

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

**OF THE**

***One Hundred and Fifth  
Legislature***

**OF THE**

**STATE OF MAINE**

**Volume III**

**June 16, 1971 to June 24, 1971**

**Index**

**1st Special Session**

**January 24, 1972 to March 10, 1972**

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**KENNEBEC JOURNAL  
AUGUSTA, MAINE**

**HOUSE**

Tuesday, February 29, 1972

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

Prayer by Fr. Richard Rice of Waterville.

The journal of yesterday was read and approved.

**Order Out of Order**

Mr. Whitzell of Gardiner presented the following Order and moved its passage:

ORDERED, that Susan Havey of Winthrop be appointed to serve as Honorary Page for today.

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

**Paper from the Senate  
Non-Concurrent Matter**

Joint Resolution Memorializing The Honorable John H. Chaffee, Secretary of the Navy, to Review All Contractual Obligations Between Litton Systems, Inc., of Pascagoula, Mississippi and the Navy (H. P. 1591) which was adopted in the House on February 25.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: Last Friday a resolution sponsored by the gentleman from Lewiston, Mr. Jalbert, concerning the Bath Iron Works Corporation, appeared on our calendar. It came as a surprise to me. However, it was sincere and well intended and it seemed proper to go along with it.

Over the weekend, nevertheless, the top management of Bath Iron Works was contacted. They appreciate our interest and concern, but they felt that the timing of this was very ill advised. Several of the top Navy brass have just visited and made a thorough inspection of the facilities of the Bath Iron Works. The Secretary of the Navy and Senator Smith are

well aware of Litton Industries deficiencies, and once again they sincerely appreciate our good intentions but they did not feel it wise for us to send in a resolution at this time.

So I move that we recede from our former action and concur with the Senate.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I would wholeheartedly concur with the gentleman from Bath, Mr. Ross. I just within the last fifteen minutes spoke to the President of the Bath Iron Works. He most appreciates our effort and he divulged some information to me, which was very heartening, which I cannot divulge at the present time, or it must be done only by him. I think that we are in pretty good shape. I would concur with the motion of the gentleman from Bath, Mr. Ross.

Thereupon, the House voted to recede and concur.

**Orders**

Mr. Hancock of Casco presented the following Joint Order and moved its passage:

ORDERED, the Senate concurring, that the Committee on Legislative Ethics created pursuant to chapter 146 of the public laws of 1971 is directed to study the provisions of the bill: An Act Relating to Disclosure of Economic Interest by Legislators, House Paper 1572, Legislative Document 2029, introduced at the First Special session of the 105th Legislature for the purpose of developing, if possible, more meaningful legislation for presentation to the next regular legislative session; and be it further

ORDERED, that the Committee report the results of its study along with such implementing legislation to the 106th Legislature. (H. P. 1593)

The SPEAKER: The Chair recognizes the same gentleman.

Mr. HANCOCK: Mr. Speaker and Ladies and Gentlemen of the House: I don't think it is necessary for me to stand here three or four

times in the course of discussion of this bill and to tell you that I am not in disfavor with the general idea of financial disclosure for the legislators. However, I am interested in seeing a meaningful bill and this idea, this order, would give us perhaps something that we could work with, those of us who are still present, in the 106th Legislature. It would put something on the books that would have meaning to the members of the Legislature and have meaning to our constituents.

Now I have heard it said by leadership from both parties that they would — not all leadership, but some leadership of both parties, that they would rather see a bad bill on the books than none at all. With this I cannot and do not agree. I feel that when we do put something on the books it should have meaning, not only to us, not only to people who follow closely the legislative process, but to our constituents back home.

And this is the reason why I have introduced this order this morning. I urge its passage.

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

Mr. SUSI: Mr. Speaker, Ladies and Gentlemen of the House: As a member of leadership I am a member of the Legislative Ethics Committee and I believe that I recounted to you yesterday our experience in this field. We worked over several months on this general field of legislative ethics and disclosure. We had good attendance at the meetings, we had a very fine and well qualified staff member who was diligent, who worked with it. We expended I believe in the neighborhood of around a couple of thousand dollars in preparing the legislation that is before us, and it has been pointed out that State Government has worked on it since then. I believe that this would be rather futile. I can't see how this is going to improve the quality of the product that much.

If it were a situation where over only a month or several weeks, without staff and poor attendance, and for various reasons we hadn't

been able to work at this, then I think it would be a true reason to give it another go-around. I don't believe that any of these facts were true; in fact I know they weren't true. We did have the staff, we had the time. We did apply ourselves to this. I don't see anything to be gained by the proposed study that is before you.

I would hope that you would defeat the study. It may be, and it doesn't disturb me this much, that attitudes aren't ready for the moves that we are proposing. And this shouldn't discourage any of us. I think that everyone has been very considerate in giving this a full hearing. We have acquainted ourselves in this field, and maybe we're ready and maybe we're not, but I don't believe this order contributes a thing. So I would hope that you would defeat it.

The SPEAKER: The Chair recognizes the gentleman from Webster, Mr. Cooney.

Mr. COONEY: Mr. Speaker and Ladies and Gentlemen of the House: Yesterday afternoon when I went home, I thought that the only thing this bill didn't need more of were amendments and people speaking on it, but this morning I see that the gentleman from Casco has added one more thing and that is a research study. So I don't think that it needs any more of these things — speakers, amendments, more studies. It is a reasonable bill and I think it ought to be passed this morning.

Now some of you perhaps are a little fearful of the bill, of what it would ask you to disclose, but I would think that most of you are not too unlike myself. I am employed by one employer. I would report only that I earn more than \$1,000 from that source. My wife is employed by the same body that I am employed by and she would report simply that she earns over \$1,000 from that source. Now that is not too difficult.

Now we are not too unlike most of you. We own a home and I don't know too many people who owe less than \$3,000 on a home mortgage, so we simply would list that we owe more than \$3,000 to a particular bank. To the best of my knowledge that is about all we

have to report. So what is the harm in that? We don't have to say how much our home mortgage is. We don't have to say how much our incomes are. All we have to do is to let the press, the people, whoever happens to be interested, and I think that is fair, know that we are employed by somebody or that we do owe money to somebody.

So I hope you do defeat this study proposal and we can go on this morning to pass this bill.

The SPEAKER: The Chair recognizes the gentleman from Dixfield, Mr. Rollins.

Mr. ROLLINS: Mr. Speaker and Ladies and Gentlemen of the House: The gentleman from Pittsfield, Mr. Susi has told us that this is a good bill. Now if it is such a good bill I wonder why there are so many amendments to it. It is pretty well covered with them at the present time and I think there are some more that could be added.

One thing that I have in mind is the amount of money that is spent by the different departments to influence the voting in this House. I think that would be one other good amendment. As far as this order is concerned, I see nothing wrong with it and I hope you will go along with it this morning.

The SPEAKER: The Chair recognizes the gentlewoman from Guilford, Mrs. White.

Mrs. WHITE: Mr. Speaker and Members of the House: I am sorry to oppose my leader this morning, but frankly up to this point, even though I don't mind disclosing the source of my income and my indebtedness, I have not been convinced that we need this type of law. If we are going to have such a law I feel that it does need further study, and I would support the order of the gentleman from Casco, Mr. Hancock.

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

Mr. HANCOCK: Mr. Speaker and Ladies and Gentlemen of the House: I don't think it would be necessary to recall to your attention that the gentleman from Pittsfield, Mr. Susi and myself have

been more or less on opposite sides of the fence on this question.

Now when this idea of presenting an order for further study came to me, there were various places of course where you could — various committees that you could ask to study. State Government Committee would be an able committee for this, the Legislative Research Committee would be an able committee. Knowing full well that my good friend Mr. Susi was on the Ethics Committee, and whatever our disagreements may be I have great respect for his opinions and great respect for his judgment, in most things, I still decided in this order to ask the Ethics Committee because in thinking it over I thought that this was the proper committee for this type of study. And Mr. Susi has said that this has been given considerable consideration by the committee with which he worked. And I am sure that this is true; I do not question this in any way whatsoever.

I do question, however, his saying that nothing more could be done with it. We have had, I don't know, but several hours of debate on the floor of this House and I cannot believe that Mr. Susi is telling us that he is going to ignore that debate, whether it was pro or whether it was con. I think that the debate has been helpful. I think that it will help produce a more meaningful bill. I think that the Ethics Committee, I have great respect for each and every member of them as I have for the many other standing committees of this House. I think that we can present the 106th Legislature with something that they can work with and that even I can vote for, should I be here.

So I would hope, ladies and gentlemen, that you do give very careful consideration to what we are trying to do this morning, produce a meaningful bill. That is all we are trying to do.

Mr. Finemore of Bridgewater 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 the passage of this Joint Order. If you are in favor of its passage you will vote yes; if you are opposed you will vote no.

#### ROLL CALL

YEA — Ault, Bailey, Baker, Bernier, Berry, G. W.; Berube, Binnette, Bither, Bragdon, Brawn, Bunker, Call, Churchill, Clark, Conley, Cote, Cummings, Curran, Curtis, A. P.; Cyr, Donaghy, Doyle, Dyar, Faucher, Finemore, Fraser, Genest, Hall, Hancock, Hardy, Haskell, Hawkens, Hayes, Henley, Hewes, Immonen, Jalbert, Jutras, Kelley, K. F.; Kelley, R. P.; Lawry, Lee, Lewin, Lewis, Lincoln, Lizotte, Maddox, Mahany, Manchester, Marstaller, McCloskey, McCormick, McKinnon, McNally, Mills, Mosher, Murchison, Murray, Norris, O'Brien, Parks, Rocheleau, Rollins, Santoro, Scott, Shaw, Simpson, T. R.; Stillings, Tanguay, Theriault, Trask, White, Whitzell, Wight, Williams, Woodbury.

NAY — Albert, Barnes, Bartlett, Bedard, Berry, P. P.; Bird, Boudreau, Bourgoin, Bustin, Carey, Carter, Clemente, Collins, Cooney, Cottrell, Curtis, T. S., Jr.; Dam, Dow, Dudley, Emery, D. F.; Farrington, Fecteau, Gagnon, Gauthier, Gill, Good, Goodwin, Herrick, Hodgdon, Kelley, P. S.; Keyte, Kilroy, Lebel, Lessard, Littlefield, Lucas, Lynch, MacLeod, Marsh, Martin, McTeague, Millett, Morrell, Orestis, Payson, Porter, Pratt, Rand, Ross, Shute, Silverman, Simpson, L. E.; Slane, Smith, E. H.; Susi, Tyndale, Vincent, Wheeler, Wood, M. W.; Wood, M. E.

ABSENT — Brown, Carrier, Crosby, Drigotas, Emery, E. M.; Evans, Kelleher, Lund, Page, Pontbriand, Sheltra, Smith, D. M.; Webber, Whitson.

Yes, 76; No, 60; Absent, 14.

The SPEAKER: Seventy-six having voted in the affirmative, sixty in the negative, with fourteen

being absent, the Joint Order receives passage. It will be sent up for concurrence.

Mr. Stillings of Berwick presented the following Joint Order and moved its passage:

ORDERED, the Senate concurring, that the report of the Legislative Research Committee, directed at the regular session of the 105th Legislature pursuant to H. P. 1440 and concerning Eastport oil development, be deferred until the next regular session of the Legislature in order to avoid any possible conflict with the proper administrative function and future decision of the Environmental Improvement Commission. (H. P. 1594)

The Joint Order received passage and was sent up for concurrence.

Mr. Wood of Brooks presented the following Joint Order and moved its passage:

WHEREAS, the Honorable Clarence M. Crosby of Kennebunk Beach has been stricken with ill health; and

WHEREAS, his friendship and able service is sorely missed by friends and colleagues of this Legislature; now, therefore, be it

ORDERED, the Senate concurring, that We, the Members of the Senate and House of Representatives of the 105th Legislature, extend to you, our dear and capable friend, our warmest and cheeriest thoughts and best wishes with hope that your cares will soon be lightened and good health returned to you; and be it further

ORDERED, upon passage in concurrence, that a duly attested copy of this Order be immediately transmitted to Representative Crosby to convey this get-well wish. (H. P. 1595)

The Joint Order received passage and was sent up for concurrence.

#### Passed to Be Engrossed

Bill "An Act relating to Legislative Ethics" (H. P. 1588) (L. D. 2048)

Was 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 Later in Today's Session**

Resolution Proposing an Amendment to the Constitution to Reduce the Age of Qualification as a Member of the Maine House of Representatives to Twenty Years (H. P. 1508) (L. D. 1950)

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

The SPEAKER: The Chair recognizes the gentleman from Old Orchard Beach, Mr. Farrington.

Mr. FARRINGTON: Mr. Speaker, could I have item two tabled until later in today's session?

The SPEAKER: The gentleman from Old Orchard Beach, Mr. Farrington, moves that L. D. 1950 be tabled until later in today's session pending passage to be engrossed. Is this the pleasure of the House?

(Cries of "No")

The Chair will order a vote. All in favor of this matter being tabled until later in today's session will vote yes; those opposed will vote no.

A vote of the House was taken.

61 having voted in the affirmative and 53 having voted in the negative, the motion to table did prevail.

**Amended Bill**

**Tabled and Assigned**

Bill "An Act relating to Guarantees by the State Industrial Building Authority" (S. P. 706) (L. D. 1887)

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

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

Mr. EMERY: Mr. Speaker, I would appreciate it if this could lie on the table until tomorrow.

The SPEAKER: The gentleman from Rockland, Mr. Emery moves that L. D. 1887 be tabled for one legislative day pending passage to be engrossed. Is this the pleasure of the House?

All in favor say aye; those opposed say no.

A viva voce vote being doubted by the Chair, a vote of the House was taken.

96 having voted in the affirmative and 31 having voted in the negative, the motion to table did prevail.

**Passed to Be Enacted  
Emergency Measure**

An Act relating to Relocation Assistance and Land Acquisition in State Projects (H. P. 1554) (L. D. 2015)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 122 voted in favor of same and one against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Enactor**

**Tabled Later in the Day**

An Act to Grant Adult Rights to Persons Eighteen Years of Age (H. P. 1581) (L. D. 2038)

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

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

Mr. LIZOTTE: Mr. Speaker and Ladies and Gentlemen of the House: First I move that this bill be indefinitely postponed and when the vote is taken I move that it be taken by the yeas and nays.

My reason for getting up this morning is that I am not against the 18-year-olds or 19-year-olds. I have a lot of love for the teenagers and to me the 18 and 19-year-olds are still teenagers and I think that we are only giving them another instrument for them to get hurt with.

During the regular session we saw bills being passed to protect the deer, the environment, the fish, but nothing was done to take care of the humans. Now, as far as I am concerned, we are throwing the youths to the wolves. By this I mean that by giving this adult right to the 18 and 19-year-old you are giving him the right to contract, and as inexperienced I am afraid that once they go out they will be subject to the pros that will be willing to sell to them

and get them to sign contracts, and as much as I hate to say this I am afraid that before the teenagers get to be 20 or 21 they will have gone through bankruptcy.

