

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Sixth
Legislature*

OF THE

STATE OF MAINE

Volume II

April 23, 1973 to June 5, 1973

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Wednesday, May 30, 1973

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

Prayer by the Rev. Mr. Louis Fortier of Augusta.

The journal of yesterday was read and approved.

Order Out of Order

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

ORDERED, that Thomas Cox of Bangor be appointed Honorary Page for today.

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

**Papers from the Senate
Reports of Committees****Ought Not to Pass**

Committee on Judiciary on Bill "An Act Creating the Uniform Marriage and Divorce Act" (S. P. 243) (L. D. 694) reporting "Ought Not to Pass."

Committee on State Government reporting same on Bill "An Act Creating a Drug Control Corps Within the State Police" (S. P. 264) (L. D. 761)

Committee on Judiciary reporting same on Bill "An Act Relating to Investigation where Custody of Children are Involved in a Divorce Action" (S. P. 497) (L. D. 1584)

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

Leave to Withdraw

Committee on Labor on Bill "An Act Relating to Procedure with Respect to Claims against Third Persons under Workmen's Compensation Act" (S. P. 318) (L. D. 985) reporting Leave to Withdraw.

Came from the Senate with the Report read and accepted.

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

**Ought to Pass with
Committee Amendment**

Committee on Transportation on Bill "An Act Relating to Winter Maintenance of State Aid Highways and Town Way by Municipalities" (S. P. 119) (L. D. 264)

reporting "Ought to Pass" as amended by Committee Amendment "A" (S-165)

Committee on Transportation on Bill "An Act Relating to Snow Removal on State Highways in Built-up Sections of Certain Municipalities" (S. P. 295) (L. D. 842) reporting "Ought to Pass" as amended by Committee Amendment "A" (S-164)

Came from the Senate with the Reports read and accepted and the Bills passed to be engrossed as amended by Committee Amendment "A".

In the House, the Reports were read and accepted in concurrence and the Bills read once. Committee Amendment "A" to each was read by the Clerk and adopted in concurrence and the Bills assigned for second reading tomorrow.

Ought to Pass in New Draft

Committee on Public Utilities on Bill "An Act Relating to Public Utilities Commission Rate Regulation for Carriers of Freight" (S. P. 378) (L. D. 1104) reporting "Ought to Pass in New Draft" (S. P. 634) (L. D. 1965) under same title.

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed.

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

Indefinitely Postponed

Committee on Appropriations and Financial Affairs on Bill "An Act Relating to the Southern Regional Center for the Severely and Profoundly Mentally Retarded at Kittery" (S. P. 109) (L. D. 254) reporting "Ought to Pass" in New Draft (S. P. 625) (L. D. 1948) under new title "An Act to Provide Monies for Planning Residential Accommodations for the Retarded in Maine"

Came from the Senate with the Bill indefinitely postponed.

In the House, the Report was read.

On motion of Mr. Simpson of Standish, the Bill and all accompanying papers were indefinitely postponed in concurrence.

**Divided Report
Tabled and Assigned**

Majority Report of the Committee on Judiciary on Bill "An Act to Authorize Issuance of Warrants for Administrative Searches" (H. P. 344) (L. D. 1043) reporting "Ought not to pass."

Report was signed by the following members:

Messrs. DUNLEAVY
 of Presque Isle
 PERKINS
 of South Portland
 CARRIER of Westbrook
 McKERNAN of Bangor
 HENLEY of Norway
 GAUTHIER of Sanford
Mrs. WHEELER of Portland
 —of the House.

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

Report was signed by the following members:

Messrs. TANOUS of Penobscot
 SPEERS of Kennebec
 BRENNAN of Cumberland
 —of the Senate.
Mrs. BAKER of Orrington
 WHITE of Guilford
 KILROY of Portland
 —of the House.

Came from the Senate with the Minority Report accepted and the Bill passed to be engrossed.

In the House: Reports were read.

The Chair recognizes the gentleman from Orrington, Mrs. Baker.

Mrs. BAKER: Mr. Speaker, I move the acceptance of the Minority "Ought to pass" Report.

Thereupon, on motion of Mr. Simpson of Standish, tabled pending acceptance of the Minority Report in concurrence and tomorrow assigned.

Divided Report

Majority Report of the Committee on Business Legislation on Bill "An Act Revising Interest Charges of Industrial Loan Companies and Industrial Banks" (S. P. 382) (L. D. 1128) reporting "Ought not to pass."

Report was signed by the following members:

Messrs. KATZ of Kennebec
 COX of Penobscot

MARCOTTE of York

—of the Senate.

Messrs. TRASK of Milo
 MADDOX of Vinalhaven
 DONAGHY of Lubec
 HAMBLEN of Gorham
 JACKSON of Yarmouth
 O'BRIEN of Portland

Mrs. BOUDREAU of Portland
 —of the House.

Minority report of the same Committee on same Bill reporting "Ought to pass."

Report was signed by the following members:

Mrs. CLARK of Freeport
Mr. TIERNEY of Durham
 —of the House.

Came from the Senate with the Majority Report read and accepted.

In the House: Reports were read. On motion of Mr. Trask of Milo, the Majority "Ought not to pass" Report was accepted in concurrence.

Divided Report

Majority Report of the Committee on State Government on Bill "An Act Establishing a Consumers' Council" (S. P. 464) (L. D. 1495) reporting Leave to Withdraw as covered by other legislation.

Report was signed by the following members:

Messrs. WYMAN of Washington
 SPEERS of Kennebec
 —of the Senate.

Messrs. FARNHAM of Hampden
 CURTIS of Orono.
 STILLINGS of Berwick
 SILVERMAN of Calais
 CROMMETT

 of Millinocket
 —of the House.

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

Report was signed by the following members:

Mr. CLIFFORD
 of Androscoggin
 —of the Senate.

Mrs. GOODWIN of Bath
 NAJARIAN of Portland

Messrs. BUSTIN of Augusta
 COONEY of Sabattus
 —of the House.

Came from the Senate with the Majority Report read and accepted.

In the House: Reports were read.

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

Mr. CURTIS: Mr. Speaker, I move acceptance of the Majority Report in concurrence.

The SPEAKER: The gentleman from Orono, Mr. Curtis, moves acceptance of the Majority Report in concurrence.

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

Mr. MARTIN: Mr. Speaker, I wonder if I might pose a question through the Chair to the gentleman from Orono. It indicates that this is covered by other legislation. I wonder if he could indicate to us what other legislation that is.

The SPEAKER: The gentleman from Eagle Lake, Mr. Martin, poses a question through the Chair to the gentleman from Orono, Mr. Curtis, who may answer if he chooses.

The Chair recognizes that gentleman.

Mr. CURTIS: Mr. Speaker and Members of the House: I will be happy to answer that question. This particular matter is mentioned specifically and is covered by other legislation in terms of the order that we passed, the joint order that was passed by this House two days ago and is now sitting on the table in the other body for the future of all matters in this area concerning advisory committees and advisory councils.

Thereupon, the Majority Report. Leave to Withdraw, was accepted in concurrence.

Divided Report

Majority Report of the Committee on State Government on Bill "An Act to Reorganize the Departments of Health and Welfare and Mental Health and Corrections" (S. P. 512) (L. D. 1599) reporting "Ought to pass" as amended by Committee Amendment "A" (S-166)

Report was signed by the following members:

Messrs. SPEERS of Kennebec
CLIFFORD
of Androscoggin
—of the Senate.
Mrs. GOODWIN of Bath
NAJARIAN of Portland

Messrs. BUSTIN of Augusta
FARNHAM of Hampden
COONEY of Sabattus
CROMMETT

of Millinocket
— of the House.

Minority Report of the same Committee on same Bill reporting "Ought not to pass".

Report was signed by the following members:

Mr. WYMAN of Washington
—of the Senate.

Messrs. CURTIS of Orono
STILLINGS of Berwick
SILVERMAN of Calais
— of the House.

Came from the Senate with the Majority Report read and accepted and the Bill passed to be engrossed.

In the House: Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Hampden, Mr. Farnham.

Mr. FARNHAM: Mr. Speaker, I move the acceptance of the Majority "Ought to pass" Report.

The SPEAKER: The gentleman from Hampden, Mr. Farnham, moves the acceptance of the Majority "Ought to pass" Report.

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

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: Certain reorganization plans make sense. The last session we made several changes. In my opinion, most of these did not work out at all well. In theory they sound very good. They would go for more efficiency; they would save money, but that is theory. It has not worked out this way. They have become less efficient because of interdepartmental squabbling. There is no saving because the same number of people are employed or more.

The one before us today did not pass last year, and I believe it is one of the worst proposed innovations under the guise of progress. It puts together two of our largest and most active departments. Health and Welfare, under our new one-year budget, will spend \$38.3 million dollars. It has 20 bureaus, programs or services, and employs 422 people. Mental Health and Corrections, under our new budget,

asks for almost \$30 million. It operates 15 institutions, bureaus or services, and it employs 2,784 people. I have no doubt there should be many changes made within these present departments, but to combine them, I think, would be a great mistake. I hope the majority report "ought to pass" is not accepted.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I am one of those who presented a reorganization bill, as I stated last week, at the last session and I am sorry that I did it. As far as this measure here is concerned, let me just give you an example of the Mental Health and Corrections Department.

In 1953, Dr. Bowman took over at Pineland. In 1961 he started the psychiatric aide program. He was nationally cited for his work, and in 1963 for the first time in the history of Pineland since its inception in 1909, Pineland was accredited. As we know, he was removed by a law that I still say did not apply to him, and it didn't take 10 months for us to wind up for several reasons not accredited at the school. So I think that area needs some house cleaning.

At the hearing on Part I of the Appropriations Committee, I left before I started to ask some pertinent questions. I didn't want to get involved. It is still a mystery to me why we have a head of Mental Health and a head of Mental Retardation. I just can't understand that.

The population in this department has gone down in the last few years; yet, the administrative costs have gone ten times higher than they were in the last 10 or 12 years. We all know the load that has to be carried in the Department of Health and Welfare.

I will not belabor the point because I think they have been covered very well by the gentleman from Bath, Mr. Ross. I don't think this is the time to do this anyway. We are going to have a report of the Maine Management Cost Survey shortly. We are going

to have a one-year budgetary program. I think this could be well taken up, if it had any merit, later on after the implementation of some of these programs and also what we find out when we find out just what Washington intends to do.

I can speak at length on the measure but I will not, other than make a motion that I move that this bill and all its accompanying papers be indefinitely postponed. When the vote is taken I ask it be taken by the yeas and nays.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, moves the indefinite postponement of both Reports and Bill, and requests that the vote be taken by the yeas and nays.

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

Mr. BRAGDON: Mr. Speaker, and Members of the House: I am not going to attempt to add anything to what has already been said by the gentleman from Bath and the gentleman from Lewiston. I am in complete concurrence with their conclusions, and I hope you go along with the motion of the gentleman from Lewiston, Mr. Jalbert, for the indefinite postponement of this bill.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Lewiston, Mr. Jalbert, that both Reports and Bill be indefinitely postponed in non-concurrence. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Baker, Berry, G. W.; Bither, Bragdon, Brawn, Briggs, Brown, Bunker, Cameron, Carey, Carrier, Chick, Chonko, Churchill, Conley, Cote, Cressey, Curran, Curtis, T. S., Jr.; Dam,

Davis, Donaghy, Dunleavy, Dunn, Dyar, Emery, D. F.; Evans, Ferris, Finemore, Fraser, Garsoe, Good, Hamblen, Henley, Herrick, Hoffses, Hunter, Immonen, Jacques, Jalbert, Kelleher, Kelley, Kelley, R. P.; Keyte, Kilroy, Knight, LaCharite, Lewis, J.; Littlefield, Lynch, MacLeod, Maddox, Mahany, Maxwell, McCormick, McHenry, McKernan, McMahon, McNally, Merrill, Mills, Morin, L.; Morton, Murchison, Palmer, Parks, Perkins, Pratt, Ricker, Rollins, Ross, Santoro, Shaw, Sheltra, Silverman, Simpson, L. E.; Snowe, Soulas, Sproul, Tanguay, Theriault, Tierney, Trask, Trumbull, Walker, Webber, Wheeler, White, Willard, Wood, M. E.

NAY — Berry, P. P.; Berube, Binnette, Birt, Boudreau, Bustin, Clark, Cooney, Crommett, Deshaies, Drigotas, Farnham, Fecteau, Genest, Goodwin, H.; Goodwin, K.; Greenlaw, Haskell, Hobbins, Jackson, LaPointe, LeBlanc, Martin, Murray, Najarian, Peterson, Rolde, Smith, D. M.; Smith, S.; Talbot, Tyndale, Whitzell.

ABSENT — Ault, Carter, Connolly, Cottrell, Dow, Dudley, Farley, Farrington, Faucher, Flynn, Gahagan, Gauthier, Hancock, Huber, Kauffman, Lawry, Lewis, E.; McTeague, Morin, V.; Norris, O'Brien, Pontbriand, Shute, Stillings, Strout, Susi.

Yes, 92; No, 32; Absent, 26.

The **SPEAKER**: Ninety-two having voted in the affirmative and thirty-two in the negative, with twenty-six being absent, the motion does prevail.

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

Mr. **ROSS**: Mr. Speaker, I now move that we reconsider our action whereby we voted to indefinitely postpone this bill, and I trust you will vote against my motion.

The **SPEAKER**: The gentleman from Bath, Mr. Ross, moves the House reconsider its action whereby both Reports and Bill were indefinitely postponed in non-concurrence. All in favor of that motion will say yes; those opposed will say no.

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

Order Out of Order

Mrs. Knight of Scarborough presented the following Order and moved its passage:

ORDERED, that Nancy, Anne, Carolyn, Richard and James Hewes of Cape Elizabeth 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 Increasing Minimum Wages" (H. P. 91) (L. D. 112) which the House passed to be engrossed on May 15.

Came from the Senate with the bill passed to be engrossed as amended by Committee Amendment "A" (H-318) and Senate Amendment "A" (S-159) in non-concurrence.

In the House:

The **SPEAKER**: The Chair recognizes the gentleman from Saco, Mr. Hobbins.

Mr. **HOBBS**: Mr. Speaker, I move we recede and concur.

The **SPEAKER**: The gentleman from Saco, Mr. Hobbins, moves the House recede and concur.

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

Mr. **McKERNAN**: Mr. Speaker and Members of the House: I would support that motion but I would request a roll call.

The **SPEAKER**: A roll call has been requested. For the Chair to order a roll call, it must have the expressed desire of one fifth of the members present and voting. 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 Saco, Mr. Hobbins, that the House recede and concur with the Senate. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEAS — Albert, Baker, Berry, G. W.; Berry, P. P.; Berube, Binnette, Birt, Bither, Boudreau, Bragdon, Brawn, Briggs, Brown, Bunker, Bustin, Cameron, Carey,

Carrier, Carter, Chick, Chonko, Churchill, Clark, Conley, Cooney, Cote, Crommett, Curran, Curtis, T. S., Jr.; Dam, Davis, Deshaies, Donoghay, Drigotas, Dunleavy, Dyar, Emery, D. F.; Evans, Farnham, Farrington, Fecteau, Finemore, Fraser, Garsoe, Genest, Good, Goodwin, H.; Goodwin, K.; Greenlaw, Hamblen, Haskell, Henley, Herrick, Hobbins, Hoffses, Hunter, Immonen, Jackson, Jacques, Jalbert, Kelleher, Kelley, Kelley, R. P.; Keyte, Kilroy, Knight, LaCharite, LaPointe, Lawry, LeBlanc, Lewis, J.; Littlefield, Lynch, MacLeod, Maddox, Mahany, Martin, Maxwell, McCormick, McHenry, McKernan, McMahon, McNally, Merrill, Mills, Morin, L.; Morin, V.; Morton, Mulhern, Murchison, Murray, Najarian, Palmer, Perkins, Peterson, Pratt, Ricker, Rolde, Rollins, Ross, Shaw, Sheltra, Silverman, Simpson L. E.; Smith, D. M.; Smith, S.; Snowe, Soulas, Sproul, Stillings, Talbot, Tanguay, Theriault, Tierney, Trask, Trumbull, Tyndale, Walker, Webber, Wheeler, White, Whitzell, Willard, Wood, M. E.

NAYS — Cressey, Dunn, Ferris, Parks.

ABSENT — Ault, Connolly, Cottrill, Dow, Dudley, Farley, Faucher, Flynn, Gahagan, Gauthier, Hancock, Huber, Kauffman, Lewis, E.; McTeague, Norris, O'Brien, Pontbriand, Santoro, Shute, Strout, Susi.

Yes, 125; No, 4; Absent, 22.

The **SPEAKER**: One hundred twenty-five having voted in the affirmative and four in the negative, with twenty-two being absent, the motion does prevail.

