

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Sixth*

*Legislature*

OF THE

STATE OF MAINE

1973

KENNEBEC JOURNAL  
AUGUSTA, MAINE

**HOUSE**

Friday, February 23, 1973

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

Prayer by Father Laurent O. Patenaude of Waterville.

The journal of yesterday was read and approved.

**Papers from the Senate**

From the Senate: The following Joint Resolution: (S. P. 340)

WE, your Memorialists, the Senate and House of Representatives of the State of Maine in the One Hundred and Sixth Legislative Session assembled, most respectfully present and petition the President and Congress of the United States, as follows:

WHEREAS, the North Vietnamese and their allies have not as agreed, satisfactorily accounted for all prisoners of war or persons missing in action; and

WHEREAS, the recent list of 555 prisoners of war released by North Viet Nam in response to agreement, does not include names of 56 known prisoners of war and is considered no more accurate than their earlier lists; and

WHEREAS, the United States Government has received the names of only 7 of 317 servicemen known to be missing in Laos; and

WHEREAS, the tragedy of leaving American prisoners behind previously experienced in Korea must not be repeated; and

WHEREAS, approximately 1,400 families must not be abandoned to live in torturous anxiety as to the whereabouts of their loved ones; now, therefore, be it

RESOLVED: That we, your Memorialists, respectfully recommend and urge the President and Congress of the United States to consider the feeling of this State expressed in the foregoing preamble as well as those of the Nation and to do everything within their power to withhold allocation of any funds for reconstruction of North Viet Nam until a satisfactory and complete accounting of all prisoners of war and persons missing in action has been made; and be it further

RESOLVED: That the Secretary of State be directed to transmit forthwith suitable copies of this Memorial to the President of the United States, to the Speaker of the House of Representatives and the President of the Senate of the United States Congress and to the Members of said Senate and House of Representatives from the State of Maine.

Came from the Senate read and adopted.

In the House, the Joint Resolution was read.

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

Mr. AULT: Mr. Speaker, Ladies and Gentlemen of the House: I believe that President Nixon is doing a good enough job without our interference in bringing the prisoners of war home from Southeast Asia. I do not believe that we, the State Legislature of Maine, should get involved in this situation. I also do not necessarily believe that we should hold a carrot out in front of the North Vietnamese saying, "Maybe we will give you aid if you give us a list of the MIA's."

I therefore move for the indefinite postponement of this joint resolution.

The SPEAKER: The gentleman from Wayne, Mr. Ault, moves the indefinite postponement of this Joint Resolution.

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

Mr. HENLEY: Mr. Speaker and Members of the House: I would just like to add to my friend, Mr. Ault. I feel the same way about it. As the House realizes, I have been pretty sorry about state legislatures involving themselves in foreign affairs, and that is what this is.

I agree, I believe, that this resolution should not go beyond this point.

Thereupon, the Joint Resolution was indefinitely postponed in non-concurrence and sent up for concurrence.

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

**Order Out of Order**

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

ORDERED, that Scott and Brian Emery of Windsor be appointed Honorary Pages for today.

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

**Non-Concurrent Matter**

Bill "An Act Providing Complimentary Hunting Licenses to Maine Residents over 70 Years of Age" (S. P. 1) (L. D. 28) which was passed to be engrossed as amended by Committee Amendment "A" (S-10) in the Senate on February 13; passed to be engrossed in non-concurrence in the House on February 21.

Came from the Senate with that body having voted to insist.

In the House: On motion of Mr. Henley of Norway, the House voted to further insist and ask for a Committee of Conference.

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

Messrs. HENLEY of Norway

LYNCH

of Livermore Falls

DYAR of Strong

**Non-Concurrent Matter**

Bill "An Act to Provide for Nomination of the Commissioner of Educational and Cultural Services by the State Board of Education" (H. P. 654) (L. D. 868) which was referred to the Committee on Education in the House on February 14.

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

In the House: On motion of Mr. Bustin of Augusta, the House voted to recede and concur.

**Non-Concurrent Matter  
Tabled and Assigned**

Bill "An Act Relating to Possession of Firearm During Open Season on Deer after Deer Registered" (H. P. 159) (L. D. 201) which was indefinitely postponed in the House on February 13.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" (S-17) in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Fryeburg, Mr. Trumbull.

Mr. TRUMBULL: Mr. Speaker, I move that we recede and concur.

The SPEAKER: The gentleman from Fryeburg, Mr. Trumbull, moves that the House recede and concur.

Whereupon, on motion of Mr. Henley of Norway, tabled pending the motion of Mr. Trumbull of Fryeburg to recede and concur and specially assigned for Monday, February 26.

**Order Out of Order**

Mr. Berry of Buxton presented the following Order and moved its passage:

ORDERED, that Miss Stacey Harmon and Miss Donna Berry of Hollis be appointed Honorary Pages for today.

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

**Petitions, Bills and Resolves  
Requiring Reference**

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

**Appropriations and Financial  
Affairs**

Resolve Providing Funds for Shalom House, Inc., a Halfway House in Portland (H. P. 848) (Emergency) (Presented by Mrs. Wheeler of Portland.

(Ordered Printed)

Sent up for concurrence.

**Business Legislation**

Bill "An Act Establishing Educational Requirements for Real Estate Brokers" (H. P. 839) (Presented by Mr. Garsoe of Cumberland.

(Ordered Printed)

Sent up for concurrence.

**County Government**

Bill "An Act Relating to Kennebec County Fees" (H. P. 837) (Presented by Mr. Farrington of China)

(Ordered Printed)

Sent up for concurrence.

**Education**

Bill "An Act Providing for Mandatory Retirement for Teachers" (H. P. 834) (Presented by Mrs. Murchison of Mattawamkeag)

Bill "An Act Reimbursing Teachers for Professional Credits" (H. P. 838) (Presented by Mr. Garsoe of Cumberland)

(Ordered Printed)

Sent up for concurrence.

**Health and Institutional Services  
Tabled and Assigned**

Bill "An Act Relating to Physician Assistants" (H. P. 829) (Presented by Mr. Stillings of Berwick)

The Committee on Reference of Bills suggested the Committee on Health and Institutional Services.

(On motion of Mr. Henley of Norway, tabled pending reference and specially assigned for Monday, February 26.)

