

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

***One Hundred and Eighth  
Legislature***

OF THE

STATE OF MAINE

**Volume I**

**January 5, 1977 to May 25, 1977**

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AUGUSTA, MAINE

**HOUSE**

Thursday, February 24, 1977

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

Prayer by the Reverend Frederick L. Niles, Retired Methodist Minister, Poland.

The journal of yesterday was read and approved.

**Reports of Committees  
Ought Not to Pass**

Report of the Committee on Local and County Government reporting "Ought Not to Pass" on Bill "An Act to Require Municipal Clerks and Registration Commissioners to File Lists of Certain Residents with Jury Commissioners" (S. P. 60) (L. D. 133)

Was placed in the Legislative Files without further action pursuant to Joint Rule 20 in concurrence.

**Ought to Pass in New Draft**

Committee on Judiciary on Bill "An Act to Correct Errors and Inconsistencies in Laws of Maine" (Emergency) (S. P. 23) (L. D. 30) reporting "Ought to Pass" in New Draft (S. P. 186) (L. D. 531)

Came from the Senate with the Report read and accepted and the New Draft 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 the next legislative day.

**Ought to Pass**

Committee on Education on Bill "An Act to Amend the Duties of the Commissioner of Educational and Cultural Services Relating to Bilingual Education" (S. P. 52) (L. D. 109) reporting "Ought to Pass"

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Senate Amendment "A" (S-16).

In the House, the Report was read and accepted in concurrence and the Bill read once. Senate Amendment "A" was read by the Clerk and adopted and the Bill assigned for second reading the next legislative day.

**Divided Report****Later Today Assigned**

Six Members of the Committee on Liquor Control on Bill "An Act Raising the Age of Persons who may Purchase Alcoholic Beverages or Sell as Licensees" (S. P. 1) (L. D. 4) report in Report "A" that the same "Ought to Pass" in New Draft (S. P. 196) (L. D. 574)

Report was signed by the following members:

Mr. LOVELL of York

— of the Senate.

Messrs. MARSHALL of Millinocket

CONNERS of Franklin

LIZOTTE of Biddeford

TWITCHELL of Norway

IMMONEN of West Paris

— of the House.

Three Members from the same Committee on same Bill report in Report "B" that the same "Ought Not to Pass".

Report was signed by the following members:

Messrs. MAXWELL of Jay

RAYMOND of Lewiston

JACQUES of Lewiston

— of the House.

Two Members from same Committee report in Report "C" that the same "Ought to Pass" in New Draft under New Title Bill "An Act Raising the Age of Persons who may Purchase Alcoholic Beverages or Sell as Licensees to 19 Years of Age" (S. P. 197) (L. D. 575)

Report was signed by the following members:

Messrs. LEVINE of Kennebec

DANTON of York

— of the Senate.

One Member from same Committee reports in Report "D" that the same "Ought to Pass" in New Draft under New Title Bill "An Act to Raise the Age of Persons who may Purchase Alcoholic Beverages from Retail Establishment for Off-Premise Consumption or to Sell as Licensees" (S. P. 198) (L. D. 576)

Report was signed by the following member:

Mr. NADEAU of Sanford

— of the House.

One Member from same Committee reports in Report "E" that the same "Ought to Pass" in New Draft under Same Title (S. P. 199) (L. D. 577).

Report was signed by the following member:

Mr. GRAY of Rockland

— of the House.

Came from the Senate with Report "A" read and accepted and under suspension of the rules the New Draft (S. P. 196) (L. D. 574) read twice and passed to be engrossed.

In the House: Reports were read.

(On motion of Mr. Tierney of Lisbon Falls, tabled pending acceptance of any Report and later today assigned).

**Non-Concurrent Matter**

Bill "An Act Relating to the Costs of General Assistance" (H. P. 422) (L. D. 527) which was referred to the Committee on Appropriations and Financial Affairs in the House on February 17, 1977.

Came from the Senate referred to the Committee on Performance Audit in non-concurrence.

In the House: On motion of Ms. Goodwin of Bath, the House voted to recede and concur.

**Non-Concurrent Matter  
Tabled and Assigned**

Bill "An Act to Create a Board of Registration of Substance Abuse Counselors" (H. P. 418) (L. D. 530) which was referred to the Committee on Business Legislation in the House on February 16, 1977.

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

In the House: On motion of Ms. Clark of Freeport, tabled pending further consideration and specially assigned for Tuesday, March 1.

**Non-Concurrent Matter**

Bill "An Act to Eliminate Membership Deadlines for the Cobbossee Watershed District" (H. P. 294) (L. D. 351) on which the House insisted on its former action whereby the Bill was referred to the Committee on Public Utilities in the House on February 9, 1977.

Came from the Senate with that body having adhered to its former action whereby the Bill was referred to the Committee on Natural Resources in non-concurrence.

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

**Non-Concurrent Matter**

Bill "An Act Relating to Reapportionment" (Emergency) (H. P. 58) (L. D. 79) which was passed to be Enacted in the House on February 16, 1977.

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

In the House: On motion of Mr. Tierney of Lisbon Falls, the House voted to adhere.

**Non-Concurrent Matter**

Bill "An Act Relating to Budget Requirements of the Town of Winthrop" (Emergency)

(H. P. 308) (L. D. 268) which was read twice under suspension of the rules and passed to be engrossed without reference to a Committee in the House on February 9, 1977.

Came from the Senate indefinitely postponed in non-concurrence.

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

**Non-Concurrent Matter**

RESOLUTION, Proposing an Amendment to the Constitution to Provide for a Four-year Term of Office for Sheriff (H. P. 24) (L. D. 33) which failed of final passage in the House on February 22, 1977.

Came from the Senate finally passed in non-concurrence.

In the House: On motion of Mr. Curran of South Portland, the House voted to adhere.