Mr. Bither of Houlton was granted unanimous consent to address the House.

Mr. **BITHER**: Mr. Speaker and Members of the House: Since we have very recently met the Hewes family, I think that the House should recognize, I think, the loveliest member of the Hewes family, Mrs. Hewes, who is standing up in the back. (Applause, the Members rising)

Non-Concurrent Matter

Resolution Proposing an Amendment to the Constitution Providing for the Election of the Attorney General by the Electors (H. P. 467) (L. D. 615) which the House indefinitely postponed on May 24.

Came from the Senate with the Resolution passed to be engrossed in non-concurrence.

In the House:

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

Mr. **JALBERT**: Mr. Speaker and Members of the House: This is my bill. Regardless of any other action, I am realistic enough to realize this would not receive the two-thirds vote for final enactment, coupled with the fact that this is a great day for you Mr. Speaker, and watching the tube last night, I want to be one of those who will cooperate with you in your June 23 hope. On that basis, I will now move that we adhere to our former action whereby we fail to pass this measure.

Thereupon, on motion of Mr. Jalbert of Lewiston, the House voted to adhere.

Non-Concurrent Matter

Bill "An Act Relating to Compensation for Minors Delivering Newspaper Supplements" (H. P. 19) (L. D. 19) which the House passed to be engrossed on May 25.

Came from the Senate with the Minority "Ought not to pass" Report accepted in non-concurrence.

In the House:

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

Mr. **DAM**: Mr. Speaker, I move we insist and would like to speak briefly.

The **SPEAKER**: The gentleman from Skowhegan, Mr. Dam, moves the House insist.

The gentleman may proceed.

Mr. **DAM**: Mr. Speaker, Ladies and Gentlemen of the House: I am not going to belabor this because I had my doubts. In fact, there weren't any doubts when the report came out. Seeing the way it was signed, I knew I would have problems in the other body,

but I do want to put into the record several items.

The hearing was a very good hearing on the bill. I had good support for the bill from the labor unions and the Maine Teachers Association at the hearing. The same people appeared this time that appeared the last time when the bill came before the 105th under L. D. 1356.

It was almost like a play or an old movie that was being rerun, and using the same words that they used the last time. They said they would like to have time, they think that they could work this out within the industry. Well, they have two years, a little over that since the last time and they have done nothing.

They threw the milkman argument into it, that he has to deliver cheese and eggs and butter. But I assured them that he gets paid extra with commission for delivering the cheese, the eggs, and the butter.

They used the same argument that the newspaper boy is not an employee of the company but is a contractor. If ever there was a real bold-face untruth, I could use a different word, but I will use the word untruth, then they uttered that untruth at that hearing. It is very strange that when a newsboy, when it favors the newspaper companies, that the newspaper boy is an employee, he is a contractor.

Now, not only myself, but I have talked with some members of the lobby out here who have served in previous sessions. And if we are running for reelection for an office, you can't hire the newsboy to deliver any fliers the same time he is delivering the newspaper, because then the newspaper says he is an employee of the company. But any time we talk about better wages for the newspaper boy, he becomes a contractor.

Now, it has cost the newspaper companies considerable money to pay their fat cats to come down here and lobby against a group of kids that have no one to fight for them. They do not have a bargaining agent; they do not have any lobbyist out in the halls because

they are not organized and they do not have the money.

But I want to put into the record now that there will be a bargaining organization for the newspaper boys and if we have to start in the Town of Skowhegan, this is where we will start it. And if they want to take their fat cats or any of their high paid executives off their desks, which I doubt very much, because they haven't got the guts or the willpower to deliver the paper in the cold weather, if it is necessary we can meet them on the corner and beat them up. And if this is what they want, this is what they can have.

Now, some people have said to me, you can't organize minors. Well, I can assure these people that have said I can't organize minors that I can, because I can organize them with parental consent. And if the paper is not delivered, the newspapers won't make any money. Now, they are making out like bandits on this supplement deal. The State of Maine received no money on sales tax for this junk that is shipped in from out of state, from Pennsylvania, Maryland, St. Louis, Chicago, and New York. It is printed out of state. There is one company in state that is doing print, that is all. The rest of it is junk that is coming in from out of state.

I had a newsboy again at this last hearing who testified on the bill; in my estimation he did a good job. But it is hard for one person to stand up there, especially a 14-year-old boy, and talk to the high paid lawyers that the newspaper companies can have.

I am not running for governor of the State of Maine. So, I don't have to bow down to the newspapers. And as far as I know, I won't be asking any favors of the newspapers. And as far as the Bangor Publishing Company is concerned, I thank them also in the record for not using any news releases that are favorable to me that have my name in them. I also, in the record, thank the local paper of Skowhegan, the Somerset Reporter, because they are part of the Bangor Publishing Company, for following the same pattern of discrimination and black out. And

incidently, it was this same paper, the Somerset Reporter that chose to write the nasty editorial against the number one citizen of Skowhegan, and in my estimation a woman that will always be the first lady of the State of Maine, regardless of whatever person can be governor or his wife, and that is the Honorable Senator Margaret Chase Smith. It also happens she worked for years for this newspaper when she was in school, but they chose to attack her also. This is part of your Bangor Publishing Company.

As far as the Gannett chain is concerned, I have no love for them either. I have no love for anybody who milks the newsboys and maintains an executive suite or executive mansion up at Ross Lake where they can take their executives up and entertain them and use the pennies that they milk out of the newspaper boys to pay the bill. I have no love for that kind of people.

I will say that the Gannett Paper has in point blacked me out entirely, but that doesn't matter to me whether the papers black me out or not, because I only run for one town, so I don't have a problem reaching my people. I have the facilities to put out fliers and I have the manpower that is available to do it a no cost to me. But it is a shame, and it is a disgrace on the State of Maine when people use a public body that they are elected to as the forearm for running for higher office and do not look to those who need the help, and in this case it is lowly little newsboy who is out on the street at 30 below zero in the morning wading through the snow. I would like to see, and it would do me good to see their number one attorney, Mr. Sanborn, wading through the snow at 30 below zero in Skowhegan. And I can assure you people here and now that were he wading through the snow in Skowhegan I wouldn't want to miss one moment of it and I would wade with him.

I had no hopes for the bill when the report came out, as I said before. The only reason for making this talk before you people today is to put it in the record that this

is not end. They have had their two years to do something and they have done nothing, and this is only the beginning for the newspaper companies. No longer will they bleed the children in this state and keep their back teeth sections going with their money that they are stealing from those children.

Now, I move that we insist, and I hope that you will go along with it to show in the record that the House has compassion for any bill that concerns human rights, and decency and eliminates discriminations. That is my motion, to move to insist.

Thereupon, on motion of Mr. Dam of Skowhegan, the House voted to insist.

Non-Concurrent Matter

Bill "An Act Raising the Age of Persons Who May Purchase Alcoholic Beverages or Sell as Licensees" (H. P. 799) (L. D. 1069) which the House indefinitely postponed on May 22.

Came from the Senate with the Minority "Ought to pass" Report accepted and the Bill passed to be engrossed as amended by Senate Amendment "B" (S-175) in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Calais, Mr. Silverman.

Mr. SILVERMAN: Mr. Speaker, I move we recede and concur.

The SPEAKER: The gentleman from Calais, Mr. Silverman, moves the House recede and concur.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: I served in the 104th and 105th Legislature, and I don't believe that there was a person in this House that was more against reducing the voting age and adult rights than myself. I worked against it, I lobbied against and I spoke against it. But nevertheless, through the wisdom of the legislature, adult rights were reduced to 18 years of age, and with the reduction of that they were granted all adult rights. I had some serious reservations about it, but, nevertheless, it is on the books,

these people that are 18 years of age have all the adult rights that you and I do at 20, 30, 40 or whatever your age may be.

A bill such as this coming in here and saying we can take certain rights away from them after they were granted their adult rights at age 18 is not right. I know the argument you are going to hear this morning about liquor in the schools, youngsters drinking liquor. They are hard arguments to argue against, but nevertheless, an 18-year-old has as much right as any one of us here in this hall.

I ask you not to vote to recede and concur, so a proper motion to adhere to our former action can be made. Let's not nit pick at the laws that we have passed. I wasn't 100 percent in favor of it before, but nevertheless, they have them. I think that they have the proper judgment — I hope they do. I ask you to vote against the motion of Mr. Silverman from Caribou.

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

Mr. DESHAIES: Mr. Speaker, Ladies and Gentlemen of the House: A few days ago when this bill was before us, there were comments made about the present status of the 18-year-old, that he or she had full adult rights and that he or she should be able to drink and so on.

Adult rights! Does this mean that an 18-year-old has complete adult responsibilities? Remember now, I said complete or total adult responsibilities. Well, they do not.

Mr. Carrier from Westbrook touched on this last week. If an 18-year-old boy should become involved with a 14-year-old girl, he is not charged with statutory rape or having carnal knowledge or whatever, the law makes an exception. He is relieved of this responsibility, and that exception was passed right here in this house at the last session. He is not charged with this responsibility. Is that full adult rights?

If a boy or a girl is in the public school system at the age of 18, as adults they pay no tuition. They don't have this responsibility that you and I as adults do. I have

no objection to these arrangements but is this full adult rights with all of its liabilities? Why did the legislature make these exceptions to begin with? Obviously, because they felt that an 18-year-old should not be burdened with these responsibilities. There may be other exceptions, but I have not had the opportunity to research it further. Therefore, is it wrong for us to consider another exception, also in their best interest? Is it wrong for us to say no, not while you are still in the public school system? We don't think you should take on this responsibility of drinking in bars and lounges and so on. And that is what this bill as amended now does. Not until you are 19 and out of high school should you have this responsibility, this burden.

Ladies and gentlemen, I hope you will give this very careful consideration. Let's at least take this out of high school. If they want to drink in beer parlors when they are out of high school or when they are in college, fine, to each his own, but not when they are in the public school system.

I hope you go along with the motion of Mr. Silverman to recede and concur.

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

Mr. TALBOT: Mr. Speaker, Ladies and Gentlemen of the House: I wasn't here in the 104th-105th, but I am here in the 106th and I don't know what we are doing. Are we playing peek-a-boo with the kids or what?

Because of the wisdom of the legislature, we have given them the 18-year-olds adult rights which I think they deserve. And now we come back another year later or two years later and take those rights away from them. I don't know what effect this has on our vast amount of kids and adults today in communication when we as adults can't even stand on our own two feet and stand firm in our decisions. We seem to be playing peek-a-boo. Today is a problem we have got to face. We have given the 18-year-olds that right and we can't come back a year later and say, well, you were

adults one year but you are minors the next year.

I would certainly concur with the gentleman from Bangor, that we defeat this motion now that is on the floor by the gentleman from Calais, Mr. Silverman, so that we can make a motion to adhere. I wish it would be taken by the yeas and nays.

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

Mr. COONEY: Mr. Speaker, and Members of the House: I would like to pose a question through the Chair to any member who might care to answer. Has anyone received a letter from a newly enfranchised young adult opposing this bill.

The SPEAKER: The gentleman from Sabattus, Mr. Cooney, poses a question through the Chair to anyone who may answer if he or she wishes.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I had no intention of getting involved, but I can assure the gentleman from Sabattus, if he had been teaching school rather than sitting in the halls of the House that they would have been discussing it with him. I know in my weekends at home I have heard it over and over again. And the only question they keep asking is, "Well, you gave it to us, why are you going to take it away now? If you didn't believe in giving it to us, why did you ever bother in the first place?"

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

Mr. PERKINS: Mr. Speaker and Members of the House: I agree with Representative Kelleher that this is sort of like locking the barn door after the horse has been stolen.

I am concerned not with the 18-year-old, I am concerned with my own 16-year-old. And I assure you ladies and gentlemen, in the past few years, I have become extremely bothered by the fact that my children cannot go to a school dance, church dance, without being exposed to liquor. I was pres-

ent in one instance, a year ago, as a chaperone when eight of us couldn't keep the doors or windows closed from the amount of liquor that was being passed around. It was coming in and out just as fast and furious as you could make it.

I sincerely appreciate that 18-year-olds should have full adult rights. I probably would have voted to increase the majority age. However, I do feel that it is very unfortunate that parents have to listen to their children as I do to mine and they ask, "Dad, what do I do? How do I handle it when I am being constantly begged by my own peers?" They don't mean badgered either, they look upon it as it's there and what are they supposed to do if they are not supposed to be in its presence, one.

My own daughter had some liquor put in a coke that was handed to her just because she refused to drink. I think this is unfortunate. I have to stand and tell my own child, first of all, I don't like you being there. And she says there is no where else to go. And secondly, stand and say, all right, if worse comes to worse, stand there with a beer in your hand to keep them shut up.

Now, I just can't understand why because we have let it go into the high schools that we have in doing so let it go down to the 15 and 16-year-olds. I too am aware that when I was in high school there were a few of the kids that drank, I don't recall whether I did or I didn't, but regardless of that fact, it was a hidden thing, it was a few and far between deal. And I am sure that when we were around the adults we held our head and we didn't let on that we had had any. We weren't exposing the other kids to it. So I just cannot go along with this idea of keeping it in school. If there is any way that I can possibly keep it out, I am going to do so.

I hope you will support the motion to recede and concur.

The SPEAKER: The Chair recognizes the gentleman from Old Town, Mr. Binnette.

Mr. BINNETTE: Mr. Speaker and Members of the House: I

would like to answer Representative Cooney's question he posed before the House. I can truthfully say that I haven't received any literature or any messages from the youth. But I can tell you this, I believe there are a lot of them in here that have received the same messages I have from the parents. Many of the parents wish we had never passed that 18-year-old law.

The SPEAKER: The Chair recognizes the gentleman from Jay, Mr. Maxwell.

Mr. MAXWELL: Mr. Speaker, Ladies and Gentlemen of the House: I rise this morning to oppose this motion to recede and concur. I would move indefinite postponement of this bill and all of its accompanying papers, and I would like to tell you briefly why. Since 1936 or '37, when beer was first legal in the State of Maine, I have sold it up until January 1 of this year, either to take out or to drink in or both. I think, at least, over the years I have become an expert in this subject. And during one period of time, if you remember correctly, the age was dropped to 18, and the next term of the legislature it was jumped up again to 20 or 21, I believe. Well, if you don't think that was a hassle to keep these things straight after that, you should have been in my place.

The 18 year age is the age that most students have graduated from high school. At least I know I did, my six did, in fact. I am located nine miles from Farmington State College, and many many of these students congregate, especially on Friday and Saturday night in Farmington at my place. I feel they were better off having a glass or two of beer, and perhaps a hot dog or a hamburger and going out and going home than they will be if this thing continues and we drop the age to 18. They are going to get it anyway, they are going to drink it anyway, there is no question about it. They are going to get somebody else to buy it for them and then they are going to go out in the woods or out in the camp or out beside the road, in their car, and they are going to drink it and

they are going to drink more than if they were legally allowed to drink at 18.

I move that we adhere.

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

Mr. MURRAY: Mr. Speaker, Men and Women of the House: I would just like to make a couple comments on the debate so far. I think if we are honest with ourselves, we will admit that this proposal is not a cure-all and it is not going to correct any of the problems that might exist in our school system. When I was in high school, the drinking age was 21, and there was beer in the high school. Once in a while you would be at a public dance or a dance at a high school and there was beer present. The law was 21 and that didn't stop it.

I think moving the law from 18 to 19 is not going to stop any problems that we might have. I think the question is that we in the last legislature did decide to grant adult rights to 18-year-olds and now, a year later, we are deciding to take a fraction of those rights back again. I think that we really haven't given the situation the proper amount of time to test what is exactly happening. No one has stood up here and given you statistics on the number of arrests, the number of incidents that have happened at public dances or in the high schools. I am sure that any high school administrator in the state that has someone that is drinking in the school has authority to evict that person and to deal with them as harshly as he wants to.

I think that basically we have to admit that the transition from the 20-year-old adult rights to the 18-year-old status has been a relatively mature and peaceful transition. I think that we should note that this coming Friday the State of New Hampshire's 18-year-old adult rights bill goes into effect.

That will be the same week we are considering putting ours back again. I think that this is apt to be pretty inconsistent when our bordering state has agreed to go along with us in what we did in the last session.

I hope that you don't consider this bill a cure-all, because I honestly feel that it will not cure any problems that might be existing.

I think to answer Mr. Deshaie's question about the last session, I would tell him that those two instances he raised relative to public support in the high school and relative to indecent liberties are the only two exceptions in the adult rights bill from the last session, there are none. And those exceptions came as amendments to the bill for strong reasons, one was that some people turn 18 before they graduate, usually March, April or May of their senior year. And there was some question by school administrators whether they could use public funds to continue these people's education. They were concerned that there might be a court challenge or something, and they would have to throw these people out on their ears two or three or one month before they became graduates of high school. That was the reason that exception was put into the bill.