Bill "An Act Relating to Membership on the State Board of Barbers" (H. P. 844) (Presented by Mr. LeBlanc of Van Buren)

Bill "An Act Relating to Licensing of Barbershops" (H. P. 845) (Presented by the same gentleman)

Bill "An Act Relating to Pauper Admittance to Hospitals" (H. P. 851) (Presented by Mr. Lewis of Bristol)

Bill "An Act Relating to Reimbursement to Municipalities for Aid to the Aged, Blind or Disabled" (H. P. 853) (Presented by Mr. Hodgdon of Kittery)

(Ordered Printed)

Sent up for concurrence.

**Judiciary****Tabled and Assigned**

Bill "An Act Relating to Withdrawal from Participation in the Cumberland County Recreation Center" (H. P. 699) (Presented by Mr. Wood of Brooks)

The Committee on Reference of Bills suggested the Committee on Judiciary.

(On motion of Mr. Martin of Eagle Lake, tabled pending reference and specially assigned for Tuesday, February 27.)

Bill "An Act to Provide the Attorney General with Access to

Government Files for Official Use" (H. P. 833) (Presented by Mr. Stillings of Berwick)

Bill "An Act Eliminating Suspension of Motor Vehicle Operator's License Pending Appeal in Operating under the Influence of Intoxicating Liquors" (H. P. 841) (Presented by Mr. Farley of Biddeford)

Bill "An Act Relating to Forcible Entry and Detainer Procedure" (H. P. 846) (Presented by Mrs. Berube of Lewiston)

Bill "An Act Relating to Forcible Entry and Detainer Process for other than Nonpayment of Rent" (H. P. 847) (Presented by the same gentlewoman)

Bill "An Act Relating to Trespass on Lands" (H. P. 854) (Presented by Mr. Albert of Limestone)

(Ordered Printed)

Sent up for concurrence.

**Liquor Control**

Bill "An Act Permitting Sports Arenas to Sell Malt Liquor" (H. P. 830) (Presented by Mr. Kelleher of Bangor)

Bill "An Act Permitting Sale of Prepackaged Foods in Taverns" (H. P. 840) (Presented by Mr. Farley of Biddeford)

(Ordered Printed)

Sent up for concurrence.

**Marine Resources**

Bill "An Act to Authorize the Commissioner of Sea and Shore Fisheries to Exercise Additional Authority in the Management of Alewife Fisheries, Shad, Smelt and Eels" (H. P. 850) (Presented by Mr. Lewis of Bristol)

Bill "An Act to Increase Penalties for Certain Sea and Shore Fisheries Laws" (H. P. 855) (Presented by the same gentleman)

Bill "An Act Relating to Research, Development and Cultivation of Marine Species" (H. P. 856) (Presented by the same gentleman)

(Ordered Printed)

Sent up for concurrence.

**Public Utilities**

Bill "An Act Repealing the Law Requiring Railroad Companies to

Erect and Maintain Bridge Guards" (H. P. 842) (Presented by Mr. Kelleher of Bangor)

(Ordered Printed)

Sent up for concurrence.

### State Government

Resolution Proposing an Amendment to the Constitution Limiting the Maximum Rate of the Sales Tax (H. P. 843) (Presented by Mr. Hancock of Casco)

(Ordered Printed)

Sent up for concurrence.

### Taxation

Bill "An Act Revising the Rate Tables of Tax Imposed on the Income of Individuals" (H. P. 835) (Presented by Mr. Dunleavy of Presque Isle)

Bill "An Act Relating to the Income Tax on Corporations and Revising the Rates" (H. P. 836) (Presented by the same gentleman)

Bill "An Act Relating to the Sales Tax on Motor Vehicle Fuel Used on Farms" (H. P. 852) (Presented by Mr. Albert of Limestone)

(Ordered Printed)

Sent up for concurrence.

### Transportation

Bill "An Act to Clarify the Law Relating to Height and Width Restrictions for Motor Vehicles" (H. P. 831) (Presented by Mr. Stillings of Berwick)

(Ordered Printed)

Sent up for concurrence.

### Veterans and Retirement

Bill "An Act Relating to the State Police Retirement System" (H. P. 832) (Presented by Mr. Stillings of Berwick)

Resolve Increasing Retirement Benefit for Mrs. Nathalie Kinnear of Bristol (H. P. 849) (Emergency) (Presented by Mr. Lewis of Bristol)

(Ordered Printed)

Sent up for concurrence.

### House Reports of Committees Ought Not to Pass

Mr. Dudley from the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act Providing for Atlantic Standard Time" (H. P. 52) (L. D. 59)

Mr. Brawn from the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act Relating to Distribution of Advertising Material" (H. P. 180) (L. D. 222)

Mr. Churchill from the Committee on Fisheries and Wildlife reporting "Ought not to pass" on Bill "An Act Relating to Trapping for Beaver" (H. P. 396) (L. D. 525)

Mr. Mills from the Committee on Fisheries and Wildlife reporting "Ought not to pass" on Bill "An Act Prohibiting the Hunting of Bear with Dogs" (H. P. 408) (L. D. 536)

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

### Referred to Committee on State Government

Mr. Farrington from the Committee on County Government reporting be referred to the Committee on State Government on Bill "An Act to Increase Salaries of Certain Somerset County Officials" (H. P. 301) (L. D. 403)

Report was read and accepted and sent up for concurrence.

### Leave to Withdraw

Mr. Good from the Committee on Fisheries and Wildlife on Bill "An Act Relating to Minimum Length of Trout in Maine Ponds, Brooks and Streams" (H. P. 174) (L. D. 216) reporting Leave to Withdraw.

Mr. Good from the Committee on Fisheries and Wildlife on Bill "An Act Relating to Trapping Beaver in West Brook, York County" (H. P. 437) (L. D. 586) reporting Leave to Withdraw.

Reports were read and accepted and sent up for concurrence.

### Covered by Other Legislation

Mr. Farrington from the Committee on County Government on Bill "An Act Creating Sagadahoc County Commissioner Districts" (H. P. 249) (L. D. 330) reporting Leave to Withdraw, as covered by other legislation.

Report was read and accepted and sent up for concurrence.

**Divided Report**

Majority Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act Relating to Wardens and Vestrymen in the Protestant Episcopal Church in the Diocese of Maine" (H. P. 252) (L. D. 333)

Report was signed by the following members:

Messrs. EMERY of Rockland  
BRAWN of Oakland  
SHAW of Chelsea  
FECTEAU of Biddeford  
DUDLEY of Enfield  
CAREY of Waterville  
FAUCHER of Solon  
— of the House.

