right to vote, and also full adult rights.

I have done all I can. I had to express my opinion. I am sorry if I have disappointed any of my legislative associates in the stand I am taking in this matter.

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

Mr. JALBERT: Mr. Speaker and Ladies and Gentlemen of the House: As an offtime sponsor of the 18-year-old bill, first I would like to say that certainly the gentleman from Portland, Mr. Cottrell, has not disappointed me. I enjoyed his remarks very much. I know his extreme dedication to youth, and I know we all know him for the gentleman that he is.

I might make reference to the remarks as made by the gentleman from Wayne, Mr. Ault, concerning married life and compromise. I can only give you a very recent indication of how I consider compromise in married life by just saying that as I left my house this morning I was informed quietly that my trip to

Orono tonight was canceled, and I was expected to be back in the confines of Elm Street in Lewiston immediately after the executive session of the Research Committee. The spirit of compromise with me is this. After 33 years of married life, I have agreed to the compromise, I am going home.

Insofar as this measure here is concerned, I think it is a matter for us to reflect in our own minds what has happened, and this wouldn't affect the good gentleman from Wayne, Mr. Ault, it would affect me, and possibly others like me. What has happened since the time, for instance, 41 years ago, when I was 18 years old until now?

Can any of you remember back when you were 12, 13, 14, 16 or even 18 visiting the State House, talking to the President of the Senate, talking to the good Speaker of the House, having them greet you? Can you remember your television sets, or even your radio sets? I am one of those who will claim now that the youngster of today at the age of 18 is far superior than I was at the age of 18, because times have gone on.

I appreciate the remarks of the young man from Orono, Mr. Curtis. I would suggest that there were three other sponsors of the 18-year-old bill; namely, the gentleman from Augusta, Mr. Bustin, Democrat; the gentleman from Dover-Foxcroft, Mr. Smith, Democrat; and the gentleman from Portland, Mr. Lucas, Democrat. And I gave up or yielded my position, which has been long and loud in favor of this measure. And not with any thought of chiding, but with the thought of commending the majority party, I must remind them in that they are to be commended for their stand. Let's just remember the long history of pro 18-year-old voting by the Democratic party. And I certainly hope this measure is enacted.

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

Mr. LIZOTTE: Mr. Speaker and Members of the House: I would like to express my views pertaining to the 18-year-old vote. There

is nothing personal, in fact I am very proud of our 18-year olds. I would be willing to say that they have more at 18 than most of us at 50, and that is education.

I am being very honest when I say this. It goes to prove what a great country we are living in. It also proves that we are a mature nation. We want better things for our young people. This is exactly why I am speaking.

I truthfully believe that as good as education is, it still needs one thing which to me is even more important, and that is experience, which is what everyone needs and must have. There is definitely no substitute for experience.

I believe that our teenagers are deserving of their teenage life, as we were to ours. Let us not impose premature responsibilities on our youth. In a recent survey that I personally made, it was pointed out that it was not the majority of the people who favored the lowering of the voting age to 18, but it was being politically motivated. We are not in a position for a teenage government. We have and must maintain a mature form of government. Thank you.

Mr. Bustin of Augusta requested a roll call vote.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I agree with most of what has been said this morning. I think youth is much more intelligent than it was a few years ago. I agree to that. And as a father that has raised children that have now exceeded that age, I feel as though I have some qualifications to say a few words in relation to this subject.

Now if I lived in any city that had a council form of government, I probably would have some different views. At least it would tend to change my views to some degree. However, I represent a group of towns where they are all represented by three selectmen, of which I served for many years, and helped to write a warrant.

And I might point out to you that each one of these towns, the

real estate taxpayer is being very hard pressed. As a matter of fact, in some cases to the limit. I would say actually to the limit of what he can stand.

Now I have found that with children this age, although they are intelligent, that they do seem to have a tendency to think that every ill can be cured with dollars and cents. And I am old enough at this age to know that it cannot be cured with dollars and cents. A lot of times some things have to be cured with common sense.

Now I think there is no great cry from these young people to vote. Because most of them realize that they don't have the qualifications so far as dollars and cents. I would be the first one to stand here and tell you that they have qualifications, of course there are 18-year olds, there are things they can do that I can't do. I would be the first one to admit that. But not in the field of dollars and cents.

Now you see what happens. Now you people that live in the cities, I just want to point out to you that you are forcing these towns, these small towns, in most cases to a new form of government. This bill will actually force them in a matter of a short time to a new form of government.

Now we have in these small towns a lot of poll taxpayers that pay a \$3 tax. He doesn't hesitate to go to town meeting and try to up every bill that he can until the taxpayer can almost run out of town. All he needs is a few 18-year olds that do not pay a tax to put the community or referring to the town, or this particular form of government in the small towns, on the rocks.