And as I go back and look when I was young any man that had to go through bankruptcy it was something that hung over him for a very long time, and I don't think that we should put this to our teenagers.

I was inquiring around as to what I could do in order to defeat this bill. Somebody told me, why don't you put an amendment on it to reduce it to the age of 16. At the time I thought that this was a little funny, but now I realize that if they have a right to drive a car at 15 they are still a teenager and possibly this is not so foolish.

I heard a little story not too long ago — and Mr. Speaker, this is relative to this bill, about this young man who was walking down the street smoking a cigar. This man came up to him and told him, he says, "Young man, what are you doing?" The boy says "I am smoking a cigar." He says, "How old are you?" He says, "I am seven years old." Well he says, "Gee, you're very young, you should never be smoking a cigar at this age." The boy says, "That's nothing, I had my first date when I was five." And the man says, "You mean to tell me you went out with a girl when you were five?" And the boy says, "Yes." So the man says, "Where did you take the girl?" The little boy says, "I don't know, I was drunk." And all of this was probably funny at the time, but as we are going backwards the thing doesn't seem so funny any more.

Now in the new draft given to this bill they have removed an item in this bill concerning indecent liberties taken by an 18-year-old. Now we are giving them the right to go out and buy beer or liquor or whatever and as you well know that once a person is under the influence he has a lot more — he is a lot braver then before he has taken any alcoholic content. If a child goes out and takes indecent liberties with a young lady, and we tell him that he has a right to consume all the

alcoholic beverages, but then when he has no control of himself and takes indecent liberties, should we protect him? And I don't think that is right.

So I really don't believe that there is any need for this bill and I wish that I could really give you a good talk on this but I get a little nervous and I am not doing as well as I should, but I am really against this bill and I hope that we defeat it.

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

Mr. ORESTIS: Mr. Speaker, the sponsor of this measure, Mr. Lund, is not on the floor this morning and won't be back until this afternoon's session and I would appreciate it if someone would table it until this afternoon's session for his benefit.

Whereupon, on motion of Mr. Farrington of Old Orchard Beach, tabled pending the motion of Mr. Lizotte of Biddeford that the Bill be indefinitely postponed.

#### Orders of the Day

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

Bill "An Act relating to Disclosure of Economic Interests by Legislators and Others" (H. P. 1572) (L. D. 2029) — In Senate, passed to be engrossed as amended by House Amendments "A" (H-543), "D" (H-547), "G" (H-550), "H" (H-551) and "K" (H-565) and Senate Amendment "A" (S-350) as amended by Senate Amendment "A" (S-359) thereto. In House, receded and concurred.

Tabled — February 28, by Mr. Hancock of Casco.

Pending — Motion of Mr. Susi of Pittsfield to reconsider.

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

Mr. MARTIN: Mr. Speaker, I would pose a question to the Chair, now that the previous question has been voted on this, as to whether or not the previous question would carry through on the reconsideration motion.

The SPEAKER: The pending question is to reconsider.

Mr. MARTIN: And it is debatable, Mr. Speaker?



The SPEAKER: It is debatable.

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: There is no point in debating this any further. The only thing that I am going to ask is for a roll call and would ask that you vote against reconsideration.

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

Mr. SUSI: Mr. Speaker, Ladies and Gentlemen of the House: I am of the impression that we had pretty much disposed of this topic this morning when we passed the order submitted by my friend, the gentleman from Casco, Mr. Hancock, a very lovable opponent.

At this time I see no need to spend more time on this and to reconsider this bill, so I would hope that you would vote against my motion to reconsider.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I do hope that we reconsider. There are a lot of people in the House today that were not here yesterday and I think they are entitled to vote on an important measure like this. There are some things that have come to light, like this order that we have passed, and so I do hope that the House will vote to reconsider and we will dispose of this bill and get off on the right track with this order.

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

Mr. HANCOCK: Mr. Speaker, Ladies and Gentlemen: I am a little confused at the moment by the remarks made by the gentleman from Pittsfield, Mr. Susi. I was thinking when he started out that he was asking us to go along with his motion to reconsider, and then when he wound up I wasn't quite so sure.

I would just like to say this. We have debated this back and forth. I am not going to take up any more of your time, but for once I would like to go on record as being in favor of a motion of Mr. Susi's. I do hope that we can reconsider the action this morning.

The SPEAKER: The Chair recognizes the gentleman from Cape Elizabeth, Mr. Hewes.

Mr. HEWES: Mr. Speaker and Members of the House: I may be confused on the status of the issue, but as I understand it we voted yesterday to recede and concur with the Senate which would put the bill itself, the initial bill, L. D. 2029, further along in the passage of being finally enacted. It would seem to me, therefore, that because of the order that was passed this morning and the thinking of others in the House, that we should reconsider our vote of yesterday, and then at that point a further motion will be made which would dispose of the bill permanently.

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

Mr. SIMPSON: Mr. Speaker and Members of the House: I personally see maybe an obstacle here that could keep this thing going for quite some time. If it is the wishes of this House to consider this through an order as we did today, I personally think it might be wise to keep this on the table for at least another day until we see what the other body does with the order. If they send the order back in non-concurrence, then I think maybe we then should take action on this. If they concur with the order then I don't see any need for this piece of legislation and at that time we could dispose of it here rather than sending it back and forth as we have been.

Therefore, I think it might be wise if we kept it on the table here until we hear from the other body.

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 Pittsfield, Mr. Susi, that we reconsider whereby we receded and concurred.

The Chair recognizes the gentleman from Lubeck, Mr. Donaghy.

Mr. DONAGHY: Mr. Speaker, a parliamentary question.

The SPEAKER: He may pose his question.

Mr. Donaghy: From a voice in the country. Will you please explain where we stand on this?

The SPEAKER: The Chair would advise the gentleman and the House that we receded and concurred yesterday and agreed with the Senate in adopting Senate Amendment "A" as amended by Senate Amendment "A" thereto. The pending question is to reconsider whereby we did recede and concur with the Senate. If you are desirous of reconsidering you will vote yes; if you are opposed you will vote no.

#### ROLL CALL

YEAS — Ault, Bailey, Baker, Bartlett, Bedard, Berry, G. W.; Berube, Binnette, Birt, Bithr, Bragdon, Brawn, Bunker, Call, Carrier, Churchill, Clark, Conley, Cote, Curran, Curtis, A. P.; Cyr, Donaghy, Doyle, Dudley, Dyar, Emery, E. M.; Finemore, Fraser, Gauthier, Genest, Hancock, Hardy, Haskell, Hayes, Henley, Hewes, Hodgdon, Immonen, Jutras, Kelley, K. F.; Kelley, R. P.; Keyte, Lebel, Lee, Lewin, Lewis, Lincoln, Littlefield, Lizotte, Manchester, Marstaller, McCormick, McNaally, Mills, Mosher, Murchison, Norris, O'Brien, Parks, Payson, Rand, Rocheleau Rollins, Santoro, Scott, Shaw, Shute, Simpson, T. R.; Stillings, Tanguay, Theriault, Trask, White, Whitzell, Wight, Williams, Wood, M. W.; Wood, M. E.; Woodbury.

NAYS — Albert, Barnes, Bernier, Berry, P. P.; Boudreau, Bourgoin, Bustin, Carey, Carter, Clemente, Collins, Cooney, Cottrell, Cummings, Curtis, T. S., Jr.; Dam, Dow, Emery, D. F.; Farrington, Faucher, Fecteau, Gagnon, Gill, Good, Goodwin, Hall, Hawken, Herrick, Jalbert, Kelley, P. S.; Kilroy, Lawry, Lessard, Lucas, Lynch, MacLeod, Maddox, Mahany, Marsh, Martin, McCloskey, McKinnon, McTeague, Millett, Morrell, Murray, Orestis, Porter,

Pratt, Ross, Silverman, Simpson, L. E.; Slane, Smith, E. H.; Susi, Tyndale, Vincent, Wheeler.

ABSENT — Brown, Crosby, Drigotas, Evans, Kelleher, Lund, Page, Pontbriand, Sheltra, Smith, D. M.; Webber, Whitson.

Yes, 80; No, 58; Absent, 12.

The SPEAKER: Eighty having voted in the affirmative and fifty-eight in the negative, with twelve being absent, the motion to reconsider does prevail.

The Chair would advise the House that the pending question now is receding and concurring.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I would like to ask the House not to recede and concur so that we could eventually insist on our former action when it was quite decisive just a few days ago. So at this point I would like to ask the House not to recede and concur with the Senate.

The SPEAKER: The pending question is receding and concurring. If you are in favor of that motion you will vote yes; if you are opposed you will vote no.

A vote of the House was taken.

53 having voted in the affirmative and 81 having voted in the negative, the motion did not prevail.

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

Mr. HANCOCK: Mr. Speaker, I now move that we adhere to our former action.

The SPEAKER: The gentleman from Casco, Mr. Hancock moves that the House adhere to its former action.

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

Mr. ROSS: Mr. Speaker, I move that we insist and request a Committee of Conference.

The SPEAKER: The gentleman from Bath, Mr. Ross moves that we insist and ask for a Committee of Conference.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I don't mind insisting. That is what I think we should do, insist on our former

action, and I see no reason to keep the Legislature in session another two or three days over a bill that we have talked about for two days now. So I hope that we don't vote for this particular motion and that we finally vote to insist on our former action.

The SPEAKER: The Chair would advise the gentleman that insisting has priority over insisting and asking for a Committee of Conference. Does he make a motion to insist on our former action?

Mr. DUDLEY: Mr. Speaker, I now make the motion to insist on our former action.

The SPEAKER: The gentleman from Enfield, Mr. Dudley now moves that the House insist on its former action. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken. 108 having voted in the affirmative and 27 having voted in the negative, the motion to insist did prevail.

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

Mr. ROSS: Mr. Speaker, may I just pose a parliamentary inquiry, please?

The SPEAKER: The gentleman may pose his question.

Mr. ROSS: We just insisted on our former action. What was our former action? (laughter)

The SPEAKER: Our former action was prior to adopting Senate Amendment "A" as amended by Senate Amendment "A" thereto. The Chair would advise the gentleman and the House that the document proves that we have indefinitely postponed the bill and now we have insisted on indefinitely postponing the bill.

The pending question now is to adhere. Is it the pleasure of the House to adhere?

The motion prevailed.

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

HOUSE DIVIDED REPORT — Majority Report (7) "Ought to pass" in New Draft — Minority Report "A" (3) "Ought to pass" with Committee Amendment "A" (H-561) — Minority Report "B"

(2) Refer to the 106th Legislature — Committee on Labor on Bill "An Act relating to Inherent Managerial Functions Under the Municipal Employees Labor Relations Law" (H. P. 1531) (L. D. 1974) — New Draft (H. P. 1583) (L. D. 2041) under new title "An Act to Clarify the Scope of Collective Bargaining Under the Municipal Employees Labor Relations Law" — In House, Minority Report "A" accepted and Bill passed to be engrossed as amended by Committee Amendment "A" (H-561) and House Amendment "A" (H-569). In Senate, Minority Report "B" accepted and Bill referred to the 106th Legislature in non-concurrence.

Tabled — February 28, by Mr. Carey of Waterville.

Pending — Further Consideration.

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

Mr. HASKELL: Mr. Speaker, Ladies and Gentlemen of the House: On this particular issue I would like to move that we insist and I would like to speak briefly to my motion.

The SPEAKER: The pending question is on the motion of the gentleman from Houlton, Mr. Haskell, that the House insist.

The gentleman may proceed.

Mr. HASKELL: Mr. Speaker, Ladies and Gentlemen of the House: This issue has been fully debated in this body and the attitude of the House, I think, is well established. There is one element in this that, one particular reason why I would like to see us insist on our action is the fact that we have all been subjected, I am sure, to very intensive lobbying on this bill in both bodies.

I personally was very proud that this body viewed the merits of the situation, debated it thoroughly and made a firm decision. I think that we are entering a period of public negotiations in which it would become extremely dangerous if we get into what is called a sweetheart situation with respect to legislative procedure in the views of an organized group of public employees. We have had this situation in other areas of organized

labor and it has produced, over the years, some very bad legislation.

So I do think that there is a principle involved here that a legislative body should attempt to resist the pressure from organized groups when it may or may not really reflect the views of the people concerned. So from this point of view alone, I hope that this body does insist on their action.

The SPEAKER: The official record will take note that Representative Bustin and Representative Millett are not taking action on this issue because of a possible conflict of interest.

The Chair recognizes the gentleman from Millinocket, Mr. Simpson.

Mr. SIMPSON: Mr. Speaker, Ladies and Gentlemen of the House: I was hoping that Mr. Haskell would be good enough to compromise on this matter. I think the debate has shown that the problem here is much more complex than we had first realized. I think it is going to take some study. I am not opposed to the idea that the bill has brought about but I am opposed to the language used in the bill. It is language that could be very detrimental to the teachers.

Now, I have taken the side of the teachers here in the debate. But I am trying to maintain the middle of the road position and I don't see where giving all the favors to one side is going to help the matter. This is why I feel that we should go along with the other body and send it to the 106th for further study.

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

Mr. MILLS: Mr. Speaker, I make a motion that we recede and concur and would speak briefly to the motion.

The SPEAKER: The pending question is on the motion of the gentleman from Eastport, Mr. Mills, that the House recede from its former action and concur with the Senate.

The gentleman may proceed.

Mr. MILLS: Ladies and Gentlemen of the House: I don't know how many are aware that there is a law suit before the State Su-

preme Court between the City of Biddeford and the Teacher's Association there.

In talking with the mayor of Biddeford I find that the questions that are in dispute to be settled by the State Supreme Court are the same items that are in this bill. They had a case hearing on this postponed until later in March, which may or may not have a bearing in the case on what the action of the legislature will be.

There are other questions there that are quite controversial, and I believe that we should follow the lead of the other body.

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

Mr. CAREY: Mr. Speaker and Members of the House: Mr. Mills from Eastport brought up Biddeford and I would point out that at one time, the City of Waterville and the City of Biddeford were earmarked for test cases. The City of Waterville stood its ground, and everything seemed to go toward Biddeford and they decided that they would concentrate their efforts on Biddeford.

I hold in my hand some of the contracts that we have with our employees. We have a 14-page document with the fire fighters; we have an 18-page document with our police department; we have an 18-page document with our public works department. The proposal that was given to the City of Waterville by the MTA and the Teacher's Association in the City of Waterville was a 110-page beauty. Some of the things I will try to bring out to you although I certainly cannot bring them all out.

They want to decide what activities will be held in the classroom. They want one full-time aid to attend teachers. They want one full-time aid for a department in the high school. And not less than one full-time aid in the departments in the other schools.

The Board agrees to hire only fully certified teachers holding standard certificates issued by the Maine State Department of Education. Now you know that you run into problems occasionally when you substitute teachers and this puts a heck of a burden on a

community. Previously accumulated unused sick leave will be restored to all returning teachers no matter how long they have been away from the system.