The other exception, I remember, was an amendment that was put on, and the present Attorney General, I believe, was the one who put it on. The thinking behind that was that one of the main reasons for the indecent liberties law was when it was passed, it applied to people 21 years old, and it referred to taking indecent liberties with a girl of 16. The age span was a five year age span between a 16-year-old and a 21-year-old. It was the feeling of that gentleman that the bill should be amended because where cutting of the age down from 21 to 18, he felt that we should either cut it down at the other end so the gap would still remain at either four or five years. And that was the thinking behind that amendment, not that we were trying to relieve some people of certain responsibilities.

So I hope that when we vote today we will try and keep pace with what we have done in the last session. And I might add, to answer the gentleman from Webster, Mr. Cooney, that I had a lot of response this weekend. I was

in a couple of situations where there were a number of young people, and they had read what the Senate did last week, and they were concerned because they thought they had been acting in the mature way for the last six months or however long it has been. They felt that this was unfair for us to turn around and retreat from what we had done in the last session.

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

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: I think to answer some of these comments that have been made by the previous speaker, the gentleman from Bangor, Mr. Murray, there was a part of the news on Sunday night with John Chancellor. It was a review of the experience in Michigan which has done exactly the same thing that has been done in this state to reduce the drinking age to 18. In the last year the statistics showed that there was an increase of 35 fatalities among teenage people, in which every one of them was attributed to drinking, 2,800 accidents, with about 228 serious injuries. The experience that they had, from the comments that were made on that news program, indicated that there were a good deal of dissatisfaction in what had been done in lowering the drinking age.

I think the one experience that I recall in my own area is seeing three young people who get out of school on a release program at 9 o'clock in the morning and come back in at 10:30. When they came in they were all stoned, they were all thoroughly drunk. One of the boys was 18, the other two were around 16 and 17. The one who was 18 was able to purchase enough beer so that between the three of them, by the time they got back they were certainly in unsatisfactory condition.

Many of the teachers commented to me at that time that they thought it was a serious mistake to drop the drinking age to 18. I think moving it up to 19 at least corrects part of that condition.

I certainly support the motion to recede and concur.

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

Mr. COTTRELL: Mr. Speaker and Members of the House: Those who have been here in the legislature before should know that I wasn't in sympathy with giving the adult rights to the 18-year-olds. I was in sympathy with giving them adult rights to 20 and I fought for that, and we had a defeat. The Supreme Court, before the last session in November, had made this decision to give the right to vote in national elections to 18-year-olds by a five to four decision. And at the same time by a five to four decision, they withheld the constitutional right for the 18-year-old to vote in state elections. But then everybody reasoned, they could vote in national elections, why can't they vote in the elections? So it snowballed all through the country.

I voted against this bill the last time around, but since then I have been talking and thinking and here is the point that convinced me now to vote for this bill. In our educational system we are developing sort of a campus style administration. Kids no longer have to stay in school. They can go out and wander around the community, go up to the center and buy things, they are on their own.

At Deering we have about 400 seniors that are around 18 years old and in Portland about the same number. In Portland, Portland High School is surrounded by beer parlors. I can appreciate the difficulties that can develop under situations like that. Not only that, in your sophomore and freshman classes you have younger boys and girls. There is nothing to keep a boy or a girl from going out in the morning, anytime in the afternoon up to 2 o'clock, drop into a beer parlor, have a beer and come back to school. His capacity for drinking might be three or four beers, and no one would be able to detect it except by those who sit next to him in his next class.

I think it is going to present many difficulties. I thought the other day when I voted against this bill that the die had been cast.

We had passed it last session. But since then I see we still say we have a little chance to improve things, I think, in our high schools at this time.

I have got to vote for this bill today.

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

Mr. BRAWN: Mr. Speaker, Ladies and Gentlemen of the House: I have heard here this morning that a five and six year span between male and female is not very much. Let me say that a girl 12 years of age and a boy 18 years of age is a large span in life. I agree when you get up to my age that a female five years younger, that is no distance at all. But when I see in school these boys 18 years old, they don't have money enough to buy their own liquor so they get the children to steal the money from other children in the schools that are younger to buy the liquor for them so they can get theirs free. This is happening all over in our schools. The children will deny this, but ask the teachers. They will tell you it is happening. And when he says this morning that all medicine is not a cure. If we can give one drop of medicine that will cure one person and save one life, we have done a lot.

I hope this morning that you will go along with recede and concur.

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

Mr. FARLEY: Mr. Speaker, Ladies and Gentlemen of the House: Last week my objection against this bill was because of the situations in the high schools and that hasn't changed under the present law, although I think this amendment would help to solve the problem.

I was happy to see the gentleman from Portland take the stand he did. I feel that he has been in it for years. I think he ought to know more than anybody else the impression that high school seniors, especially as high school heroes, football heroes, make on young kids. The idol of a 13 or 14-year-old isn't the professional foot-

ball player or basketball player, it is the high school hero. And when they see him take some of the liberties he has now, they think it is a to do. I don't want this to happen to kids. I think we ought to give these 18-year-olds other areas of responsibility, working with these kids, instead of leaving a bad impression upon them.

I think this amendment will help do that. I hope you support the motion to recede and concur.

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

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: I rise to oppose the motion to recede and concur. First off, I would like to say to my good friend from Oakland, Mr. Brawn, that stealing of money in the schools to buy liquor is not, as he says, happening in all schools. I served quite a few years as a director of SAD 54 and several years as chairman of the board, and we don't have that problem in our schools, so you can eliminate that one from your list.

Our high school is not a large school. We have approximately 1,100 students, so it is not small either. But since we have lowered the age to 18, there have not been the problems in school of beer being brought into the school. I don't say liquor because there are very, very few cases where there has been liquor been brought into our schools, and I can speak only for the ones in SAD 54. But as far as beer being brought in, there is very little beer brought in because they can go after school or in the evening and buy a glass of beer legally. So they don't have to sneak it in the school and drink it during the day.

As far as all the problems at dances, bringing the beer in or liquor while they are having dances at the school, we don't have this problem either. Every time we have a dance at the school, it has always been the policy of the board to have a police officer and if it is a large dance we have two at the dance to make sure that no beer or liquor is brought into the dance, as well as any other thing such as dope or grass or whatever you want to call

it. So we don't have that problem there either.

Now as far as this business of drinking and driving, as I said last week — and again I can almost speak for the district court in Somerset and the 12th district court over in Farmington, which one judge takes care of both — That we haven't had the problems in the court system of the young people, the 18 up and the teenagers being picked up for driving under the influence as much as we have had of those 30 to 40. There are a lot more cases of the 30 to 40-year-olds being picked up for driving under the influence than there are teenagers. So this is not a valid argument to use against the schools or to use against the drivers. And I am sure that if everybody here went back and checked their court records and really went into the schools and talked to some of the teachers — I don't say you have to bother them all, but talk to the majority of them, talk to your board of directors — you would find that since the age has been lowered that a lot of the problems have also been eliminated too.

Now, at one time, and I think it came more or less out of an act of frustration on the teenagers, we had a lot of vandalism going on at the high school and it is almost down to nothing now because these youngsters — and I still refer to them as kids — are being treated as adults, and this is what they want. I am sure, and I know this for a fact, that when you give a teenager any bit of responsibility, the vast majority respond to accepting that responsibility. I think they have quite well accepted the responsibility of buying alcoholic beverages at 18 and I would hope today that we would go along and still maintain our action in holding it at this age and not starting to up it.

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

Mr. COTE: Mr. Speaker and Ladies and Gentlemen of the House: Listening to the arguments for this bill this morning, I tell you that it is very amusing to me, because I can remember back in

high school, it was a little before my time, when they used to make home brew behind the boiler room. They were getting it then, they have always gotten it. They were drinking alcohol in those days. They always got it in high school. And as far as the argument from the gentleman from Portland, Mr. Cottrell, about the type of education today, what stops that same student who has time on his hands from going to a friend's house nearby and having his beer if he so desires, depending on the feeling of the family whose house he would be going to?

If they want to drink, they can drink in the home. There is no difference in having a bottle of beer in the home or in a restaurant. I think that as far as the 18-year-old is concerned, there is no danger. I was never refused liquor in my home from the time I was just crawling around. I was never refused cigarettes or cigars—I remember one time I got pretty sick on cigars though. I am not a smoker today nor do I abuse liquor. I like a glass of beer now and then.

I am not married, but if I had had an 18-year-old boy or a 19-year-old boy or a 16-year-old boy, I would never deny him the right to have a glass of beer. For I feel this; denying is creating a demand and when you hide behind a door to do something, you arouse the curiosity of these young people. They are going to try to emulate you. So if you make it available to them, they may try it, but I guarantee they are not going to keep on drinking it.

I know of many many families whereby liquor is available anytime they want it and the children abhor liquor. They don't want to even see it, because they have seen their mothers, they have seen their fathers and they don't want any liquor if it is available to them. But if they were hiding behind the door to drink the liquor, I think the child, the 12-year-old or 13 or 14-year old, would be curious enough to want to try it. And I think that is the story behind this. I don't believe that changing the law from 18 to 19 is going to help one bit.

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

Mr. CARRIER: Mr. Speaker and Ladies and Gentlemen of the House: I am here this morning not to discredit anything that has been said or to discredit any persons. But I think if we are going to be involved in an emotional riptide on this bill, we should at least stick to the facts and tell the truth and go by what the record shows.

In the first place, I wish to say that somebody here has said that nobody ever worked as hard as they did against the passage of this bill two years ago. Maybe I didn't work as hard or any harder than certain people have worked here on this bill, but I will submit to you that when I get up here and I tell you that I voted against the 18-year-old bill, this is the truth.

When somebody comes up here and says they voted against the 18-year-old bill, or they voted for it, according to the ones who have said it this morning, this is not the truth. Here is the roll call and anybody who wants to see it afterwards can have a good look at it. So I do not hide myself behind any false votes. I do not hide myself behind my convictions. You have your right as an individual to your own convictions and I am glad that we disagree at times. This is a good challenge for the mind, if nothing else.

However, let's start from the basic facts, and when someone has said that in the wisdom of the last legislature we passed this bill, well this I question. I question at times the wisdom of the legislature, not because they agree with me or disagree, but when we have to come back in a year or two years or four years and amend the laws and repeal them and everything else, I think that using the word "wisdom" is very broadly used and not in proper place.

So when you say that you have to come back here and correct the wrong, I do not think we made a wrong in the the last legislature in the fact that we gave the 18-year-old vote, although I voted against it and I would again vote against it. But I do think we have

made a wrong move in making certain exemptions in that particular law. I think this law pertains very much to this bill.

I would like to start with you very slowly and for a very brief few minute, if I can, start off how this bill came out. In the first place, it came to the Judiciary Committee, of which I was a member at that time. On the day of the hearing, I will agree, there was a big crowd. But I will say to you, ladies and gentlemen, what my records and the records of the other Judiciary members will show that there were more kids and opponents to this bill that spoke against this bill then there were there to talk about it. So if we are to consider at all what was said and the way it was and where it was, then this in itself, was actually why the decision was made.

In the Judiciary Committee, in this 18-year-old bill came out with a 7 to 6 'ought to pass' report. Let me go back here just a minute and say that the sponsor of this bill was a lawyer and out of the 7 people who voted for this bill, 5 of them were lawyers, I am not condemning lawyers, they are my best friends, as far as things go, and I will admit it even if I have to take a beating for it. All and all, you support your peers at times and this is all right. Maybe they were right and maybe we were wrong. But on the other hand, let me also say, and I don't say it to degrade anybody, but these are the facts and I told you I would tell you the facts.

Let me say to you that the same person that presented this 18-year-old bill is also the same person in that legislature that presented a bill to make the kids liable and criminal punishment for possession of marijuana. Now, whether you know it or not, we are faced in this session—this will come up pretty soon—with a bill to take away the possession of marijuana and not make it a crime any more.

These are the things when you pass laws that do happen. But it just goes to show you the line of thinking of some people trying to influence you that they are protecting the children on one side and

yet on the other side, they put awful legislation which would put them into an awful mess. You will be faced with the bills which we have had in the Judiciary Committee already.

We are told to be honest with ourselves. I do not have to be told to be honest with myself, I am honest with myself and I have been and whether I stand alone, I am still honest with myself. We were also told that the only two exceptions that we made in this bill were the ones to let the kids remain in school after 18 years old and also in the case of indecent exposure. But let me tell you for the record and you can also read that bill, we also made the best exception that we could have under that bill and that is to exempt the state wards from coming under this law. Now I think this was a good exception. Let's stick to the truth, let's give the facts and let the bill go where it might go, one way or the other.

As far as the amendment goes, it was stated that it was put in on the bill on indecent exposure, it was a matter of concern for the kids. This was not a matter of concern for the kids, it is a fact. It is a fact that it was a matter of concern for votes to pass this thing. This is one of the maneuvers that was used to pass this thing. So actually, I think that the proposal that we have today, is to correct the wrong, which I think it is. For those of you who are curious enough, I still worry about the magic age of 18. I have no children at 18, but I still worry, although they are older than that, I still worry about them abusing liquor. But that is their business now, they are grown up and if they want to be grown up they have to accept the responsibilities.

I truly urge you to recede and concur. I had nothing to do with it. I think this is a good, fair, compromise, or at least good reasoning, to go from 20 to 19 and I hope that you do support the motion to recede and concur.

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

Mr. TANGUAY: Mr. Speaker and Ladies and Gentlemen of the House: I rise to oppose the motion to recede and concur. Like Mr. Carrier, I like to speak the truth

and be honest about the whole situation. Let's be honest with ourselves when we are talking about liquor for the 18-year-old. I don't believe that the 18-year-olds are the worst alcoholics that we have in the state. Like some of them would like to have you believe that our high school heroes are all young men, 18 and 19 years old, who take up drinking just because they turned 18 or 19. I have turned 46 and I have yet to take it on. I do not believe in drinking and I never intend to take any. I don't believe that when you are 15, 16 or 17 that you are looking forward to becoming 18 so that you can become an alcoholic. None of us want to become alcoholics. I think they are going to school to become good citizens.

It was brought out today that some of our children are exposed at the school dances to beer, 18-year-olds and 19. The moment you see a young man with a beer can outside the dance hall, he is 18. I wouldn't say that is true. You will find your school teachers are the worst ones where it concerns liquor. Let's hit it right on the nose. They have their cars parked outside. It is perfectly legal to have them out there. The parents are responsible as well. They are taking the kids to the school dance, they have their six-pack in the car and in between dances they get out there. Let's face the fact, they are not 18-year-olds.

Lewiston High School just had a senior dance. Where do you think they chose to go? When I was a kid, we used to go to Lewiston High School — excuse me — the Armory, which is right next to the high school and we had a beautiful auditorium. We used to enjoy ourselves there. No liquor was served at the armory. Where did they choose to go? Lost Valley. Why? It's out in the woods and it is a licensed premise. Who is to blame there, the 18-year-old, or is it the education board, parents, teachers? Let's hit the nail on the head.

I would like to know which legislator in this body introduced any legislation to keep our 13, 14, 15, 16, and 17-year-olds out of establishments that serve liquor, especially from 8 o'clock on when entertainment is going on? These 13, 14,

15, and 16-year-olds are all exposed to liquor where there is entertainment. They have no reason to be there after 8 or 9 p.m. at night in Class A restaurants, hotels, social clubs, especially clubs because — the establishment that we operate in Lewiston ourselves, the Land A Montagnard Social Club, we attempt to get all the children out by six but we normally succeed in getting them out by eight. Let's not forget the hotels.

There is not one legislator in the past seven years that I have served here that ever attempted to introduce legislation to keep the children out of these establishments. You are concerned with the 16-year-old girl going with the 18-year-old and the 18-year-old providing liquor for her. I would say you should be much more concerned to have the 24-year-old and the 25-year-old going out with your 16 and 17-year-old daughter. Then you should be concerned. They are the ones you should be concerned with. Keep these kids out of the establishments when they are not 18 years old. That would be legislation that belongs on the books, something to show that you are concerned with your children, that you don't want them to fail, you want them to succeed in future life.

I certainly hope that you vote against the prevailing motion and that we can possibly adhere to our former action.

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

Mr. KELLEHER: Mr. Speaker and Ladies and Gentlemen of the House: We have heard quite a number of arguments here this morning. And if we had a bill in here to take the adult rights away or the voting rights away from an 18-year-old, I would stand up here and oppose it. I think we have got a little far-flung on what the matter is here and it simply does take certain rights away from adults. I don't think it is fair and I don't think this House should support it. Believe me, if this happens, I am sure at the next session of the legislature there will be attempts to come in and

take other adult rights away from 18-year-olds.