Now you see in the case of Old Town or Caribou, or any of these towns that have a council form of government, then this is not the case. Now as far as the voting on a candidate, I think they are fully as qualified as I am. And I still maintain they have other very good qualifications. I cannot vote for this bill this morning, and I hope that this bill will not receive two - thirds.

And I also will point out to you that I think that the reason that

I am here is because the people that I represent thought I was qualified, and they have thought that for some time, that I was qualified to answer these questions, and that I would not send all these little bills that are sort of minor in nature back to them to decide. When they go to the polls, they are getting a bit disgusted — a lot of them are getting really a bit disgusted to think that we do such a sloppy job here that we will send back ten or fifteen bills for them to decide on.

I think we are sent here to decide on these bills, and I am willing to assume responsibilities and do the job that I was sent here to do. And for this reason I am going to try and exercise my rights, and that is what I think I was sent here for, not to send these things back for them to decide. They elected me to do this decision, and as long as I am here I will try to be expedient in this matter.

I do hope that this vote this morning does not receive two-thirds passage.

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

Mr. McCLOSKEY: Mr. Speaker and Ladies and Gentlemen of the House: I would be remiss in my duties, being fairly near the age of 18, if I didn't stand up before you to voice my opinion. There is a great deal of talk today about the generation gap and the alienation between our youth. Perhaps this gap, this alienation, will never be completely bridged, but it must be spanned. For this bridge is essential to the nation, and it is essential to the State of Maine. And more important, it is not only essential for the present, it is essential for the future.

Whatever their differences with us, and with their elders, whatever the depth of their dissent, it is vital for us as it is for them that the young feel that change is possible, that they feel that they can be heard. They ask for an opportunity to contribute to their nation, and shape their own fate, and to share in the responsibilities of governing.

And I ask for them that you give them this opportunity.

An Italian philosopher once said, "There is nothing more difficult to take a hand in, there is nothing more perilous to conduct or more uncertain in its success than to take the lead in the introduction of a new order of things." And this is what we are doing today. And I ask you to have the courage, the moral courage to take this lead and vote to enact this bill. Thank you.

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

Mr. VINCENT: Mr. Speaker and Ladies and Gentlemen of the House: If Mr. Dudley of Enfield is afraid that 18, 19 or 20-year old voters in his area would alter the tax structure in his particular area, I would suggest that the older voters in that area were remiss in their duties of exercising their voting franchise.

Mr. Cottrell of Portland and I enjoyed a relationship back a few years ago in which I was a student and he the teacher. Quite often we disagreed on quite a few things, and it was expressed in class and out of class, and quite often we have disagreed on items here on the Floor. Mr. Cottrell is opposed to this bill for a variety of reasons. And I support it for a variety of reasons.

There was one point he brought up about a bill coming up later on, incorporating adult rights and the 18-year-old vote. The 18-year-old vote is a constitutional item that has to be sent out to referendum. The adult rights are a non-constitutional item, and cannot or should not be sent out to a referendum.

If it was so done, and voted in, we would incorporate all adult rights for all ages into the Constitution, and it would clutter up the State Constitution to the point we would never be able to amend it properly. It would create a great deal of confusion. So any future bill in this area would have to be separated, that of the vote and that of adult rights.

There has been some discussion also of a generation gap. I have never held to the theory of a generation gap, never believed in



it, and I think it is something that Life Magazine and some other magazines have perpetrated and fostered on the American public in an effort to sell magazines or news stories. There is a gap between various groups, but it is always, and always will be, an ideology gap, and not an age gap. This country has never had, and never will have a generation gap agewise. It is and always will be an ideology gap.

For this reason, and many other reasons, I would support the enactment of the 18-year-old vote at this time, to send this out to the public and let them decide. We sent one out, the 20-year-old vote, and the vote was overwhelmingly convincing that they wanted the lowering of the voting age. I see no reason why we can't send this one out. If it was possible to pass this, and leave it here and not send it out to the people, I would so vote, but due to the fact that the law requires us to send it out, I would hope that we vote now to pass this, and to have it sent out as soon as possible to the people, and let them decide it finally. Thank you.

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

Mr. DAM: Mr. Speaker and Members of the House: Again, as in the last session, in the 104th Legislature, I rise to support this. As the good gentleman from Enfield, Mr. Dudley, said, he is concerned with what this will do in the communities where the 18-year olds will turn out in numbers at their town meetings.