Minority Report of same Committee reporting "Ought to pass" on same bill.

Report was signed by the following members:

Messrs. JOLY of Kennebec  
ROBERTS of York  
ALDRICH of Oxford  
— of the Senate.  
Messrs. SHUTE  
of Stockton Springs  
COTE of Lewiston  
CONNOLLY of Portland  
— of the House.

Reports were read.

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

Mr. EMERY: Mr. Speaker, I move the acceptance of the Majority "Ought not to pass" Report.

The SPEAKER: The gentleman from Rockland, Mr. Emery, moves the acceptance of the Majority "Ought not to pass" Report.

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

Mr. DOW: Mr. Speaker and Ladies and Gentlemen of the House: This is a small bill that the Episcopal Church asked me to sponsor for them, which I did. It is just an internal church matter. It was voted at the Convention last May by a small majority, I will admit, but it still was voted at their convention to change the bylaw's in the State to confer with their wishes. I don't think it has any right to come out as a divided report. If the church wants it this way they should be allowed it this way. I would like to have the

minority report come out. Can I ask for a division on it?

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

Mr. ROSS: Mr. Speaker and Members of the House: I certainly hate to disagree with my friend from West Gardiner, Mr. Dow, but as a member of the State Governing Board of the Episcopal Church for eighteen years, I have sponsored over the years a great many bills affecting the Episcopal Church, including the right of women to serve on vestries and at conventions and wardens. And at that particular hearing on women, the only person there to oppose me was my wife. She had with her a Bible and she read from that Bible where women should not have the right to have a say in the church. However, since I sponsored it, it did pass the House and at the next annual meeting of our church in Bath, my name was presented to be a member of the vestry. However, as fate would have it I was beaten by a woman. But in my opinion this goes too far. It lets 15-year-olds become members or wardens of vestry, and the wardens and vestry are the people that handle the entire running of the church from the ecclesiastical aspects to legal and financial. It was a hot issue at the last State Convention. I was there. The proponents were mostly younger persons, both clerical and lay persons, who really had ultra-modern ideas. It won, unexpectedly, by one vote. Now since our convention was held in the cathedral in Portland, many of the persons who were going to vote against this were outside having a smoke.

I am sure if our church conventions allowed reconsideration motions, the results would have been reversed on the next vote. I certainly don't consider the results overwhelming enough to bind me to this as I feel very strongly that the age of 15 is too young to be a warden or a vestryman and handle all of the affairs of the Episcopal Church and I now move that the bill and all accompanying papers be indefinitely postponed.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Over the years during debates, I mean the gentleman from Bath and I have discussed problems that have drawn in church and drawn in my faith and his but what I would like to ask on this thing here, I mean this involves the Episcopal Church and I would like to ask from either the gentleman from West Gardiner, Mr. Dow or the gentleman from Bath, Mr. Ross, what this bill is doing here. What business have we got with this piece of legislation.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert poses a question through the Chair to anyone who may care to answer.

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

Mr. ROSS: Mr. Speaker and Members of the House: Our church laws are all set up under legislative acts and when we want to change them, they have to come before the legislature. I agree with the gentleman from Lewiston, Mr. Jalbert. I don't think they should be here but over the years they are here. They are set up in the statutes and when we want to change them we must bring them to the legislature.

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

Mr. DOW: Mr. Speaker and Ladies and Gentlemen of the House: This still is an internal matter for the church. The church has decided it. It does have to come to the legislature to get their permission but there has been a separation of church and government for quite some time. This should be permissive legislation only I can't see the debate if we were not here to vote on any particular item, if we were outside smoking, the thing would pass just the same, wouldn't it?

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

Mr. JALBERT: Mr. Speaker and Members of the House: I merely wanted to make the observation that I learn something every day.

I know some churches where they decide it themselves, it doesn't come here.

The SPEAKER: The pending question is the motion of the gentleman from Bath, Mr. Ross that this report and bill be indefinitely postponed. A Division will be ordered.

The Chair recognizes the gentleman from Portland, Mr. Mulkern.

Mr. MULKERN: Mr. Speaker and Members of the House: I would like to pose a question through the Chair to anyone who would care to answer it.

The SPEAKER: The gentleman may pose his question.

Mr. MULKERN: Mr. Speaker and Members of the House: According to my reading of this bill, did Mr. Ross say that the person could be elected a warden if he was 15-years-old? Well it says here in the bill "any such person, male or female shall be entitled to be elected warden providing he is at least 20 years of age".

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

Mr. BIRT: Mr. Speaker and Members of the House: I move that this bill lie on the table for one legislative day.

The SPEAKER: The gentleman from East Millinocket, Mr. Birt, moves that this matter lie on the table for one legislative day. All in favor will say yes; those opposed will say no.

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

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

Mr. BITHER: Mr. Speaker and Members of the House: The bill before me reads that any person male or female, and this refers to a 15-year-old person, "shall be entitled to be elected" — with the change in here — "a member of the vestry or a delegate to the Diocesan or General Convention." I happen to be an Episcopalian and I think this, too, is a ridiculous bill and let's get rid of it right now. I hope that all the Baptists and Roman Catholics vote with us on this.



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

Mr. ROSS: Mr. Speaker and Members of the House: I apologize to the gentleman from Portland, Mr. Mulkern. It says that you may be elected a member of the vestry which does handle these affairs of the church or you may be elected to a convention which handles the affairs of the whole State; but to be a warden, you have to be twenty years old.

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

Mr. McTEAGUE: Mr. Speaker and Members of the House: I am not a member, and never have been, of the Episcopal Church although I have the greatest fondness for our parish and priest in Brunswick. I agree with what I think everyone has said. It doesn't matter whether it is 15 or 20, it is none of our business. Mr. Dow said that we have separation of church and state in this country. I think that we are supposed to have. I think this is a gross example of where we don't have it. I think we ought to stop it.

The last thing that I would like to ask, Mr. Speaker, if it is in order, because I am not a member of this church and because I personally object to being involved in their business as a member of the Legislature — I did not run for the vestry of the Episcopal Church but for the Legislature of Maine — I ask to be excused from voting on this.

The SPEAKER: The Chair would rule that there is no conflict of interests and the gentleman may vote. The Chair recognizes the gentleman from Eagle Lake, Mr. Martin.