We passed a uniform bill two years ago. And I think that this House should live up to — as Mr. Carrier says, sometimes it is not always the wisdom of the legislature, but it should live up to the intent of what the legislature in the past has done in securing individual rights and equal rights and 18-year-old rights and adult rights, whatever the case may be, for these people.

I ask the House not to support reducing this vote. It is hard to argue against some of the arguments that Mr. Perkins made and other individuals, but the vast majority of 18-year-olds are out of high school.

I ask the House not to support the motion to recede and concur.

The SPEAKER: The Chair recognizes the gentleman from Berwick. Mr. Stillings.

Mr. STILLINGS: Mr. Speaker, Ladies and Gentlemen of the House: I would like, with your indulgence, to respond to the charges made by the gentleman from Lewiston, Mr. Tanguay. I can only speak for one teacher, but I haven't taken a six pack of beer to a high school dance since I was a student in high school.

I think there is one item that has not been injected yet into this argument that should be included, and that is the fact that this Sunday, I believe it is, New Hampshire becomes the last of the New England states to reduce its adult rights to the age at which one inherits. If you will, adult rights to age 18, and all of them include the right to purchase and consume alcoholic beverages.

I try not to get all tangled up with moral issues when I look at some of the questions that are before us, particularly some of the questions that relate to liquor. I do know that in my part of the state, in the southern part and the western part, if we raise the age to 20 or 19 as the compromise now proposes, we are simply compounding the problem down there.

All I would ask, I guess, is that we keep faith with our young people, leave the age just where

it is, 18 years of age for all adult rights.

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

Mr. FARLEY: Mr. Speaker, Ladies and Gentlemen of the House: In response to Mr. Tanguay, the gentleman from Lewiston. Anyone 25-year-old married man in a bar with a 16-year-old girl has other problems.

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

Mr. SHELTRA: Mr. Speaker, Ladies and Gentlemen of the House: I firmly feel that the key to this whole issue is parental care and guidance. I don't think that the problems arise between the youngsters themselves. I can remember just prior to World War II, for example, anyone that joined the service then or belonged to a service organization in my area, and I am sure in most areas, were more or less considered social outcasts. They couldn't work for a living so they joined the service. Then came World War II, forced a big change. Being part of the service was a credit, was made glamorous, and became quite an honor and a privilege. After the war you would oftentimes hear many parent say, "Well join the service son, it will make a man out of you." This was supposed to be an indoctrination to manhood, to guidance, et cetera, et cetera.

When I served four years in the service and I have no regrets, I didn't come out a drunkard nor did I come out a sex maniac, which is what many of us seem to be I guess. So actually I say it is what is inbred in a child. It is the parental guidance that he has had along the way.

When I was away from home, it made me appreciate my home. It made me look forward to rejoining my little society and becoming once again an honorable member. So I say this is good training for these kids.

I voted for the 18-year-old reduction in voting and adult rights as well. I think the sooner they can learn to assume their responsibilities, the better off we all would be.

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

Mr. MORTON: Mr. Speaker, Ladies and gentlemen of the House: I would like to emphasize what the gentleman from Biddeford just said, Mr. Sheltra. I think that it is the job of parents, churches, schools to inculcate moral character. I don't believe this legislation can inject character in anyone. It cannot legislate morals.

It is my impression that many, perhaps the majority of the people have graduated from high school while they are still 17. But these examples of 18-year-olds buying liquor for youngsters or youngsters under 18 obtaining liquor, these are all examples of breaking the law. It seems to me this is an excellent point, and it just points out that you can't legislate these things. They have to be inculcated into these people long before you get to the ages we are talking about.

If I was convinced this would work I might vote for it, I am not sure but, ladies and gentlemen, to legislate this is no way. I can't be intellectually honest and vote for a bill like this because they are going to have this at 18 and 18 is a good age. Let's not fool around with 19, let's keep it where it is, where you put it with the last legislature.

I hope you will not support the motion to adhere.

The SPEAKER: The Chair recognizes the gentlewoman from Union, Mrs. McCormick.

Mrs. McCORMICK: Mr. Speaker and Members of the House: I realize that turtle is going to fall off his little perch pretty soon, but I promise not to be very long.

I would like to speak to the amendment that has been attached to this bill. Everybody has spoken on whether they think it should be 18, 19, or 20. Personally, I don't feel this bill, if passed along with this amendment, that it is going to do what they really want the thing to do.

One of the phrases in this and the compromise of making it at 19, is that if a person under the age of 19 is charged with illegal possession under this section he shall

not be charged with illegal transportation. So if you get him for one thing you are not going to pin both on him.

Then if you go down a little further under Section 6, it says, "No person under the age of 19 years shall knowingly transport or knowingly permit to be transported any intoxicating liquors in a motor vehicle under his control, except in the scope of his employment or at the request of his parents or his guardian."

Well, these kids that are going to be breaking the law, if they are picked up they are going to say that their parents requested that they transport it. And there are enough parents that would stick up for the kids if they were confronted. So you still are not going to solve the problem.

Then it goes on to say, "No person under the age of 19 years shall be convicted of any offense under this section if intoxicating liquors are found outside of the passenger or driver section of a motor vehicle under his control, unless said person has knowledge of said presence of liquor."

Well, all they have got to do is put it in the back seat and they are still not going to get convicted. So I don't see that this compromise amendment is going to do the job that the people really want it to do.

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

Mr. CROMMETT: Mr. Speaker, Ladies and Gentlemen of the House: I recognize we have a problem, but my contention is you cannot have one without the other.

I would hope that this House would be consistent, in the voting.

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

Mr. DYAR: Mr. Speaker and Members of the House: I would like the record to show here this morning that I hold a valid malt liquor license. I have some experience in the field. It is not humorous to hear some of the things that have been said on the floor here this morning. I don't think a lot of people talking on this bill had

the experience or the background to speak on it.

The people who are buying liquor and beer for 15 and 16-year-olds today were the same people who were buying beer and liquor for 18-year-olds two years ago.

Many times people 25, 26 and older have come to my place, come in to buy beer, and I have refused to sell it because I knew they had kids in the car 14, 15, and 16 years old, but they went somewhere else and got it. You can pass laws until there is frost in Hades, and you still won't control it.

Less than 24 hours ago in this body, the gentlewoman from Portland, Mrs. Wheeler, addressed this body on the rights of an 18-year-old to sit on a jury along with the right to vote. There had been confusion caused because jury commissioners draw jurors from the voting list. This body voted to recede and concur on that bill yesterday morning. Now, we clarified one inequity in the 18-year-old adult law bill yesterday, and yet this morning we are faced with voting for putting another inequity back in.

I would suggest that if you want to get mail, that this be amended to 25 years of age. I feel the issue is constitutional now, an issue of a person's right. 18-year-olds are adults under the statutes, not only in this state, but in the interpretation of the Supreme Court of this country, I would dare any member of this House to offer an amendment and push it to deny a person under 25 years of age to purchase malt liquor, beer, liquor and wine in this state. I would dare any person to do it. And this is what you are doing when you suggest putting it back to 20 or 19.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Calais, Mr. Silverman, that the House recede and concur with the Senate. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Ault, Baker, Berry, G. W.; Binnette, Birt, Bither, Bragdon, Brawn, Bunker, Cameron, Carrier, Chick, Churchill, Cottrell, Davis, Deshaies, Dudley, Dunleavy, Dunn, Emery, D. F.; Farley, Farnham, Farrington, Finemore, Fraser, Garsoe, Good, Hamblen, Haskell, Henley, Hunter, Jackson, Kelley, Lawry, Littlefield, Lynch, Maddox, Mahany, McMahon, McNally, Merrill, Murchison, Najarian, Perkins, Rollins, Ross, Shaw, Silverman, Simpson, L. E.; Sproul, Susi, Tierney, Trask, Tynedale, White, Willard, Wood, M. E.

NAY — Berry, P. P.; Berube, Boudreau, Briggs, Bustin, Carey, Carter, Chonko, Clark, Conley, Cooney, Cote, Cressey, Crommett, Curran, Curtis, T. S., Jr.; Dam, Drigotas, Dyar, Faucher, Fecteau, Ferris, Genest, Goodwin, H.; Goodwin, K.; Greenlaw, Hancock, Hobbins, Hoffses, Huber, Jacques, Jalbert, Kelleher, Kelley, R. P.; Keyte, Kilroy, Knight, LaCharite, LaPointe, LeBlanc, Lewis, J.; MacLeod, Martin, Maxwell, McCormick, McHenry, McKernan, McTeague, Mills, Morin, L.; Morin, V.; Morton, Mulhern, Murray, Norris, O'Brien, Parks, Peterson, Ricker, Rolde, Santoro, Sheltra, Smith, D. M.; Smith, S.; Snowe, Stillings, Talbot, Tanguay, Theriault, Trumbull, Walker, Wheeler, Whitzell

ABSENT — Brown, Connolly, Donaghy, Dow, Evans, Flynn, Gahagan, Herrick, Immonen, Kauffman, Lewis E.; Palmer, Pontbriand, Pratt, Shute, Soulas, Strout, Webber

Yes, 58; No, 73; Absent, 19.

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

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

Mr. NORRIS: Mr. Speaker, I now move that we adhere.

The SPEAKER: The gentleman from Brewer, Mr. Norris, moves that the House adhere.

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

Mr. AULT: Mr. Speaker, I move we insist and ask for a Committee of Conference.

Thereupon, Mr. Lapointe of Portland requested a roll call vote.

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

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

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

Mr. NORRIS: Mr. Speaker, Ladies and Gentlemen of the House: Very briefly, I haven't spoken on this this morning, but I certainly hope that we follow through now and vote against this motion and then adhere so we can do away with this miserable piece of legislation once and for all.

The SPEAKER: The pending question is on the motion of the gentleman from Wayne, Mr. Ault, that the House insist and ask for a Committee of Conference. All those in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEAS — Ault, Baker, Berry, G. W.; Binnette, Birt, Bither, Bragdon, Brawn, Bunker, Cameron, Carrier, Chick, Churchill, Cottrell, Davis, Deshaies, Dudley, Dunn, Emery, D. F.; Farley, Farnham, Farrington, Finemore, Fraser, Garsoe, Good, Hamblen, Haskell, Jackson, Kelley, Lawry, Littlefield, Lynch, McMahon, McTeague, Murchison, Najarian, Parks, Perkins, Rollins, Shaw, Silverman, Simpson, L. E.; Susi, Trask, Tyndale, White, Willard, Wood, M. E.

NAYS — Albert, Berry, P. P.; Berube, Boudreau, Briggs, Bustin, Carey, Carter, Chonko, Clark,

Conley, Cooney, Cote, Cressey, Crommett, Curran, Curtis, T. S., Jr.; Dam, Drigotas, Dunleavy, Dyar, Faucher, Fecteau, Ferris, Genest, Goodwin, H.; Goodwin, K.; Greenlaw, Hancock, Hobbins, Hoffses, Huber, Hunter, Jacques, Jalbert, Kelleher, Kelley, R. P.; Keyte, Kilroy, Knight, LaCharite, LaPointe, LeBlanc, Lewis, J.; MacLeod, Maddox, Mahany, Martin, Maxwell, McCormick, McHenry, McKernan, McNally, Merrill, Mills, Morin, L.; Morin, V.; Morton, Mulkerin, Murray, Norris, O'Brien, Peterson, Pontbriand, Ricker, Rolde, Ross, Santoro, Sheltra, Smith, D. M.; Smith, S.; Snowe, Soulas, Sproul, Stillings, Talbot, Tanguay, Theriault, Tierney, Trumbull, Walker, Wheeler, Whitzell.

ABSENT — Brown, Connolly, Donaghy, Dow, Evans, Flynn, Gahagan, Gauthier, Henley, Herrick, Immonen, Kauffman, Lewis, E.; Palmer, Pratt, Shute, Strout, Webber.

Yes, 49; No, 83; Absent, 18.

The SPEAKER: Forty-nine having voted in the affirmative and eighty-three in the negative, with eighteen being absent, the motion does not prevail.

Thereupon, on motion of Mr. Norris of Brewer, the House voted to adhere.

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

Mr. MARTIN: Mr. Speaker, I now move we reconsider and ask that you vote against me.

The SPEAKER: The gentleman from Eagle Lake, Mr. Martin, moves the House reconsider its action whereby it voted to adhere. All in favor of reconsideration will say yes; those opposed will say no.

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

On motion of Mr. Curtis of Orono, it was

ORDERED, that Scott and Todd Gover of St. Petersburg, Florida be appointed Honorary Pages for today.

Non-Concurrent Matter

Bill "An Act Repealing the Bank Stock Tax" (H. P. 1491) (L. D.

1919) which the House passed to be engrossed as amended by House Amendment "B" (H-380) as amended by House Amendment "A" (H-426) and House Amendment "B" (H-446) thereto on May 24.

Came from the Senate with that Body insisting on its action whereby the Bill was passed to be engrossed and requesting a Committee of Conference.

In the House: On motion of Mr. Finemore of Bridgewater, the House voted to insist and join in the Committee of Conference.

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

Messrs. HENLEY of Norway

FINEMORE

of Bridgewater
COONEY of Sabattus

Petitions, Bills and Resolves Requiring Reference

The following Bill and Resolve, approved by a majority of the Committee on Reference of Bills, were received and referred to the following Committees:

County Government

Resolve Authorizing the County Commissioners of Sagadahoc County to Pay Certain Claims (H. P. 1547) (Presented by Mr. Ross of Bath)

(Ordered Printed)

Sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

Education

Bill "An Act Relating to Tuition Contracts in School Administrative District No. 68" (H. P. 1548) (Presented by Mr. Smith of Dover-Foxcroft)

(Ordered Printed)

Sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

Orders

Mr. Jalbert of Lewiston was granted unanimous consent to address the House.

Mr. JALBERT: Mr. Speaker and Members of the House: I have a communication from the Maine Judicial Court addressed to me.

"A public apology has been rendered and what was for a moment

a disturbing incident is closed. I want to thank you for the unsolicited expression of confidence in my integrity which you gave on the floor of the House. As you so ably pointed out, it is always difficult for a member of any court to defend himself from unwarranted attacks on his character and confidence, and it is indeed heartwarming when one discovers he has friends who can and will say what he can't very well say for himself. Please express for me my thanks to your colleagues in the House who also had some kind and supportive things to say. Yours sincerely, Donald W. Webber, Justice, Maine Judicial Court."

Mr. Briggs of Caribou presented the following Joint Resolution and moved its adoption:

WHEREAS, this State lost an outstanding citizen on May 25, 1973 in the death of the Honorable Ralph W. Allen of Caribou; and

WHEREAS, Representative Allen distinguished himself and his community as a Member of the 103rd and 104th Maine Legislatures; and

WHEREAS, he was untiringly devoted to the betterment of his local community, his county and the State; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Sixth Legislature of the State of Maine now assembled, pause from our deliberations in sorrow upon the loss of this honored citizen, to express a common appreciation of him as a former colleague and servant of this State and extend to his beloved son and daughter and all others who share in the loss, the sympathy of the entire Legislature; and be it further

RESOLVED: That a suitable copy of this Joint Resolution be prepared and presented to his family in token of these sentiments. (H. P. 1550)

The Resolution was read.

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

Mr. BRIGGS: Mr. Speaker, Ladies and Gentlemen of the House: All of us citizens of the City of Caribou were saddened on Friday

last to learn of the passing of our great friend, Ralph Allen. I know that Ralph was a friend of many of you here, having served in two very recent sessions of the legislature.

Confucius had a saying that age is the cause for rejoicing on the one hand and concern on the other. I can assure all of you that Ralph's age was more a cause for rejoicing than of concern. His great energies, his dedication to everything that he undertook, his friendly ways and his great love for the outdoors and for the game of golf will all be remembered dearly by all of us.

Thereupon, the Resolution was adopted and sent up for concurrence.

Mr. Trask of Milo presented the following Joint Order and moved its passage:

WHEREAS, the consumer credit industry in the State of Maine is regulated by several statutes, which have some inconsistent requirements, and which do not regulate all aspects of the industry; and

WHEREAS, legislation has been proposed that would comprehensively regulate the consumer credit industry which deserves further study; now, therefore, be it

ORDERED, the Senate concurring, that the Legislative Research Committee study the subject matter of the Bills: "An Act Creating the Maine Consumer Credit Code," House Paper 1229, Legislative Document 1803, and "An Act to Create a Maine Consumer Code," House Paper 1386, Legislative Document 1877, both introduced at the Regular Session of the 106th Legislature, and further to explore whether the best interests of the People of the State of Maine would be served by enactment of this type of legislation; and be it further

ORDERED, that the committee study the regulations which other states have imposed on the consumer credit industry; and be it further

ORDERED, that the State Departments of Banks and Banking,

the Insurance Department, and the Consumer Fraud Division of the Department of the Attorney General, and such other agencies or departments as may be determined by the Legislative Research Committee, be authorized and respectfully directed to provide the committee with such information, technical advice and assistance as the committee deems necessary or desirable to carry out the purpose of this Order; and be it further

ORDERED, that the Legislative Research Committee report its findings with any proposed legislation or amendments to the First Special Session of the 106th Legislature in 1974; and be it further

ORDERED, that upon passage of this Order, in concurrence, that copies of this Order be transmitted forthwith to each agency specified herein as notice of the pending study. (H. P. 1551)

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

House Reports of Committees Ought Not to Pass

Mr. Henley from the Committee on Veterans and Retirement on Bill "An Act Relating to Benefits for Widows of Forest Rangers" (H. P. 267) (L. D. 374) reporting "Ought not to pass."