My Town of Skowhegan I don't feel is any different, or the people are any different than the other small towns in the State of Maine. For 25 years, 26 years to be exact, I have been going to town meetings. During that time, because of sickness, I have missed one. But during this 26 years, I have seen the attendance at the town meetings dwindle. Only when there is a special bill pertaining to some special group does that group show up in numbers. I feel if this bill were passed it would generate more interest in government from the older people because they would know that they do have a

little competition. They would not leave government in the hands of a few people in the small towns.

Now the younger people, it is true that they may feel that they have the all-time cure for every ill that pertains to the community, to the state, the nation or the world. But they are willing to work to try for something better. They are willing to get out and work. I say that the older people, myself included, many times take too much for granted. Many times we accept the wish or the will of the Federal government, because we don't have the guts to fight something. I think the younger people do have the guts.

And as far as my good friend, Mr. Dudley, speaking about the poll taxpayers, again at every town meeting for 26 years I have heard this same thing. Personally I feel the poll taxpayer pays just as much in a sense as the real estate owner, and I own a little real estate. I have a few houses I rent. When the taxes go up, if they are forced up by the poll taxpayer or the \$3-a-year man, as the people refer to them as, I go up on my rent. And I am sure everybody else does. So when the man that doesn't own property rents property, he is paying a tax, because as the taxes go up, as the cost of the services go up, so too does his rent go up.

And as I said in the 104th, and I will say again, both parties, the Republican and the Democrats, have always gone to the younger people in their elections, and the candidates have in their campaigns. They have enlisted the aid of the younger people, because the younger people are willing to get out and work. And today, I am not going to sit here and deny the right for this to go to the people. I believe they would be remiss in their duty, and it shows irresponsible legislatorship on their part. I don't think we are getting into any chaos by doing this. I don't think it will cause all these problems that we have been told about, because I know what the 18-year olds in my town are. And I am sure we are no different, as I said, than anyone else.

It is true you are going to have this handful involved that is a min-

ority, that maybe wants to disrupt—you have it in all your school systems, you have it in all your town governments, you have it in your state government, you even have it in your federal government. Everyone does not agree; but only by disagreement can you make a better state, a better community, a better country, or a better world. And to get this disagreement, and to get this talk, to get these things going and moving, you must turn down to a younger age. And the younger age is the 18-year-old vote, and I hope you support this.

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

Mr. KELLEHER: Mr. Speaker and Ladies and Gentlemen of the House: I again arise this morning to support the gentleman from Wayne's motion to indefinitely postpone. Inasfar as what Representative Dam talked about, about common sense, I think we ought to use a little common sense in the House here this morning.

When the 20-year-old bill was before this House in the last session, I was amazed at how brilliant, how smart the young people are at 20 years old. Now this morning we have got the 18-year-old bill here. And they seem to have improved considerably with intelligence over the past two years. And I wouldn't be a bit surprised that in the next session that someone will be introducing a bill for maybe 16-year olds.

Well, I am of the conclusion that when the Constitution of the United States was written up by some very intelligent people—and they weren't 90 years old, their average age was right around 34, I believe. And the reason that level was so high was that Benjamin Franklin was 86 at the time, and he brought it up considerably. But these people thought the use of reason, common sense, was at an age right around 21 years old.

I suppose if you get up and vote against this motion this morning that you are anti - youngsters. Like voting against an education bill, you might be anti - education. Well, I am not. But I feel as far as common sense is concerned —

and I know these people are very intelligent that they are all talking about; they seem to be either college graduates or potential college graduates. But you can't get common sense through a text book. You get it from experience. And I believe as far as being elected to this House, I am down here serving the people. It is high time that we voted the issues in here, and not continually be sending them back to the people.

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

Mr. HENLEY: Mr. Speaker and Ladies and Gentlemen of the House: I too would like to approve and second Mr. Ault's very fine speech. I also would recognize a very fine speech of my young friend Mr. Curtis of Orono. I have really enjoyed both sides of the question as it has been discussed.

And strange to say, because in spite of my stand that I have taken for four years, I still enjoy a very good association with the youngsters back home. Isn't that strange? I have openly done so. I have opposed this bill. I have appeared on television. I have appeared before committee. I have been lambasted here and there. But who was I lambasted by? One or two cranks, and the rest of them were politicians and people with special interests.

Who is driving for the 18 - year - old vote? Where are all the letters and petitions signed by 18 - year olds? They have got every right if they want to. They could try to persuade us with petitions by the thousands. Where are they? We say the 18 - year old is crying for the vote. I haven't heard it.