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: I voted against the tabling request of the gentleman from East Millinocket but after sitting here and giving some thought to it, it might be wise for someone to table this so we could amend it to remove our involvement on the part of the State of Maine in reaching the decisions dealing with the Episcopalian Church of the Diocese of the State of Maine. My

thought is that if the church is going to operate, it ought to operate exclusive of what the State of Maine is doing and I don't care if it is one vote or 5,000 votes, they ought to have that choice of deciding what they want to do. Perhaps we ought to keep this bill alive if people are not satisfied with the present content and amending it in such a way that we give the Episcopalian Church the power to run its own affairs without having to come before this Legislature. It seems unbelievable to me that this has to happen and I would hope — I guess. I am asking that the gentleman from East Millinocket re-table it.

Mr. Ross of Bath was granted permission to speak a third time.

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: If we should look into the fact that we perhaps should not vote on matters pertaining to churches, you would find that you would have to change literally hundreds of pages of our statutes. For instance, on page 7 of your calendar on the first day's Consent Calendar, Item 1 is a bill that I presented relating to the trustees of independent churches. And this, the independent churches — this affects 284 churches.

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

Mr. BIRT: Mr. Speaker and Ladies and Gentlemen of the House: To go one step further and to make sure that all of the denominations do get included, if you look at the first item on the second day's Consent Calendar, you will have some discussion on the Baptist churches and if you look a little further on you will find on the Methodist Church. So I think we are all going to be into the act this morning.

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

Mr. DONAGHY: Mr. Speaker and Members of the House: I think we can go a little bit further because if I understand it, the State of Maine is paying the salaries of the Catholic priests on the three reservations.

The SPEAKER: The pending question is on the motion of the gentleman from Bath, Mr. Ross, that L. D. 333, the Report and Bill, be indefinitely postponed. All in favor of indefinite postponement will vote yes; those opposed will vote no.

A vote of the House was taken.

72 having voted in the affirmative and 44 in the negative, the motion does prevail.

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

Mr. LYNCH: I would move for reconsideration.

The SPEAKER: The gentleman from Livermore Falls moves that the House reconsider its action whereby it indefinitely postponed the Bill and Report of L. D. 333. The gentleman may proceed.

Mr. LYNCH: Mr. Speaker and Ladies and Gentlemen of the House: I am very much dismayed by the action just taken by this House. By indefinitely postponing this vote, you are very definitely intruding on the affairs of religious congregations and churches in this state. I think it is a matter that they should settle within their own jurisdiction and I hope you will vote to reconsider this matter and not indefinitely postpone it. Let the will of the Episcopal Church be carried out. If it is unsatisfactory, let them rectify their action.

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

Mr. JALBERT: Mr. Speaker and Members of the House: With sadness in my heart last Saturday I attended a funeral service at an Episcopal Church. The church was not only crowded but people were standing outside of the church. I am not a member of the Episcopal Church. I respect the Episcopal Church as I respect any church of any denomination; and believe me when I tell you this, at that church were some of the finest citizens, not only in the State of Maine but in this country and I am positive that they were fully capable of running their own affairs. Now, I don't know the ramifications of other bills and I can appreciate the fact that we are paying

probably some of the salaries at the Indian reservations of the Catholic denomination, like we pay a cost to a minister and I am for it; like we pay a Jewish rabbi and I am for it when he says the prayers before us here. You know, speaking of prayers, it always has been a wonder to me why we can't start the session here under our rules unless we say a prayer but nobody can say a prayer in a school even within himself and that has always amazed me but we cannot start this House unless we have a deacon. It has never been my pleasure to say the prayer but someday, I mean, I may have to. In any event as far as I am concerned I have a tremendous amount of respect for the Episcopalian Church and their members and I think that they should be allowed to run their own affairs and I concur wholeheartedly with my colleague from Livermore Falls, Mr. Lynch, so much so that when the vote is taken, I ask that the vote be taken by the yeas and nays.

The SPEAKER: The Chair recognizes the gentleman from Stonington, Mr. Greenlaw.

Mr. GREENLAW: Mr. Speaker and Ladies and Gentlemen of the House: I am an Episcopalian. I do not understand the reason for this bill coming before the Legislature but inasmuch as it is here, I believe that we should allow the Episcopal Church, the Diocese of Maine to determine its own fate and I too support the motion by the gentleman from Livermore Falls, Mr. Lynch and I hope you will vote for that motion.

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

Mr. ROSS: Mr. Speaker and Members of the House: Needless to say I also have a great deal of respect for the Episcopal Church. I have attended five national conventions of the Episcopal Church. I also think that they should handle their own affairs but I did attend this particular one. I heard the debate on the question. When the vote was taken and they won by one vote, people were amazed and of those 150 who voted against this, they came to me and

they said, "Mr. Ross, I certainly hope that you can do something in the Legislature to stop that because we are sure it would not be the wish of the entire congregation of the Episcopal Church of the Diocese of Maine, but just a handful of people who are here today."

The SPEAKER: The Chair recognizes the gentleman from Gardiner, Mr. Whitzell.

Mr. WHITZELL: Mr. Speaker and Members of the House: I wasn't going to rise in defense of this but I had noticed something that really — for those people who haven't read it, it is L. D. 333 and the only wording that has been removed was that people shall have a vote. It was under Section 5 of Public Law Statutes 8269 — well under Section 5 it says qualification of voters, eligibility to office and the Churches clarifying as it would seem, the language which at first was very broad and said that no person shall be eligible unless they are of full age, whatever that means and in place of full age they added the words who are at least 15 years of age and of full age might have been the year one or it might have been 18, or it might have been 12 or it might have been 60. What does of full age mean? As far as I can see they have definitely stated that a person who shall qualify shall be at least 15 years of age. It does not say they shall be 15 years of age, but it says at least and I think that the people in that church who elect their voters will definitely do so using the wisdom that God gave them.

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

Mr. McTEAGUE: Mr. Speaker and Members of the House: I am thinking of something that might happen in the 107th Legislature. A tragedy has occurred, the pope has died and there is a necessity to elect a new pope.

Rather than the Episcopal Convention in Maine, we deal with a conclave of cardinals in Rome. With all due respect, one of the cardinals goes out to have a smoke. He is one of the younger cardinals. They don't range 15 or

20 but 60, 70 and 80. So by one vote we get elected the first American Pope. But there are people who don't think an American should be Pope so they come to some super legislature, let's call it the Maine Legislature, we have a lot to say. The United Nations, Mr. Martin reminds me, rather than the Maine Legislature and they come in and say gentlemen, it is only a technical matter but we have to amend these bylaws in the Catholic Church. Electing an American Pope is obviously ridiculous. We should go back and continue to elect an Italian Pope. There is only one cardinal out having a smoke that caused this abhorration of an American Pope. So they go to the U.N. where, of course, America only has one vote and there is about 100 other countries. Just like there are a number of Episcopalians here but there are many of us who are not Episcopalian and they determine one thing.