**Petitions, Bills and Resolves****Requiring Reference**

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

**Agriculture**

Bill "An Act to Equalize the Registration Fee on Dogs" (H. P. 509) (Presented by Mr. Davies of Orono)

Bill "An Act to Place Running Horse Racing under the Jurisdiction of the Department of Agriculture" (H. P. 510) (Presented by Mr. Hall of Sangerville)

Bill "An Act Concerning Unauthorized Possession of Birds and Animals" (H. P. 511) (Presented by Mr. Peterson of Caribou)

Bill "An Act to Reestablish the Shade Tree Planting Programs in the Department of Conservation" (H. P. 512) (Presented by Mrs. Masterton of Cape Elizabeth) (Later Reconsidered)

(Ordered Printed)

Sent up for concurrence.

**Tabled and Assigned**

Bill "An Act to Allocate \$50,000 for the Support of Northeast COMBAT, Inc., in Order that it may Continue its Comprehensive Program of Service to Maine Consumers, including Individual Assistance, Education and Public Information" (H. P. 513) (Presented by Mr. Davies of Orono)

Committee on Business Legislation was suggested.

(On motion of Mr. Kelleher of Bangor, tabled pending reference and specially assigned for Wednesday, March 2.)

**Business Legislation**

Bill "An Act Relating to Recoupment Procedures under the Maine Medical and Hospital Malpractice Joint Underwriting Association Act" (H. P. 514) (Presented by Mr. Jalbert of Lewiston)

(Ordered Printed)

Sent up for concurrence.

**Education**

Bill "An Act to Provide for School Administrative Unit Studies to Increase the Efficiency of the Operation of the Public Schools" (H. P. 515) (Presented by Mr. Bagley of Winthrop)

Bill "An Act Appropriating Funds to Maine Vocational Development Commission" (H. P. 516) (Presented by Mrs. Kany of Waterville)

Bill "An Act Relating to Corporal Punishment" (H. P. 517) (Presented by Mr. Bagley of Winthrop)

(Ordered Printed)

Sent up for concurrence.

**Election Laws**

Bill "An Act to Prohibit Campaign Activities Within 250 Feet of Voter Registration on Elec-

tion Day" (H. P. 518) (Presented by Mr. Davies of Orono)

Bill "An Act to Establish a Run-off Primary Election" (H. P. 519) (Presented by Mr. Quinn of Gorham)

(Ordered Printed)

Sent up for concurrence.

#### Order Out of Order

An Expression of Legislative Sentiment (H. P. 544) recognizing that: John T. "Jack" Berry, a Livermore Firefighter Performed an Extraordinary Act of Heroism in Rescuing a Child from a Fatal Fire at Chisholm.

Presented by Mr. Lynch of Livermore Falls. The Order was received out of order by unanimous consent and read.

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

Mr. LYNCH: Mr. Speaker, Ladies and Gentlemen of the House: Although this took place last November, Mr. Berry was hospitalized at the time. He has undergone some skin transplants. It was a very heroic act. He carries his fire equipment with him at all times in his car.

In the Town of Jay, there was a three-story apartment house which was ablaze. A young, pregnant mother and an 18-month-old child were caught on the third floor, and before the aerial truck could get there, an extension ladder was put up. Mr. Berry went in with his backpack. He found that the child was taken out but the mother had turned back into the room. He found the mother on the floor and attempted to drag her, although he checked her pulse and there was no pulse and she was evidently dead.

The heat was very intense, so intense that his backpack, after he reached the window, took it off, collapsed, and the other firefighters, hauling him out through the window, couldn't handle the backpack. So you can imagine how much his throat, his mouth and his lungs were scorched. (Applause)

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

By unanimous consent, ordered sent forthwith to the Senate.

#### Fisheries and Wildlife

Bill "An Act to Permit Hunting for Small Game on Sunday during Certain Months" (H. P. 520) (Presented by Mr. Carter of Winslow)

(Ordered Printed)

Sent up for concurrence.

#### Health and Institutional Services

Bill "An Act Pertaining to Ambulance Service" (H. P. 521) (Presented by Mr. Goodwin of South Berwick)

(Ordered Printed)

Sent up for concurrence.

#### Labor

Bill "An Act Concerning Arbitration for Municipal Fire Departments" (H. P. 522) (Presented by Mr. Jalbert of Lewiston)

(Ordered Printed)

Sent up for concurrence.

#### Local and County Government

Bill "An Act Converting Wallgrass Plantation into the Town of Wallgrass" (H. P. 543) (Presented by Mr. Martin of Eagle Lake)

Bill "An Act to Provide County Commissioner Districts in Washington County" (H. P. 523) (Presented by Mr. Nelson of Roque Bluffs)

Bill "An Act to Clarify and Confirm the Municipal Boundary between the City of South Portland and the Town of Scarborough" (H. P. 524) (Presented by Mr. Higgins of Scarborough) (Cosponsors: Mrs. Gill of South Portland, Mr.

Curran of South Portland, Mr. Howe of South Portland)

(Ordered Printed)

Sent up for concurrence.

#### Maine Resources

Bill "An Act Requiring the Marking and Removal of Ice Fishing Shacks on Frozen Tidal Waters" (H. P. 525) (Presented by Mrs. Chonko of Topsham)

Bill "An Act to Provide that the Lobster Fund be a Continuing Account from Year to Year" (H. P. 526) (Presented by Mr. Greenlaw of Stonington) (Cosponsor: Mr. Bunker of Gouldsboro)

(Ordered Printed)

Sent up for concurrence.

#### Natural Resources

Bill "An Act to Amend the Statutes Relating to Airmobiles" (H. P. 527) (Presented by Mrs. Chonko of Topsham)

Bill "An Act to Grant Variances to Single Family Home Owners under the Water Pollution Abatement Program" (H. P. 528) (Presented by Mrs. Masterton of Cape Elizabeth)

Bill "An Act to Assign the Responsibilities of Sewage Disposal to the Department of Environmental Protection" (H. P. 529) (Presented by Mr. Green of Auburn)

Bill "An Act to Authorize a Citizen to Initiate Law Suits as a Private Attorney General to Protect Environmental Quality" (H. P. 530) (Presented by Mr. Blodgett of Waldoboro)

(Ordered Printed)

Sent up for concurrence.