Four years ago, after I had opposed the 18 - year - old vote, I had a group of 18-year-olds in the senior class at high school at home who happened to be Key Clubbers — and as perhaps some of you know, the Key Clubbers in most high schools are some of the cream of the crop of the boys, they have to really qualify. I had a very nice discussion with them on the subject. And I saw two of them the other day. I asked them if they felt the same way as they

did four years ago. They said no, they said, "Good Lord, then I didn't know enough to do anything." I wonder how much we can change in that four years. I know I changed tremendously from the time I was 18 until I was 20 or 22.

Now again, I talked to a group about last fall — not the same group, but a group of boys, Key Clubbers, and I mentioned it the other day. I asked them what they had in high school for training and education on government. I told you what they said, that they had none in high school, that they only recall getting some in the eighth grade, or rather junior high, on history and federal government. I offered at that time, I said the 18 - year - old vote in session will be coming up. I would like to come before your entire group or your whole class, or any group that you want to get together, and discuss this thing as your representative and get some views, I am perfectly willing to discuss it. They said, "Well that's fine, and we will get in touch with you." They never got in touch with me, so apparently that SAD 17, of 1,200 students, are not too interested in getting me to talk to them about the 18 - year - old vote, or to talk to me.

Now I would like to mention a couple of cases which may come up and hit us in the face on this thing, not just the 18 - year - old vote. But I know a lot of us feel that if the 18 - year - old youngsters have the vote they should also have the entire responsibilities and rights of citizenship. I have stated that and I stated it four years ago; I state it again now.

But supposing we do give them votes? For example, last October an elderly gentleman, he and his wife are living on Social Security and have a State boy who suddenly turned twenty. They were getting \$100 a month from the State for his keep. He hadn't gone through school; he was in no position to take care of himself. All of a sudden the hundred dollars was wiped out because he had become an adult. How many problems are we

going to run into if all 18 - year olds become adults?

Now Mr. McCloskey of Bangor insists that all the 18-year-olds are asking for the vote. Again I say I haven't heard any of them or any group of them asking me. I realize that the few of us that are opposing this passage possibly are few. But nevertheless, as I stated the other day, I have not committed myself as a Republican to support this and I will only be consistent by hoping that this bill will be indefinitely postponed.

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

Mr. COTTRELL: Mr. Speaker and Members of the House: I know you have made up your minds, but I think I am speaking for the record at this point, because what we say goes in the record. I would like to just make this comment. I agree with many things that have been said about the 18-year old. The average junior in high school, taking Physics and Biology today, knows more about electronic impulses, genes and chromosomes, than Ben Franklin did, our great scientist. Our knowledge is doubling every ten years. Ninety-five percent of the scientists who ever lived on the face of this planet are still alive. Certainly our youth are better informed, and their children are going to be much better informed than they are.

And this is the last. Polls, and recent polls, have shown that the greatest thing that disturbs our high school students today, the cause of their restlessness, is because they want more things to say about their own concerns in school, their curriculum and their administrations. And the same goes on the college level. I think some of these points should be emphasized.

And another thing, this question is going to be debated all over our land in all the legislatures that are meeting this year, and I am sure that lawyers and other legislators, that many minds will engage themselves on this matter. I am only preaching caution and a deliberateness. I don't think that

we have to act in the first month of this long legislature on such an important thing as this. I am sorry to have bored you.

The SPEAKER: The Chair recognizes the gentleman from Wayne, Mr. Ault.

Mr. AULT: Mr. Speaker, did Mr. Henley make the motion for indefinite postponement?

The SPEAKER: A motion to indefinitely postpone is not before the House, final passage is the pending question.

Mr. AULT: I now make the motion for indefinite postponement.

The SPEAKER: The gentleman from Wayne, Mr. Ault, now moves the indefinite postponement of L. D. 67.

Whereupon, Mr. Bustin of Augusta requested a roll call vote.

The SPEAKER: The yeas and nays have 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 members desiring a roll call vote will vote yes; those opposed will vote no.

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

The SPEAKER: The pending question is on the motion of the gentleman from Wayne, Mr. Ault, that Resolution Proposing an Amendment to the Constitution to Reduce the Voting Age to Eighteen Years, House Paper 35, L. D. 67, be indefinitely postponed. All in favor of indefinite postponement will vote yes; those opposed will vote no.

#### ROLL CALL

YEA—Ault, Baker, Berry, G. W.; Berry, P.P.; Birt, Bragdon, Carey, Carrier, Clark, Conley, Cottrell, Crosby, Dudley, Emery, E.M.; Hardy, Henley, Kelleher, Kelley, K.F.; Lee, Lincoln, Lizotte, Mosher, Page, Payson, Rocheleau, Trask, Wight.