And we all know that is absurd and we are not saying that the gentleman, Mr. Ross or the sponsor of the bill or anyone here is absurd, but I suggest to you that the rationale which allows us to intervene in a quarrel within one of our religious denominations could allow the intervention in the quarrel in another religious denomination and if we have the power and exercise it in this Legislature to change a vote because someone went out for a smoke, or someone was sick at a church convention, then I suggest to you even though it was a one — we just change a little bit, because it was only 51 to 50 vote, if we have the power to change that close vote in the Episcopal Church, we have the power in this Legislature, although I am certain we wouldn't use it, but we would have the power to change a vote that was 100 to 1 in one direction.

So think about the American Pope and maybe think about this bill and maybe God help with all the pages that are involved that Mr. Ross has suggested to you, someone will decide that they can do the job of taking this out of our statutes of authorizing these Churches to regulate their own

affairs, maybe something even worse will happen. Maybe someday when some money is involved someone will decide that they lost the fight in the Legislature where they appealed to from the Episcopal Convention and they are going to carry the fight to the courts and there is going to be a question whether the members of the Episcopal Church were properly designated or whether because of the intrusion of the Maine Legislature in violation of both our Maine Constitution and the Federal Constitution, there might be some invalidity to the whole business.

I would suggest, although I can read the tote and I know it is 80 to 40 and Mr. Ross knows that I am not an Episcopalian, but I would suggest for the temporary thing today maybe we ought to switch and change, maybe we ought to give them what they want today and keep it alive and maybe Mr. Ross and maybe Mr. Jalbert or someone will go over to our fine friend Sam Slosberg and say Sam, we are dealing with a statute but let's remember the Constitution and let's let churches run their own affairs and let's stop appeals to the Maine Legislature by various factions or divisions from within a church. We can only do this if we keep it alive.

It will be a lot of work, you know, to change a hundred pages in the statute but, my God, think of all the work and all the debate that went into those hundred pages. This is America. We have got a constitution. It is '73. Someday we may even see that American Pope that I am talking about, but let's stay out of the Episcopal Church and the Catholic Church and the Baptist Church and all the rest. Let's start it today.

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

Mr. EMERY: Mr. Speaker and Members of the House: I think I feel the same thing as many of the other members, that maybe the Legislature should not be involved in church affairs but we have many bills before Legal Affairs Committee that deal with the legal powers and authorities of boards and trusteeships and other

governing organizations and institutions from hospitals to colleges to clubs and organizations and it just so happens that when you have a board in a church that sells property and buys property and is to engage itself in legal entanglements of this variety, it becomes a matter where the state has traditionally been involved. I would like to see it removed because I don't like to see an encroachment against the old principal of separation of church and state but those of us that signed the "ought not to pass" report were mainly concerned about the point of whether or not a 15 or a 16 or a 17-year-old could legally sign contracts or engage a body such as a church or a college or anything else into a legal matter. We wonder what the legal ramifications would be to 15 or 16 or a 17-year-olds signing on behalf of an organization such as this.

It is obvious that we don't have the answer. We on the committee didn't feel that we had the absolute answer and since there seems to be a vacuum on this particular legal point, unless someone here who is more knowledgeable can straighten this out, I would appreciate it if this matter could be tabled for the two days so we could find out what obviously we do not know now. That was the feeling of the majority of the committee.

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

Mr. DONAGHY: Mr. Speaker and Members of the House: I would go back to the gentleman from Brunswick, Mr. McTeague talking about the rationale of this thing. The Episcopal Church must have wanted the State of Maine to do this and make these decisions or it would not be in the law or they would be asking out from this and as far as the cardinals, having an American cardinal because someone went out for a smoke, as I remember my religious history, the cardinals are locked in a room and they couldn't go out for a smoke. The smoke comes up the chimney.

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

Mr. LYNCH: Mr. Speaker and Ladies and Gentlemen of the House: I hope that we will very definitely not table this today. I think some of the remarks that have been made have questioned the wisdom of the people in the Protestant Episcopal Church. Now certainly they ought to know the hazards that are involved when they lowered the age and if they are not aware of them and they run into problems, I think they ought to be able to settle them themselves. I don't feel that we have any part except what we are obligated by State statutes and if they want to run their church or any other religious organization wants to run its church in any particular way that is not in conflict with the laws of the State of Maine or of the United States, they certainly ought to be able to do it themselves.

The SPEAKER: The Chair recognizes the gentleman from South Berwick, Mr. Goodwin.

Mr. GOODWIN: Mr. Speaker and Ladies and Gentlemen of the House: I would like to pose a question to somebody in the Episcopal Church. On this bill as I look at it, only 20-year-olds or people 20 years of age or above could be a warden. If this is the case and if the wardens are the governing body of the church, I see no problem as far as signing documents or transferring property or any of this. As I read this only 15, 16, 17, 18, and 19-year-olds will be able to vote for them and attend any conventions and anything else. Maybe I don't quite understand the internal workings of the Episcopalian Church but it seems to me that there is nothing particularly wrong with this and I hate to get involved in turning over a ruling by a particular church. It just doesn't seem right to me at all. I would like to know whether or not — who controls the Episcopalian Church? If it is the wardens then really there doesn't seem to be anything wrong with this as far as the law goes.

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

Mr. ROSS: Mr. Speaker and Members of the House: To answer the question of the gentleman, the Protestant Episcopal Church in Maine consists of about 11,000 members and we have a Bishop who is in control. He is governed by a Diocesan Council which is his advisory group. Now to break it down to the parish level, the parishes are governed by wardens and vestry. Now the vestry really are the Board of Directors and the wardens are just slightly over them. One has charge of church property and the other consults with the priest in the church as to ecclesiastical things and that sort of thing.

Now it has been said that we should follow the dictates of the majority of the Episcopal Church. Let me give you an example. Two years ago and four years ago at the Diocesan Council, the Episcopal Diocese of Maine voted unanimously to support the abortion bill. I put that in. I certainly didn't see the people following the dictates and the wishes of the majority of the Episcopal Church at that time.