#### Public Utilities

Bill "An Act to Enable the City of Portland to Collect its Sewage Assessments over a Period not to Exceed 10 Years" (H. P. 531) (Presented by Mrs. Boudreau of Portland)

Bill "An Act to Create the Kennebec Utilities District" (H. P. 532) (Presented by Mr. Carey of Waterville) (Cosponsors: Mrs. Kany of Waterville, Mr. Teague of Fairfield, Mr. Carter of Winslow)

(Ordered Printed)

Sent up for concurrence.

#### State Government

Bill "An Act to Authorize the Board of Trustees of the Maine Criminal Justice Academy to Enforce Certain Mandatory Police Training Provisions" (H. P. 533) (Presented by Mr. Greenlaw of Stonington)

Bill "An Act to Allow a Governor an Additional Six Weeks for Submission of the Budget" (H. P. 534) (Presented by Mr. Bunker of Gouldsboro)

Bill "An Act to Increase the Maximum Authorized Maine Veterans Mortgage Limit to \$30,000" (H. P. 535) (Presented by Mrs. Kany of Waterville) (Cosponsor: Mr. Valentine of York)

Resolution, Proposing an Amendment to the Constitution to Undedicate the Highway Fund (H. P. 536) (Presented by Mr. Hobbins of Saco) (Cosponsors: Mr. Jensen of Portland, Mr. Wyman of Pittsfield, Mr. Henderson of Bangor)

(Ordered Printed)

Sent up for concurrence.

#### Taxation

Bill "An Act to Exempt the Literacy Volunteers of the Pine Tree State from the Sales Tax" (H. P. 537) (Presented by Mrs. Lewis of Auburn)

Bill "An Act to Provide for Exemption of Farm Supplies from the Sales Tax" (H. P. 538) (Presented by Mr. Maxwell of Jay)

Bill "An Act to Avoid Double Taxation on Income Earned in New Hampshire by Citizens of the State of Maine" (Emergency) (H. P. 539) (Presented by Mrs. Durgin of Kittery) (Cospon-

sors: Mr. Goodwin of South Berwick, Mr. McMahon of Kennebunk, Mr. McPherson of Eliot)

Bill "An Act Providing for an Investment Tax Credit and a Credit for the Creation of New Jobs" (H. P. 540) (Presented by Mr. Palmer of Nobleboro) (Cosponsors: Mrs. Najarian of Portland, Mrs. Tarr of Bridgton)

(Ordered Printed)

Sent up for concurrence.

#### Transportation

Bill "An Act Appropriating Funds to the Department of Transportation to Provide a Full-time Employee for the Bureau of Aeronautics to Assist with Short and Long Range Airport Development" (H. P. 541) (Presented by Mr. Pearson of Old Town)

Bill "An Act Pertaining to Town Ways" (H. P. 542) (Presented by Mr. Brown of Mexico)

(Ordered Printed)

Sent up for concurrence.

#### Study Report

##### Committee on Business Legislation

Ms. Clark from the Committee on Business Legislation to which was referred the study relative to the Laws Relating to Barbers and Cosmetologists pursuant to H.P. 1599 of the 108th Legislature, have had the same under consideration, and ask leave to submit its findings and to report that the accompanying Bill "An Act to Revise the Laws Relating to Barbers and Cosmetologists" (H. P. 508) (L. D. 578) be referred to this Committee for public hearing and printed pursuant to Joint Rule 17.

Report was read and accepted, the Bill referred to the Committee on Business Legislation, ordered printed and sent up for concurrence.

#### Orders

A Joint Resolution (H. P. 545) in memory of Mrs. Florence I. Waterhouse of Poland who served as deputy tax collector and school committee member for many years.

Presented by Mr. Torrey of Poland.

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

#### Consent Calendar

##### First Day

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

(S. P. 48) (L. D. 97) Bill "An Act Appropriating Funds for the Save Loring Committee" (Emergency) — Committee on Appropriations and Financial Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (S-11)

(H. P. 100) (L. D. 124) Bill "An Act Relating to School Age under the Education Laws" — Committee on Education reporting "Ought to Pass" as amended by Committee Amendment "A" (H-32)

No objections being noted, the above items were ordered to appear on the Consent Calendar of March 1, under listing of the Second Day.

#### Consent Calendar

##### Second Day

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

(S. P. 11) (L. D. 28) Bill "An Act Appropriating Funds for Replacement Volumes of the Maine Revised Statutes Annotated"

No objection being noted at the end of the Second Legislative Day, was passed to be engrossed in concurrence.

(H. P. 127) (L. D. 160) Bill "An Act to Annex the Town of Otisfield to Oxford County"

On the request of Mr. Curran of South Portland, was removed from the Consent Calendar.

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

#### Passed to Be Engrossed

Bill "An Act to Advance the Schedule for Legislative Approval of County Budgets and to Change the Interest Charges on Delinquent County Taxes" (H. P. 73) (L. D. 63)

RESOLVE, Reimbursing Certain 1976 County Taxes on Account of Insufficient Appropriation (Emergency) (H. P. 82) (L. D. 102)

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

Bill "An Act to Clarify the Role of the Department of Educational and Cultural Services Relating to Local School Systems" (H. P. 99) (L. D. 123)

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

Mrs. Post of Owls Head offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-35) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Owls Head, Mrs. Post.

Mrs. POST: Mr. Speaker, Ladies and Gentlemen of the House: According to the Department of Education, the original intent of L. D. 23 was to restate authority that they presently have available to withhold funds when school departments or school units don't comply with the reporting requirements in the school finance law.

My concern was that because in Section 6 the language was broad, I wanted to make sure the legislation only restated their present authority and did not give them any broader authority to withhold funds, and that is the intent of this amendment.

Thereupon, House Amendment "A" was adopted.

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

#### Amended Bill

Bill "An Act to Provide for a Trade-in Credit for Wheeled or Tracked Vehicles used in Lumbering or Agriculture" (H. P. 61) (L. D. 82) (C. "A" H-25)

Was reported by the Committee on Bills in the Second Reading, read the second time, passed to be engrossed as amended and sent up for concurrence.