NAY—Albert, Bailey, Barnes, Bartlett, Bernier, Berube, Binnette, Bither, Boudreau, Bourgoin, Brawn, Brown, Bunker, Bustin, Call, Carter, Churchill, Clemente, Collins, Cooney, Cote, Cummings,

Curran, Curtis, A.P.; Curtis, T.S. Jr.; Cyr, Dam, Donaghy, Dow, Doyle, Drigotas, Dyar, Emery, D. F.; Evans, Farrington, Fecteau, Finemore, Fraser, Gagnon, Genest, Gill, Good, Goodwin, Hall, Hancock, Haskell, H a w k e n s, Hayes, Herrick, Hewes, Hodgdon, Immonen, Jalbert, Jutras, Kelley, P. S.; Kelley, R. P.; Keyte, Kilroy, Lawry, Lebel, Lessard, Lewin, Lewis, Littlefield, Lund, Lynch, MacLeod, Maddox, Mahany, Manchester, M a r s h, Marstaller, Martin, McCloskey, McCormick, McKinnon, McNally, McTeague, Millett, Mills, Morrell, Murray, Norris, O'Brien, Orestis, Parks, Pontbriand, Porter, Pratt, Rand, Rollins, Ross, Santoro, Scott, Shaw, Sheltra, Shute, Silverman, Simpson, L.E.; Simpson, T.R.; Slane, Smith, D.M.; Smith, E.H.; Starbird, Stillings, Susi, Tanguay, Theriault, Tyndale, V i n c e n t, Webber, Wheeler, White, Whitson, Wood, M.W.; Wood, M.E.; Woodbury.

ABSENT—Bedard, F a u c h e r, Gauthier, Hanson, Lucas, Williams.

Yes, 27; No, 117; Absent, 6.

The SPEAKER: Twenty-seven having voted in the affirmative and one hundred seventeen in the negative, the motion to indefinitely postpone does not prevail.

Thereupon, this being a Constitutional Amendment and a two-thirds vote of the House being necessary, a total was taken. 119 voted in favor of same and 25 against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

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

Mr. NORRIS: Mr. Speaker, having voted on the prevailing side, I now move that we reconsider our action whereby we voted to enact this legislation and I hope that you will all vote against me.

The SPEAKER: The gentleman from Brewer, Mr. Norris, moves that the House reconsider its action whereby this Resolution received final passage. All in favor say aye; those opposed say no.

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

An Act relating to Notification to Panel of Mediators in Labor Disputes (S. P. 15) (L. D. 43)

An Act relating to Boards of Registration for Certain Municipalities Under Election Laws (H. P. 61) (L. D. 102)

An Act to Clarify and Revise the Maine State Retirement Law (H. P. 88) (L. D. 128)

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 Appropriating Funds for Educational Costs for Maine Students in Private Schools of Higher Education" (H. P. 475) (Committee on Reference of Bills suggested Committee on Appropriations and Financial Affairs)

Tabled—February 10, by Mr. Haskell of Houlton.

Pending—Reference.

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

Mr. SUSI: Mr. Speaker and Members of the House: This is one of the bills that we referred to in the earlier debate and this is an instance where a bill is just an ultimate example of a broad change in educational policy if it were to be adopted, and for this reason I move that it be referred to the Committee on Education.

The SPEAKER: The gentleman from Pittsfield, Mr. Susi, moves that House Paper 475 be referred to the Committee on Education, ordered printed and sent up for concurrence.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I have become embroiled in more items in one day than I usually care to. First I would state that because

I gave my word to the gentleman from Houlton, Mr. Haskell, yesterday, that I would support this item going to the Education Committee, I fully intend to do so today.

However, I might suggest to the Education Committee that I would will them the sheaf of correspondence that I have with me concerning itself with the like measure, the like type of program that we had during the last session. Certainly anybody that would make the remark that this is unique or another field, apparently was not here during the last session of the Legislature. I have with me part of Supplement B which would indicate additional student aid to the tune of \$500,000 at the last session of the Legislature.

I have also with me proved that when we did adjourn the Legislature that an order was presented by the hierarchy of the Super University of Maine that would divert this \$500,000 for additional students from that cause for repairs. The reason being that certain projects have been taken out of the bond issue as proposed at the regular session of the Legislature. The items called for amounts to \$498,000, and there has been a great bone of contention as to why this has been done. When I questioned that I was accused by the former Republican floorleader, the esteemed gentleman from Cumberland, Mr. Richardson, of headline hunting. And liking the gentleman as I did, when I heard the observation I could hardly not bring myself to comment mentally at least that one would call the pot and the kettle of the same color.