The SPEAKER: The Chair recognizes the gentleman from Stonington, Mr. Greenlaw.

Mr. GREENLAW: Mr. Speaker, Ladies and Gentlemen of the House: The question as to the 15-years-of-age, as I read L. D. 333, it indicates that it gives people 15 years of age a right to vote at so-called parish or annual meetings. This has nothing to do with signing legal documents or buying a church through a contract. It further states that a person could be elected a warden at 20 years of age.

The 18-year-old has the right to vote now, why shouldn't a person who is 20 years of age be able to be elected to be a member of the government body of a church?

I would like to pose a question through the Chair if anyone would answer it, why any of these laws that govern churches in the State of Maine have to be approved by the Legislature.

The SPEAKER: The gentleman from Stonington, Mr. Greenlaw, poses a question through the Chair to anyone who may care to answer.

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

Mr. BRAUN: Mr. Speaker, to clear up the gentleman's question over there on the 15-year-olds, they are definitely going to have a right if this bill goes through to buy and sell this property and dispose of it as they see fit.

Now, this came before our committee and I heard it and thought to myself like this: Suppose I had three minor children and we all had a right to vote, my wife and I and we own property, and they knew nothing of value, I don't think a 15-year-old has the knowledge of value at all and they decided they didn't like the home I was in, sold it out from under me. We moved out in a tent and then they wanted to go back, it is gone. They had very poor judgment.

And I shall go along with Mr. Ross because this gives them all the rights in the world to buy and sell property.

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

Mr. JALBERT: Mr. Speaker, Members of the House: I really dislike to take issue mildly with my friend from Oakland, Mr. Brawn, but I think that possibly if they tried to do anything like that, even though we pass this bill, and I hope we do, that they might run into State statute there very quickly.

Before I sit down I would like to go along and agree, having read the minutes of the convention of 1970 as I know the good gentleman from Bath, Mr. Ross, did of the Episcopalian Convention, I can't fail to remind him that I think he remembers also that the same convention said that life began at conception.

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

Mr. CAREY: Mr. Speaker, the gentleman from Lewiston mentions that there may be State statutes which would prevent these 15-year-olds from selling the property off. Maybe the gentleman could enlighten us and tell us which statutes those are.

The SPEAKER: The gentleman from Waterville, Mr. Carey, poses a question through the Chair to anyone who may care to answer.

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

Mr. JALBERT: Mr. Speaker, very simple. We have given the boys the voting rights, we have given them legal rights. It is right in the Statute of the State of Maine that he voted for himself two years ago.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Livermore Falls, Mr. Lynch, that the House reconsider its action whereby it indefinitely postponed both Report and Bill "An Act Relating to Wardens and Vestrymen in the Protestant Episcopal Church in the Diocese of Maine" (H. P. 252) (L. D. 333). All those in favor of reconsideration will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Albert, Berry, P. P.; Boudreau, Briggs, Brown, Bustin, Carter, Chick, Chonko, Churchill, Clark, Conley, Connolly, Cottrell, Curran, Dam, Davis, Dow, Drigotas, Dunleavy, Dyar, Evans, Farley, Farrington, Fecteau, Ferris, Fraser, Gahagan, Good, Goodwin, H.; Goodwin, K.; Greenlaw, Hamblen, Hancock, Haskell, Henley, Hobbins, Hodgdon, Huber, Immonen, Jackson, Jacques, Jalburt, Keyte, Kilroy, Knight, LaCharite, LaPointe, Lawry, Lewis, J.; Littlefield, Lynch, Mahany, Martin, Maxwell, McHenry, McKernan, McTeague, Merrill, Mills, Morin, V.; Morton, Mulkern, Murchison, Murray, Najarian, Peterson, Rolde, Santoro, Shute, Smith, D. M.; Smith, S.;

Snowe, Sproul, Stillings, Susi, Talbot, Theriault, Tierney, Trumbull, Webber, Wheeler, Whitzell, Willard, Wood, M. E.

NAY — Ault, Baker, Berry, G. W.; Berube, Birt, Bither, Bragdon, Brawn, Bunker, Cameron, Carey, Cressey, Donaghy, Dunn, Emery, D. F.; Farnham, Finemore, Flynn, Hoffses, Hunter, Kelleher, Kelley, R. P.; Lewis, E.; MacLeod, Mad-dox, McNally, Morin, L.; Palmer, Parks, Pontbriand, Pratt, Rollins, Ross, Shaw, Silverman, Trask, Tyndale, White, The Speaker.

ABSENT — Barnes, Binnette, Carrier, Cooney, Cote, Crommett, Curtis, T. S., Jr.; Deshaies, Dudley, Faucher, Garsoe, Gauthier, Genest, Herrick, Kelley, LeBlanc, McCormick, McMahon, Norris, O'Brien, Perkins, Ricker, Sheltra, Simpson, L. E.; Soulas, Tanguay, Walker.

Yes, 85; No, 39; Absent, 27.

The S P E A K E R : Eighty-five having voted in the affirmative and thirty-nine having voted in the negative, with twenty-seven being absent, the motion does prevail.

Thereupon, on motion of Mr. Lynch of Livermore Falls, the Minority "Ought to pass" Report was accepted.

The Bill was read once and assigned for second reading the next legislative day.

### Orders Out of Order

From the Senate: The following Order:

ORDERED, the House concurring, that when the House and Senate adjourn, they adjourn to Monday, February 26, at 1 o'clock in the afternoon. (S. P. 357)

Came from the Senate read and passed.

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

Mr. McKernan of Bangor presented the following Order and moved its passage:

ORDERED, that John Norris of Brewer be excused on Monday the 26th and Tuesday the 27th due to illness in his family.

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

### Divided Report Tabled and Assigned

Majority Report of the Committee on Fisheries and Wildlife reporting "Ought not to pass" on Bill "An Act Relating to Hunting with Muzzle-loading Rifles" (H. P. 397) (L. D. 526)

Report was signed by the following members:

Messrs. ANDERSON of Hancock — of the Senate.

Messrs. GOOD of Westfield  
MILLS of Eastport  
MORIN of Fort Kent  
PARKS of Presque Isle  
KELLEY of Southport  
CAMERON of Lincoln  
WALKER of Island Falls  
— of the House.

Minority Report of same Committee reporting "Ought to pass" on same bill.

Report was signed by the following members:

Messrs. GRAFFAM of Cumberland  
ALDRICH of Oxford  
— of the Senate.