It is fairly lengthy so it gets a little involved and I am trying to find some of the right places here. In addition, the teachers facilities covers two pages. One of the things that they want in addition to the aforementioned which was a teacher's work area containing adequate equipment, supplies and space in each classroom in which the teacher may store instructional material, in addition to the aforementioned teacher work area, an appropriate furnished room which shall be reserved for the exclusive use of the teachers and a faculty lounge. There are no problems there. The teacher in each faculty lounge for the exclusive use of the teachers will be furnished. Nothing about long distance calls, nothing about who pays for it, although the system pays for it, the taxpayers end up paying for it.

Well-lighted and clean teachers restrooms, separate for each sex and separate from the students' restrooms. Now, look over your own school system and see how it would affect you in some of your school buildings, because these things are models that will be handed down to each and every SAD and local unit.

A separate dining area for the exclusive use of the teachers. Free and adequate off-street parking facilities which are protected against vandalism, properly maintained and identified exclusively for teachers. I suppose now we have to add along with teachers' aids, a person to guard the teachers' cars while they are in the schools.

Then we have the furnishing of gym uniforms. Even though some of these teachers get additional benefits with teaching some of these courses and extracurricular activities, we do have to furnish them uniforms, laboratory coats, upon the request of the association.

Vending machines shall be installed in the teacher's lounge and the teacher's lunch room area and the profits from all such machines

shall be placed in a student scholarship fund created for that purpose. Such scholarship fund shall be administered jointly by the association and the superintendent.

Then we run into some interesting time-off. Teachers will be allowed five days absence for personal, religious, legal business and they shall also be given five days at any time in the event of death or serious illness. Now, we have had this for years, if somebody dies in the family, you people in the mills I know have it, you are given some time if somebody in the family dies. But the teachers ask in the event of death of a teacher's friend or relative, they want five days off. And I can see that a teacher would blossom out with a pile of friends.

A school nurse shall be scheduled to be in each building during the entire school day. How many nurses do some of you people have in your own communities?

The board agrees to comply and make available a list of rooms, apartments and houses that can be secured by teachers in the school system, and I assume that the board will want this kept up to date. These are only some of the things that are in here.

Teachers shall be guaranteed full freedom in classroom presentation, and discussion may introduce politically, religiously, or otherwise controversial materials, broad grounds. This is one of these matters where if you go along with this particular bill you might as well save the cities some money and abolish the school boards, and possibly the school superintendent's office.

I would certainly hope that you do not recede and concur and stick to the vote that you had taken previously, and hopefully we can insist.

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

Mr. LYNCH: Mr. Speaker, Ladies and Gentlemen: I have not said anything on this before, I have had very definite feelings in opposition to the bill, because I am sure that my community and many of the small communities in this state are going to be forced into

bankruptcy because of the cost of education, if we accept the right of the teachers to dictate educational policy.

Three quarters of our tax dollar now goes to education. We do negotiate wages which is a substantial part of the cost of education, but if they are to dictate educational policy the other expenditures will skyrocket, and I am opposed to it.

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

Mr. GAUTHIER: Mr. Speaker Ladies and Gentlemen of the House: The contract that Representative Carey from Waterville read to you is the same that we have in Sanford and in every one of your own towns. It comes from here in Augusta, this is where it is dictated from.

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

Mr. SIMPSON: Mr. Speaker, Members of the House: Let's not be confused with a lot of language. These are subjects of negotiation.

Now we hear in the newspapers that the teachers demand such and such a thing. There is no such thing as a demand; there are requests. Now all these matters are requests to negotiate on. That doesn't mean that the teachers are adamant in their position and saying, give us these things or else. These are all things to negotiate on.

I was in wage negotiations way back and this matter of the dispenser for soft drinks and so forth, coffee dispensers, what have you, this came up in negotiation, it took us several years to get them. But it was worthwhile, the management agreed after awhile that it was a good thing for the men, it made for better morale.

So, if you listen to this in the light of Mr. Carey, then you are going against what the teachers are trying to do. This doesn't mean that they have to accept these things.

Now, Mr. Speaker, when the vote is taken, I would request it be taken by the yeas and nays.

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

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: I did not intend to speak on this bill but I do want to bring out one part that I think Mr. Carey forgot to bring out to the people here today.

I do support Mr. Carey in all his statements and I do not feel that we are taking any rights of negotiation or bargaining away from the teacher's union, although they choose to use the term association. But there is one thing that I would like to bring out to the members here today, that this is a rather thick set of guidelines to follow. And out of all the things in here that the teachers would like, there is only one paragraph with the title, "Board's Rights," or "Rights of the Board." And it says that the association recognizes that the board has a responsibility and authority to manage and direct, in behalf of the public, all the operations and activities of the school district to the full extent authorized by law, provided that such rights and responsibilities shall be exercised by the board in conformity with the provisions of this agreement or except as otherwise provided in Article 32.2, paragraph 8.

What it says primarily, is that you have got all of the Board of Directors, which is elected by the people, or a superintending school committee in the case of towns which do not have SAD's, have all the rights the law gives now with the exception of the rights that are taken away in the agreement.

I think another thing that has not been brought out is that when you go into these negotiations with the teachers, they are pretty well staffed and pretty well heeled financially to hire expert counsel where school boards are not, and they do not put money in their budget to hire this counsel because the cost runs so high that they do not feel that they can afford it.

I feel that under the present time that our school board has never taken any position against the teachers. We have always met with them and talked. We have usually met their demands that they have made on the board, and

the people have gone along with it. But to allow them to get into the business of negotiating on educational policy, setting up special areas for them to do their business, and in one section of this proposed contract it says that the teachers shall be able to buy all the supplies and equipment that they need to carry out their activity at the same price that the board pays.

If they bind the board in this contract to where the board must open their files, the administration must open their files to the teachers association, yet there is nothing saying that the teachers association will open their files to the administration or to the board. So I think there is a need for this bill.

And while I have always supported labor and I would still support labor, I support them when I think they are right as much as I support a bill sponsored by the opposition party or denounce that it is right or that I would stand up and denounce a bill supported by a member of my party if it were wrong. I have always looked at the bills based on their merits, regardless of the sponsorship and regardless of how I stand in the feeling of organized labor.

I do not feel this is taking any rights away from the unions; I feel this is merely explaining out to the people in language that they can understand and that it is a good bill, and I think Mr. Carey covered the comprehensive contract quite fully. I would hope that you people would go along with the bill.

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

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: I think the point we are missing here is the action taken by the other body to refer to the 106th Legislature in non-concurrence. The thinking at that time by the legal minded people there was the effect that this would have if we pass something here in the legislature that may very well be in conflict with the decision of the State Supreme Court and would not have too much forebearing.

But when the State Supreme Court renders their decision, that is a finding of law, it is binding.

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 Eastport, Mr. Mills, that the House recede and concur on Bill "An Act relating to Inherent Managerial Functions Under the Municipal Employees Labor Relations Law," House Paper 1531, L. D. 1974. If you are in favor of that motion you will vote yes; if you are opposed you will vote no.

Mr. Millett of Dixmont and Mr. Bustin of Augusta did not vote because of a possible conflict of interest.

#### ROLL CALL

YEA—Albert, Bartlet, Bernier, Birt, Bunker, Clark, Clemente, Conley, Cooney, Cote, Cottrell, Curran, Curtis, A. P.; Cyr, Doyle, Emery, E. M.; Farrington, Fraser, Goodwin, Hewes, Kelley, P. S.; Kelley, R. P.; Keyte, Kilroy, Lebel, Lewis, Lucas, Mahany, Marsh, Martin, McCloskey, McTeague, Mills, Morrell, Murray, O'Brien, Orestis, Rollins, Silverman, Simpson, T. R.; Slane, Stillings, Vincent, Wheeler, Whitzell, Wood, M. E.

NAY — Ault, Bailey, Baker, Barnes, Bedard, Berry, G. W.; Berry, P. P.; Berube, Binnette, Bither, Bourgoin, Bragdon, Brawn, Call, Carey, Carrier, Carter, Churchill, Collins, Cummings, Curtis, T. S., Jr.; Dam, Donaghy, Dow, Dudley, Dyar, Emery, D.F.; Faucher, Fecteau, Finemore, Gagnon, Gauthier, Genest, Good, Hall, Hancock, Hardy, Haskell, Hawken, Hayes, Henley, Herrick, Hodgdon, Immonen, Jalbert, Juras, Kelley, K. F.; Lawry, Lee, Lessard, Lewin, Lincoln, Littlefield, Lizotte, Lynch, MacLeod,

Maddox, Manchester, Marstaller, McCormick, McKinnon, McNally, Mosher, Murchison, Norris, Parks, Payson, Porter, Pratt, Rand, Rocheleau, Ross, Santoro, Scott, Shaw, Shute, Simpson, L. E.; Smith, E. H.; Susi, Tanguay, Theriault, Trask, Tyndale, White, Wight, Williams, Wood, M. W.; Woodbury.

ABSENT — Boudreau, Brown, Crosby, Drigotas, Evans, Gill, Kelleher, Lund, Page, Pontbriand, Sheltra, Smith, D. M.; Webber, Whitson.

Yes, 46; No., 88; Absent, 14.

The SPEAKER: Forty-six having voted in the affirmative and eighty-eight in the negative, with fourteen being absent, the motion to recede and concur does not prevail.

Thereupon, the motion to insist prevailed.

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

HOUSE REPORT — “Ought to pass” with Committee Amendment “A” (H-578) — Committee on State Government on Bill “An Act Implementing the Reorganization of the Department of Finance and Administration” (H. P. 1546) (L. D. 2002)

Tabled — February 28, by Mr. Donaghy of Lubec.

Pending — Acceptance.

Thereupon, the Report was accepted and the Bill read twice. Committee Amendment “A” (H-578) was read by the Clerk.

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

Mr. MARTIN: Mr. Speaker, posing a question, I am wondering if the gentleman from Lubec is going to offer his amendment.

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

Mr. DONAGHY: Mr. Speaker, I don't claim to be a parliamentarian. I had a couple of advisors that said to hold this until after third reading.

The SPEAKER: The Chair would advise the gentleman that if he wishes to amend Committee Amendment “A”, this is the pertinent time to do so.

Whereupon, Mr. Donaghy of Lubec offered House Amendment “A” to Committee Amendment “A” and moved its adoption.

House Amendment “A” to Committee Amendment “A” (H-586) was read by the Clerk and adopted.

Committee Amendment “A” as amended by House Amendment “A” thereto was adopted and the Bill was assigned for third reading the next legislative day.

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

HOUSE DIVIDED REPORT — Majority (9) “Ought to pass — Minority (5) “Ought not to pass” — Committee on State Government on Resolution Proposing an Amendment to the Constitution Providing for Apportionment of the House of Representatives into Single Member Districts (H. P. 1543) (L. D. 1999)

Tabled — February 28, by Mr. Marstaller of Freeport.

Pending — Acceptance of either Report.

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

Mr. DONAGHY: Mr. Speaker, I move the acceptance of the Majority Report.

The SPEAKER: The gentleman from Lubec, Mr. Donaghy, moves that the House accept the Majority “Ought to pass” Report.

Mr. Martin of Eagle Lake requested a vote on the motion.

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

Mr. BIRT: Mr. Speaker and Members of the House: I fully realize all the implications to this bill and the feelings and thinking of both parties. I realize the position of the Minority Party and the gentleman from Eagle Lake, Representative Martin, relative to this.

I do feel that there are a lot of reasons why that this should be given serious consideration and allowing this acceptance of the Majority “Ought to pass” Report. I hope to attempt to rewrite the bill in the third reading, and allowing this to be done will certainly not affect the ultimate decision



as to whether this does or does not pass this Legislature.

The Majority Party as such does not have sufficient votes to pass this bill for the two-thirds required, so I don't feel that we will damage the position of the Minority Party in any way by accepting the majority report. I would hope you would accept this this morning and see if we could move this along and make a final decision on it a little later in the session.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I don't mind allowing this to go to its third reading. I just thought we could save everyone some time. If the gentleman thinks that he could do anything with it, I am more than happy to give him that opportunity. I would take back my request for a division and allow it to go to its third reading. And I can assure you that our position has not changed and I can all but predict at this point the ultimate defeat of the resolve. So for his benefit I will withdraw my request for a division.

The SPEAKER: The Chair recognizes the gentleman from Webster, Mr. Cooney.

Mr. COONEY: Mr. Speaker, Ladies and Gentlemen of the House: Representative Birt came in and talked to the State Government Committee yesterday, and unless his plans to change this bill have changed since yesterday afternoon, I would concur with Mr. Martin's original motion that there be a division on this subject, because I don't think we should waste any more time on this. I would like to request a division.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I mean, this is just about as futile as the arguments that I heard for two weeks about that foolish big box that we debated about, that we are going to keep anyway. I mean, this thing is just going to go on its way and it is coming back here with a four-letter word on it. The real motion to put on would be to

kill this thing once and for all if we hope to get out of here before you celebrate my birthday. It is as simple as that.

The SPEAKER: The pending question is on motion of the gentleman from Lubeck, Mr. Donaghy, that the House accept the Majority "Ought to pass" Report. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

75 having voted in the affirmative and 46 having voted in the negative, the motion did prevail.

The Resolution was read once and tomorrow assigned.

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

Bill "An Act relating to the Management of Solid Wastes" (H. P. 1587) (L. D. 2046)

Tabled — February 28, by Mr. Porter of Lincoln.

Pending — Passage to be engrossed.

The SPEAKER: The Chair recognizes the gentleman from Albion, Mr. Lee.

Mr. LEE: Mr. Speaker and Ladies and Gentlemen of the House: I won't say that I didn't intend to get up here and speak on this article; I had every intention to get up and speak on it.

The other day when I rose and asked a question about it I was politely shot down by the gentleman in the left-hand corner who said that this was nothing but a redraft of the original bill passed in the original legislation, and I don't know if that makes it any better or any worse than the bill itself. But I objected to that because I would just as soon it receive an "ought not to pass" right that minute as in the first and second readings.

You folks have talked about different things here today, and I want to talk about this one a little bit. I have been told that this bill was necessary, that we had to do something with our dumps. Of course we have got to do something with our dumps. Every town in the state has got a problem, but there is no law that I can find that says we have got to pass a law in this Legislature that will do it.

What this does, and what Mr. Martin didn't want me to do, is rock the boat. Don't do this. Get a law on the books. Got to have a law on the books so bad that in the regular legislation the bill called for \$146,779 appropriation; now we don't have to have anything. The Health and Welfare Department doesn't have to have anything? The Health and Welfare would spend all the money we could possibly raise in the State of Maine and never blink an eye.

I am against this bill. I don't think we need it.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I would hope to indicate, I think, at this point that I certainly had no intentions of cutting off the gentleman from Albion, Mr. Lee, the other day. I thought probably that it might be easier to wait until the third reading because I had a feeling that there was going to be debate and I thought that the bill was probably going to be around for a while.

Secondly, I have been informed that this is basically the same bill that we had at the regular session. I was aware at that time that the gentleman from Albion, Mr. Lee, had spoken in opposition to the bill, so I was sure that I expected his opposition. So I really didn't see it as very much different from what had transpired during the regular session.