I would suggest to you that I also have with me the correspondence that the deletion from the bond issue of these items had been agreed upon by the Legislative Research Committee and at a subsequent meeting the Committee could recall no such an intent. The bond issue subsequently went down to defeat as we know, but the deleted items did not go down to defeat because the funds for students of \$500,000 had been allocated for these deleted items in the bond issue.

I am going along primarily because I gave my word. Secondly, because I think that this could be a concept that the Education Committee could well look into; and I would certainly ask them to bear in mind that aid for students is to be spent by us for aid to students, bricks and mortar are to be spent for bricks and mortar, I wholeheartedly endorse now the thinking of the gentleman from Pittsfield, Mr. Susi, that the House reconsider its action and refer this item to the Education Committee.

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

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

Bill "An Act to Establish a Colt Stake Program for Maine Standard Bred Horses" (H. P. 476) (Committee on Reference of Bills suggested Committee on Appropriations and Financial Affairs)

Tabled—February 10, by Mr. Kelleher of Bangor.

Pending—Reference.

On motion of Mr. Kelleher of Bangor, referred to the Committee on Agriculture, ordered printed and sent up for concurrence.

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

Bill "An Act to Authorize the Construction of Self - Liquidating Housing for the University of Maine and the Issuance of Bonds of the State of Maine in an Amount Not Exceeding \$10,000,000 for the Financing Thereof" (H. P. 524) (Committee on Reference of Bills suggested Committee on Education)

Tabled—February 10, by Mr. Jalbert of Lewiston.

Pending—Reference.

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

Mr. SUSI: Mr. Speaker, I move that item three be referred to the Committee on Education in accordance with the recommenda-

tions of the Committee on Reference of Bills.

The SPEAKER: The gentleman from Pittsfield, Mr. Susi, moves that item three, House Paper 524, be referred to the Committee on Education, ordered printed and sent up for concurrence.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I am really amazed at the gentleman from Pittsfield, Mr. Susi. Previous bills concerning bonds have been referred to the Committee on Appropriations. If I could, which I can't, and I don't want to anyway, divorce myself from the Appropriations Committee, I would just ask anybody to give me any reason at all why measures of the nature of bricks and mortar would not be referred to the Committee on Appropriations. I can understand the fantastic amount of work that was done on the previous item this morning. And I must make comment, believe me, that the hierarchy of both parties in such a close vote needn't for one moment think that they beat anybody, because they didn't.

I have gone along with the first item because I think it could be conceived a new concept. I have gone along with the second item because I know it is a new concept. And I assure you that the result of the Conference Committee concerning itself with the bond issues for vocational training, which I will have a great deal more to say later on, will have it referred to the Appropriations Committee.

I make a contention now that in my humble opinion, with the referral of the big bond issue, as we discussed earlier this morning, a near death blow has been handed out to a possibly good program. And only time will prove me right. I intend fully to endorse, regardless of where this bill would land, I intend fully to endorse the concept of self-liquidating housing for not only the University of Maine on dormitories but also for vocational education, because I suggested this to the hierarchy of the Super University of Maine two years ago. And I was turned down.

So a change of mind has not occurred insofar as I am concerned.

Now this measure does not belong before the Education Committee. This measure belongs nowhere but the Appropriations Committee. And I hope that the motion of the gentleman from Pittsfield, Mr. Susi, be properly voted down so that this measure be referred to the proper committee, and that is the Appropriations Committee. And when the vote is taken I move it be taken by roll call.

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

Mr. HENLEY: Mr. Speaker and Ladies and Gentlemen of the House: You have listened this morning to a battle of the Titans it seems to me, between Appropriations Committee and Education Committee. I have asked myself a few questions. Why? Why is it that there is such an insistence on placing these money bills other than in the Appropriations Committee? Is it because several of our educational bond issues have been turned down, not only by this body, but by the people back home? Is it that possibly they feel that they have got to go in a different door? I would like to question the motives.

Now this is not partisan. I am in complete agreement with Mr. Jalbert of Lewiston. I am of neither committee, and I am not a financial wizard. But it states right here on your committee lineup, the Appropriations is not merely Appropriations, it is Financial Affairs. And it seems to me a bond issue of \$10 million is financial affairs, and should go through your Appropriations Committee.

Now I shall certainly join Mr. Jalbert in opposing this going before the Education Committee. I should have opposed the other. In fact I did, if it was voted on. I forget just what happened, I was with him on it. I feel that all of these big money matters should go through and before the Appropriations Committee. They are people who, through long experience, and the tools to work with, are best capable of handling it, and definitely have no axes to grind.

And of course, one cannot always say that of the other committees, especially the Education Committee. Now I have been told back home that —

The SPEAKER: The Chair would caution the gentleman not to question the motives of an individual or a committee. The gentleman may proceed.