#### Passed to Be Enacted

An Act Repealing the Requirement for Wearing Motorcycle Helmets (S. P. 4) (L. D. 9)

An Act to Increase the Property Tax Exemption for Parsonages to \$40,000 (H. P. 25) (L. D. 34) (C. "A" H-11)

An Act to Allow the Taking of Suckers with Bow and Arrow (H. P. 88) (L. D. 114)

An Act to Amend the Laws Relating to Adoption Proceedings" (H. P. 101) (L. D. 125)

#### Finally Passed

Resolve, Authorizing the Bureau of Public Lands to Convey by Sale the State's Interest in Certain Real Property in Warren and Cushing, Knox County (H. P. 90) (L. D. 116) (C. "A" H-13)

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

#### Order out of Order

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

From the Senate: The following Order: (S. P. 207)

ORDERED, the House concurring, that when

the House adjourns, it adjourns to 9:30 in the morning on Tuesday, March 1, and when the Senate adjourns, it adjourns to 10 o'clock in the morning on Tuesday, March 1.

Came from the Senate read and passed.

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

The following papers from the Senate appearing on Supplement No. 1 were taken up out of order by unanimous consent:

Bill "An Act Relating to the Fair Trade Act" (S. P. 188) (L. D. 585)

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

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

Bill "An Act to Establish a Closed Season on Deer on Deer Isle" (S. P. 194) (L. D. 591)

Bill "An Act Establishing a Limited Open Season on Moose" (S. P. 191) (L. D. 588)

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

In the House, referred to the Committee on Fisheries and Wildlife in concurrence.

Bill "An Act Relating to Maximum Benefits under the Employment Security Law" (S. P. 193) (L. D. 590)

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

In the House, referred to the Committee on Labor in concurrence.

Resolve, Permitting the Use of the name "Maine" for the Maine Association for Human Genetics (S. P. 195) (L. D. 592)

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

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

Bill "An Act Relating to Residency Requirements of Municipal Employees" (S. P. 192) (L. D. 589)

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

In the House, referred to the Committee on Local and County Government in non-concurrence and sent up for concurrence.

Bill "An Act to Require Notice and Hearing to Counties When Ordered to Pay Surveyor's Fee" (S. P. 184) (L. D. 584)

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

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

Bill "An Act Concerning the Veterans Preference in State Hiring" (S. P. 189) (L. D. 586)

Bill "An Act Relating to Membership on the Maine Council on Alcohol and Drug Abuse Prevention and Treatment" (S. P. 190) (L. D. 587)

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

In the House, referred to the Committee on State Government in concurrence.

By unanimous consent, the foregoing Bills and Resolve were ordered sent forthwith for printing.

#### Orders of the Day

The Chair laid before the House the following matter:

Senate Divided Report — Report "A" (6) "Ought to pass" in New Draft (S. P. 196) (L. D.

574) — Report "B" (3) "Ought Not to Pass" — Report "C" (2) "Ought to Pass" in New Draft (S. P. 197) (L. D. 575) — Report "D" (1) "Ought to Pass" in New Draft (S. P. 198) (L. D. 576) — Report "E" (1) "Ought to Pass" in New Draft (S. P. 199) (L. D. 577) — Committee on Liquor Control on Bill "An Act Raising the Age of Persons who may Purchase Alcoholic Beverages or Sell as Licensees" (S. P. 1) (L. D. 4) which was tabled earlier in the day and later today assigned pending acceptance of any report.

In Senate — Report "A" accepted and under suspension of the rules the New Draft (S. P. 196) (L. D. 574) read twice and passed to be engrossed.

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

Mr. MAXWELL: Mr. Speaker, Ladies and Gentlemen of the House: I move that we accept the "Ought not to pass" report, and I would like to take just a minute of your time.

The SPEAKER: The gentleman from Jay, Mr. Maxwell, moves that the House accept Report "B" reporting "Ought Not to Pass."

The gentleman may proceed.

Mr. MAXWELL: Mr. Speaker, Ladies and Gentlemen of the House: It is not the critic who counts, not the man who points out how the strong man stumbled or where a doer of deeds could have done them better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood, who strives violently, who errs and comes short again and again, who knows the great enthusiasms, the great devotions and spends himself in a worthy cause who at the best knows the triumph of high achievement and who at the worst, if he fails, at least fails while daring greatly, so that his flesh shall never be with those timid souls who knew neither victory or defeat.

I would like to go on a little bit and state that at the moment the adult age in the State of Maine is 18 years. These adults can get married, they can go fight for their country, they can sign a contract and, yes, they can vote for you and I, and many of them have.

Up in New Hampshire, might I add, the bars and places close to the New Hampshire border are standing there grinning from ear to ear because if this thing passes, if part of it passes, then students from some of the nearby colleges in Maine and other people in Maine 18 years of age are going to go to New Hampshire, they are going to buy, they are going to drink, they are going to drive home, in many cases drunk.

One of the gentlemen at the other end of the hall made the statement that unless we pass this, there were going to be a lot of lives lost. I think he is wrong. I think if we do pass this, there will be a lot of lives lost from what I just said.

Also, I wonder what this bill would cost the State of Maine in revenue. Nobody seems to know.

I might add that I sold beer to take out for 32 years. I sold it to drink in for 12 years. In all that time, I never had a problem with the younger persons, my problem was with 30 to 60 year olds, maybe more than 60. I did have one customer who used to come in every Saturday morning and buy three or four cases of beer, and he bought seven or eight different kinds. Finally I got to thinking — gee, that can't be for himself, can't be for his family, I am going to ask him outright and see what he says. So, the next Saturday after he paid me, I said, look, maybe I should say to you that if you are buying this and selling it or giving it to people under age, you could be fined up to \$500, you could be put in jail for a year for aiding and abetting the delinquency of a minor. He said, is that so, and I said, yes, I am afraid it is. He never came back, so you know what was happening.

I guess that is all I need to say. I just hope

that we accept the "ought not to pass" report.

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

Mr. JOYCE: Mr. Speaker, Ladies and Gentlemen of the House: I am not concerned here today about the seller, the licensee, his responsibility ends at the door — give them the booze and get them out. We are not talking about that here today, we have got a bill here today that will touch the souls of each one of you, and I must offer my apologies first. Today, as we will debate this, the storm will move north from Portland. You will drive home today in treacherous weather, but perhaps this is the type of day when we should all pause and say — where does the love of God go when the flowers are not in bloom? The love of God is always there with our children. They are our flowers, this is the flower generation — deny that not.