Third, in reference to the amount of money that was discussed, it is obvious that in order to implement this bill you are going to need some funds, but it is further evident that the federal government is taking a very active role under the Nixon administration to do something about open dump burning. There have been grants made available to states by the Administration to allow for the carrying out of these functions as described in this bill. I am not necessarily a supporter of the Nixon administration, but I am aware that they have made these funds available because they feel that there is a problem in the various states with open dump burning.

At this point we are not saying that the State of Maine has to put up any money. What we are saying is that we need to have a law on the books in order to do the job. If we do not, it is my understanding that the administration is going to come in and tell us what to do. I for one, as one lowly representative from a rural community, would rather have some input as to what I want done rather than having a bureaucrat or a functionary come from Washington, from whatever administration it might be, whether it be President Nixon's or President Muskie or anyone else, and telling us what we are going to be doing. And so I plead with you to accept this bill and to move it along. And I again plead with you in saying that I did not mean to insult, if I did, the gentleman from Albion, Mr. Lee, the other day when I made the comment that I did.

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

Mr. DONAGHY: Mr. Speaker and Members of the House: I think that we can reassure the gentleman from Eagle Lake, that if we set up a bureaucrat from the Nixon administration, it will be coming—we are looking forward to the future.

I do want to say in all sincerity though that we have got to remember that there already is a pilot project being studied in Washington County through federal funds to see if the rural areas such as we have all over Maine can't have a reasonable type of garbage and waste disposal that won't cost all outdoors. This engineering project that is going on now, I don't see any need to rush this in a special session. We shall be back here in our regular session very soon, and I think that will be ample time, after the study has been made.

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

Mr. LYNCH: Mr. Speaker, Ladies and Gentlemen of the House: I am not going to oppose this bill. I have had very definite reservations about all the environmental bills that have gone through this Legislature, which I am sure are

going to come back and haunt future sessions.

The implication has been made that the Great White Father in Washington is going to take care of the cost of this and other bills. I am sure that you are going to find that the small communities in this state are going to find it very difficult to meet all the requests that have been enacted into law.

The Whiz Kids in Washington are dreaming up measures. They are working night and day. They are not necessarily Republicans alone, Democrats have had their hand in it too, telling us how we should live. And I find it very ironical that they are going to clean our streams, clean our dumps, clean our air, when we are practically bankrupt as a nation.

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

Mr. BRAGDON: Mr. Speaker, Ladies and Gentlemen of the House: In regard to this bill before us I find myself pretty much in concurrence with some of the remarks that have been made, especially the remarks of the gentleman from Albion, Mr. Lee. I agree that probably we have got to very shortly do something in this area, but this is a special session and I am very much disturbed, we will say, with a bill of this magnitude being acted upon here in a special session, that we do not seem to be getting any repercussions from the municipalities that are eventually going to be affected to a great extent.

This is going to be a big problem; it is going to be a problem that municipalities and the legislature have got to wrestle with together, I believe, and I think they could better do this in a regular session when there was time and that they knew that we were coming up with some kind of a bill that would handle eventually this problem.

I make these remarks because of the fact that one of the towns that I represent, I believe no more than a year ago, went to a cone-type burner. Now I am sure when they did that, and this does also affect

the City of Presque Isle as well as the Town of Mapleton, I am sure when they did that they thought they were spending their money wisely. I think they might well question now whether they were spending it wisely because if my information is correct, these cone-type burners will no longer be an approved method of handling the problem that we are talking about.

We talk about we have got to do something because the federal government is getting ready to move. But I would like to call your attention to the fact that here some few years back, I can't remember how many, we passed a \$50 million bond issue. I don't know whether any of you were aware of the fact or not that not a nickel of that bond issue has been spent, and more than that, there is some \$8 million or so of a previous bond issue of \$25 million which was floated that has not been spent. That is how fast we are working, we will say, in solving these pollution problems.

Presumably if we set up any more water pollution problems we have got to have another bond issue because the money, while it has not been spent out of the \$50 million, will all be allocated when we leave here. But allocating and being spent are two entirely different things. We certainly are not moving rapidly enough at the federal level on these projects.

So I think in a special session like this we could really well consider moving slow and coming back and handling it in the regular session when the municipalities of the state will all know what they are facing up to, and we can all work together and come up with a bill that we will more likely be satisfied with than we are if we go ahead and pass this at this time.

While I am on my feet, I want to request that the vote, when it is taken, be taken by the yeas and nays.

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

Mr. FINEMORE: Mr. Speaker, I move for the indefinite postpone-

ment of this bill and all its accompanying papers.

The SPEAKER: The gentleman from Bridgewater, Mr. Finemore, moves that this Bill be indefinitely postponed.

The Chair recognizes the gentleman from Waterville, Mr. Smith.

Mr. SMITH: Mr. Speaker and Ladies and Gentlemen of the House: The waters are getting muddy in a hurry on this bill. The solid waste bill, which is one of two similar pieces of legislation sponsored, one by the gentleman from Hampden, Mr. Marsh and another by myself, passed this House and the other body in regular session but failed final passage when it was not funded on the Appropriations Table.

Because of the passage of time since the regular session, this bill, L. D. 2046, has been significantly modified and compared with the original legislation L. D. 2046 is far less restrictive. The original bill called for a prohibition date of December 31, 1971, which was two months ago, and a final prohibition date of December 31, 1975. This bill, written to comply with the EIC regulations, has a final date of July 1, 1975.

I think it is important for the members of this House to understand that the prohibition on open burning is already set by the EIC open burning regulations as set forth under Chapter X of the Air Pollution Control Implementation Plan and also by the Federal Clean Air Act of 1970. In other words, ladies and gentlemen, towns and cities of Maine will have to stop open burning practices by these dates, whether or not this bill becomes law.

What this bill does, and the reason that it was seen necessary by the committee and in this special session by the Governor is that it will provide for implementation of alternative methods of solid waste disposal by our communities by enabling, although not requiring the creation of districts and multi-community associations, and also by making possible co-ordination and control under a single regulatory agency.

And finally, for those who are concerned, and some were in the

regular session, I would explain that the exemption in this bill under the definition of stump dumps, which defines stump dumps as inert land fill refuse, this bill would not prohibit the burning of leaves, brush, blueberry fields and other similar landscape material.

Currently we have some 350 Maine communities with open burning dumps and these dumps contribute upwards of 90 percent of all the air pollution in this State. At least half of these dumps also cause pollution of ground or surface waters by direct dumping, leaching and improper drainage conditions.

While it must be understood that full implementation of this bill will be limited now by the lack of funds; this Solid Waste Management Act is workable, even given the limited funding already available, and more important, this act is necessary in order to integrate the significant aspect into Maine's total program of protection of our human and environmental resources. I urge my colleagues in the House to vote against the motion to indefinitely postpone.

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

Mr. EMERY: Mr. Speaker, Ladies and Gentlemen: Coming from a municipality where we were one of the pioneers in this state in land fill in dumps, I would like to give you a little run down on what is happening in my area.

We have had in the past a number of land fills and the present one is practically full; we have less than six months time left before we need another location. Our planner, our city government, has looked for one year and a half now. The EIC and other people have turned down all locations to present. Last year we had one location, it was the most isolated in the area, the only detriment was one little rill that only runs in the spring during the run-off. It goes into a swamp where there is no great stream running away from it, isolated by at least ten miles to the nearest home.

At the present our situation is this. We are running out of dump

space, we have no approval for a little filling across the street, and we are going to be in a fix. We are either going back to open burning or something else if we cannot get permission. I thought that when the original environmental bills were passed and the ones pertaining to this matter, that it was a good thing. I am beginning to change my opinion. I think somewhere along the line we went a little bit too far. I think this bill goes a little bit too far.

We have spent \$30,000 for a unit to compact the waste, this I voted for, and we have invested considerable sums in waste packers, costing at least \$25,000 each, and now we have no place to dump our trash. So I personally am opposed to this bill. I don't think that we should enact it.

The SPEAKER: The Chair recognizes the gentleman from Albion, Mr. Lee.

Mr. LEE: Mr. Speaker, Ladies and Gentlemen of the House: Sorry I lost my cool a half minute ago. My seatmate told me all I needed to have then was my felt hat which I occasionally tread into the ground. I want to assure the gentleman from Eagle Lake, Mr. Martin, he didn't insult me. I am not for the dumb hog Irishman, my hide is pretty thick.

I did a little bit of research on this bill. Probably you didn't think so a few minutes ago. The only thing that keeps us from burning or anything like that is federal EIC emission standards which take effect sometime in the future and the ruling by the EIC of the State of Maine which says you can't do this and you can't do that at a certain date. These are rulings; they are not anything we passed.

We created the agency, which I am sorry to say, good or bad I didn't vote for it anyway. But then I have done a little bit of reading on the thing. I suggest you read the latest article in the Readers Digest; it suggests that our desires and laws in this field are ahead of the technology to handle the problem. It also states that profits from business just cannot carry the burden, so it will have to come from the consumer and

the taxpayer. This is a fact.

And the latest issue of the Mark Maine, which is published by your good friends across the hall here, the Chairman of the Transportation Conference in Bangor said, and I quote, "The state must make economic development happen, it won't happen by itself. In addition, a major impediment must be removed, a one-sided interest, environmentalists, who make unreasonable demands on industrialists." This could be amended to read "every town, city and taxpayer."

The SPEAKER: The Chair recognizes the gentleman from Lincoln, Mr. Porter.

Mr. PORTER: Mr. Speaker, Ladies and Gentlemen: You notice on your desk is an amendment that I had planned to put on this bill, if it is not indefinitely postponed. I would like to tell you the reason for this amendment, it was simply to extend the time two years.

First of all, I would like to have it well established that our town is certainly in favor of managing solid wastes, just as much as your town. We have been at it several years. But we have a unique problem in Lincoln and I would like to tell you a little bit about it.

Some of your towns have 1, 2 possibly 3 or 4 lakes or ponds. Our town has 13, 13 lakes and ponds plus numberless brooks and streams, and Penobscot River. Consequently, we are in a bind. The water table is so near the surface that we have a great number of springs in our town and it is almost impossible to find a place where we can have a land-fill operation.

As the Penobscot River flows on the West boundary of our town, naturally all of our slopes are toward the river. And with the high water table, if there is any leaching, it would naturally run into the Penobscot River. In addition to those bodies of water that I have just described, under our town there is a very substantial underground river. It starts up east of Mt. Katahdin, comes down between East Millinocket and Medway, comes down underneath the Penobscot River, bisects

our town, runs on down to Orono and Old Town. That water is very, very pure and a great source.

We pump about a million to a million and a quarter gallons of that a day, and it doesn't make an impression on it in the least. The water is so pure that it goes directly into the main without any treatment whatsoever. And we are dreadfully afraid that a landfill operation might pollute that water.

Therefore, we must have some other form of managing our solid wastes, and as yet, even though we have worked on it for years, we have not been able to find a solution to our problem. We are convinced that it is not land-fill, we assume that it is going to be some sort of incineration. But we are up against a wall.

Therefore, my amendment would simply ask for a couple of years longer to study this and see if we can come up with a solution for our town. However, if the bill is killed, as the motion is before the House, that will be quite all right with me.

Mr. Ross of Bath moved the previous question.

The SPEAKER: For the Chair to entertain a motion for the previous question it must have the consent of one third of the members present and voting. All those in favor the Chair entertaining the motion for the previous question will vote yes; those opposed will vote no.

A vote of the House was taken, and more than one third of the members present having expressed a desire for the previous question, the motion for the previous question was entertained.

The SPEAKER: The question now before the House is, shall the main question be put now? All in favor will say aye; those opposed will say no.

A viva voce vote being taken, the main question was ordered.

The SPEAKER: 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 Bridgewater, Mr. Finemore, that Bill "An Act relating to the Management of Solid Wastes," House Paper 1587, L. D. 2046, be indefinitely postponed. If you are in favor of that motion you will vote yes; if you are opposed will vote no.

#### ROLL CALL

YEA—Bailey, Berry, G. W.; Berube, Binnette, Birt, Bither, Bragdon, Brawn, Call, Carrier, Cote, Curtis, A. P.; Cyr, Donaghy, Doyle, Dudley, Dyar, Emery, E. M.; Faucher, Finemore, Fraser, Good, Goodwin, Hall, Hancock, Haskell, Hawkens, Hayes, Hewes, Immonen, Jutras, Kelley, R. P.; Lee, Lessard, Lewin, Lewis, Lincoln, Littlefield, Lizotte, Lynch, Maddox, Manchester, McCormick, McNally, Millett, Mills, Mosher, Norris, Parks, Payson, Porter, Pratt, Rand, Rocheleau, Rollins, Ross, Santoro, Scott, Shaw, Shute, Silverman, Simpson, T. R.; Theriault, Trask, White, Wight, Williams, Wood, M. W.; Wood, M. E.

NAY — Albert, Ault, Baker, Barnes, Bartlett, Bedard, Bernier, Berry, P. P.; Boudreau, Bourgoin, Bunker, Bustin, Carey, Carter, Churchill, Clemente, Collins, Conley, Cooney, Cottrell, Cummings, Curran, Curtis, T. S., Jr., Dam, Dow, Emery, D. F.; Farrington, Fecteau, Gagnon, Gauthier, Genest, Hardy, Henley, Hodgdon, Kelley, K. F.; Kelley, P. S.; Keyte, Kilroy, Lawry, Lebel, Lucas, MacLeod, Mahany, Marsh, Marstaller, Martin, McKinnon, McTeague, Morrell, Murchison, Murray, O'Brien, Orestis, Simpson, L. E.; Slane, Smith, E. H.; Stillings, Susi, Tanguay, Tyndale, Vincent, Wheeler, Whitzell, Woodbury.

ABSENT—Brown, Clark, Crosby, Drigotas, Evans, Gill, Herrick, Jalbert, Kelleher, Lund, McCloskey, Page, Pontbriand, Sheltra, Smith, D. M.; Webber, Whitson.

Yes, 69; No, 64; Absent, 17.

The SPEAKER: Sixty-nine having voted in the affirmative and sixty-four in the negative, with

seventeen being absent, the motion does prevail.

Sent up for concurrence.

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

Bill "An Act to Correct Errors and Inconsistencies in the Education Laws" (H. P. 1468) (L. D. 1911)—Committee Amendment "A" (H-555) adopted, House Amendment "A" (H-562), "B" (H-564), "C" (H-566) and "D" (H-581)

Tabled — February 28 by Mr. Lawry of Fairfield.

Pending — Passage to be engrossed.

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

Mr. DAM: Mr. Speaker, this amendment is just being distributed now to the members desks. I would appreciate it if someone would table this until later in today's session.

Whereupon on motion of Mr. Martin of Eagle Lake, tabled pending passage to be engrossed and later today assigned.

By unanimous consent, the foregoing matters acted upon in concurrence were ordered sent forthwith to the Senate.

On motion of Mr. Porter of Lincoln,

Recessed until two o'clock in the afternoon.

**After Recess  
2:00 P.M.**

The House was called to order by the Speaker.