Same gentleman from same Committee reporting same on Bill "An Act Relating to Military Service Credits Under Maine State Retirement System" (H. P. 194) (L. D. 267)

Same gentleman from same Committee reporting same on Resolve Providing a Minimum Service Retirement Allowance Under the State Retirement Law for Mildred Beryl Foss of Lincoln (H. P. 203) (L. D. 276)

Same gentleman from same Committee reporting same on Resolve Providing a Minimum Service Retirement Allowance under the State Retirement Law for Addie M. Knox of Belfast (H. P. 565) (L. D. 744)

Same gentleman from same Committee reporting same on Resolve Increasing Retirement Allow-

ance for Mrs. Ruth Brown of Orono (H. P. 1396) (L. D. 1839)

Same gentleman from same Committee reporting same on Bill "An Act Relating to Retirement of Police Officers and Fire Fighters of the City of Augusta" (H. P. 1399) (L. D. 1841)

Same gentleman from same Committee reporting same on Resolve Providing a Member of the Maine State Retirement System with a Minimum of 10 Years Creditable Service" (H. P. 1500) (L. D. 1931)

Mr. Trask from the Committee on Business Legislation reporting same on Bill "An Act Creating the Maine Consumer Credit Code" (H. P. 1229) (L. D. 1803)

Same gentleman from same Committee reporting same on Bill "An Act to Create a Maine Consumer Code" (H. P. 1386) (L. D. 1877)

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

Leave to Withdraw

Covered By Other Legislation

Mr. Henley from the Committee on Veterans and Retirement on Resolve Providing a Minimum Service Retirement Allowance Under the State Retirement Law for Miss Mildred Keene. (H. P. 213) (L. D. 286) reporting Leave to Withdraw as covered by other Legislation.

Report was read and accepted and sent up for concurrence.

Ought to Pass

Printed Bills

Mr. Henley from the Committee on Veterans and Retirement on Bill "An Act Relating to Group Life Insurance for Judges and Justices of the Courts" (H. P. 371) (L. D. 500) reporting "Ought to pass."

Same gentleman from same Committee reporting same on Bill "An Act Relating to Educational Assistance for Widows, Wives and Children of Veterans and Wives and Children of Prisoners of War" (H. P. 404) (L. D. 533)

Same gentleman from same Committee reporting same on Bill "An Act Relating to Educational Benefits for Dependents of

Veterans and Prisoners of War and Missing in Action" (H. P. 522) (L. D. 704)

Reports were read and accepted, the Bills read once and assigned for second reading tomorrow.

Ought to Pass in New Draft

New Draft Printed

Mr. Dyar from the Committee on County Government on Bill "An Act Creating York County Commissioner Districts" (H. P. 199) (L. D. 272) reporting "Ought to pass" in New Draft (H. P. 1545) (L. D. 1976) under same title.

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

Divided Report

Majority Report of the Committee on Liquor Control on Bill "An Act Increasing Tax on Liquor, Wine and Beer" (H. P. 1246) (L. D. 1623) reporting "Ought not to pass."

Report was signed by the following members:

Mr. OLFENE of Androscoggin
— of the Senate.
Messrs. STILLINGS of Berwick
FAUCHER of Solon
RICKER of Lewiston
TANGUAY of Lewiston
CRESSEY
— of North Berwick
KELLEHER of Bangor
CHICK of Sanford
GENEST of Waterville
— of the House.

Minority report of the same Committee on same Bill reporting "Ought to pass."

Report was signed by the following members:

Messrs. FORTIER of Oxford
SCHULTEN of Sagadahoc
— of the Senate.
Messrs. FARNHAM of Hempden
IMMONEN
— of West Paris
— of the House.

Reports were read.

On motion of Mrs. Baker of Orrington, the Minority "Ought to pass" Report was accepted. The Bill was read once and assigned for second reading tomorrow.

Consent Calendar

First Day

(S. P. 592) (L. D. 1869) Bill "An Act to Institute a Priority Program Budget System" — Committee on Appropriations and Financial Affairs reporting "Ought to pass" as amended by Committee Amendment "A" (S-167)

(H. P. 49) (L. D. 56) Bill "An Act Relating to Legislative Service Under State Retirement System" — Committee on Veterans and Retirement reporting "Ought to pass."

(H. P. 952) (L. D. 1249) Bill "An Act Relating to Contributions by Participating Local Districts under Retirement Law for Former Employees" — Committee on Veterans and Retirement reporting "Ought to pass."

(H. P. 983) (L. D. 1303) Bill "An Act to Provide a Minimum Fine for Obstructing Justice" — Committee on Judiciary reporting "Ought to pass" as amended by Committee Amendment "A" (H-462).

(H. P. 744) (L. D. 957) Bill "An Act Relating to Definition of Hotel under Labor Laws" — Committee on Labor reporting "Ought to pass."

(H. P. 618) (L. D. 816) Bill "An Act to Increase Benefits and Reduce the Waiting Period Under Workmen's Compensation" — Committee on Labor reporting "Ought to pass" as amended by Committee Amendment "A" (H-463)

(H. P. 423) (L. D. 572) Bill "An Act to Permit Associations for the Promotion of the Pulpwood Industry" — Committee on Labor reporting "Ought to pass."

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

Consent Calendar

Second Day

(H. P. 45) (L. D. 52) Bill "An Act to Regulate Revolving Credit Accounts" (C. "A" H-453) (Later Reconsidered)

(H. P. 881) (L. D. 1168) Bill "An Act Establishing Privilege to Refuse Disclosure in a Patient-Psychiatrist Relationship" (C. "A" H-459)

(H. P. 1223) (L. D. 1593) Bill "An Act Relating to Commencement of Desertion and Nonsupport Actions"

(H. P. 1126) (L. D. 1461) Bill "An Act Revising the Enforcement of Money Judgments Act"

(H. P. 1227) (L. D. 1602) Bill "An Act Relating to Support, Judicial Separation and Annulment Actions by Military Non-residents Stationed in Maine"

(H. P. 1276) (L. D. 1748) Bill "An Act Establishing the Aroostook-Prestile Treatment District" (C. "A" H-454)

(H. P. 1460) (L. D. 1885) Bill "An Act Relating to Illuminated Advertisements on Motor Vehicles" (C. "A" H-457)

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

Passed to Be Engrossed

Bill "An Act to Revise the Laws Relating to the Practice of Optometry" (S. P. 632) (L. D. 1964)

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

Mr. Rolde of York offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-467) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from York, Mr. Rolde.

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: This legislative document, 1964, is a bill relating to the practice of optometry. The amendment that I am offering really just insures that this bill will apply only to optometrists and not to other people engaged in the sale of eye wear, such as opticians. I think the issue was put very clearly in an editorial in last Friday's Kennebec Journal, and I will read excerpts from that to present the issue to you in full clarity.

"An amendment will be offered to L. D. 1107, an act relating to optometry, to remove the ban on advertising that now restricts opticians from informing the public of their prices for eyeglasses.

It would seem that the opticians, and the public, have something to gain from enactment of the amendment. The opticians might gain a little business. The public, more importantly, might be able to shop around and receive lower prices for glasses.

We can see no logical reason for opposing this measure in a period of rampant inflation, but the optometrists are certain to present one. The optometrists prescribe and sell glasses while the optician only makes and sells glasses from prescriptions written by optometrists.

The weight of political pressure by 138 optometrists has prevailed in the last two sessions of the legislature. The 16 opticians only offer the argument that an advertising ban is a restraint of trade and artificially increases the price of glasses.

"We hope this legislature will see that logic, not pressure, prevails."

I hope you will agree with this point of view and that you will accept the amendment.

Thereupon, House Amendment "A" was adopted.

The Bill was passed to be engrossed as amended in non-concurrence and sent up for concurrence. (Later Reconsidered)

Bill "An Act Relating to Liability for Physical Harm to Users, Consumers or Bystanders from Defective Goods or Products" (S. P. 631) (L. D. 1963).

Bill "An Act Appropriating Funds for Medical Care Development, Incorporated" (S. P. 468) (L. D. 1496)

Bill "An Act to Authorize Bond Issues in the Amount of \$25,000,000 to Provide Funds for School Building Construction" (H. P. 1391) (L. D. 1800)

Resolve Providing for Purchase of Copies of History of Monson (H. P. 1414) (L. D. 1854)

Bill "An Act Relating to Winter Maintenance of State Aid Highways and Town Ways by Municipalities" (H. P. 549) (L. D. 730) (C. "A" H-456)

Bill "An Act to Authorize Oxford County to Raise Money for the Development of an Airport in the

Rumford- Mexico Area" (H. P. 464) (L. D. 612) (C. "A" H-460)

Bill "An Act Providing for Interest on Late Payment of Insurance Claims" (H. P. 1544) (L. D. 1975)

Bill "An Act Authorizing the Department of Health and Welfare to Pay Medical Expenses when these Expenses Constitute a Financial Catastrophe" (H. P. 1543) (L. D. 1971)

Bill "An Act to Provide Additional Requirements for Investigation of Railroad Company Accidents by the Public Utilities Commission" (H. P. 1540) (L. D. 1970)

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

Second Reader

Tabled and Assigned

Bill "An Act Relating to Mobile Home Parks" (S. P. 630) (L. D. 1956)

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

(On motion of Mr. Martin of Eagle Lake, tabled pending passage to be engrossed and tomorrow assigned.)

Bill "An Act Relating to Forcible Entry and Detainer Procedure" (H. P. 846) (L. D. 1120)

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

Order Out of Order

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

ORDERED, that Storer Boone, Jacob Boone and Stephan Fitch of Bangor be appointed Honorary Pages for today.

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

Passed to Be Enacted Emergency Measure

An Act to Amend the Charter of the Stonington Water Company (H. P. 1488) (L. D. 1917)

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. 113 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.

Passed to Be Enacted

An Act Relating to Forcible Detainer of Personal Property (H. P. 141) (L. D. 174)

An Act Relating to Protective Services for Incapacitated Adults (S. P. 152) (L. D. 386)

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

Enactor

Tabled and Assigned

An Act Repealing Certain Laws Relating to Actions by Shareholders (H. P. 313) (L. D. 431)

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

(On motion of Mr. Tyndale of Kennebunkport, tabled pending passage to be enacted and tomorrow assigned.)

An Act Relating to Criminal Contempt for Failure to Pay Alimony and Support of Children (H. P. 359) (L. D. 474)

An Act Relating to Qualifying Foreign Corporations to do Business in Maine (S. P. 229) (L. D. 664)

An Act Relating to Jurisdiction in Subpoena of Judgment Debtor under Enforcement of Money Judgments Law (H. P. 591) (L. D. 782)

An Act Relating to Removal of Private Nuisance by Owner or Occupant of Private Property (H. P. 593) (L. D. 784)

An Act Relating to Lack of Privity as a Defense in Action Against Manufacturer, Seller or Supplier of Goods (S. P. 310) (L. D. 976)

An Act Relating to the Statute of Limitations in Contracts for Sale (S. P. 311) (L. D. 977)

An Act Relating to Requirement of Notice of Breach in Contracts of Sale Where Personal Injuries

are Suffered. (S. P. 313) (L. D. 979)

An Act Relating to Warranties on Consumer Goods and Services (S. P. 343) (L. D. 1042)

An Act Providing Pensions for Former Governors and their Widows (S. P. 363) (L. D. 1077)

An Act Relating to Research, Development and Cultivation of Marine Species (H. P. 856) (L. D. 1143)

An Act Relating to Dragging of Scallops in Blue Hill Bay (H. P. 880) (L. D. 1167)

An Act Relating to a Minimum Warranty Standard for Mobile Homes (H. P. 924) (L. D. 1222)

An Act Repealing the Corporate Franchise Tax and Adjusting Fees in the Office of the Secretary of State (S. P. 412) (L. D. 1251)

An Act Exempting Fuels Used to Heat Commercial Poultry Houses from the Sales Tax (H. P. 1068) (L. D. 1393)

An Act to Exempt Diabetic Medical Supplies from the Sales Tax (H. P. 1096) (L. D. 1433)

An Act Relating to Motorcycle Operators' Licenses (H. P. 1097) (L. D. 1434)

An Act Relating to Certain Disclosures in the Solicitation of Charitable Contributions (H. P. 1344) (L. D. 1778)

An Act Relating to Consolidating Reports of State Departments and Agencies (H. P. 1484) (L. D. 1911)

An Act Regulating Mass Marketing of Casualty and Property Insurance (H. P. 1489) (L. D. 1913) (H. "A" H-409)

An Act to Insure that Citizens are Granted Due Process of Law by Governmental Agencies (H. P. 1518) (L. D. 1947)

Finally Passed

Resolve Authorizing Fred P. Haskell, or his Legal Representative, to Bring Civil Action Against State of Maine (S. P. 77) (L. D. 194)

Resolve to Reimburse Certain Persons for Property Taken by State Department of Transportation in the Town of Bingham (S. P. 134) (L. D. 346)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, Bills passed to be enacted, Resolves finally

passed, all signed by the Speaker and sent to the Senate.

On Motion of Mr. Trask of Milo, the House reconsidered its action whereby Bill "An Act to Regulate Revolving Credit Accounts," House Paper 45, L. D. 52, was passed to be engrossed.

Thereupon, the Report was accepted and the Bill read once. Committee Amendment "A" (H-453) was read by the Clerk and adopted and the Bill assigned for second reading tomorrow.

Orders of the Day

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

Bill "An Act Establishing the Maine State Student Incentive Grants Program" (S. P. 539) (L. D. 1758) (C. "A" S-153)

Tabled — May 25, by Mr. Jalbert of Lewiston.

Pending — Acceptance of the Committee Report "Ought to pass" as amended.

Thereupon, the Report was accepted in concurrence. Committee Amendment "A" (S-153) was read by the Clerk and adopted in concurrence and the Bill assigned for second reading tomorrow.

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

Bill "An Act Creating the Uniform Alcoholism and Intoxication Treatment Act" (S. P. 13) (L. D. 76) (C. "A" S-150)

Tabled — May 25, by Mr. Henley of Norway.

Pending — Passage to be engrossed.

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

Mr. HENLEY: Mr. Speaker and Ladies and Gentlemen of the House: As the sole signer of the "ought not to pass" on this bill, I would like to take just a few moments of your time to state my reasons for it. I do not know how many of you have really gone over this bill. The reasoning behind the bill I have no quarrel with. The attempt to set up various shelters and areas of rehabilitation for alcoholics throughout the state, I

have no quarrel with. I contend, as I did in the committee, at the hearing and in Executive Session, that the cart is being placed before the mule or the horse or whatever.

We are attempting to do something here which is being done now in one county, principally Cumberland and perhaps somewhat in some of the other highly settled urban counties. We are attempting to have areas where alcoholics can be taken and given an opportunity at the benefits of standard rehabilitation principles and policies, which I understand have had a certain degree of success.

What I contend is that the state at large is not ready for it. They are not prepared for it and there is no way that this bill can be implemented practically in about 90 percent of the areas and communities of the State of Maine.

I think you will note on your bill, right on the front page, section 1361, declaration of policy. "It is the policy of this state that alcoholics and intoxicated persons may not be subjected to criminal prosecution solely because of the consumption of alcoholic beverages, but rather should be afforded continuum of treatment in order that they may lead normal lives as productive members of society." That reads beautifully, and to those of you and those of us who may believe that alcoholism is merely an illness, it is a wonderful concept. I do not believe that. I never have, I never will.

I feel that the publication and the standard rejection of that belief all the way up and down the line from Washington to our most remote community is doing a disservice not only to those people who are not alcoholics — and I admit there is a term "alcoholic," it is a disservice to them because it builds a false aura of protection of those people. We can expect, if this bill completely goes through, and there are a few states that are having it, we don't know how successful it is, we can expect the average drunkard, when he is criticized in any manner, to come back with a statement, "You have no right to criticize me, I am

merely sick. It is your job to take care of me. I can drink all I want to." I think that the philosophy intended by this bill is wrong.

Again, ladies and gentlemen, I do not expect to reverse the findings of this committee and the ultimate outcome of this bill. I am just repeating what I have stated earlier in other sessions on bills of like matter before this House.