I speak on this bill perhaps because I had 27 years out there in the field in law enforcement. I went to those accidents, I carried them to the hospital, but I carried too many of them to the morgue. These are the arms that carried the drunken 8-year-old, that drunken 9-year-old and many of the 15 and 16-year-olds. I ask you to search your vocabulary, as I often had to mine, what do you say when you go to the front door and ring the doorbell, three o'clock in the morning, and standing beside you is that clergyman, that priest, that minister, and you ring the doorbell and watch for the curtain to move, you see it move and then a rush to the front door, there is the mother waiting for Johnny to return home. I found, and it was difficult, but I found no words were necessary when you ring a doorbell at three o'clock in the morning and someone looks out and sees the priest and the policeman there.

This is what we are doing with this bill. We want to give back to the children of this state their schools, that is what we are interested in. Drinking in the schools is a problem now day and night. They are having problems with kids coming to school intoxicated, they are even having problems in some of the schools with kids coming to school sober and going home or going to the hospital about noontime because they have overindulged.

I think we have got a problem here. I read some of the speeches and the Speaker suggested to me, why don't we just play the tape of the last session and then we can all go home. I thought it was a pretty good idea. Well, I went through the thing, and I will tell you a few of the things that were said.

We had a good gentleman here, and he got up in that debate and he said "I was warned, ladies and gentlemen, not to oppose the 20 year age drinking. As a matter of fact, I was told by a member of this House today that if I spoke against that bill, I would serve two terms in the House — my first and my last." Well, it brings back memories as I look around here today. I don't see that gentleman here; he served his term.

Yes, I remember some remark was made, I remember there was a fine gentleman here from the Town of Enfield. He got up and said "I'm not interested in canned speeches, I am in favor of the 20-year-old bill." That gentleman, I see him here today.

Yes, New Hampshire has got a problem, I know that. Parents live in the fear of alcohol both in New Hampshire and in Maine. I am sure many of you, in your study of criminology, sociology and psychology, somewhere along the line the professor must have brought to your attention the study, and it was a nationwide fame that grew in New Hampshire, they studied the drinking age down there about 15 years ago and they appropriated money to study the problem of drinking in the group 18 to 25. You know what happened? They went back to the legislature to get more money. They found out

the problem went down below age 14. They had the same problem they are having all over the country.

It is unreal to expect junior high school and senior high school teachers to have to deal with the alcohol problems within the school. The dances, the plays, the debates, the sporting events, many of them have to be cancelled, night ball games restricted because of this.

The law on drinking, believe me, people always send me statistics and I really don't know where they get them. Let me tell you what the law is in Maine on intoxication. Now, when all the snow that is out there on your lawn melts some night and you have the windows up, you might hear a little noise out there on your front lawn. You look out the window and you will see a drunk out there, probably has a jug and he will sit on your front lawn half in the bag and he is drinking. You run to the phone or you tell your wife to call the police. You call the police and what do they tell you now? They tell you, look, intoxication isn't a crime. Well, how about that man on my front lawn who is drunk. They are apt to tell you, look, if nobody claims him in three days, you can have him. It is not a police problem in this state any more.

This bill or any of the bills that were presented to the Liquor Control Committee, they are not the final answer. I think all of the sponsors agreed that none of these bills will be the cure all, but they are a step in the right direction. They are what we owe to the mothers of this state today. And as I told you before, when the police brings that drunken child home, they always look out, see that light in the kitchen, and you carry that kid up those back stairs, you find the mother there, be it twelve, one, two or three in the morning. The father will have gone to bed after the eleven o'clock news, but you will find the mother there.

It is a problem. With my experience in law enforcement, I feel that if we defeat the present motion of "ought not to pass" and move to support the bill as it came to us from the other body, we will be doing a great service to the people of Maine.

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

Mr. PEARSON: Mr. Speaker, Ladies and Gentlemen of the House: There is a problem with drinking in this state, let nobody be mistaken about that. We are addressing that problem today in this House, as well we should. There are those in this House and many in this state who think that the problem of alcohol abuse should be taken care of in the schools. There are many who believe it should be taken care of in the family, at home. There are many who believe that it should be taken care of in the church, and there are some of us who believe that it should be taken care of partially in the law.

Mr. Speaker, many say that one of those groups I mentioned above could solve the problem we face by and of themselves. The truth is that no one of those groups that I mentioned can solve the problem without the help of other parts of society. Our job here, as I see it, is to reflect the needs of society through legislation carefully thought out and thoroughly considered. In this House today we are doing our part and I hope we will be making our contribution to a solution to the drinking problem that is plaguing our high schools.

You know, it reminds me of a story. In the year 1865-66, Sir Christopher Rand had caused the plans to be drawn to build a great cathedral in London, St. Paul's Cathedral. One day when he was touring through the cathedral, he stopped and he asked a workman, what are you doing? He said, I am chipping stone to build this pillar. He walked on a little further and he said to the next workman, what are you doing? He said, well, I am building the stairs in the front

of the cathedral. Finally he went on to a third workman and he said, what are you doing? He said, I am helping Sir Christopher Rand build a beautiful cathedral for the glory of God. That man had the big picture. I hope today that we can also have the big picture, that even though we are only doing a little bit to build a society, that we do our part.

Some of the public, and I am glad to say few are those in this House, this, their House, will say that if high schoolers don't drink, they will take drugs. Those same people usually acknowledge that there is a drinking problem in high school. I would like to say to them, to those who are concerned with drugs, let me remind you there will be other opportunities later on in the session with other bills that will deal with drugs. We are today dealing with alcohol. Please do not use that argument as a copout or as an excuse to do nothing.

During the hearings before the Liquor Control Committee, several principals of high schools throughout the State of Maine appeared. They came here out of a concern for striving in excellence in education in Maine. Please listen to me for just a minute, let me share with you some of the remarks of Principal Donald Sturgeon of Old Town High School. He didn't come here because I asked him, he came here because he was part of the committee of the State Principals Association who are concerned with the problems of alcohol. His remarks, I think, will point out some of the real problems that exist in high schools in Maine.