The following papers were taken up out of order by unanimous consent

**Passed to Be Enacted  
Emergency Measure**

An Act relating to Per Diem Allowances and Expenses for Members of the State Board of Barbers and State Board of Hairdressers (H. P. 1580) (L. D. 2037)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being neces-

sary, a total was taken. 90 voted in favor of same and 19 against.

Whereupon, Mr. Martin of Eagle Lake requested a roll call.

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: It seems rather unbelievable that we had to have a roll call on this bill, first of all, because it is mine. That may be the reason why we have to have it. But secondly, because it really isn't that important. Very quickly let me just tell you that it was a unanimous committee report out of Health and Institutional Services.

It deals with the barbers and the hairdressers, and it is an emergency primarily because the Attorney General's office has ruled that under existing statute these two particular boards are the only two boards that are prevented by law from going out of state to attend conferences. And there is a conference being held next month and unless the emergency goes through they would be unable to attend it, and so I would ask for your support on enactment.

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

Mr. DYAR: Mr. Speaker and Members of the House: I would like to add to what Mr. Martin has said that we have put a rein on these people by stating in an amendment that they could not draw salaries or expenses for more than five days within the calendar year. And also another amendment that was attempted to this bill that would have eliminated the amount of money they can spend overall during the years. So actually by voting for this bill you are

putting on controls. If you vote against this legislation then you are giving them free rein again.

The SPEAKER: The pending question is enactment. A roll call has been ordered. All in favor of this measure being enacted as an emergency measure will vote yes; those opposed will vote no.

#### ROLL CALL

**YEA** — Albert, Bailey, Baker, Barnes, Bartlett, Bernier, Berry, G. W.; Berry, P. P.; Berube, Birt, Bither, Boudreau, Bourgoin, Bragdon, Bustin, Call, Carey, Carter, Churchill, Clark, Clemente, Collins, Conley, Cooney, Cottrell, Cummings, Curran, Curtis, A. P.; Curtis T. S., Jr.; Cyr, Dam, Donaghy, Dow, Doyle, Dyar, Evans, Farrington, Faucher, Fecteau Finemore, Fraser, Gagnon, Gauthier, Good, Goodwin, Hall, Hancock, Hardy, Hawkens, Henley, Herrick, Hewes, Hodgdon, Immonen, Jalbert, Kelley, K. F.; Kelley, P. S.; Kelley, R. P.; Keyte, Kilroy, Lawry, Lebel, Lee, Lewin, Lewis, Lincoln, Littlefield, Lizotte, Lynch, MacLeod, Maddox, Mahany, Manchester, Marsh, Marstaller, Martin, McCloskey, McCormick, McTeague, Millett, Mills, Morrell, Mosher, Murchison, Murray, Norris, O'Brien, Orestis, Parks, Payson, Pratt, Ross, Scott, Shaw, Shute, Silverman, Simpson, T. R.; Slane, Stillings, Susi, Theriault, Trask, Tyndale, Wheeler, White, Whitzell, Wight, Wood, M. W.; Wood, M. E.

**NAY** — Binnette, Brawn, Carrier, Cote, Emery, D. F.; Gill, Jutras, Kelleher, Lessard, Lund, McNally, Porter, Rocheleau, Rollins, Tanguay, Williams, Woodbury

**ABSENT** — Ault, Bedard, Brown, Bunker, Crosby, Emery, E. M.; Genest, Haskell, Hayes, Lucas, McKinnon, Page, Pontbriand, Rand, Santoro, Sheltra, Simpson, L. E.; Smith, D. M.; Smith, E. H.; Vincent, Webber, Whitson

Yes, 109; No, 17; Absent, 24.

The SPEAKER: One hundred nine having voted in the affirmative, seventeen in the negative, with twenty-four being absent, the Bill is passed to be enacted as an emergency measure. It will be signed by the Speaker and sent to the Senate.

#### Passed to Be Enacted

An Act relating to Clarifying Definitions Relating to the Potato Industry of Maine (S. P. 762) (L. D. 2033)

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

An Act Permitting Veterans with Medical Experience to Take the Licensed Practical Nurses Examination (H. P. 1584) (L. D. 2042)

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

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

Mr. DYAR: Mr. Speaker and Members of the House: As a signer of the "ought not to pass" on this piece of legislation I would just like to qualify why I voted "ought not to pass."

On February 18, one of my constituents, who has been a high level officer in the American Legion on a state and national level, received a letter from Robert MacFarland who is the Department Service Officer for the American Legion in which he stated that apparently Ross Dyar, Representative, is somewhat confused on the purpose of this bill and has opposed it.

I have drafted a letter to Mr. MacFarland which I think explains my stand on this piece of legislation and I would like to have this letter on the record and also to use it to explain why this is in my mind, bad legislation.

"Dear Mr. MacFarland:

Relative to the state of confusion in my mind as to legislation to waiver veterans to take the LPN exam, let me state that I am probably far more familiar with this type of legislation than either the sponsor of the bill or your legislative lobbyist.

It seems very strange that this same legislation was before our committee in regular session to waiver residents of the state who are licensed outside of the state, who were duly licensed, but did not have the training requirements (time of study) were opposed by the same persons now proponents



of this bill. One of the persons denied this right in the regular session would be eligible under this bill as she is a veteran. It was stated that possibly eight or nine veterans would take advantage of this legislation out of the thousands who have served honorably and returned home.

It is indeed discriminatory to those who have served as electricians, plumbers, legal aides, finance officers etc. who must face several years of apprenticeship and in some cases up to six years of college in order to meet the requirements of existing statutes to be licensed. If this must be an issue I feel that the sponsor of this bill is extremely selfish to include only a select few to be waived. In the only letter, a copy of which was sent to the Honorable John Lund, the writer stated that his main concern was making \$1.80 as an orderly while the LPN was making \$2.20. It would seem that the GI Bill would be paying this veteran a subsistence allowance and also paying a large part of his educational cost for him to become an RN.

I would ask how many returning veterans have gone through our universities under the GI bill, supporting families and working at low paying jobs to make ends meet?

As an elected representative of the people I feel my obligation to their needs especially their health and welfare far outweighs the request being made by Rep. Curtis. The criteria set forth merely accredits seven army hospitals and one air force hospital, there has been no curriculum or course of study outlined and I can see no guarantee that the veteran who has an MOS of a medic is fully qualified and trained to meet a waiver to take the LPN exam.

There is much to be desired in our medical rules and regulations before lessening their purposes that are incorporated. For example we have too many licensing boards that have no investigative powers or no powers to revoke a license for cause, once it has been issued and I do not think it should be necessary for a citizen to have to bring a criminal action for a viola-

tion. It would seem that any such board should have the power to keep their house in order.

I certainly would be the first to defend any legislation for the benefit of veterans, but this particular issue leaves too much to be clarified."

This is the end of the letter. This redraft of the bill is more discriminatory than this letter states, because in order for a veteran to obtain the LPN exam and be waived he must have served two years as a corpsman. This means that a man who is drafted in any branch of the service for two years and has served for 18 months as a corpsman, would disqualify under a waiver of this exam.

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

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen of the House: This bill is a new one I am sponsoring. I think that there may be some misunderstanding on the part of some members of the House. The bill does not provide a waiver from anybody taking the LPN, Licensed Practical Nurse examination. What it does provide is for an alternative method of education to meet one of the criteria before a person can be permitted to take the LPN examination.

What the bill provides is for somebody who has had, in the eyes of the State Board of Nursing, sufficient training while in the military service along the medical lines. If he meets the other qualifications already stated in the law, such as age, formal education, high school diploma, or character, good health, it would then permit him to take the LPN examination. The bill is an attempt, ladies and gentlemen, to provide a useful outlet for some of our trained personnel who have come out of the military service, are capable of doing some work, do not want to spend a large amount of time, one or two years going to nursing school, when that would be a waste of their time and of valuable medical training that could be used otherwise.

The proposal, may I say again, was a proposal initiated by the Maine Task Force on veteran's

job opportunities. I was asked to be a sponsor of the bill and I am happy to do so. Representative Dyar has pointed out that perhaps there other areas in which similar recognition for suitable training in the armed services could be made so that people could take other examinations for other trades. I would be happy to work with him to work up some of that legislation in the future.

This bill, ladies and gentlemen, I feel is a very important piece of legislation. It may only affect a few people in the state, but to them it is important.

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

Mr. DONAGHY: Mr. Speaker, I would ask the sponsor or anyone else who cares to answer through the Chair, whether or not this has anything to do with the medics program. I had understood that there is such a program being worked on here in the state, that even after these boys have completed it they have no way of becoming licensed and this was the sort of thing that was supposed to help them out.

The SPEAKER: The gentleman from Lubec, Mr. Donaghy, poses a question through the Chair to anyone who may answer if they choose. The Chair recognizes the gentleman from Orono, Mr. Curtis.

Mr. CURTIS: Mr. Speaker, I would like to answer that question. No, it does not make the provision for the so-called paramedics. The bill provides only for an alternative method of meeting educational qualifications for taking the licensed practical nurses' examination, and does that only.

A licensed practical nurse is—I am sure other people here are more qualified to explain, works under the supervision of doctors or RNs or other people who are qualified.

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

Mr. DYAR: Mr. Speaker and Members of the House: I would like to attempt to answer the question posed by Mr. Donaghy. There was an order that went through this House a few days ago

authorizing a study and reviewing of the licensing procedures within the medical field here in the state.

At the present time, there is no such a thing that recognizes the medic or a paramedic in our statute, and here again on the LPNs. The State of New Hampshire, for example, might require 12 months of training to be licensed and one year in the field. This is not recognized by the Maine Medical Board as being enough to become licensed under our statute to allow the person to take the exam. They have to come to the State of Maine and take the additional year of experience in order to become qualified to take the exam.

And I point out once again, that a man who has been drafted would not come under this bill. The only person who would be eligible for this under the redraft would be a man that had gone RA or reenlisted and had more than two years service.

The SPEAKER: The pending question is enactment. The Chair will order a vote. All in favor of this Bill being enacted will vote yes; those opposed will vote no.

A vote of the House was taken.

108 having voted in the affirmative and 7 having voted in the negative, the motion did prevail.

It was signed by the Speaker and sent to the Senate.

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An Act relating to Discharge of Waste from Watercraft (H. P. 1585) (L. D. 2044)

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

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#### Senate Report of Committee Ought to Pass in New Draft

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act to Appropriate Moneys for the Expenditures of State Government and Other Purposes for the Fiscal Years Ending June 30, 1972 and June 30, 1973" (S. P. 724) (L. D. 1982) reporting same in a new draft (S. P. 768) (L. D. 2047) under same title and that it "Ought to pass"

Came from the Senate with the Report read and accepted and

the Bill passed to be engrossed as amended by Senate Amendments "D" and "J".

Report was read and accepted in concurrence and the Bill read twice. Senate Amendment "D" (S-365) was read by the Clerk.

The SPEAKER: The Chair would announce that if you have these Senate Amendments on your desk, the correct amount in this amendment is \$25,500.

Whereupon, Mr. Stillings of Berwick offered House Amendment "A" to Senate Amendment "D" and moved its adoption.

House Amendment "A" to Senate Amendment "D" (H-590) was read by the Clerk.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. STILLINGS: Mr. Speaker, Ladies and Gentlemen of the House: I hope you have all had an opportunity to look at Senate Amendment "D". What it does, in effect, is give a pay raise to the judges in our Supreme, Superior and District Court systems.

I think we all perhaps recognize the need for attracting capable, qualified people to sit on our benches in the state and I have no argument with the matter of a pay raise. But I do feel that since this session of the legislature gave to our District Courts a pay raise which just became effective this past September, that perhaps it is a little premature to offer them another pay raise at this particular time.

Other than the members of the legislature and the Governor, I think the Supreme Judicial and Superior Court Justices were the only state employees who didn't get a raise and we certainly don't want to discriminate against them, whether we do against us is another matter.

I would simply hope that whether you favor the matter of a pay raise for our judges or not, that you would just remember that we have just given a pay raise to the District Court judges and my amendment simply removes the pay raise for the District Court judges and I certainly hope that you would support it.

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

Mr. BRAGDON: With regard to the House Amendment "A" to Senate Amendment "D", I would have to go along with this amendment. Because this is practically part of the same form that the bill came out of the Appropriations Committee.

We cut out the salary raises for all three Courts, both the District, the Superior and the Supreme Court. When we come to vote for the acceptance of Senate Amendment "D", I would have to vote in favor of the report as it came out of the committee with these salary raises left out.

However, I have no objection to the amendment just offered, eliminating the District Court judges.

Thereupon, House Amendment "A" to Senate Amendment "D" was adopted. Senate Amendment "D" as amended by House Amendment "A" thereto was adopted in non-concurrence.

Senate Amendment "J" (S-372) was read by the Clerk.

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

Mr. GILL: Mr. Speaker, I move that Senate Amendment "J" be indefinitely postponed.

The SPEAKER: The gentleman from South Portland, Mr. Gill moves that Senate Amendment "J" be indefinitely postponed.

The SPEAKER: The Chair recognizes the gentleman from Brooks, Mr. Wood.

Mr. WOOD: Mr. Speaker, Members of the House: I want to take issue. These court recorders, the last two pay raises that were given to state employees, these court recorders received no increases in pay. The increase at the regular session, they received none, and when we raised the state employees increase to 11.5 percent, they received none of this.

We have 15 employees that service court recorders and they now receive \$12,500 each. These people are talented, they are probably as valuable employees in our Court system as we have. And this would raise their pay to

\$14,000 which is much less than most of our other employees connected with the Court receive. It would only make a total of \$22,500 increase in the overall budget. We have the money to pay them, and I think these are the people that should receive the raise.

Our judges have received raises over the years, practically every session, and every time that we have raised other state employees, they have most always received a raise along with them. I believe that these court recorders that we rely on to record Court proceedings are really valuable employees and should receive this same increase in salary.

I hope this amendment is not indefinitely postponed.

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

Mr. GILL: Mr. Speaker and Ladies and Gentlemen of the House: I rise once again to support the indefinite postponement of this. This is a classic example of what can be done in Augusta if you know the right people.

This little bauble did not appear before the screening committee, it was never advertised in a newspaper for a public hearing. How this came about was through the effectiveness of one of our lobbyists who is very active around here. In fact, before the convening of this afternoon's session, I toured the entire House with him while he was doing his lobbying. I just wanted to make sure that he presented the facts right, and I will say that he did.

But it was a unanimous decision of the Appropriations Committee that we do not grant this raise. The question that was primary in our mind was this is a special session, they didn't seem to be too overly low paid considering that most of them, and they do, do a little bit of work outside. I think it is a rate of \$25 or \$35 an hour including the machine or something of this type, and then they charge for transcribing and things of this nature which I think is all well and good.

But certainly if this pay raise is granted, it is a genuine example for people that know their way

around Augusta how to get some money out of the taxpayers' pockets. This man has worked long and hard on this and I would say, no matter what the court reporters are paying him, he is worth it. And so therefore, I think we should continue his employment so he can come back at the regular session to get this pay raise.