Mr. HENLEY: Excuse me. I have been told back home many times that we must curb some of the requests of our Education Department. Now I have been told— I don't know about the rest of you — “Why can you not in the Legislature control the ever-increasing cost of education?” I don't know how many of you have been called to that attention.

Now I am here representing my people, and not any specific pressure group. If I am offending anybody on any committee, I apologize. I had no intent. I just so state that I feel that any money bill should go before Appropriations rather than the committee to which it is particularly aimed to benefit the people that are on it.

The SPEAKER: The Chair recognizes the gentleman from Houlton, Mr. Haskell.

Mr. HASKELL: Mr. Speaker and Ladies and Gentlemen of the House: I will attempt to respond to Representative Jalbert's query to point out where the policy involvement is here. We are concerned here with the creation of additional dormitory facilities, presumably at the Orono campus. The policy consideration that immediately comes into play here is that it is the understanding of myself that the priorities recommended by the Higher Educational Development Commission, and in which the university has concurred, is that priorities now should be given to the development of two-year programs at commuter college development.

If this is the case, then the question of whether or not additional dormitory construction is needed from a policy viewpoint immediately comes into play. Now it seems to me that the course of the future development of the University of Maine, whether it is

going to be primarily commuter college or two-year program, or additional vocational opportunities, if these are the priorities then the question immediately arises, where is the dormitory construction going to be done? Or in fact should it be done at all?

So that this is the policy that it seems to me is a legitimate and a proper function for the Education Committee to determine.

Now in arriving at this policy decision necessarily we must obtain the views of the Chancellor and the Board of Trustees of the University, and if the Education Committee here is not in agreement with the course proposed by the University it seems to me that it might be entirely possible that this bond issue would not be recommended.

The SPEAKER: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker and Members of the House: I merely want to briefly comment that I hope you will be happy with the decisions that you have made this morning, and that the Chancellor of the University will be happy, and the proponents of higher education and other education procedures will be happy, but I am going to predict they are not going to be happy with their decision, and neither are you.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I think that we have just heard from the chairman of the House Appropriations Committee, who in my opinion is a very highly respected and quite influential gentleman. This is the tempo that is being sounded off. Now I am going to support this measure. It is a good measure. It is sound, it is solid. It should have been implemented years ago. I am not going to support in total, however, the other measure that we lost. There is an item in the Governor's message that involves itself with a community college concept in my own community. I am not going to support it, because

I am not going to vote for a major tax, and I am not going to be romanced in that area.

Now the truth of the matter is that the people who do not want to have these measures go before the proper area are and is the hierarchy of the University of Maine, and believe me they should realize as grown people two things—one, money does not grow on trees; two, they should realize that we vote inside the railing and we want them to be heard in the proper hearings.

Now I do not want this measure defeated. You would put the death warrant on the big bond issue. If it is your wish to put a death warrant on this extremely worthwhile measure, which I shall wholeheartedly support in my area at home, with my delegation, in committee, on the Floor of the House. But heed the words that you are hearing—they are worthwhile hearing.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mr. McTeague.

Mr. McTEAGUE: Mr. Speaker: One of the former speakers has referred to the reference to the prior bill that was under debate, as to what committee it should be referred to in this bill, as being determined by some hierarchy, the hierarchy of the University of Maine. It has been my impression, Mr. Speaker, that under our joint rules bills are referred to committee by the Reference of Bills Committee. It is further my recollection, Mr. Speaker, that the House members of that Reference of Bills Committee include the Speaker, the Majority Leader, the Assistant Majority Leader, and the Minority Leader. I think this is a group that is truly reflective of the sentiment of this House. It is not self constituted; it is elected by all of us, and I certainly intend to go along with their recommendations.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I would ask the young man from Bruns-



wick, Mr. McTeague, how he reflected his thinking when he voted on the \$17 million bond issue that was unanimously reported by the same Reference Committee that he named, that I respect as much as he does? The same committee that he named, that had referred unanimously that bond issue to the Appropriations Committee.

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

Mr. SUSI: Mr. Speaker and Ladies and Gentlemen of the House: A question has been raised as to whether or not there is any justification for referring this to Education. And I believe that in our discussion here this morning we have established some validity for the Education Committee being concerned about overall, broad, general policy in the field of education here in Maine.

The gentleman from Lewiston, Mr. Jalbert, has indicated to us his strong support for this measure that is before us now involving some \$10 million bond issue, self-liquidating housing. I would like to analyze this position, and point out its implications in the field of policy.