Messrs. CHURCHILL of Orland  
DOW of West Gardiner  
— of the House.

Reports were read.

(On motion of Mr. Hancock of Casco, tabled pending acceptance of either Report and specially assigned for Tuesday, February 27.)

### Consent Calendar First Day

(H. P. 152) (L. D. 185) Bill "An Act Relating to Board of Trustees of Independent Churches" Committee on Legal Affairs reporting "Ought to Pass"

(H. P. 177) (L. D. 219) Bill "An Act Relating to Recording Municipal Ordinances Relating to Land Control" Committee on Legal Affairs reporting "Ought to pass in New Draft and under same title: (H. P. 858) (L. D. 1001)

(S. P. 92) (L. D. 238) Bill "An Act Relating to Reports of Continuous Revision by Director of Legislative Research" Committee on State Government reporting "Ought to pass" as amended by Committee Amendment "A" (S-16)

(H. P. 196) (L. D. 269) Bill "An Act Relating to Bridge Academy"

Committee on Legal Affairs reporting "Ought to pass" as amended by Committee Amendment "A" (H-52)

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

(S. P. 136) (L. D. 348) Bill "An Act Relating to Apportionment of Cost of Reconstruction of Railroad Grade Separation Structures on Nonfederal Aid-State Aid Highways" Committee on Transportation reporting "Ought to pass"

At the request of Mr. Carey of Waterville, was removed from the Consent Calendar's First Day list.

On motion of Mr. Carey of Waterville, the Report was accepted. The Bill was read once and assigned for second reading the next legislative day.

(H. P. 264) (L. D. 371) Bill "An Act Relating to Motor Vehicle Auxiliary Lights on Snow Plowing Vehicles" Committee on Transportation reporting "Ought to pass"

(H. P. 268) (L. D. 375) Bill "An Act Relating to Display of Headlamps on Parked Vehicles" Committee on Transportation reporting "Ought to pass"

(H. P. 304) (L. D. 406) Bill "An Act Relating to Exemption of Certain Securities and Dealers from Registration under the Securities Law" Committee on Business Legislation reporting "Ought to pass"

(H. P. 305) (L. D. 407) Bill "An Act Establishing Licensure Fees for Manufacture and Sale of Lightning Rods" Committee on Business Legislation reporting "Ought to pass"

(H. P. 306) (L. D. 408) Bill "An Act to Increase the Fee for Registration of Securities" Committee on Business Legislation reporting "Ought to pass"

(H. P. 365) (L. D. 480) Bill "An Act Relating to Display of Vehicle Headlamps" Committee on Transportation reporting "Ought to pass"

(H. P. 372) (L. D. 501) Bill "An Act Relating to Real Estate Brokers' Trust Accounts" Committee on Business Legislation reporting "ought to pass" as

amended by Committee Amendment "A" (H-53)

(H. P. 373) (L. D. 502) Bill "An Act Relating to Per Diem Compensation for Members of the Real Estate Commission" Committee on Business Legislation reporting "Ought to pass"

(H. P. 376) (L. D. 505) Bill "An Act to Amend the Organization of Penobscot Bar Library Association" Committee on Legal Affairs reporting "Ought to pass" as amended by Committee Amendment "A" (H-54).

(H. P. 389) (L. D. 518) Bill "An Act Relating to Outside Signs at Offices of and Increasing Fees of Change of Location of Real Estate Brokers" Committee on Business Legislation reporting "Ought to pass"

(H. P. 407) (L. D. 535) Bill "An Act Establishing the Lowell E. Barnes Wildlife Management Area, Oxford County" Committee on Fisheries and Wildlife reporting "Ought to pass"

(H. P. 409) (L. D. 558) Bill "An Act Relating to Holding Property by Children's Aid Society in Maine" Committee on Legal Affairs reporting "Ought to pass"

(H. P. 417) (L. D. 566) Bill "An Act Increasing Bond of Register of Probate in Cumberland County" Committee on County Government reporting "Ought to pass"

(H. P. 446) (L. D. 595) Resolve Providing Funds for Project on Swan's Island, Hancock County. Committee on Natural Resources reporting "Ought to pass"

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

### Consent Calendar Second Day

(S. P. 67) (L. D. 169) Bill "An Act Relating to Holding Property and Changing the Name of United Baptist Convention of Maine"

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

(H. P. 178) (L. D. 220) Bill "An Act to Clarify the Municipal Records Law" (S. "A" - H-48)

At the request of Mr. McKernan of Bangor, was removed from the



Consent Calendar's Second Day list.

The Report was accepted, the Bill read once and assigned for second reading the next legislative day.

(S. P. 90) (L. D. 236) Bill "An Act Relating to Penalty for Buying or Receiving Stolen Property" (C. "A" - S-15)

(S. P. 137) (L. D. 349) Bill "An Act Relating to Change of Name, Trustees, Power to Hold Property of the Maine Conference of the United Methodist Church."

(S. P. 168) (L. D. 423) Bill "An Act Providing Funds for the Maine Higher Education Council"

(H. P. 332) (L. D. 450) Bill "An Act Extending the Territorial Limits of the South Berwick Sewer District" (Emergency)

(H. P. 364) (L. D. 479) Bill "An Act Exempting Hearing Aids from the Sales Tax"

(H. P. 419) (L. D. 568) Bill "An Act to Amend the Charter of the Portland Water District" (Emergency)

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

#### **Passed to Be Engrossed**

Bill "An Act Relating to Membership on Board of Elevator Rules and Regulations" (H. P. 167) (L. D. 209)

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

Mr. McTeague of Brunswick offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-56) was read by the Clerk and adopted.

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

Bill "An Act Revising the Maine Egg Grading Law" (H. P. 230) (L. D. 310)

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

Mr. Evans of Freedom offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-51) was read by the Clerk and adopted.

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

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

An Act Relating to Lights on Motor Vehicles of Baxter State Park Rangers (H. P. 131) (L. D. 155) (H. "A" - H-35)

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, 119 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### **Orders of the Day**

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

Bill "An Act Relating to Fees for Forest Lands and Wild Lands Posted Against Trespass" (H. P. 58) (L. D. 70)

Tabled — February 21, by Mr. Simpson of Standish.

Pending — Passage to be Engrossed.

On motion of Mr. Dyar of Strong, retabled pending passage to be engrossed and specially assigned for Tuesday, February 27.