The SPEAKER: The pending question is on the motion of the gentleman from South Portland, Mr. Gill, that Senate Amendment "J" be indefinitely postponed.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I certainly don't want to detract from the remarks made by the gentleman from South Portland, but I do want to make one point, that this bill did come before the Reference of Bills Committee and it was defeated at the Reference of Bills Committee. I am not going to suggest to you what we want to vote, however.

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

Mr. CURTIS: Mr. Speaker and Members of the House: I feel that this is a reasonable amendment and I would like to point out to the members of this House that we are losing some of these reporters to private industry and it is becoming quite alarming, and I feel that this is a just amendment and I would hope that you would vote against indefinite postponement.

The SPEAKER: The pending question is on the motion of the gentleman from South Portland, Mr. Gill that Senate Amendment "J" be indefinitely postponed in non-concurrence. If you are in favor of that motion you will vote yes; if you are opposed you will vote no.

A vote of the House was taken. 75 having voted in the affirmative and 46 having voted in the negative, the motion did prevail.

The Bill was assigned for third reading tomorrow.

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

Resolution Proposing an Amendment to the Constitution to Reduce the Age of Qualification as a Member of the Maine House of Representatives to Twenty Years. (H. P. 1508) (L. D. 1950)

Tabled pending passage to be engrossed.

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

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

An Act to Grant Adult Rights to Persons Eighteen Years of Age (H. P. 1581) (L. D. 2038)

Tabled pending the motion of Mr. Lizotte of Biddeford to indefinitely postpone.

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

Mr. LUND: Ladies and Gentlemen of the House: I would first like to thank the members of the House for their courtesy in tabling this until later in the day so that I might have a chance to say a word in the course of the debate. I might hasten to add that I was away from the House on legislative business today. I was attending a meeting of the Law Enforcement Planning Assistance Agency as your legislative representative on that board.

As far as the bill itself is concerned, this was debated quite fully at the regular session when it passed this House by a handy vote, and I don't propose to be able to shed a great deal of light in addition to what was said then. On the other hand, I think we have come to recognize since that time, that both at the national and at the state and local level, we have made a decision that persons of 18 years of age are qualified to participate in the electoral process.

And it is a good logical question, it seems to me, that if persons 18 years of age are found by us in this country to be of sufficient intelligence to have a say on the public issues of the day, should they also not have a say in the private issues that affect each of them personally? And if you have ever had occasion to go through the laws dealing with ages

and consent and so on, you would find that there are very many anomalies that exist at the present time.

For instance, while we consider under our present law, that 20 is the age of majority, under our common law rules, a person may become emancipated before that time if he goes out and seeks his own way in the world, so that his parents may no longer be responsible for his support through emancipation prior to the age of 20, and so on in a great many other areas.

Our present law says that a girl of 18 may consent to marriage but a man has to be 20 before he can consent to marriage. And at the hearing on this bill, and it had a good hearing before the Judiciary Committee, a member of the other body appearing as a proponent told how strange it was to serve in the Air Force during World War II, to be found by the Federal Government to be qualified to fly a combat aircraft and when he came home and got married, he had to get his mother's consent.

This kind of anomaly runs through these laws and I think that this bill and the support that it received in this House at the regular session is a recognition of the fact that the role of a person 18 years of age is changing in our society and it is time perhaps for us to recognize this in the law.

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

Mr. JUTRAS: Mr. Speaker and Ladies and Gentlemen of the House: I was agreeably surprised this morning to listen to Representative Lizotte of Biddeford pontificate against this bill giving the adult rights to the 18 year old. He seemed concerned for their welfare and concluded that he was against this bill giving them adult rights, over and above the voting privilege.

At this point, I agree with the remarks made by that gentleman from York County concerning the welfare of our teenagers and I shall vote with him on this measure. However, I ask what has caused him to have a change of heart concerning the welfare of our teenagers. If he was that much

concerned, why did he sponsor a bill earlier in this session, which, if passed, would not have been in the best interests of our teenagers, that is the passing of this bill would have had nefarious effects on our youth by allowing them to purchase fortified wines at the corner grocery store.

If we, as lawmakers, are sincere to protect our most valuable assets, our youth, we will not plunge them into this measure. They do not want these rights at this time of their young lives. Let them have a little time to enjoy life, at least a few months before they assume the heavy burden of fiscal responsibility of life.

Three years ago, I have sampled their feelings in this matter, and the majority of the high school students who were polled at that time, were against the full rights at age 18. Yet, many a politician in this assembly, only to go with the tide, and hoping to obtain the young people's vote at the next election, will argue for the merits of this poor piece of legislation. I candidly say to them, they are not interested in the welfare of their young constituents. They are interested only in their own reelection. It is at this point that we separate a politician from a statesman because a statesman looks to future generations while a politician is concerned only with his reelection.

**THE SPEAKER:** The Chair recognizes the gentleman from Old Orchard Beach, Mr. Farrington.

**MR. FARRINGTON:** Mr. Speaker, Ladies and Gentlemen of the House: During the regular session, I vehemently opposed this piece of legislation, the original document that was sponsored by the young gentleman from Bangor, Mr. Murray, and even though it was successful in the House on three different votes, the House voted 71 to 54 to pass this piece of legislation, on the first occasion 69 to 60, and on the third occasion 80 to 59.

I had some basic reasons for opposing Mr. Murray's bill. And the reasons were, at that time, the original bill went before the Committee on State Government and not one younger person appeared

at the public hearing testifying in favor of this legislation. And, of course, as you all know, this has changed completely. So, quite a few young people were before the Judiciary Committee with this new bill.

The second reason concerns State Wards. There was a problem with State Wards that was not answered nor was it amended during the regular session and if you will notice on the bill on page seven, they have taken care of the problem of State Wards. When a State Ward becomes 18 years of age, and he and the department agree the need for care and support for educational, social and physical reasons exist, the department is authorized to continue care and support of this person to the age of 20. So that problem has been taken care of.

The next problem or reservation I had for going against the bill was that the section that said that secondary school students could be released upon reaching their 18th birthday before graduating. And in checking with Representative Murray, we cannot find in this new document, 2038, any mention at all of this particular problem. So we concluded that Title 20 was apparently left out of the bill.

So these three reasons that I fought so hard to kill the bill, have been resolved and I cannot see any reason why we cannot go along with the bill in its present form.

Now, just to give you a little perspective on how the students feel on this, before explaining the 23 rights and responsibilities, most of the kids thought that even voting was tied in with this particular piece of legislation. Well, I took about two classroom days and went into the 23 rights and responsibilities of the original Murray document, and even in some of the aspects that Marcel Lizotte elaborated on this morning, and then we had a secret ballot after they really knew what they were getting into, and this is kind of an interesting analysis. The secret ballot, and these are senior students, came out as follows: 70% were in favor of the adult rights bill, after listening to the 23 rights and responsibil-

ities. 22% said no, they didn't want them, and 8% were undecided.

So, I think they know what they are getting into and they certainly now want this particular bill. And, I think in order to be consistent, if we are going to give the 18 year-olds the right to vote, we certainly should give them these rights and responsibilities that go along with their responsibility of getting to the polls to exercise their franchise rights.

I also would favor membership in this House at 18 but I can see the handwriting on the wall, and I hope you will all take that little document, that unfortunate piece of paper that I had printed and tear it to pieces and dispose of it because this is probably not the time for it right now.

But I think we ought to support the bill and vote against the indefinite postponement of the good and sincere gentleman from Biddeford, Mr. Lizotte.

The SPEAKER: The Chair recognizes the gentleman from Cape Elizabeth, Mr. Hewes.

Mr. HEWES: Mr. Speaker, Members of the House: I support the motion of the gentleman from Biddeford, Mr. Lizotte, to indefinitely postpone this bill.

The good gentleman from Old Orchard Beach, Mr. Farrington, just said that the seniors at Thornton Academy where he teaches know what they are getting into. I submit that although he has instructed at that wonderful school in Saco, Thornton Academy, on this subject, I don't think that most schools have been geared up to instruct their students on the adult rights.

It is not the age 18 that bothers me, per se, it is the fact that the people that are 18 and 19 and those are the only ages that we are concerned with, 18 and 19 year olds, because 20 year olds already have these adult rights, and are adults, but the 18 and 19 year olds have had no experience or have had very little experience in life. They have not supported families or have had full time jobs presumably, because they are just getting through high school at about that age, maybe 17 or 18, or

many are going on to further education.

I think the school of "hard knocks" of life would be most helpful before letting these 18 year olds have the right to make contracts themselves. This bill, of course, will allow them to execute contracts and I think we should be thinking of the children and protect them for their own good. Although the gentleman from Old Orchard Beach, Mr. Farrington, thinks they know what they are getting into, I question that.

Another issue that has not been mentioned, not too much anyway, is the lowering the drinking age from 20 to 18. I assume that it will be argued that well, 18 and 19 year olds drink already because they are so near the drinking age of 20. I wonder if we lower it to eighteen if then 16 and 17 year olds won't be drinking more regularly. And if you lower it to 16, hence wouldn't even younger ones be more apt to acquire bad habits.

So, I submit that this is not a good bill, the schools are not instructing the students on adult rights, despite Mr. Farrington is doing it, and I hope you will vote against it.

One more thing is the Health and Welfare aspect. As the gentleman from Old Orchard Beach said, on page seven of L.D. 2038, state wards are mentioned, and it says that the state ward and the department may agree that his care and comfort require him to be supported by the state. Supposing the state ward doesn't want to be under the support of the state. Under present law, as I understand it, the court determines who will have custody of him. Under this, he will have a say in who will have custody of him if he is 19 or 18.

Also on page 7 of the new bill, you will note the definition of a child is lowered from 20 to 18 in several of the statutes relating to crippled children, child welfare services and parents obligation to support their children.

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

Mr. EMERY: Mr. Speaker, Ladies and Gentlemen of the House: As the youngest Republican

member of the legislature, I rise in support of this bill, the same as I did in the regular session. And just briefly I would like to underscore one of the remarks made by the gentleman from Old Orchard Beach, Mr. Farrington, and that is that already 18-year-olds have been granted the right to vote. And I really feel that the question of whether or not we feel it would rob them of their childhood is immaterial. I feel very strongly that now that they have the right to vote, they must accept the responsibilities that go with it, including the responsibility of paying taxes for bond issues they may vote in favor of, for an example.

So I hope you will be consistent and give the responsibilities of adulthood along with the most precious right of adulthood, which is the vote.

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

Mr. CARRIER: Mr. Speaker and Members of the House: As a concerned parent of teenagers and as a concerned parent of all the teenagers in the state, I rise in support of the motion to indefinitely postpone this bill. I ask of you, if you have it in front of you, and if you haven't, to get it, to take a look at L. D. 2000, which was the original bill and the new draft 2038.

Today we are asked to consider the merits, if any, of this bill, namely, L. D. 2038 now before us in a new draft, which would put the children of 18 in full legal adulthood with its right and some responsibilities, and whether they like it or not that we refer to them as children, this is what the legal definition is — legal until the age of 20 is children right now.

This proposed legislation brings forward many issues. First, it brings the issue of the concern for the welfare of our children, especially those in the 18 to 20-year-old bracket. This legislation, deceitful legislation, proposes to these young people to be able to take the benefits and also to assume some of the penalties that the bill proposes.

Now it is very clear to me that if you want to give them adult

rights that is your privilege, but if they are to get adult rights they should also be willing and be made to assume all responsibilities.

I believe that legislators who are concerned about the welfare of the young people should not politically or otherwise be swayed to throw these young, immature people into a lion's den, which could be compared to today's permissive society, thereby subjecting them to the running of their lives at an early age.

I realize that some kids in the 18-20-year-old bracket could assume the responsibilities well. However, we must look beyond these few and provide protection for those who have needed our help from birth to 20 years and beyond.

The gentleman from Bath last week, or this week, referred to this bill as having only three issues. Well I totally disagree with this, and I will try to show you and you can count the issues and there are many more, but I will try to be extremely brief. This concerns many issues, and many of them are moral issues.

We had a committee report here which is interesting to note that was 7 to 6. Now it is interesting to note because out of seven that voted for this bill, the "ought to pass" report, six of them are lawyers. I voted against the passage of this bill, first because of my concern in subjecting my kids and your kids and your grandchildren to such far-reaching responsibilities.

I wish to state to you some of my objections to this bill, and I sincerely hope that Professor Bither does not stick to his original mention of last week when he said that he would listen to us but he wouldn't believe us. I hope that today he does believe us because I am telling him the truth. I will tell the truth on this bill as much as I know.

First I ask of you that the new draft which has been covered some it eliminates on page 4 the part, the penalty for indecent liberties. Now it is very obvious that if they are to have adult rights at 18 they should be assumed to also have the knowledge and the responsibilities of such acts as declared in section



1951 on page 4 of the original document.

Now when I said that this was a deceitful bill in 2038, you can look all you want, it is not in there at all. So actually what you are doing in fact is allowing these people of 18 and 19 years old to go around and to paw everybody and do everything else that you and I would be subject to prosecution and let them do this because they are not 20 years old yet. I submit to you that if they want the rights, and especially in this very important section, they should be able to survive the responsibilities.

I also call your attention, which is not that serious, to section 22 on page four of the new draft, that a married woman of 18 can be appointed guardian. Now this is a very questionable thing. I don't know if I want to appoint certain people of 18 to be the guardian of my children. This could be very serious.

Section 33 on page seven, which was kind of mentioned here that it has not been taken care of, this is to attend school beyond 18 years old, of course it has been taken care of. You look at the new draft, it is not in the new draft, thereby leaving the age of 20, to be able to attend school until you are 20 at the taxpayers expense, not at your expense but at the taxpayers expense. This again is shedding the responsibility.

I suggest to you that you look on page twelve of Section 67, 751A, which actually in there says that a kid of 17 years old will be able to sell liquor. Now if you want this, this is for you to judge, if we are talking about 18. Now they are in there, there is very plainly that at 17 they can sell liquor if someone 18 or more is present.

The bad part of it is the contract part of it, and this is the main objection I had on this bill. And the first thing, the law of contract is very complex and I don't think that many kids really know what this is all about. We asked a few if they had training in certain things they should know; they said yes. They had training in home economics. Well I think that

is great, but not for this particular section.

Now here is a book here, ladies and gentlemen, this is a book here which involves probably, I don't know, eight or nine hundred pages on contracts. This is only one book that you have when you go to law school in the first session of the course. This is not a book for the whole course either.

So actually it is very important to know and ask yourself how many of you know the elements of a contract. I think there are very few people who do, and if you don't at your age, is it reasonable to expect those at 18 or 19 to know if a contract is enforceable, if it is voidable or if it is void? Many grownup persons have entered contracts in good faith, but such contracts were later the cause of them filing bankruptcy.

What would prevent a child from doing less than this, when material things are so easy to buy but hard to pay for? I submit to you the responsibilities are great and burdensome, even to someone who has acquired the wisdom, the experience and the experience of managing money. Why do the proponents of this bill hide the things that the bill will do by omitting certain parts in the new draft? And this is exactly what is done in 2038.