He says the compelling urge to rush to adulthood has always existed. When the magic age was 21, the 18, 19 and 20-year-olds tried to play the game of adult. Now that the magic age is 18, the 15, the 16, the 17-year-olds are trying to play the same game which is symbolized to many of them by drinking. He said the new-found high school adult has also acquired another way to be somebody, something everyone desires. He or she now becomes the person that the less than 18-year-old classmate looks up to as a source to meet their needs in playing the game of being an adult. In my opinion, he continued, the social pressures to drink on a regular basis when one reaches adulthood are consistently more now than they were when the magic age was 21. The social surroundings and maturity level and the pressure to be accepted and to be one of the crowd is more than most high school age youngsters can conquer.

What really concerns me, he continued, is that the real impact is yet to be felt, as we have young teenagers beginning a pattern and a habit of drinking at an age that is so critical to their physical, psychological and social development, a pattern that will probably follow them into adulthood. A fair statement, in my opinion, Principal Sturgeon continued, would be that there are more high school students drinking on a more regular basis than prior to the law change. The change in the age has to take some of the blame for the situation.

He said, I have had to suspend more students from school thus far this year for drinking and drinking-related problems than for any other reason.

In conclusion, I would like to say that I am not so naive as to believe that the lowering of the age is the only problem or that raising the age will be the total solution. We that, I am, in total agreement with Principal Sturgeon. This is no magic solution, it is only part, our part of trying to solve a problem that needs to be solved.

Mr. Speaker, Ladies and Gentlemen of the House: a couple of weeks ago, as a matter of fact, just a couple of hours before the hearing before the Liquor Control Committee was to take place, the Department of Education issued a position paper on the drinking age. You all have it on your desks, at least it was passed out

yesterday and I hope that some of you took a look at it. I won't read it all, but I would like to read the center paragraph. It says, "Therefore, the Department of Education and Cultural Services supports the legislation which would establish 19 as the minimum age for both the consumption of alcoholic beverages on the premises of licensed establishments and for the purchase of alcoholic beverages to be taken off the premises."

Mr. Speaker, I realize the motion before us is to indefinitely postpone the changes in the law for drinking. I would urge that everybody in this House, or at least a majority, would vote against that, and when the vote is taken. I would ask for the yeas and nays.

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

Mrs. PRESCOTT: Mr. Speaker and Members of the House: I applaud those few young adults who are mature and responsible when it comes to purchasing and consuming liquor at 18 years of age, but at the same time, we as parents and legislators try to do what we believe to be the best for all of our young people in the State of Maine.

As parents, we compete with peer pressure, and this pressure is influencing our children, sometimes more than we can ourselves. Young people follow their friends. They wear that certain color sneaker, they wear that certain brand of clothing because they are fearful of being alienated by their classmates if they do different. Many drink with their older friends for the same reason.

As legislators, we heard at the recent public hearing that many parents, administrators, teachers, law enforcement officers and even students themselves are concerned about the drinking problems in our junior and senior high schools back home. We must do something. We cannot ignore this plea for help. We did this once, and our 20-year-old drinking proposal died out there in the lobby between the two bodies. We must not let this happen again. We should vote against the motion "ought not to pass."

Little has affected our schools more than the effect of the 18-year-old senior who misuses that privilege of drinking. When an 18-year-old high school student buys booze for our young teenagers, we have problems.

I have worked with young adults for 10 years. Alcohol is more accessible to the 12 and 13-year-olds, ask any principal, ask any coach.

Recently I was told by a law enforcement officer that a town in my district holds the record for the youngest person to be caught purchasing beer, a 10-year-old.

We need a law to increase the legal drinking age. We need education to inform our young adults of the potential dangers. We need stricter enforcement of our laws. It will be a combination of all three of these that will help curtail the drinking problem; raising the drinking age is the first step.

Our constituents back home cannot afford to drive to Augusta each day and ask us to raise the drinking age, they are relying upon us to make that good judgment. The first step that we must take here today is to pass the law and limit, if not stop, the effect that alcohol is having on our sons and daughters back home.

The SPEAKER: The Chair recognizes the gentleman from Bethel, Miss Brown.

Miss BROWN: Mr. Speaker and Members of the House: In the past few weeks since this legislation has been printed, I have asked a lot of people why in the State of Maine we want to raise the drinking age. I have been told that it is to take alcohol out of the grade schools and out of the high schools, because our youth are becoming alcoholics, because they are developing drinking problems, because it is interfering with their lives, it is interfering with their social lives, their education and everything.

In my tender years, I can remember being in school when the drinking age was 21. Alcohol was available at this time to my friends and to me ever since I was in the eighth grade. I know what the statistics are on alcohol and on drug abuse. I have worked with drug abusers, I have worked with alcoholics. I was in high school during the drug culture when it grew in Maine. Liquor has always been available from parents, friends, through false identification, it has always been available now and it always will be, even if we do raise the drinking age.

There is a tremendous amount of peer pressure during this time for our youth, particularly in a smaller community. I fear that if we do pass this bill, it is going to do two things. If there is a shortage of liquor in our high schools by raising this bill, I really feel it will encourage drug abuse in the system. The drugs are already there.

Second, I only live 15 minutes from the New Hampshire border. I don't want to encourage our youth going over there and getting killed on the way home.

We do have a problem with alcohol in this state, but I feel that we really should effectively deal with it. We should strengthen laws to the individuals who sell it, we should strengthen the laws against the individual who provides it for the minors. We should make these laws stronger so that when people are picked up driving under the influence, we should deal with it. We should also encourage the family unit. This is breaking down and a lot of the problems are coming here.

If as an individual we consider someone a legal adult at 18 in our court system, if an individual is considered a legal adult and can vote at 18, perhaps we should not take away part of his responsibility but we should encourage him to deal with this responsibility.

I am in favor of this 18 and I would like to see the bill indefinitely postponed.