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

Bill "An Act to Increase Outdoor Advertising License and Permit Fees and Extend Controls" (S. P. 276) (L. D. 764) (New Draft of S. P. 107 L. D. 252)

Tabled — February 21, by Mr. MacLeod of Bar Harbor.

Pending — Acceptance of Report of Bills in Second Reading.

Thereupon, the New Draft was read the second time.

On motion of Mr. Rolde of York, tabled pending passage to be engrossed and specially assigned for Tuesday, February 27.

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

Bill "An Act Relating to the Control of Dogs" (H. P. 5) (L. D. 5)

Tabled — February 21, by Mr. Evans of Freedom.

Pending — Passage to be enacted.

On motion of Mr. Evans of Freedom, under suspension of the rules, the House reconsidered its action of February 13 whereby the Bill was passed to be engrossed as amended by Committee Amendment "A".

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

House Amendment "A" (H-55) was read by the Clerk and adopted.

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

Mr. AULT: Mr. Speaker, may I direct a question to Mr. Evans, please, and ask him what this section he is repealing says?

The SPEAKER: The gentleman from Wayne, Mr. Ault, poses a question through the Chair to anyone who may care to answer.

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

Mr. EVANS: Mr. Speaker, this amendment — only thing this amendment does is straighten out the law. There was confliction of penalties between the bill that we had in here and the bill that was passed back along, and this cuts out the old penalty and accepts the new penalty on this new dog bill. That is the only thing that it does on this amendment, because the Attorney General's Office said that we had a confliction of penalties. So we had to straighten it out.

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

Mr. AULT: Mr. Speaker, I would like to direct another question to Mr. Evans. When he says we passed back along, was that at the last session of the legislature when we raised the penalty to \$200?

The SPEAKER: The gentleman from Wayne, Mr. Ault poses a question through the Chair to anyone who may care to answer.

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

Mr. EVANS: Mr. Speaker, it seems that the penalty for the law

that was on the books was \$25 to \$50 maximum. This law makes it \$25 to \$100 maximum. There was no \$200. The Attorney General claims it was \$25 to \$50. This makes it \$25 to \$100.

Thereupon, the Bill was passed to be engrossed as amended by Committee Amendment "A" and House Amendment "A" and sent to the Senate.

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

Joint Order relative to Special Legislative Committee to Welcome Home Returning Prisoners of War (S. P. 334)

Tabled — February 22, by Mr. Simpson of Standish.

Pending — Passage.

On motion of Mr. Birt of East Millinocket, retabled pending passage and specially assigned for Monday, February 26.

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

Bill "An Act to Authorize the State Housing Authority to Adopt a State Building Code" (H. P. 813)

Tabled — February 22, by Mr. Emery of Rockland.

Pending — Reference.

On motion of Mr. Emery of Rockland, retabled pending reference and specially assigned for Monday, February 26.

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

Bill "An Act Eliminating "Vacationland" from Motor Vehicle Number Plates" (H. P. 808)

Tabled — February 22, by Mr. Simpson of Standish.

Pending — Motion of Mrs. Najarian of Portland to refer to Committee on Natural Resources.

Thereupon, Mrs. Najarian withdrew her motion.

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

Mr. Bustin of Augusta was granted unanimous consent to address the House.

Mr. BUSTIN: Mr. Speaker, Ladies and gentlemen of the House: Sometimes we always begin our speeches by saying that we are dismayed or amazed to see something appearing in the newspapers. I want to begin the same way this morning by expressing amazement and dismay over a headline in the Daily Kennebec Journal, the story which charges that a charge from the President of the Maine Senate that the Office of Economic Opportunity was used for political purposes. In that article the President of the Maine Senate says, "It was inappropriate for the Office of Economic Opportunity to send out a memorandum telling CAP directors, Community Action Program directors, that there was a public petition drive underway for the Maine Public Power Authority advising them that some poor people might be able to earn ten cents per name in getting signatures on these petitions.

I do not think that this was a misuse of state time and money. Those of us who are aware of the purpose of the Office of Economic Opportunity know that its primary function was to be an advocate for low income people. In fact, to teach low income people that they should not depend on welfare but they should be able to do things for themselves, to help low income people and senior citizens learn the political process and to involve them in it so that they can, in fact, help themselves to know how the system works and to know what their rights are under the system.

So I believe its action of the Office of Economic Opportunity was consistent with that office's obligation to be an advocate for the poor. But I guess my chief amazement and dismay comes from the identification of this issue as a partisan matter. This comment, coming from a leader of the Republican party, seems to justify what we Democrats have been saying all along, that it is the Republican party which for years has protected the interests of the big utility companies.

This did not appear to be a partisan issue but now it seems to be

one. It would seem to me that the President of the Maine Senate is, in fact, in this article attempting to discredit the Public Power petition drive, to cast a shadow over it; when, in fact, we know that the petitions were distributed by hundreds and hundreds of Maine citizens who firmly believe in the Maine Public Power Authority and I can guarantee for one fact, that the people who sign it in the City of Augusta were not all Democrats.

I don't think that the attitude that we are seeing reflected in this article is particularly new. It is a cynical attitude which is pervading the country which gets its leadership from the President of the United States in the denial of education funds, health, programs for senior citizens. Today's Portland Press Herald headline, HUD cutoff gets \$10.5 million in Maine housing.

What we are seeing is the amassing of great political power against people who cannot defend themselves, who do not know how city councils work and how legislators work. The bulk of the "great society" programs were designed to give people a chance to participate in their government.

The SPEAKER: The Chair recognizes the gentleman from East Millinocket, Mr. Birt. For what purpose does the gentleman rise?

Mr. BIRT: Point of order.

The SPEAKER: The gentleman may state his point of order.

Mr. BIRT: Mr. Speaker, the gentleman is making reference to a member of the other body in rather unfair terms. I personally feel he is out of order and I move the Chair should so rule.

The SPEAKER: The Chair will rule that the gentleman speaking, Mr. Bustin, should confine his remarks without making reference to a member of the other body, without making undue reference to the gentleman from the other body.

Mr. BUSTIN: Thank you, Mr. Speaker. Now it is being said, not only can't the people have the programs but they can't even be advised of what they can do to help themselves. It may be possible that this legislature will

vote to kill the OEO in July, but I think that I can safely predict that this will not stop the people from Maine from being heard on the Maine Public Power Authority.

On motion by Mr. Birt of East Millinocket,

Adjourned until Monday, February 26, at two o'clock in the afternoon.