Some of the proponents of this bill, and I have followed the pattern of votes very closely, they work on the principle of giving rewards with no responsibility. How can they justify their so-called concern, when the roll calls will show that they themselves have voted in the past to tax these new adults, to actually reduce the number of jurors so they can have fairer justice? This is what we were told. And also they voted for the permissiveness of them getting drugs and if they get caught not to give them a stiff sentence. May I ask how old their kids are?

At the hearing it was very clear that none of the 18-year-olds there supported themselves — what I mean is earned a living for themselves. It was apparent that most of them wanted to go to college. I asked one of them what he intended to do, what he did. He said

he was 18 years old, a senior in high school. This is the usual thing and I said, "What do you plan to do next year?" He said, "I plan to go to college." I said, "Of course you realize that if we pass this bill, you know, will you still go to college?" He said, "No, I will have to go to work." This is what this bill will actually do. So if he lets his education go and goes to work, then this is a different thing here all along.

Now we had a man at the hearing of great courage. I really admired this fellow, and he spoke against the bill. His name is on the record anyway, his name was Mr. Hersom. He was from Portland, and he introduced himself, ladies and gentlemen, as a confirmed alcoholic. He testified that he came to the hearing so that the young people could look at him first hand and see what an alcoholic looks like. Actually it was a pitiful sight. He was a clean looking man and everything, but I think most people could see the effects of alcohol. He described himself as a man who got liquor at an early age. He said this ruined his health, his family and brought him disgrace and also to his family. He suggested not to pass this bill because it would bring much pain and suffering to these young people and to their loved ones. His views, I believe, should be respected for having the courage to admit his problem.

One of the proponents said that if they are old enough for Vietnam, not one of the proponents here but one of the people that came to the hearing said if they were old enough for Vietnam they were old enough for adult rights. I disagree very strongly with this, because when this was said—I think this is not true. I don't think that you go to Vietnam—I think you have to get your approval when you are 19 or 19½; they don't just send you over there. On the other hand, even if they went over there, I think that many of us who have spent anywhere from five to ten years in the service, I think we have done our share in many more years than the few years that they now spend in the service.

In conclusion I wish to refer

to the hearing when an 18-year-old boy pleaded — he didn't ask, he pleaded with us that we do not give him a license to kill himself. And that was in regard to liquor. Because he said, "If I have a license to buy liquor freely I will buy liquor, and it is beyond me not to drive when I have consumed liquor." And he said, "I know that the odds are against me and that if I drink I will kill myself." And this he pleaded, that we do not pass this.

I am extremely concerned about all the teenagers, and this is why I don't think we should throw them into this permissiveness of a world which is degrading and has been degraded morally and otherwise.

There is no emergency clause on the bill, which kind of irks me, like all the others that haven't had a clause. There are no letters. I haven't received any letters one way or the other on this bill, so if it was important it seems to me that somebody would have spoken up. I trust your good judgment, and if you are interested in the welfare of the kids, I think that they might, if you vote against this bill, if you vote to kill this bill, I think that they might not like you tonight, but I think that a year or two years from now they will come back and thank you and thank you very much.

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

Mr. COLLINS: Mr. Speaker, Ladies and Gentlemen of the House: I also have some misgivings concerning this bill and I share the concern of my good friend, Mr. Carrier. I have two children who would be affected by the passage of this legislation, one that is 19, one that is 17. And I think that this is a problem that those of us who have arrived at the middle years have to consider and yet, when I think back to the time when I was 18 years of age, I recall that I was in service overseas and that I considered myself very much an adult person.

And so, in balance, I think considering the things that we do expect from 18 year olds, I think that I shall support this bill and

I would hope that you would vote against the motion to indefinitely postpone it.

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

Mr. MURRAY: Mr. Speaker, Members of the House: During the regular session as has already been mentioned today, I sponsored this bill. And on numerous occasions, I spoke to you and told you why, so I don't think that I will elaborate or reiterate what I said then.

I would like to mention a few points that have transpired since that time and also answer maybe a few questions that Mr. Carrier brought up. First of all, since our last session, the White House Conference on Youth, which our President sponsored, passed a resolution where this conference went on record saying, or asking full adult rights for 18 year-olds throughout the country.

This past fall, the national Governor's Conference passed, unanimously, a resolution asking for full adult right bills to be submitted in every legislature in this country. These are just two things that have happened since we met last Spring.

I think though, the point here is that I am trying to make, that I tried to make last Spring and that this House agreed with, is that the only way that we can be consistent is to go along with this bill. We have recognized 18 year-olds as people with enough maturity and intelligence to pick the leaders of this country and to involve themselves in the political process in deciding what the issues are and how the political parties are going to pass platforms and how we are going to solve our problems.

Another point that I would like to make is that young people of eighteen are paying taxes. Right today, and they are going to continue to pay taxes tomorrow whether we pass this bill or not. So the question of making them, they are not contributing to the taxes, in this society is not true.

And my strongest point for asking you to accept this legislation is that I feel that at 18, between

18 and 19 the majority of young people leave the home. They leave it and they go to college as Mr. Carrier suggested, or Mr. Hewes suggested, they leave it to go to work, they leave it to go in the service. And I feel the responsibility of making adults is the responsibility of the parents and that every parent should take this responsibility and when he sends his sibling out into society, that sibling is an adult and he doesn't expect that that sibling will go out for two years, practice around as some people suggest, and I don't want to go into the practice aspect of it, go out in society and practice for a couple of years and then, on their own, become adults.

I think that we must be consistent today and accept our responsibilities of sending out adults, at 18 years of age. This idea of letting them go out and work for awhile or let them learn by themselves, I think is sort of shirking our own responsibilities.

So I hope that you will do what you did last Spring and pass this bill and remain consistent, and say that you can serve in the armed forces, you can pay taxes, you can vote and also now we are not going to pry into your personal lives and tell you how or when you can drink or when you can buy liquor or when you can get married. We are taking the general things and said okay and when we get into the specifics of young people's personal lives, we say, okay, now we are going to jump in and tell you what you can and cannot do.

So I would plead with you today to be consistent and to pass this piece of legislation and have confidence in yourselves and in the young people because I am sure they will be able to manage.

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

Mrs. BERRY: Mr. Speaker, Members of the House: I would like to go along with Representative Lizotte's postponing of the bill. When he says he is protecting persons by doing this, I believe he is. I believe first, he is protecting the 18 year olds, and more so, protecting the parents.

These 18 year olds are still the parents' financial responsibility. When the gentleman just said that 18 years olds are paying taxes, I imagine they are, but with their parents' money. It has also been said that these boys are drafted at 18 or they are fighting in Vietnam. I have been to the local board and they say that they do not draft anybody until they are nearly 19½ and generally, when they are through basic training they are about 20 before they go across, if they do.

Another thing that has been said, they are getting liquor now, they might as well have it. Well, also, drugs are easy to get now, and are we going to make it lawful for them to get drugs also? Let's be reasonable about it.

I go along with the idea that many of them are very mature, but they are not mature in responsibilities, especially financial responsibilities. I imagine the parents, in more than half of the instances, will be paying the \$3 poll tax for them. They are not responsible in financial affairs, they are a generation of being handed out to, especially money, most of the parents are generally working; and I go along with the postponement of this bill because I think we are doing the 18 year olds a favor if we do so.

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

Mr. COTTRELL: Mr. Speaker, Members of the House: Representative Frank Murray is one of my favorites and I have seen many many of his caliber and I know the future of this state and this country is going to be all right in hands like his.

Anyone who knows me knows that I have not been unconcerned with youth. It has been a great part of my life. And I might recall that in 1963, I introduced L. D. 636 proposing an amendment to the Constitution granting voting rights to citizens 18 years and upwards who had satisfactorily qualified. And in 1969, I introduced L. D. 802, dated February 12, 1969, granting adult rights to persons 20 years of age and to reduce the voting age to 20 years.

There are many, many things one might say. I realize that the threshold of interest in the debate on the floor of the House is very low. I think one of the strongest arguments is that because we have given them this, let's give them that, because we have given them that, let's give them this; and to me, that doesn't make sense.

I have never been able to objectively determine or I have never found out or discovered anyone who could objectively determine the point when one human being reached maturity or sound judgment. But there are some signs along the way. One of them is that the Constitution of the United States says that no Representative can be a Representative until he attains an age of 25. Another signpost along the way says that until you are 25, your insurance rates are going to be higher.

Some of our old adages that we recount over the ages, saying let the young man sow his wild oats. Others might refer to that situation where at 20 you think your father is a fool, at 30 you think he is pretty good, and at 40 you start to praise him as someone who has fought the good fight.

I am not going to vote for this today. It takes me a little time to make my mind on some of these questions. We recount that the Supreme Court supported a bill of Congress which many thought was passed with tongue in cheek by a vote of 5 to 4 to give adults the right to vote in national elections. And at the same time, they turned down the proposition 5 to 4 to give them the right to vote in state elections.

Fellow members of this legislature, I have a deep feeling that our country is faced with not insuperable problems, but with many many problems. Including foreign exchange, including the productivity of our labor force and our total economy. I think that we are living in one of the most revolutionary periods in world history, comparable to the period 1486 to 1522 when all the oceans and all the planets were discovered.

And, of course, I agree with everyone when they say that our youth are sophisticated, much

more sophisticated than we were, and why not? Most of them were born in 1954. They have been brought up and nourished on television. They have watched the assassinations of great leaders of our country. They have seen the British Empire, the great British Empire fall. They have seen the rise of Russia and China, they have seen the Universe explored. Of course, they are more sophisticated. But does sophistication bring wisdom? That's the question. I haven't got the answer.

But I think we do have an opportunity to get a good profile of our young people in this coming election. We will know how many registered, how many declared party affiliation, how many voted.

I think in our elections, we have something like, let the students jog my memory, something like 80 million votes. Well, if there is a potential of 25 million votes and if it is accepted by the youth there could be many and many changes.

I think too, that this is no emergency matter. It was defeated at the regular session and I think the people were satisfied and we heard no great roar from the community to pass this at this time. Sometimes I get so sick of politics, party politics, politicians, I could cry. We have been up here to voting ourselves to many political matters and it certainly has sickened the citizens of our state, in a special session of this kind.

I have had the privilege over the years of chaperoning 150 seniors to Washington, fourteen straight years I did it. We would hit New York, what do you think happened in New York? Where at 18 anybody could go into a barroom and what not. Our students were pretty well coached and we didn't have too much trouble as we did go through New York. But the New York Legislature in passing this bill simply invited the kids from New Jersey and Connecticut to go to New York. What about the kids from New Hampshire now, if you pass something like this? I think their border communities will be flooded by our neighbors. I am not vehement about this, I really am serious. I hope that you might postpone this till the regular session. I have a

poll proposed, we could take a poll of the 12,500 seniors in our high schools before the next regular session.

We could stop this consistency business. Somewhere along the line we have heard that old adage too that consistency is the rule of the smaller mind. And I am not accusing anybody here of having any small mind. But, with what sincerity that I possess, I would ask you to go slow, you will have another chance. This is not an emergency today.

The SPEAKER: The Chair recognizes the gentleman from Mexico, Mr. Fraser.

Mr. FRASER: The previous gentleman said like he would like to see this bill postponed to the regular session, I would like to see it postponed indefinitely.

Many of you know, that for 36 years, I was a Debit Life Insurance Salesman and for those of you who don't know what that is, it is the hardest way in the world to earn a living. In that work, you come in contact with many families. I have been into thousands of homes over those years and I have seen kids born and grow up and become parents and I seen parents shed tears because some of their young folks got into places where they were having problems.

I have seen young folks, 21 years old, go out and sign contracts they could not later meet and when you sign a contract that you cannot meet, you are in trouble. And who do you go to, you go to your parents, and the parents, rather than see their young folks in trouble, will go without themselves and try to help them.

Now, if this will happen at 21 years old, why isn't it going to happen at 18? You probably have salesmen today with snowmobiles and automobiles and everything else that are just waiting for this law to go through and get a signature from an 18 year-old on a contract that they know very well they will collect once that signature is there, one way or another. I say, let's spare these kids, let them enjoy their childhood for another couple of years. And I don't mean this happens with all the young people, I have the high-

est regard for all the young folks here in this House. Perhaps when they were 18 years old, they were responsible and they associated with other boys and girls who are also responsible. But there were many others that they knew nothing about, and I think I do. So, I am going to vote against the bill.

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

Mr. HENLEY: Mr. Speaker, Ladies and Gentlemen of the House: In as much as I signed "ought not to pass" I feel that I should present my views on this bill. I, of course, as you assumed, would support the indefinite postponement move by Mr. Lizotte. I will try to keep what I have got to say objective, and as my good friend, Mr. Cottrell says, I will try to make it reasonable.

I think that I should like to compliment Jack Cottrell on his presentation. I do know that he has done a tremendous amount for young people. I would believe that he knows much more about associations with youngsters through his years of training, and I appreciate what he has had to say.

I know that some of you will recall, that during my debate previously in other legislatures, against lowering the voting age, I was saying back along that if they got the voting age reduced, they should assume all the responsibilities. I would like to change my mind on that. I did thoroughly believe that I would come down here and just shoot the works, and say okay, they have got the right to vote, so let's give them all the stinking mess of civilization they have got to face at 18 years old.

Now I say differently. I have got grandchildren who are teenagers now, I don't want them saddled with it unless they have to be. Sure, let them have the vote, they have got that right now. But friends, and ladies and gentlemen, we are saying that 18 year-olds, probably 80% of them are seniors in high school, shall be declared adults with all of the problems involved.

I don't know quite why this thing has been approached this way. I have tried to find motivation other than political, through the three

sessions that I have been here relative to the pushing of youth into the foreground below the age of 20 or 21. And it has always seemed rather strange and almost paradoxical that we on the one hand, throughout the country, legislatures and national government, annually you might say, vote billions of dollars additional to try to keep young people in education longer. We agree, all of us, that the modern technology of life demands a much greater education, in order to compete, the education is much more technical, it has to take more time to learn. So we do vote and pay tremendous sums of money to advance that education. We allow for subsidies and we allow for loans for students to stay in school longer. And then, on the very next breath, we produce legislation to take their minds off education and to say, well now, you get out, you are an adult, you take your place right along beside us. How are they going to do both?

I doubt that anything I have to say will change the outcome of this bill, and sooner or later, because of the voting rights, they will have the other problems that go along with it. I cannot any more than agree with the lady in front of me here who states that why change the law relative to drinking just because they are going to do it anyway. We might take all of our speed laws off the highways just because people speed anyway. That is really not a very good reason for changing a law.

One thing that I mentioned before and it is worth repeating, is the fact that where do we get this impetus on this 18 year-old thing, do we get it from the 18 year-olds? I defy anybody to show me petitions of where 18 year-olds have asked for this problem. I have gone out of my way to contact 18 year-olds in senior classes. Those that I have come in contact with, primarily are members of Kiwanis clubs who attend every meeting of ours and even though a few of them, when contacted, wanted the vote, very few of them that I contacted knew very much about wanting the responsibilities of adulthood. They didn't particularly care for contractual rights, the

right to marry, responsibilities of debts, drinking etc . . . and a good many of them certainly objected to it.