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

Mr. DUTREMBLE: Mr. Speaker, Ladies and Gentlemen of the House: As a public official for 20 years and a store owner for 25 years, I do wish that the members of this House will support the "Ought to Pass" report and vote no on the motion of "Ought Not to Pass" report.

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

Mr. MARSHALL: Mr. Speaker and Members of the House: I would like to first of all refer comment to the gentleman from Bethel, Miss Brown. I didn't drink until I was 19 and in college, and I did not have an availability to me. I imagine that those people who did know and who probably really want to get it are going to be able to despite what laws we pass. However, people of my caliber, who didn't have enough brains to know who to go to, I feel that this present law has not been effective.

In the six and a half hours of testimony that was heard before the Liquor Control Committee, it has led me to believe that it is not — I am not yet convinced it is a social or an attitudinal problem but daily contact of young people with 18 and 19-year-olds who are presently able to buy liquor under this law, affords to them an opportunity, a daily opportunity, of getting liquor. I believe that if the intent here is to remove liquor from the schools, then we should exempt those individuals 18 and 19 who are in high school from having the ability to purchase not only for themselves but for the other juveniles.

I would hope that we do not accept the "Ought Not to Pass" report.

The SPEAKER: The Chair recognizes the gentleman from Franklin, Mr. Connors.

Mr. CONNORS: Mr. Speaker, Ladies and Gentlemen of the House: As a member of the Liquor Control Committee, it was brought out to me that it seems that when the law was 21

years of age, your 20, your 19 and your 18-year-olds were getting it, it was being furnished by the 21-year-olds. With the law at 18, our 17 and our 16 and our 15-year-olds were receiving it from the 18-year-olds.

I have had more mail from my constituents and from all over the state, one of the reasons is being on the Liquor Control Committee, but I have had more mail on this than I have ever had on any bill, and 90 percent of the mail that I have received was to bring it back to 21 years of age.

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

Mr. VALENTINE: Mr. Speaker, Men and Women of the House: Before I discuss this particular issue, I think I should point out, as did the good woman from Bethel, that as a resident of a border town, or a near border town, whether the legal drinking age is raised to 19 or 20 or 81 or 105, it is not going to make a bit of difference among school children of any age in my area. I live seven miles from the New Hampshire border. The same is very much true for most of the other people from the border towns.

I have talked with a number of the people in this body in the last few days about the issue. Most of them know where I stand and that is to support the "Ought Not to Pass" report.

One of the reasons I feel this way is because I attended high school in Maine as I was growing up, and that was about 16 years ago that I graduated. Alcoholic beverages were very much available to 9th graders, 10th graders, 11th graders, 12th graders when I was in high school. I don't know whether when people become parents later on in life they forget what it was like when they were in high school, I am not a parent, but I remember that alcoholic beverages were available and were being consumed by some kids, others not.

I went to college in the State of New York, which had an 18-year-old drinking age. It was a little bit awkward because for nine months of the year I could legally drink in New York State, and then I came back to Maine in the summer and I was not able to drink. But what I recall in particular was that the high schools in New York State with an 18-year-old drinking age, as I recall, did not have a drinking problem that was any better or any worse at that time — this was in the early sixties — than did the high schools in Maine. I would suspect today, if you went back to New York State, I don't know, that they probably would have a drinking problem in their schools now just like we do here in Maine. I bring that up to suggest that the problem is not as much a function of the legal drinking age as it is a societal problem.

I am not the only one who should be concerned about what effect raising the age will have on students driving across the border. The good woman from Kittery, Mrs. Durgin, and the gentleman from Eliot, Mr. McPherson, the gentleman from South Berwick, Mr. Goodwin, the gentleman from Limerick, Mr. Carroll, all the way up along the border it is not going to make a difference for any of them in any of your schools, so we have a little bit of a dilemma here. On the one hand, we might like to see something done to solve a problem that apparently plagues all schools in Maine. On the other hand, since it is not going to make any difference in our schools, what do we do? Do we support something that is going to encourage our young students to drive across the border, do their drinking in the State of New Hampshire, and then drive back? That was a very common phenomenon when I was in college in New York, because Massachusetts, Vermont, Connecticut, New Jersey and Pennsylvania had a 21-year-old drinking age at the time. Their students used to drive over the border and kill themselves on the way home.

I remember the good gentleman from Portland, Mr. Joyce, earlier talking about having to carry some of these people home. I am wondering if he is going to be willing to come down to the southern end of York County and help carry the kids home when they are coming back from New Hampshire. So in good conscience I can, aside from my philosophical beliefs about this whole subject, be opposed to raising the drinking age to anything above 18 as long as the State of New Hampshire still has an 18-year-old drinking age.

I know that everybody would like to be able to do something to solve the problem. Maybe this is an approach. I would almost be willing to support it if I really, sincerely thought that it would make a bit of difference — I really don't. That is all I have to say on the subject.

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

Mr. BOUDREAU: Mr. Speaker, Ladies and Gentlemen of the House: Who is responsible for the problem that we have? It is not the kids, it is the adults. We are the ones who push kids, we are the ones who tell the kids that they have got to do this, they have to do that, they have to grow up, they have to know by the time they are 15 years old where they want to go to school, they have to know what they want to do.

Well, let's take a look at our society, take a look at the TV, go home tonight and sit in front of the TV. What are you going to see? Mickey Mantel sitting there with a can of Lite Beer telling kids that if you do not drink Lite Beer you are not a man. That is the problem. This is a cosmetic solution to the real problem, the problem we have in society, the problem overall, the problem with everything that we have when kids are 15 years old, how about sexual morals? How about all those other things? I think it is a copout for the people in this House to say, "we are going to raise this drinking age and those problems are going to go away," because they are not. We are the first ones that have to start teaching the children and the first ones to put pressure on people who are our age for putting things on TV or putting things in newspapers for their own benefit.

I am opposed to raising the drinking age. I think that by the time a person is 18 years old, they know if they want to drink or not. Hopefully, through education and through their family life, they will be able to handle liquor. There are many of us here who wake up some mornings and wish the age was 65. It is very arbitrary — where are you going to set the age? How about the kids who are 18 and are responsible enough to drink? We are discriminating against them.