If the matter of intoxication or habitual intoxication which brings about the term alcoholism or the chronic alcoholic is an illness, what are we going to do about the other various illnesses that are so termed that bring about incapacitation? What about diabetics? What about heart problems, emphysema, other chronic illnesses, which we know are illnesses, treated by medication and by surgeons and by doctors and if not cured, at least held under control by those things? Are we going to set up special laws relative to those people? I realize we don't arrest them, but we don't have any special laws on them. Are we going to spend taxpayers' dollars to set up special treatment facilities where they are going to get free treatment? I think it is only right that we should do so. We have a lot of people that are ill with emphysema. Do they get free treatment? They don't in my area. Diabetics, they don't get free treatment, they have to pay for it. Heart patients have to pay for their treatment, I know, I am one.

If we do consider an alcoholic as an illness to be treated, why do they rate free treatment any more than any other illness? I know I have gone through this bill from front to back. We have got to have in our various areas people who will pick up and take care of drunks, but they can't arrest them. I have been contacted by practically all police in my area asking me what they are supposed to do. The only place we have up in our area, and as far as I know in the whole county, where we can take a real drunk person is to the jail where he will be safe and where he can sleep it off.

Our hospitals, as far as I know, so far are not supposed to accept

them. I don't know about some of the other areas.

Another thing that I would like to mention, you were handed sheets this morning put out by a gentleman from the other body which purports to specify all of the areas of units, groups and so on that are for this bill, various organizations, et cetera. There is one outstanding vacancy not listed. I think you might check and see if you can find any police groups that are for the bill, any whatsoever, any police chiefs, any group, any policeman, any sheriffs. They are the ones that are going to be charged with the implementation of this bill.

I have got red lines drawn all through this. I will not bore you with my objections to the various problems involved. I still insist that for about 90 percent of the communities of the State of Maine, we just are not prepared to put this bill in effect. I told them in committee and I will state now that the idea of setting up rehabilitation areas to train people to pick up our habitual drunks and to try to do something with them in theory is fine if they would only do that first. If they would get the areas built up, I will be glad to vote money to do it, et cetera.

You will note that there is an amendment amending off the cost of this program because I understand there is federal money. It still costs. Consequently, I still think they have got the cart before the horse. With all these internal objections, I haven't narrowed it down, but I stated I wouldn't take long and I am about to sit down. I am not going to make a motion. I am opposed to the bill, have been through the years and will continue to be as long as they set it up in this manner. With that, I will leave it up to your discretion.

The SPEAKER: The Chair recognizes the gentlewoman from Orrington, Mrs. Baker.

Mrs. BAKER: Mr. Speaker and Members of the House: I was the vice chairman of the subcommittee of research that studied this bill and prepared it and reported it out recommending it to the legislature.

I am not going to stand here and say that it is a perfect bill, but few are. I feel this is a start in the right direction. If you accept the belief that alcoholism is a disease, then I think you have to accept the fact that the state, being in the business of selling alcoholic beverages, has a responsibility in the rehabilitation of the alcoholic. And this, I believe, is a start in the right direction, we have to make a start somewhere. Certainly we are not going to be able to set up facilities overnight or possibly in the first biennium if this would become law. It is my belief that it is a move in the right direction and it is the responsibility of the state to try to rehabilitate these people.

We hear a great deal of criticism about the number of people on relief, the number of ADC families that we employ as a result of alcoholism, and it seems to me that we might as well face this responsibility and make a start.

The SPEAKER: The Chair recognizes the gentleman from Rumford, Mr. Theriault.

Mr. THERIAULT: Mr. Speaker and Members of the House: I have to agree with my friend Mr. Henley in reference to this bill. As a former policeman, I know the problems we have when we have a person that is intoxicated and what we are going to do with them. The bill says that we would take them to a rehabilitation center. But my town, like Norway and South Paris, has no such place. And I believe that the majority of the towns and cities have no such place. So what are you going to do with these guys or these women?

In the past we have picked them up and locked them up just as much for their own protection as for having committed any crime. In fact, just think of what would happen if this person that is intoxicated and doesn't know what he is doing and is unable to navigate very well, steps out in front of a car and this car hits him and kills him? Just think of the situation for the driver of that car. It wasn't his fault, but he still has killed a person. And if we are able to pre-

vent that by locking this guy up, well I think that is worthwhile.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentleman of the House: It is not very often that I ever stand before this body and read a prepared speech. Generally I try to talk off the top of my head, but I have been involved in this bill in some degree and particularly with the gentleman in the other body. I think it has some very major important matters for you people to consider, and if you don't mind, I am going to take time to read a prepared statement that I had some people help me draft.

Accepting the judgment of the World Health Organization of 1951, the American Medical Association of 1956 and '72, the American Hospital Association of 1957, the American Association of Psychiatry of 1965, and the Department of Health, Education and Welfare of 1966, and the Commission on Alcoholism of 1967 concerning alcoholism, I submit that alcoholism is a disease. And the very people that Representative Theriault was talking about, and Representative Henley, and I hate to use the word the town drunk, although they are alcoholics and they do have something in common, there are a number of other individuals that I am sure they never came in contact with that have a severe problem, that work in industries, that are involved in our communities, and this is a bill that was designed to help them.

You know, in industry, American Tel & Tel for example, has an alcoholic program to help their employees. They don't try to fire their alcoholics when they discover they have them working for them. They have a program to try and help them, to rehabilitate them. And when they come to a point of after 18 months or 20 months and this particular person they have been treating has abstained from drinking, they think their program concerning this individual has been successful.

And I think the bill which Mrs. Baker has presented here this morning, through the efforts of a large number of people in this state, from all over the state, concerning the very tragic situation of alcoholism, we as leaders in our own community should accept the bill. There is a price tag on it and it costs some money, but there are a lot of other things we put in this House that cost money and we passed and certainly they deserve our support, and this bill certainly does.

Alcoholism is not only a disease of the body and the mind, it is an extremely social one and the families are involved.

I ask the House this morning to support the passage of this L. D.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I dislike very much to disagree with the gentleman from Norway, Mr. Henley and the gentleman from Rumford, Mr. Theriault for the respect that I have for them and the knowledge they have in their own respective fields.

I have stated on the floor of the House more than once in the committee rooms and elsewhere that I thought the biggest problem in my opinion, is alcoholism and was the number one disease in this state, in this country.

You would be amazed if you knew how rampant alcoholism is, with no disrespect meant, but even among the fairer sex. It is becoming a problem that we fast must face head on or else we are headed for disaster in this area.

You know, one would have no compassion at all when he meets an individual who would ask him for a drink, would ask you for a dollar or 50 cents with the purpose in mind by telling you invariably that they are hungry. When you say to them, I will take you in and buy you anything that you want to eat, invariably that type of individual says, "No, you don't have to come with me, all I need is the money. I will take care of myself."

It just saddens me because it happens to me weekly. Alcoholism is a disease, and it should be treated as such. How can anyone conceivably say that drugs must be treated, drugs is a disease, yet alcohol would not be a disease?

In my humble opinion, there have been some bad bills put into this session, no doubt even some of them by me. There have been some good bills put into this legislature, even possibly by me. I know some excellent bills have been dropped into the hopper and this is one of them. This is one that we must face head on.

Possibly some of you who live in smaller communities don't see it as much as we do in urban areas. I don't think we are any worse than you are. I spent some time in a smaller community; I have spent a great deal of my time naturally in my home City of Lewiston. I am chagrined when I see some very fine people become sick through alcoholism. Treatment is the answer.

I think we could talk about this problem forever and a day, but the answer is in 76, and I certainly hope that it has passage.

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

On motion of Mr. Emery of Rockland, the House reconsidered its action of earlier in the day whereby Bill "An Act to Revise the Laws relating to the Practice of Optometry," Senate Paper 632, L. D. 1964, was passed to be engrossed.

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

Mr. EMERY: Mr. Speaker and Members of the House: When Representative Rolde offered his amendment to L. D. 1964, I intended to make some remarks, but I was working on something else at the time and the matter slipped by me.

At this point I would like to reconsider our action whereby we adopted House Amendment "A".

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

Mr. ROLDE: Mr. Speaker, I would like to have this tabled for one legislative day.

Thereupon, Mr. Emery of Rockland requested a vote on the tabling motion.

The SPEAKER: The pending question is on the motion of the gentleman from York, Mr. Rolde, that this matter be tabled for one legislative day pending the motion of Mr. Emery of Rockland to reconsider adoption of House Amendment "A". All in favor of this motion will vote yes; those opposed will vote no.

A vote of the House was taken 55 having voted in the affirmative and 35 having voted in the negative, the motion did prevail.

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

Bill "An Act Relating to Psychotherapist and Patient Privilege" (H. P. 1226) (L. D. 1601) (S. "A" S-156).

Tabled — May 25, by Mr. Simpson of Standish.

Pending—Further consideration.

On motion of Mr. Martin of Eagle Lake, the House voted to recede and concur.

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

Bill "An Act Relating to Fees Received by State Officials and Employees" (H. P. 95) (L. D. 116) (C. "A" H-383).

Tabled — May 25, by Mr. Simpson of Standish.

Pending — Passage to be enacted.

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

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

Bill "An Act to Exempt Hairdressers who Hold Booth Licenses from Eligibility for Unemployment Compensation" (H. P. 1014) (L. D. 1333)

Tabled — May 25, by Mr. Martin of Eagle Lake.

Pending — Passage to be enacted.

On motion of Mr. Farley of Biddeford, tabled pending passage to be enacted and later today assigned.

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

Bill "An Act Regulating the Interception of Wire and Oral Communications" (S. P. 377) (L. D. 1108)

Tabled — May 29, by Mr. Simpson of Standish.

Pending — Acceptance of the Committee Report, Leave to Withdraw.

Came from the Senate with the Bill substituted for the Report and the Bill passed to be engrossed.

On motion of Mr. Martin of Eagle Lake, the Bill was substituted for the Report in concurrence.

Senate Amendment "A" (S-161) was read by the Clerk.

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

Mr. JALBERT: Mr. Speaker and Ladies and Gentlemen of the House: Would it be in order to ask someone to explain this bill and the amendment?

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, poses a question through the Chair to anyone who may answer if he or she wishes. The Chair recognizes the gentleman from Eagle Lake, Mr. Martin.

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: Very briefly, as I understand the bill, basically the bill would have allowed wiretapping relatively carte blanche. What has happened, there was a leave to withdraw report that was granted by the committee. The other body chose to instead substitute the bill for the report and put an amendment on there which prevents wiretapping taking place unless the court specifically authorizes it. And so basically what we are doing is conforming with federal law.

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

Mr. JALBERT: Mr. Speaker and Ladies and Gentlemen of the House: I am wondering whether or not if the sponsor wants leave to

withdraw on a bill and it is seriously granted, I think if anything needs to be — from what is going on now — if anything needs to be looked into a little bit, it is this situation here. Here we have a bill that is reported out of committee, leave to withdraw, after they studied it no doubt, and then the bill is substituted for the report and then the bill is amended and we first see it now. I think that possibly the best that could happen was for the bill to have at least gone back to committee and have that committee go over the bill again and then decide what they want. In answer to the gentleman from Eagle Lake, Mr. Martin, watching TV and reading the newspapers, the remark that he makes that this just conforms with federal law doesn't impress me too much these days.

The SPEAKER: Does the gentleman from Lewiston move that this matter be recommitted to the Committee on Judiciary?

Mr. JALBERT: Mr. Speaker, I wouldn't make such a motion now because I know how loaded the Judiciary Committee is. But I just can't understand this type of procedure.

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: Let me clarify what I said. Obviously, it probably should have been done by someone else. Basically, the reason, as you will note the sponsor was in the other body and the sponsor is one of those who agreed to the change, and he agreed to remove the thing from leave to withdraw and substituting the bill for the report and then the Senate Amendment. If you take a look at the Senate Amendment, basically if you note, it says it would prohibit the interception of wire and oral communications and to create civil and criminal penalties therefor. So actually, what you are doing is preventing wiretapping at all from occurring. I think in this day and age, as the gentleman from Lewiston pointed out, this is the thing that we ought to do.

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

Mr. HENLEY: Mr. Speaker and Ladies and Gentlemen of the House: I want to agree with the gentleman from Eagle Lake, Mr. Martin. As I recall it, there was some trepidation about putting the bill out in its entirety "ought to pass" because of the publicity attendant to wiretaps at this time. I guess after the bill was permitted leave to withdraw, this amendment only brings out that part of the bill which should be necessary to protect against wiretap. Our laws on that presently leave a lot to be desired and I think that part of the bill now, with the amendment, is satisfactory and should not be confused with too much promiscuity in wiretapping.

Thereupon, Senate Amendment "A" was withdrawn. The Bill was read once. Senate Amendment "B" (S-171) was read by the Clerk.

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

Mr. FINEMORE: Mr. Speaker and Ladies and Gentlemen of the House: This was called to my attention Saturday. It was the first time I even looked at the bill, to be frank with you. I was called by an immigration officer, so I came down and I picked up 1108 and I picked up the amendment at the same time. In fact, I got the amendment before it got on to the floor of the House here, and as you have stated, this amendment, amendment "A" has not been presented in the Senate. And the group in this Custom Office, the immigration officer in the Customs, was a little upset about this. But as far as I am concerned, you have given it its first reading and I am satisfied at that until I hear further from them whether there is anything wrong with it or not. I have read the amendment and it is quite complicated and it may be exactly as the gentleman from Eagle Lake has said, Mr. Martin. It may be to conform with the federal law. If so, why that is okay. But for the time being, I will go along with the first reading.

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

Mr. JALBERT: Mr. Speaker and Ladies and Gentlemen of the House: I am satisfied with the explanation of the gentleman from Norway, Mr. Henley, and the gentleman from Eagle Lake, Mr. Martin. I think that probably on important matters like this, I think that if they were explained, I mean, dunces like me would understand more quickly.

Thereupon, Senate Amendment "B" was adopted. The Bill was assigned for second reading tomorrow.

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

Bill "An Act Relating to the Authorization of Nongeographic School Administrative Units at Correctional Institutions" (H. P. 348) (L. D. 463)

Tabled — May 29, by Mr. Martin of Eagle Lake.

Pending — Motion by Mr. Lewis of Bristol to accept the Majority "Ought not to pass" Report.

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

Mr. WHITZELL: Mr. Speaker and Ladies and Gentlemen of the House: L. D. 463 is a good bill. It may be a misunderstood bill. It would appear that the bill probably should have gone before the Education Committee and not the Health and Institutional Services Committee. There seems to be a lack of understanding on our committee of what the bill will do.

Prior to this piece of legislation, the full expense of providing high school education to people incarcerated in the several institutions throughout the state was borne completely by the taxpayers in the State of Maine. And we used completely state funds.

This bill would enable the Department of Education to form nongeographic school districts at the institutions, incorporating only the institutions. There were a couple of things that were oversimplified in this bill. I have an amendment which I would like to offer later when the bill gets

into the second reading. But in order to amend this bill, I would ask you to defeat the majority "ought not to pass" report, pass on the "ought to pass," which is the minority report, and we will fully debate the bill in the second reading when we offer the amendment which will correct those items.

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

Mr. GOODWIN: Mr. Speaker and Ladies and Gentlemen of the House: As a member of the committee, I want to apologize to the committee members. I was not there at the Executive Session. Therefore, I would like to ask one of the members of the committee to explain why they don't want to see this bill passed.

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

Mr. DYAR: Mr. Speaker and Ladies and Gentlemen of the House: I think possibly there is some misinterpretation on this bill, possibly by the sponsor and the persons for whom he sponsored the bill for. We find in our travels through the state institutions that there are classes set up for those who are incarcerated and those who are patients. We also find that there are federal funds under various titles that have been used to implement these classes and rehabilitation type education.

It is hard to find out any facts and figures. It is fairly apparent and entirely possible that the Department of Mental Health and Corrections are after funds that would not be necessary, that they wish to duplicate monies already available. It would seem that this body should proceed with caution on any funding for this department at the present time due to the manipulation going on within that department.

We extend the courtesy to the gentleman from Gardiner, Mr. Whitzell, to have his amendment printed so we can look it over and in reading the amendment, I cannot see how we are going to accomplish too much. This morning I would hope that you would ac-

cept the majority "ought not to pass" report.

The SPEAKER: The Chair recognizes the gentleman from Nobleboro, Mr. Palmer.

Mr. PALMER: Mr. Speaker and Ladies and Gentlemen of the House: The bill was tabled by Mr. Martin on a motion by Mr. Lewis of Bristol and he is unavoidably detained today. I wonder if we could have this tabled for one more day?