So it seems too bad to me and to some of the rest of us that we will spend so much time fighting for bills for a group that is not interested enough to really make a big effort to make a showing. Why haven't we got petitions on our desks, why haven't we got letters, why haven't we got thousands of signatures from across the state of 18 year-olds that want this right, responsibility? We haven't got them because they are not the ones that want it. And I reiterate, it is a political ploy, it started in Washington several years ago, and it has gradually pushed its way out through and into the states until now, it is as big as a mountain. It is a snowball which has snowballed to the point of where it can no longer be controlled.

We can only give our views, as I have done, and as I will urge you to support the motion to indefinitely postpone and then sit down as I am going to do now.

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

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: At third reader, I was the only one to debate this. I was prepared again this afternoon to debate it at length. I am willing to forego that privilege and I would only hope that after we have heard all of this that somebody would now move the previous question.

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

Mr. LUND: Ladies and Gentlemen: I am not going to bore you this afternoon with an attempt to answer many of the arguments and many of them, I would suggest are not very persuasive but the questions were raised.

But I am rather surprised that the gentleman from Norway, Mr. Henley, who it seems to me, sat in the committee when I did and saw some petitions with some 3,000 signatures come to our committee. I would suggest to you that the reason this bill is before you

today is that between last session and this session, a young man from Augusta came to me and he said that he was interested in having the legislature take a second look at this bill, and that he had made some inquiries among legislative leadership who had suggested to him that if there was interest in this let it be demonstrated by getting petitions. He asked me what he should do and I said if that is what they said, do it, see if people are interested and they came back with petitions that were gathered by young people and they bore in excess of 3,000 signatures from the districts of every one of the people here. And these included names not only of young people, but of adults as well. I just want to bring that point out so you will be aware of why that bill is here before you.

Mr. Scott of Wilton moved the previous question.

A vote was taken and a sufficient number having expressed the desire for the previous question, the previous question was entertained.

A viva voce vote being taken, the main question was ordered.

Mr. Ross of Bath requested a roll call.

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

Mr. KELLEHER: Mr. Speaker, I would like to pose a question, sir.

The SPEAKER: The gentleman may pose his question.

Mr. KELLEHER: I would like to offer an amendment, Mr. Speaker.

The SPEAKER: The Chair would advise the gentleman that the previous question has been entertained and voted. You must wait until the result of this 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 Biddeford, Mr. Lizotte, that this Bill be indefinitely postponed. If you are in favor of that motion you will vote yes; if you are opposed you will vote no.

#### ROLL CALL

YEA — Ault, Bailey, Baker, Barnes, Bartlett, Berry, G. W.; Berry, P. P.; Binnette, Birt, Bragdon, Bunker, Call, Carey, Carrier, Carter, Churchill, Clark, Conley, Cottrell, Curtis, A. P.; Evans, Fraser, Hardy, Henley, Hewes, Jutras, Kelley, K. F.; Keyte, Lee, Lewis, Lincoln, Littlefield, Lizotte, Lynch, Maddox, Marsteller, Mosher, Murchison, Payson, Pratt, Rocheleau, Scott, Shaw, Shute, Silverman, Simpson, T. R.; Tanguay, Theriault, Trask, White, Wight, Williams, Woodbury.

NAY — Albert, Berube, Bither, Boudreau, Bourgoin, Brawn, Bustin, Clemente, Collins, Cooney, Cote, Cummings, Curran, Curtis, T. S., Jr.; Dam, Donaghy, Dow, Doyle, Dyar, Emery, D. F.; Farrington, Faucher, Fecteau, Fine-more, Gill, Good, Goodwin, Hall, Hancock, Haskell, Hawkens, Hodgdon, Immonen, Jalbert, Kelleher, Kelley, P. S.; Kilroy, Lawry, Lebel, Lessard, Lewin, Lucas, Lund, MacLeod, Mahany, Manchester, Marsh, Martin, McCloskey, McCormick, McNally, McTeague, Millett, Mills, Morrell, Murray, Norris, O'Brien, Orestis, Parks, Porter, Rollins, Ross, Slane, Stillings, Susi, Tyndale, Wheeler, Whit-zell, Wood, M. W.; Wood, M. E.

ABSENT — Bedard, Bernier, Brown, Crosby, Cyr, Drigotas, Dudley, Emery, E. M.; Gagnon, Gauthier, Genest, Hayes, Herrick, Kelley, R. P.; McKinnon, Page, Pontbriand, Rand, Santoro, Shelta, Simpson, L. E.; Smith, D. M.; Smith, E. H.; Vincent, Webber, Whitson.

Yes, 53; No, 71; Absent, 26.

The SPEAKER: Fifty-three having voted in the affirmative and seventy-one in the negative, with twenty-six being absent, the motion does not prevail.

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

Mr. KELLEHER: Mr. Speaker, I move the rules be suspended.

The SPEAKER: The gentleman from Bangor, Mr. Kelleher, moves that the rules be suspended. Is there objection?

(Cries of "Yes")

The Chair hears objection. A two-thirds vote is required for suspension of the rules. The Chair will order a vote. All in favor of the rules being suspended will vote yes; those opposed will vote no.

A vote of the House was taken. 81 having voted in the affirmative and 35 having voted in the negative, the rules were suspended.

On further motion of the same gentleman, the House reconsidered its action of February 24 whereby the Bill was passed to be engrossed.

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

House Amendment "A" (H-593) was read by the Clerk.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. KELLEHER: Mr. Speaker and Ladies and Gentlemen of the House: I supported this document when it before us in the regular session and I want to support the document here this afternoon. But these youngsters that we are giving adult rights to I feel there is a field we are going to open up to them where they are going to be able to put themselves in a position where they can contract loans from banks or loan companies, and I don't feel that these youngsters have got the business knowledge or the practical knowledge for this House or the people to put them in that position.

And I offer this amendment to exclude them from being able to do this, and I sincerely offer it because I feel this will be extremely helpful to them and not harmful to them. I am afraid that in a position such as this that these youngsters haven't had the practical knowledge or the business sense to engage themselves in this type of a program, and I urge you to support this amendment.

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

Mrs. BOUDREAU: Mr. Speaker and Members of the House: I oppose this amendment. If we are really concerned with these child-



ren, so-called, this amendment will do nothing but hurt. If they must obtain money, certainly they are better off obtaining it from a bank or a legitimate loan agency than from some shark.

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

Mr. LUND: Mr. Speaker, I move the indefinite postponement of the pending amendment and would speak briefly.

The SPEAKER: The gentleman from Augusta, Mr. Lund, moves that House Amendment "A" be indefinitely postponed. The gentleman may proceed.

Mr. LUND: Mr. Speaker, Ladies and Gentlemen of the House: I would not want to suggest that I would question the motives of the sponsor of this amendment. I am sure that Mr. Kelleher is very sincere in his concern on this issue. However, it seems to me that it runs directly contrary to the philosophy which it here embodied in this bill, and if we start making exceptions based on age for one area, we can find equally valid exceptions for a number of other areas, if there is any validity to it.

I would like to point out to the House that either the session before or several sessions ago this legislature already made exceptions in the case of younger people, allowing them to enter into contracts in cases of educational programs. Unless my memory serves me wrong, it already is possible for an 18-year-old, or a person under 20 at least, to enter into a contract to finance education and to bind themselves thereby in a contract.

I would also mention in passing that there was of course ample opportunity to have suggested this in the course of the hearings on the bill or when the bill was here for third readers. I think this would tend to delay the passage of this bill, and I think it will discourage the philosophy of what is embodied elsewhere in the bill. I would hope you would vote in favor of indefinite postponement of this amendment.

The SPEAKER: The Chair rec-

ognizes the gentleman from Bangor, Mr. Kelleher.

Mr. KELLEHER: Mr. Speaker, I would like to pose a question through the Chair to my very learned colleague from Augusta, Mr. Lund, and the question is this. If I am not mistaken that these youngsters who negotiate loans for their education, isn't there a set interest rate on these loans for these children?

The SPEAKER: The gentleman from Bangor, Mr. Kelleher, poses a question through the Chair to the gentleman from Augusta, Mr. Lund, who may answer if he chooses. The Chair recognizes that gentleman.

Mr. LUND: Mr. Speaker, I am not aware of the answer.

Mr. Jalbert of Lewiston moved the previous question.

The SPEAKER: For the Chair to entertain a motion for the previous question it must have the consent of one third of the members present and voting. All those in favor of the Chair entertaining the motion for the previous question will vote yes; those opposed will vote no.

A vote of the House was taken, and more than one third of the members present having expressed a desire for the previous question, the motion for the previous question was entertained.

The SPEAKER: The question now before the House is, shall the main question be put now? This is debatable with a time limit of five minutes by any one member. All in favor of the main question being put now will say yes; those opposed will say no.

A viva voce vote being taken, the main question was ordered.

The SPEAKER: The pending question is on the motion of the gentleman from Augusta, Mr. Lund, that House Amendment "A" be indefinitely postponed. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

78 having voted in the affirmative and 37 having voted in the negative, the motion did prevail.

Thereupon, Bill "An Act to Grant Adult Rights to Persons Eighteen Years of Age" (H. P. 1581) (L. D. 2038) was passed to be engrossed.

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

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

Bill "An Act to Correct Errors and Inconsistencies in the Education Laws" (H. P. 1468) (L. D. 1911)

Pending — Passage to be engrossed.

Mr. Dam of Skowhegan offered House Amendment "F" and moved its adoption.

House Amendment "F" (H-588) was read by the Clerk.

The SPEAKER: The gentleman may proceed.

Mr. DAM: Mr. Speaker and Members of the House: What this amendment does in the change of the law is to make uniform registration and procedures throughout the municipalities within a district. As the law now is, it says that each district shall have a registrar appointed and then it goes on to speak of the question of the time limit of voting. It says that at least and not later than 14 days prior to an annual budget meeting, this district voting list shall be — there shall be no additions or deletions or no changes made in the list. This closes off the people 14 days prior to the meeting.

Now this is not really my concern. My concern is that in many of the districts throughout the state they have not used any district voting list and some districts do not even have a registrar of voters. They have used the municipal voting list.

Now this would allow any citizen to challenge the legality of a budget meeting where the statute is not conformed with. And at the same time, with the budget meetings coming in the month of February, and usually at the latter part of the month, and with your district clause saying that if the budget is not approved by the first day of the third fiscal month, then the budget as submitted becomes final. If there was a question of legality, then it would cause a very sour taste in the taxpayers' mouths

to find out that there was nothing they could do to have any conformity with the statutes in regard to the budget meeting. This is the attempt to take away this language which is very confusing as it stands now.

Now this is the fourth time I have been back and forth between the Department of Education and down getting it drafted. What it says is just what it says on the amendment that I offer, that each person whose name appears on the municipal voting list of the municipalities within the district, and this takes out the word "district voting." This takes out the provision of having to maintain a separate voting list.

Now the thing that would be really hard in any district with any sizeable number of inhabitants would be that if you had to vote by a district voting list, this would prolong your budget meeting quite awhile because there is no provision for breaking down a voting list. This is one list of all the inhabitants in the district, and these have to be checked off when you go into a secret ballot process or a written ballot process.

I think it is quite clear here as the law is now, and I have checked this with the Attorney General's Department. It says that any person, any resident of the district whose name appears on the district list may attend and vote. This almost forces you to check these people off at the door to allow them whether they can attend or not attend. And by using the municipalities, especially when you have five or six municipalities in an SAD, this amendment will allow you to use the municipal voting list.

Now on the back side — also in the present law there is no provision for the appointment of any ballot clerks to do any counting or passing out the ballots or checking off. And this says that the moderator shall appoint from the certified voting list such ballot clerks as he deems necessary.

Now on the back side of the sheet, down under where it is number 5, it speaks to registration. This I discussed with the Department of Education and we took out under Section 631, subsection 3, we took

out subsection 3 of Title XXI. And what this would do, this would allow the municipalities — this would make it uniform throughout — to accept registrations from one to five p.m. and from seven to nine p.m. on the sixth to the tenth business days next prior to the election day. He shall not accept registrations on election day or on the five business days next prior to it, and they would need this time to bring their lists up to date so that the district would have these lists so they could use them.

That is all this does. It puts the language into Title XX, which was never there and which has caused quite a lot of confusion throughout the state and it could cause more if there was any challenge made to some of the district meetings that have been held throughout the state.

Thereupon, House Amendment "F" was adopted.

business days prior to the election day. He shall not accept registrations on election day or on the five business days next prior to it, and they would need this time to bring their lists up to date so that the district would have these lists so they could use them.

The Bill was passed to be engrossed as amended by Committee Amendment "A" and House Amendments "A", "B", "C", "D", and "F" and sent to the Senate.

Mrs. Doyle of Bangor presented the following Joint Order and moved its passage:

ORDERED, the Senate concurring, that we, the Members of the One Hundred and Fifth Legislature of the State of Maine, being ever mindful of certain administrative responsibilities which are prerequisite to establishing an adequate system of compensation, recommend and urge that the Board of Trustees of the University of Maine take immediate and appropriate action to adopt for female faculty members under their jurisdiction both a pay plan and wage levels equal and comparable to the compensation paid those male faculty members of equal training and experience who are performing equal professional duties. (H. P. 1596)

The Joint Order was read.

The SPEAKER: The gentleman may proceed.

Mrs. DOYLE: Mr. Speaker and Members of the House: This order ties in with the appropriations bill which we took initial action on today. The appropriation amount that the University of Maine requested was cut in the Appropriations Committee. I am not going to discuss the specific amount of money that we may or may not be giving to the University of Maine.

My main concern here is that whatever amount of money we give to the University of Maine is used first and foremost to straighten out the inequities which exist between the salaries of female faculty members and male faculty members. These inequities have been well documented.

The University trustees, Chancellor, and at least one president have implied that they are going to use the money that we appropriate to straighten out these inequities, and yet there has been no public statement to this effect and certainly no written statement.

The University is in danger of losing a considerable amount of federal funds if they do not correct these inequities or make arrangements for correcting them by the 30th of June. Some of you gentlemen may think that these inequities are a figment of my imagination; they most certainly are not. The average difference between male and female faculty salaries at the University of Maine is \$1694 a year and that is not a figment of anybody's imagination. When you multiply that by 139 full-time women university-wide you come up with a figure of \$235,000, which is necessary just to correct the basic inequity. When you check into the figures further you find that women are held in rank a great deal longer; it takes longer for them to get promotions.

You find such things as at the Orono campus, your full professor level, there are three women, 107 men, and so on. You find the women clustered in the lower ranks of instructors and assistant professors. You find that there

are some men holding full professorships who do not have PhD's, but any women who has attained the rank of full professorship at the University apparently must have to have a PhD.

I hope that this legislative body will go along with me in supporting this order, which serves notice on Chancellor McNeil, the trustees and the president of the University when, as you well know, when we had the discussion about the classified employees salaries at the University we got into the same kind of thing. Once we give

money to the University they do with it what they will. I think that we have every right to ask them to tell us that they are going to use this money to correct something that simple justice and federal guidelines require.

Whereupon, the Order received passage and was sent up for concurrence.

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On motion of Mr. Porter of Lincoln,

Adjourned until nine o'clock tomorrow morning.