If the attitude of Appropriations were strong support for this self-liquidating bond issue, the state's policy would be a \$10 million bond issue, to presumably furnish housing for about, say, roughly a thousand new students. Now I believe that there will be a thousand apply for these beds, so that we in fact all of a sudden expand our state university system by something in excess of a thousand people.

Immediately we need more classroom space, we need more libraries, we need more playing fields, we need more student unions, and everything that goes to service an additional one thousand. Now this reaching into this business of educational policy all the way. From the standpoint of just dollars and cents, yes, these would be self-liquidating, and it might be a reasonable dollars and cents decision to say, "Yes, we will have these additional one thousand beds." But you then are

denying the right to the Education Committee to be concerned with educational policy. It is impossible for them to do it without being exposed to all of these issues. Thank you.

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

Mr. GILL: Mr. Speaker and Members of the House: I would like to just comment on the fact—and Mr. Jalbert spoke to me about it too, after I brought it to his attention that he was speaking for himself. And I would like to point out that there are some other members of the Appropriations Committee other than Mr. Jalbert. He does control quite a bit of weight, but not all of us.

The SPEAKER: The Chair understands that the gentleman rises on a point of personal privilege, and he may state his point.

Mr. JALBERT: Mr. Speaker and Members of the House: I turned and I told the gentleman from South Portland, Mr. Gill, that I'm sure that Mr. Bragdon spoke the same way, and I informed him that I was speaking for myself, and because I had spoken three times would he so inform the House. I did not indicate to the gentleman from South Portland, Mr. Gill, that I carried any weight whatever.

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

Mr. DYAR: Mr. Speaker, I would request that the Committee on Rules interpret Joint Rule Number 4 in the question.

The SPEAKER: The Chair would state that Joint Rule 4 means what it reads, "whose private right, distinct from public interest, is immediately involved" no member shall be permitted to vote on it. This is all the Chair would rule, this is of public interest.

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

A vote of the House was taken, and more than one fifth of the

members present having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is on the motion of the gentleman from Pittsfield, Mr. Susi, that House Paper 524 be referred to the Committee on Education. If you are in favor of this bill being referred to the Committee on Education you will vote yes; if you are opposed you will vote no.

#### ROLL CALL

YEAS — Ault, Baker, Bernier, Berube, Bither, Bourgoin, Brown, Call, Churchill, Clemente, Collins, Cooney, Crosby, Curran, Curtis, A. P.; Curtis, T. S., Jr.; Doyle, Evans, Farrington, Gagnon, Hall, Haskell, Hawkens, Hayes, Herrick, Hodgdon, Kelley, P. S.; Kilroy, Lawry, Lebel, Lee, Lewin, Lund, Lynch, MacLeod, Maddox, Mahany, Marsh, Martin, McCloskey, McTeague, Millett, Mills, Morrell, Murray, Orestis, Page, Payson, Porter, Rand, Rollins, Scott, Simpson, L. E.; Simpson, T. R.; Slane, Smith, D. M.; Smith, E. H.; Stillings, Susi, Tyndale, Vincent, White, Whitson, Woodbury.

NAYS — Albert, Bailey, Bedard, Berry, G. W.; Berry, P. P.; Binnette, Birt, Boudreau, Bragdon, Brawn, Bunker, Bustin, Carey, Carrier, Carter, Clark, Conley,

Cote, Dam, Donaghy, Dow, Driogotas, Dyar, Emery, D. F.; Emery, E. M.; Fecteau, Finemore, Fraser, Gauthier, Genest, Gill, Good, Goodwin, Hancock, Hardy, Henley, Hewes, Jalbert, Jutras, Kelleher, Kelley, K. F.; Kelley, R. P.; Keyte, Lessard, Lewis, Lincoln, Littlefield, Lizotte, Manchester, Marsteller, McCormick, McKinnon, McNally, Mosher, Norris, O'Brien, Parks, Pontbriand, Shaw, Sheltra, Shute, Silverman, Starbird, Tanguay, Theriault, Trask, Webber, Wheeler, Wight, Wood, M. W.; Wood, M. E.

ABSENT — Barnes, Bartlett, Cottrell, Cummings, Cyr, Dudley, Faucher, Hanson, Immonen, Lucas, Pratt, Rocheleau, Ross, Santoro, Williams.

Yes, 64; No, 71; Absent, 15.

The SPEAKER: 64 having voted in the affirmative and 71 having voted in the negative, the motion does not prevail.

Thereupon, on motion of Mr. Jalbert of Lewiston, the Bill was referred to the Committee on Appropriations and Financial Affairs, ordered printed and sent up for concurrence.

On motion of Mr. Albert of Limestone,

Adjourned until nine o'clock tomorrow morning.