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 address myself to this bill as a director of adult education and speak on two institutions which I am familiar with and their program in adult education, that is the Men's Correctional Center at Thomaston and the Augusta State Hospital. Both these institutions have adult education programs that are funded by the State Department of Education and by funds which are appropriated by the State Legislature in the Part I and Part II Budget. Also, they do receive some federal funds for adult education. When the Department of Education sets up these programs, such as Thomaston, they will just give Thomaston a lump sum of money for the courses they are going to run.

What this bill would do, it would allow the Department of Mental Health and Corrections to establish each one of these centers, these adult education centers or facilities at the institutions as a school district, thereby entitling them to apply for other Title I, II, or III or whatever you have, funds. Right now, they are not eligible for these funds. The only funds that they get, and I am only speaking for Augusta State Hospital and Thomaston. Actually, those are the only ones that I am familiar with. The only funds they get are the adult education funds from the Department of Education, which I think are basically 50-50 state and federal money, and this doesn't have anything to do with the present Title I or II funds or anything.

So I would urge you to oppose the motion to accept the "ought not to pass" report and accept the "ought to pass" report, and I think what we will be doing is we will be allowing our programs at these two institutions to apply for additional federal funds that they can't get now.

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

Mr. BUSTIN: Mr. Speaker, I move this item lie on the table one legislative day.

Mr. Simpson of Standish requested a vote on the tabling motion.

The SPEAKER: The pending question is on the motion of the gentleman from Augusta, Mr. Bustin, that this matter be tabled for one legislative day pending acceptance of the Majority Report. All in favor will vote yes: those opposed will vote no.

A vote of the House was taken. 48 having voted in the affirmative and 50 having voted in the negative, the motion did not prevail.

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

Mr. SOULAS: Mr. Speaker and Ladies and Gentlemen of the House: Serving on this same committee and a signer of the minority report, I would like to speak briefly on this measure. During the 104th Legislature, I visited the South Windham Boys Institution. A school session was in progress. Would you believe the shortage of pencils was so bad that two boys were sharing the same pencil. I felt so bad about this, I donated my own fountain pen that I had with me that day.

I resolved that if at any time it was in my power to provide improved education of any kind to these institutions, I would support such bills. L. D. 463 is such a bill. I hope you will vote against the "ought not to pass" report and give these institutions a chance.

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

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

House: I wonder if the Clerk would be kind enough to read the report of the committees?

Thereupon, the Report was read by the Clerk.

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

Mr. LaPOINTE: Mr. Speaker and Members of the House: I would like to concur with the remarks of the gentleman from Bangor, Mr. Soulas. I realize that I don't believe that this bill got a fair hearing, and that was partly due to the fact that members of the staff of the Department who were knowledgeable about this particular matter were unable to attend.

However, this legislation is essentially enabling legislation, much in the same way that the State of Texas provided for enabling legislation to allow its correctional institutions that were not qualified to receive the fullest benefit in the fullest amount of federal funds.

This particular piece of legislation would do this. I think it is primarily geared to Thomaston and the Men's Correctional Center at Windham. Currently the state is putting money in for educational programs there.

However, by passing this particular piece of legislation, it would enable them to qualify for federal funds and match the current state appropriated dollars to get the fullest benefit and to develop the best educational programs at these institutions.

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

Mr. WHITZELL: Mr. Speaker and Members of the House: I am the sponsor of the bill. On the day the bill had its hearing at the Health and Institutional Services Committee the member of the Department of Mental Health and Corrections that was there to speak on the bill was no more knowledgeable about the bill than I as a sponsor was. At that point, I had asked for our staff person to do a little research for us and to coordinate the bill with the Department of Education, whom we felt should have been present at the hearing to present their side

of this particular piece of legislation.

The committee clerk did speak with members — with Kermit Nickerson, over in the Department of Education, and with Asa Gordan, after the amendment was prepared, and this is the amendment that I would like to offer in the second reading. The amendment will provide a little better language. The bill was overly simple, which was the primary objection of the committee at the time that we had our first Executive Session concerning this bill. Nobody knew what the intent was except by reading from the Statement of Fact which said that "Legislation of this nature would allow the Bureau of Corrections to be eligible to receive federal assistance to assist in educational programs for both adult and juvenile institutions."

The bill in itself was terribly simple, and some of the items had to be ironed out. For instance, when we do form nongeographic school districts, what evaluation will we use to determine how much federal help we will be able to get in the institution. The problem was there that the Skowhegan Women's Correctional Institution is located in one area where the valuation is X-number of dollars, the Boy's Training Center is in another area, and so what we decided to do is to take the average valuation over a state-wide figure and that ironed one of the administrative wrinkles in this bill.

Now, we would like to have an opportunity to put the amendment on, because the amendment has been approved by the Department of Education. We have talked with them over there; they have looked into it and they feel that using federal funds in place of state money is good business. If this makes the institutions eligible for federal funds in lieu of spending state funds, then this is what we should be doing.

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

Mr. DYAR: Mr. Speaker and Members of the House: Certain members of the committee were at Thomaston a week ago Monday.

Everybody on the committee had the opportunity to go. At that time the warden did not mention this program to us.

The superintendent at South Windham appeared before our committee within the last ten days and he has not mentioned this piece of legislation to us. I have received no communication whatsoever from any member of the Department of Mental Health in reference to this bill.

I do have before me, probably it would be a hot sheet. It is a statement from the joint commission on accreditations of the hospitals that tells why the CPH at Pineland was not reaccredited. Now, the gentleman from Bangor Mr. Soulas has mentioned pencils. This report basically shows that the CPA, the Childrens Psychiatric Unit at Pineland Training Center was not accredited due to administrative procedures. Now I feel that if the administration of these various institutions, the people having these institutions under their domain, handle these things properly, there would be no lack of pencils, there would be no lack of education. In fact, the vocational school at South Windham is probably superior in equipment to any institution in this state, any vocational school in this state. This is funded through federal money.

If federal funds are properly applied for, I feel that this would be taken care of. I do not want to see duplication of effort, whether it be federal money or state money. If this bill was that important, ladies and gentlemen, I am quite sure that somebody within the department within the past few days would have contacted either the Senate chairman or myself relative to this piece of legislation.

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

Mr. GOODWIN: Mr. Speaker and Members of the House: I would like to address myself to a few points made by Mr. Dyar. First of all, I don't think this bill would really affect or has anything to do with accreditation of CPH at

Pineland. I would like to say that I feel this bill is very straightforward and that it will allow the Department of Mental Health and Corrections to establish their educational facilities, their adult ed. programs at Thomaston and Augusta State Hospital and the Men's Correction Center at these various institutions as school districts. This will allow them to apply for additional funds that they cannot apply for now because they are not school districts. I think it is as simple as that.

I have been contacted by members of the Mental Health and Corrections Department and everything pertaining to this bill, and they have told me they support it. Members of the Department of Education support it. Perhaps the reason they haven't contacted other members of the committee is the fact that other members of the committee in the past have not been very responsive to them and they just more or less don't like to contact them because they know they always go against them.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I would pose two questions. One of them would be in this order. The bill basically says that the State Board of Education and the Department of Educational and Cultural Services would be responsible for structuring such an SAD, if basically that is what we would be considering in this instance. Has anyone discussed this issue with the Department of Education as to whether or not this ought to be done?

And the second question is whether or not if we were to do this we would get more federal funds. I think that basically if the answer is yes, we would get more federal funds, then I would be receptive to certainly voting for the minority report to put on an amendment. I am not saying that this has to be the one, but I think the issue here is really a very simple one, whether or not we can use federal monies rather than use

state monies at these institutions. And if we could substitute certain monies that would or might become effective or available under federal law for such a program, I would certainly be receptive to that. That means we could use our own state money somewhere else or not use it at all. And I suspect perhaps that some thought ought to be given to that approach.

I am fully aware of the problems that exist in and out of this hall and in and out of the Department of Mental Health and Corrections. I don't think really that is the issue as much as whether or not this bill might serve as a vehicle to help us to get some funds. And if it might, then I would be a proponent of it. If it does not, then I obviously would not be.

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

Mr. DONAGHY: Mr. Speaker and Members of the House: I am pleased to find that my thinking is somewhat along the line of the gentleman from Eagle Lake. It seems as though school districts are set up for quite a different reason. There is quite a different problem involved in nongeographic areas being set up in school districts. As a matter of fact, it seems at this point that new school districts are pretty outmoded. It is expensive in itself to set up school districts and I would ask someone if it isn't going to cost more to set up school districts than we would be gaining by any possible additional federal funds that we can't already get under other programs?

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

Mr. MARTIN: Mr. Speaker and Members of the House: I haven't had an opportunity to look at the budget of the Department of Mental Health and Corrections, but I am aware of a large substantial amount of funds that they use for education purposes.

In the past, the way an SAD operates, a certain amount of money would have to be put up in order to make up the state's share.

It could very well be that if this were a workable piece of legisla-

tion, what could happen is that the state would have to put up a lesser amount than it presently puts up and it could then be eligible to receive federal monies in matching monies and be eligible for actually more money than we are presently utilizing, and perhaps as I pointed out earlier, save some money in the process.

I am wondering if perhaps the will of the House would not be to accept the minority "ought to pass" report today. Then that would give us an opportunity between today and tomorrow morning to see whether or not in talking with both the Department of Mental Health people and the Department of Education people whether we can work out something or whether or not this is just a pie in the sky. And if that would be the will, then certainly we could do it.

The gentleman from Bangor seems to imply that isn't the course we ought to take. But I really think we ought to give consideration to that approach if what we are going to do in the final analysis is to one, save money for the state, and secondly, do a better job for the inmates that are in the institutions.

The SPEAKER: The Chair recognizes the gentleman from Madision, Mrs. Berry.

Mrs. BERRY: Mr. Speaker and Members of the House: I am a little confused here because I believe that at the time this bill was presented that Mr. Whitzell, I believe this is the one, wasn't there to present it and I was asked to do so. I didn't know anything about it, and so we relied on someone from the departments to be there to explain it a little. There was nobody there to explain it, so there was nothing done about it. We did ask our legal aide if she would work on it somewhat. And in going to the Educational Department, they raised numerous questions. I don't think that they are all answered in this amendment that Mr. Whitzell has presented, as far as I am concerned.

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

Mr. SIMPSON: Mr. Speaker, Ladies and Gentlemen of the House: I guess the strongest lobby that we have around here are the department heads and the people in the departments. And you know here is a bill, number 463, which had to be one of the earliest ones put in, in fact, sometime around in January. We are sitting around here now in May with a bill that somebody is saying that the departments haven't got too involved with. That indicates to me that they are not too interested in it.

Furthermore, you know, as I look at this particular bill, it says down here in the bottom, it says the total cost of operating schools authorized by this section shall be borne by the state. And when we set up SAD's we get into subsidy formulas, and that is exactly what we are doing here, we are setting up an SAD within an institution. I question the wisdom of setting up school districts within institutions to the point where we get involved with subsidies, construction costs and everything else which are in Title 20 laws.

If you look on the back of it, there is absolutely no cost involved in this thing, and there should be an appropriation on this. I can see a big appropriation if this bill should happen to pass, and I don't see it in federal funds either.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: After listening to debate on this bill in here this morning, and I am somewhat confused at times listening to debate as to which side of the question that they are on. After listening to the remarks made by the majority floor leader in the House, I move that this bill and all its accompanying papers be indefinitely postponed.

The SPEAKER: The gentleman from Bangor, Mr. Kelleher, moves the indefinite postponement of L. D. 463 and all accompanying papers.

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

Mr. WHITZELL: Mr. Speaker and Members of the House: I would simply like to urge the mem-

bers of the House that the indefinite postponement of this bill is not the answer and to vote against the motion and let us have another day to put things together.

It is true, maybe this is an area — maybe the thing that was wrong with this bill is that it did go before the Health and Institutional Services Committee and not the Educational Committee. Does that mean we are going to turn our back on federal funds this year and wait another year?

As an aside, I might also mention that I have taught in the Boys Training Center while doing graduate work. I can verify 100 percent that the items that Representative Soulas mentioned, the fact that students in those schools have no pencils, they have no papers, they have no adequate textbooks, often they don't have certified instructors, the absentee rate for teachers at those institutions is higher than it is in any public school. If there is any reason for that — I would direct myself to the fact that the reason there is such a high amount of absenteeism in the teaching staff there is because it is such a frustrating condition to teach under. After having taught there, which paid \$5 more a day than teaching in a public school, and which I needed the \$5 very badly, I wouldn't go back to the institution after the fourth day of substitute teaching. Those are the type of conditions that exist there.

The Department of Education will have an input into the qualifications of the instructors, staff, and in the curriculum that is taught in these institutions if you allow the marriage of the Department of Education and the Department of Mental Health in this particular bill. So let's improve the education there. That is public education as well as the education of our children in the city schools. While they are there, they should at least receive a minimum standard of education and they are not getting that now.

The SPEAKER: The Chair recognizes the gentleman from Camden, Mr. Hoffses.

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

House: I for one, certainly, am confused over this particular L. D. It has been pointed out that they were going to establish an SAD within the Thomaston State Prison. We have an SAD in Thomaston now. Is the tail going to wag the dog or is the dog going to wag the tail?

This looks to me, like sort of a ridiculous piece of travesty that we are doing. We have an 11 to 2 "ought not to pass" report on this. We had a distinguished gentleman who asked to have this item tabled, who has served on the Health and Institutional Services, by the name of Representative Lewis. He was not here today. He was denied the privilege of having this matter tabled for a later date, that he might be here and express his views on this matter. I think perhaps that Representative Lewis could have shed some light and at least enlightened some of us as to just what this particular bill does and what it is intended to do.

I think the gentleman from Bangor, Mr. Kelleher, has made the proper motion that we indefinitely postpone this document and I, for one, am certainly going to vote for the indefinite postponement of it.

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

Mr. GOODWIN: Mr. Speaker and Ladies and Gentlemen of the House: I am a little confused or upset about some of the debate that have been going on here. We have gotten into a lot of areas that I think are unnecessary. I would like to just state again that this bill would just allow the various institutions, such as Thomaston, to establish itself as a school district in order to apply for funds, federal funds, that you need to be a school district to apply for. It is as simple as that.

Right now, all there is at Thomaston is an adult education program, an adult basic education program. I will give you an example of what this could mean. If they could establish themselves as a school district—it would have nothing to do with the surrounding towns at all—there is also an adult education program in the Town

of Thomaston and they have no conflict at all right now. What this will allow, say, if there was a group of inmates there who had reading problems and the instructor and the director at Thomaston are not able to handle it, this would allow them to apply for one of the—I don't know which title it is—for a reading specialist and if they got funded, the reading specialist would come and work specifically with these inmates that have reading problems.

I think it is as simple as that. You don't have to get into the hassles of construction or anything like this. All this does—there is no appropriation—it just allows them to establish this. I think what we have done, some people have tried to use scare tactics saying this is going to cause all kinds of problems. I don't see that at all. I see it as an aid for various institutions to be able to apply for federal money under the educational opportunities act, or whatever it is, that are unable to apply for now because they are not a school district. It is as simple as that.

The SPEAKER: The pending question is on the motion of the gentleman from Bangor, Mr. Kelleher, to indefinitely postpone L. D. 463 and accompanying papers. The Chair will order a vote. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken. Thereupon Mr. Whitzell of Gardiner requested a roll call vote.

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

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

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

ROLL CALL

YEA — Ault, Baker, Berry, G. W.; Berry, P. P.; Berube, Birt, Bither, Bragdon, Brawn, Briggs, Bunker, Cameron, Carey, Chick, Churchill, Conley, Cote, Cottrell, Dam, Davis, Deshaies, Donaghy, Dudley, Dunn, Dyar, Emery, D. F.; Farnham, Farrington, Faucher, Finemore, Garsoe, Good, Hamblen, Haskell, Hoffses, Huber, Hunter, Immonen, Jalbert, Kelleher, Kelley, Kelley, R. P.; Kilroy, Knight, Lawry, Lewis, J.; Littlefield, MacLeod, Maddox, Mahany, Maxwell, McCormick, McNally, Merrill, Morin, L.; Morton, Murchison, Palmer, Parks, Perkins, Pratt, Rollins, Shaw, Shute, Silverman, Simpson, L. E.; Snowe, Stilings, Susi, Theriault, Trask, Trumbull, Walker, Webber, White, Willard, Wood, M. E.

NAY — Albert, Binnette, Boudreau, Brown, Bustin, Carrier, Carter, Chonko, Clark, Cooney, Crommett, Curran, Curtis, T. S. Jr.; Dow, Drigotas, Dunleavy, Farley, Fecteau, Fraser, Genest, Goodwin, H.; Goodwin, K.; Greenlaw, Henley, Hobbins, Jackson, Jacques, LaPointe, LeBlanc, Lynch, Martin, McHenry, McMahon, Mills, Morin, V.; Mulhern, Murray, Najarian, Norris, O'Brien, Peterson, Rolde, Santoro, Smith, D. M.; Smith, S.; Soulas, Talbot, Tierney, Tyndale, Wheeler, Whitzell.

ABSENT — Connolly, Cressey, Evans, Ferris, Flynn, Gahagan, Gauthier, Hancock, Herrick, Kauffman, Keyte, LaCharite, Lewis, E.; McKernan, McTeague, Pontbriand, Ricker, Ross, Sheltra, Sproul, Strout, Tanguay.

Yes, 77; No, 51; Absent, 22.

The **SPEAKER**: Seventy-seven having voted in the affirmative and fifty-one in the negative, with twenty-two being absent, the motion does prevail.

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

Mr. **FINEMORE**: Mr. Speaker, having voted on the prevailing side, I now move we reconsider and I hope you vote against me.

The **SPEAKER**: The gentleman from Bridgewater, Mr. Finemore, having voted on the prevailing

side, moves that the House reconsider its action whereby it indefinitely postponed this bill.

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

Mr. **WHITZELL**: Mr. Speaker and Ladies and Gentlemen of the House: I am so very happy to have Mr. Finemore on our side in this particular matter. I don't believe that this bill should be killed. I think there is a lot of you here who have probably looked down in the right-hand corner and followed the leadership when he speaks against the bill. Well I think it is time you decide your own opinions here. I don't follow my left-hand leadership in all issues. There are certain bills which are terribly simple and this is one of the most simple bills we will probably have before this House. It is a matter of do we spend state funds to fund education at the institutions or do we spend federal funds?

If you are on record as saying that you would rather spend state funds from state taxpayers, then it should be so pointed out in your voting record at the end of this session. Right now, I would be very happy if we would have a roll call on the reconsideration and continue this debate until two o'clock. I had an appointment at twelve o'clock and I would have loved to have been there on time, but unfortunately, some of these items, because of lack of information, are passed. I think the request to reasonably set this aside by accepting the minority report — it could have been killed at any time between now and the enactment stage — was reasonable. Yet, because the right-hand corner of the room decides to go one particular way, the whole House leans. Well, I am sorry to say that I am not one of those leaning towers.

I would hope that you do reconsider your action, accept the minority report, let's get it on the calendar and look at it another day. By that time, we ought to have some experts in here to get us straight on the bill.

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

Mr. **MARTIN**: Mr. Speaker and Ladies and Gentlemen of the

House: I am opposed to reconsideration. We have been through this for a sufficient amount of time. We are not going to change the will of the House. I was on the opposite side, but I would see no point of continuing this to hopeless eventuality where everyone is upset at everyone else. I would ask you to vote against reconsideration.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Bridgewater, Mr. Finemore, that the House reconsider its action whereby it indefinitely postponed L. D. 463. All in favor of reconsideration will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Bustin, Carrier, Clark, Crommett, Curran, Curtis, T. S., Jr.; Dow, Dunleavy, Farley, Fraser, Genest, Goodwin, H.; Goodwin, K.; Greenlaw, Henley, Hobbins, LaPointe, LeBlanc, McHenry, McMahon, Mulkern, Murray, Najarian, Norris, O'Brien, Peterson, Rolde, Santoro, Smith, D. M.; Smith, S.; Soulas, Theriault, Whitzell.

NAY — Ault, Baker, Berry, G. W.; Berry, P. P.; Berube, Birt, Bither, Bragdon, Brawn, Briggs, Bunker, Cameron, Carey, Carter, Chick, Chonko, Cooney, Cote, Cottrell, Dam, Davis, Deshaies, Donaghy, Drigotas, Dunn, Dyar, Emery, D. F.; Farnham, Farrington, Faucher, Fecteau, Finemore, Garsoe, Good, Hamblen, Haskell, Hoffses, Huber, Hunter, Immonen, Jackson, Jacques, Jalbert, Kelleher, Kelley, Kelley, R. P.; Keyte, Kilroy, Knight, Lawry, Lewis, J.; Littlefield, Lynch, MacLeod, Maddox, Martin, Maxwell, McCormick, McNally, Merrill, Mills, Morin, L.; Morin, V.; Morton, Murchison, Palmer, Parks, Perkins, Pratt,

Rollins, Shaw, Shute, Silverman, Simpson, L. E.; Snowe, Stillings, Susi, Talbot, Trask, Trumbull, Tyndale, Walker, Webber, Wheeler, White, Willard, Wood, M. E.

ABSENT — Binnette, Boudreau, Brown, Churchill, Conley, Connolly, Cressey, Dudley, Evans, Ferris, Flynn, Gahagan, Gauthier, Hancock, Herrick, Kauffman, LaCharite, Lewis, E.; Mahany, McKernan, McTeague, Pontbriand, Ricker, Ross, Sheltra, Sproul, Strout, Tanguay, Tierney, Mr. Speaker.

Yes, 34; No, 87; Absent, 29.

The SPEAKER: Thirty-four having voted in the affirmative and eighty-seven in the negative, with twenty-nine being absent, the motion to reconsider does not prevail.

Sent up for concurrence.

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

Mr. PERKINS: Mr. Speaker, I would move to reconsider item 3 on page 10 whereby we voted to recede and concur with the other body and would speak briefly to my motion.

The SPEAKER: The gentleman from South Portland, Mr. Perkins, moves that the House reconsider its action whereby it voted to recede and concur on Bill "An Act Relating to Psychotherapist and Patient Privilege," House Paper 1226, L. D. 1601.

The gentleman may proceed.

Mr. PERKINS: Mr. Speaker and Ladies and Gentlemen of the House: I would just like to point out that I was sort of asleep at the wheel, so to speak, when this came around. This has been tabled for a couple of days because of item 2 on page 7 of today's Consent Calendar. If you look at it, you will note that unanimous committee report "ought to pass" on an act establishing privilege to refuse disclosure in a patient psychiatrist relationship, and it is pretty much the same as item 3 is, except that it is clear that we are talking about psychiatrists. The House, on May 24th, accepted the majority "ought not to pass" report in regard to item 3. Because it was so broad, it was difficult to know exactly who you were talk-

ing about when you were granting this privilege.

The committee felt that the privilege may well be in order insofar as a psychiatrist is concerned, but did not wish to extend it beyond that point. Therefore, I hope that we would reconsider our action this morning.

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

Mr. HENLEY: Mr. Speaker, could I have this tabled for one legislative day?

Thereupon, Mr. Birt of East Milinocket requested a vote on the motion.

The SPEAKER: The pending question is on the motion of the gentleman from Norway, Mr. Henley, that this matter be tabled for one legislative day, pending the motion of Mr. Perkins of South Portland to reconsider whereby the House voted to recede and concur. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

46 having voted in the affirmative and 58 having voted in the negative, the motion did not prevail.

Thereupon, the House voted to reconsider.

The SPEAKER: The pending question is to recede and concur with the Senate. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

17 having voted in the affirmative and 94 having voted in the negative, the motion did not prevail.

Thereupon, on motion of Mr. Perkins of South Portland, the House voted to insist.

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

Joint Order Relative to Bargaining by Public Employees and Employers (H. P. 1546).

Tabled — May 29, by Mr. Martin of Eagle Lake.

Pending — Passage.

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

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

House: This order was tabled yesterday as a result of determination of whether or not we needed to have the passage of this order. Since yesterday afternoon and earlier this morning, I have been in contact with a number of people and I have been told that the Committee on Labor has been discussing the issue of this bill as well as another bill that is before it dealing with the employees labor relations act and as to whether or not what type of a study ought to be started.

I have been told that the federal government has given \$50,000 to the Maine Employment Security Commission to be used for a study of its public relations laws and that the money will become available and can be used by the state to take a look at bargaining procedures in this particular problem as well as the problem dealing with teachers in the university and colleges.

I, therefore, would move indefinite postponement of this order, and I would suggest that we can save ourselves \$5,000 that the state would have to appropriate because the federal government will be paying for it and there is no need for us to have two studies.

Certainly, the argument could very well be made, I suppose, that we are going to be talking in part about two separate issues, but keep in mind that when the study is done, you simply cannot cut off one versus the other, and the recommendations that will be made must, in fact, carry the recommendation of dealing with both areas. Certainly, if the state can save \$5,000, this is as good a place to start as I know of.

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

Mr. HASKELL: Mr. Speaker and Ladies and Gentlemen of the House: I sent the minority leader a note earlier this morning indicating I planned to table this item. It was tabled yesterday to determine whether, in fact, there would be a conflict between the two studies that are proposed. I want to table for an additional day to have an opportunity to discuss it with Mr. Martin, because of the fact

the best information that I can secure at this point is that the proposed federal study is confined to the area of negotiations at the state level and at the university level and the order that I introduced yesterday is concerned strictly with municipal negotiations. So to my best knowledge, there is no conflict in the area of study between the two bodies. I think probably in the interest of saving time, if somebody would move to table this for another day, perhaps I could dispel some of the doubts Mr. Martin entertains.

Thereupon, on motion of Mr. Norris of Brewer, tabled pending passage and tomorrow assigned.

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

Bill "An Act Relating to Books for Recording in Office of Register of Deeds (S. P. 63) (L. D. 166)

Tabled — May 29, by Mr. Carey of Waterville.

Pending — Acceptance of Committee Report, "Ought to pass" as amended by Committee Amendment "A" (S-158)

Thereupon, the Report was accepted in concurrence and the Bill read once. Committee Amendment "A" (S-158) was read by the Clerk.

Mr. Carey of Waterville offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

House Amendment "A" to Committee Amendment "A" (H-469) was read by the Clerk and adopted. Committee Amendment "A" as amended by House Amendment "A" thereto was adopted in non-concurrence and the Bill assigned for second reading tomorrow.

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

Bill "An Act to Extend the Deadline for Mandatory Shoreland Zoning" (H. P. 1538) (L. D. 1968)

Tabled — May 29, by Mr. Simpson of Standish.

Pending — Passage to be engrossed.

Mr. Kelley of Southport offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-468) was read by the Clerk.

Mr. KELLEY: Mr. Speaker, Ladies and Gentlemen of the House: This amendment merely scratches out the words and the definition of a pond and an addition is completely surrounded by land and held by a single owner.

My interest is as Chairman of the Maine Waterfowl Council, and we are doing everything we can to get landowners and groups of landowners to make flowages for wildlife purposes and I think if we took these few words out it would make it a little easier to accomplish this.

Somewhat facetiously, I would like to add that I don't see why a married man would not have the same privileges as a single owner here. And I have seen very few ponds that were completely surrounded by land, there was usually an overflow from somewhere.

The SPEAKER: The Chair recognizes the gentleman from Exeter, Mr. Smith.

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: I am afraid this amendment would almost gut our shoreland zoning bill. If we adopt the amendment then the definition of pond becomes — let me quote, "The pond shall include any inland body of water which is a surface area in excess of ten acres, except where such body of water is man made." Now this would exclude, as I see it, all bodies of water which have been created by dams, and this would include a lot of the lakes and ponds in the state. The whole idea of shoreland zoning is to improve our environment, and it seems to me that that should be the criterion and not who owns the land around the pond. If it is a large lake and a large pond, even though it was man made, it still should be zoned properly.

I would hope you would not accept this amendment.

The SPEAKER: The Chair recognizes the gentleman from Nobleboro, Mr. Palmer.

Mr. PALMER: Mr. Speaker and Members of the House: Just to

clarify that, I did spend some time this morning with the assistant Attorney General with Mr. Kelley, and he agreed to go along with this change, Steve Murray, and the idea was to let this amendment go along. In the meantime he is going to check it out to make sure that things are all right before enactment.

Thereupon, on motion of Mr. Martin of Eagle Lake, tabled pending the adoption of House Amendment "A" and tomorrow assigned.

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

Bill "An Act Relating to Penalties for Assaulting or Killing an Officer of the Law" (H. P. 1029) (L. D. 1351).

Tabled—May 29, by Mr. Martin of Eagle Lake.

Pending — Passage to be engrossed.

Mr. Theriault of Rumford offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-465) was read by the Clerk and adopted.

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

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

Bill "An Act to Provide a Maine Citizen's Preference on State Civil Services" (H. P. 678) (L. D. 885)

Tabled—May 29, by Mr. Martin of Eagle Lake.

Pending—Motion by Mr. Dam of Skowhegan to indefinitely postpone House Amendment "B" (H-420)

On motion of Mr. Simpson of Standish tabled pending the motion of Mr. Dam of Skowhegan to indefinitely postpone House Amendment "B" and tomorrow assigned.

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

Bill "An Act to Establish a Uniform Program for Educational Leave for State Employees" (H. P. 507) (L. D. 672) (C. "A" H-436)

Tabled—May 29, by Mr. Martin of Eagle Lake.

Pending — Passage to be engrossed.

On motion of Mr. Martin of Eagle Lake, tabled pending passage to be engrossed and tomorrow assigned.

Mr. Donaghy of Lubec was granted unanimous consent to address the House.

Mr. DONAGHY: Mr. Speaker and Members of the House: In case there are a few left who are interested in facts, I have passed out a sheet here prepared by the independent insurance agents, which is strictly a fact sheet, it is not a sales tool in any way. It lists the six no-fault bills that we have and explains them.

Number one, which was passed out by Representative Ross, so-called Delaware Plan, also sometimes known as the "Yes Plan;" 1420 from the chairman of the committee, Representative Trask; 1425 the so-called Umvara bill, Senator Berry, naturally unmentionable body, and the second one who is on our committee from the unmentionable body, Senator Marcotte 1770. This is another so-called "yes-fault" bill, 1879, Senator Kelley, which is 1879 and 1882, which can be classed together because they are quite similar. Senator Tanous' bill, they put an exclusive or give an exclusive to the Blue Cross, Blue Shield type of organization as far as the no-fault is concerned.

These comments are mine, the printed matter is strictly an offering to you from the independent insurance agents to help you make your decision when it comes time to vote on the no-fault bills.

The Chair laid before the House the following matter:

Bill "An Act to Exempt Hairdressers who Hold Booth Licenses from Eligibility for Unemployment Compensation" (H. P. 1015) (L. D. 1333) which was tabled earlier in the day pending passage to be enacted.

On motion of Mr. Farley of Biddeford, under suspension of the rules, the House reconsidered its action whereby the bill was passed to be engrossed.

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

House Amendment "A" (H-473) was read by the Clerk and adopted. The Bill was passed to be engrossed as amended in non-concurrence and sent up for concurrence.

Mr. Martin of Eagle Lake was granted unanimous consent to address the House.

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: The other day we discussed the price that was paid for the buying of land along the Allagash. When the issue was raised I made some comments and the gentleman from Waldoboro also spoke in reference to it. I thought what I would do was tell you with detail, very briefly if I can do that, the prices, because I think this is important, as many of you have asked me about it and you have talked to other people and the price that we were quoting was the price that was quoted in reference to land that was bought where the grass and timber rights had been sold.

According to the department, we purchased 23,000 acres of land along the Allagash wilderness waterway for a total sum of \$1,973,000. This gives an average acquisition price of \$86 per acre. In considering the Allagash acquisition, you do have to take into consideration that some of the acreage was flowage, 5,045 acres, and some of this was river, 2,434, and the rest of it was forest land, which is approximately 17,500. So we paid \$1,973,000 for 17,500 acres of land. The average price paid to International Paper Company for all of their land was \$88 an acre. But if you subtract out the water and flowage acres out of that, it figures out to \$126 an acre for that land. This was the highest paid to any one company.

In reference to the other large company that was there, Great Northern Paper Company, the price figured to \$67 an acre, and

if you take out the flowage and the water acreage, the price would figure out to \$90 an acre average.

If you take into consideration where there was no frontage at all, in reference to that land we paid \$37 an acre. That was our lowest price we paid, to a high of \$82 an acre in Township 13, Range 13. The lowest price we paid in reference to frontage was 19 cents a foot in Township 14 Range 12, to a high of \$2 per acre front foot in Township 8, Range 14.

In reference to land where we purchased grass and timber rights on seven different public lots, these figures were quoted to you earlier. We purchased these rights on 580 acres for a total price of \$37,825, which figures out to an average of \$65.33. The price varied from \$55 an acre to \$85 an acre. Keep in mind that these figures do not include the prices paid for land where buildings were or does not include the price of structures. This is for the purchase of land alone and this is what it amounts to. I thought that all of you would want to know those figures.

The following paper from the Senate was taken up out of order by unanimous consent:

From the Senate: The following Order: (S. P. 646)

ORDERED, the House concurring, that the Joint Standing Committee on Appropriations and Financial Affairs is directed to report out an emergency bill for appropriation to the Department of Health and Welfare for medical care.

Came from the Senate read and passed.

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

(Off Record Remarks)

On motion of Mr. Birt of East Millinocket,

Adjourned until eight-thirty tomorrow morning.