The SPEAKER: The Chair recognizes the gentleman from Buxton, Mr. Berry.

Mr. BERRY: Mr. Speaker, Ladies and Gentlemen of the House: When a bill was introduced in this body four years ago to lower the drinking age and to grant 18-year-olds other adult rights, voting rights included, I voted against that bill, but the will of the body prevailed and it did not matter how I voted. Eighteen-year-olds were given adult rights and at that time they were given all the adult rights, or nearly all.

I have not noticed, looking around, that this body sitting here today is any smarter than that body was four years ago. Supporters of raising the drinking age have been quoted as saying that they did not expect that raising the age would have any impact on alcohol abuse, but it would serve notice on parents and youngsters that there is a problem in Maine. I would hate to think that I come down here to make statutes for the sole purpose of serving notice. I happen to think that there are other ways of serving notice.

My good friend from Portland, Mr. Joyce, talks about these were the arms that carried

five-year-olds. We do have a problem in Maine, we have many problems in Maine. One of the problems probably larger than the problems of young people drinking are adults drinking, and I would like to say to Mr. Joyce that these are the arms that have carried a good many 40-year-olds.

When I do vote to increase the drinking age, I will do that only when a bill comes in here that seeks to repeal all the rights that were given to 18-year-olds four years ago and I most certainly am not going to stand here today and pick away at the rights that they were granted one by one until eventually they have none. I support the pending motion.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mrs. Beaulieu.

Mrs. BEAULIEU: Mr. Speaker, Ladies and Gentlemen of the House: In a way, I would like to compliment all who have spoken for and against the motion today. I have very serious concerns though about what has been said and what is not being said. The first thing I am not hearing is any mention whatsoever of the role of parental responsibility. Not one person has alluded to it. I am the parent of four teenagers, a 19-year-old who will be married this spring; a 17-year-old, who will be 18 this fall; a 16-year-old and a 14-year-old. Only one person so far has really talked about the need for an educational program, stronger enforcement, the role of court responsibility, and these are big issues, ladies and gentlemen. I feel that you cannot separate age without talking about the other three or four things that need to be done about it.

To get back to my children, if my 16-year-old comes home drunk, it will not be this legislature's job to find out why he did it, where did he get it, who helped him get it, etc. It is going to be my responsibility to do that. It is also going to be my responsibility to punish him, reprimand him or give him more liquor to make him so sick that he will never touch it again — my responsibility, not this legislature.

As for problems in school, I have to be concerned about them, I am a school official myself, but every school principal knows the names of the parents of all his students and I know of no law that would prevent him from turning the kids over to the parents. There is no law that means he has to take them right back into the building until something is done.

Look at the statistics that are not available to us. How many storeowners have lost their licenses in your community for selling to a minor? Look for court records to see how many 18-year-olds have been arrested or have gone to court under the charge of contributing to the delinquency of a minor. Look at the district courts reports on the age of the people who are arrested for driving under the influence. On that last one, you will find the overwhelming age in the category of 25 to 45, not 18-year-olds. Couple this with the fact that a majority of youngsters, the real young ones, those in junior high and elementary who show up at school with beer in their Charlie Brown lunch boxes instead of milk are getting it from the dens and from the kitchens in their very own homes.

I have been told, well, Mrs. Beaulieu, you are a good parent, you work very hard with your children and have a good, responsive relationship with them and so they will obey your demands and your requirements that they not abuse alcohol. I submit to you that the parent who does not care today is not going to care any more tomorrow if we raise the drinking age. I would take a strong stand. I feel that unless I had five bills in front of me that assured me that there would be stronger enforcement, that the police would be doing their jobs, that the liquor enforcement people were doing their jobs, that the courts were doing their jobs and that the parents would do their job, then I would probably say, well, all right, to accommodate

those who are getting hurt, I am willing to raise the drinking age, but I do not see that in front of me.

I am wondering if we really are the ones who should be debating this. Shouldn't this debate be taking place in the dens and the kitchens, in the bedrooms, the living rooms of their homes? I am not so sure if the gentleman down the hall did not have the right idea of sending this to referendum and letting the kids and the parents fight it out at home and maybe both would learn and let them go make the decisions at the polls.

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

Mr. LaPLANTE: Mr. Speaker, Ladies and Gentlemen of the House: Age itself does not constitute adulthood, it takes a combination of intelligence, common sense and experience in life, and many do not attain this probably at 60.

Laws were passed by the representatives of those people and by the people themselves changing the age and making a person at 18 an immediate adult. These laws were passed on emotions in the 60's because of the Vietnam Conflict. They came to the legislators in the 50's during the Korean War Conflict, but these laws, again, at the time, these were strict emotions.

Many forms of logic were used at the time to convince the people, the legislators who passed the laws, that 18-year-olds should have the right to vote, should have the right to drink, should have the rights of adults, and some of these examples were, well, they can fight, they can die, they can pull the trigger, let's let them vote, let them drink, give them adulthood. Well, 10-year-olds can do the same thing, they can pull the trigger on a gun, they can die, but we do not consider them adults. We have 15-year-olds, we give the biggest weapon, the right to this weapon, and that is driving an automobile. They go out and kill and they are killed, we do not consider them adults.

When we passed the law, and I say we, because now I am part of this legislative body that does pass laws, that we did a gross disservice to the youth, when we allow them to become adults at 18. We stripped away their right to remain youthful, to freely enjoy the benefits of being young. Many of us look back on times and say, wasn't it nice to be young; it must be great.

We have also been the cause of partial destruction in the home by making 18-year-olds adults, because 18-year-olds who are still in school can now leave home because they are adults.

In society, many youngsters cannot cope with the problem of becoming an adult because of the frustrations in society, that adulthood does not come with 18; for the benefits of economics do not come at an early age. Patience at 18 is not a virtue. They like things to move quickly at 18. We must not add to this despair by offering limited laws and telling a youngster that you are 18, you are now an adult, but we will restrict you of your rights in certain areas.

We have a problem with drinking, fine, let's pass that problem, not by limiting laws in adulthood, because that could apply to 20-year-olds, 30-year-olds or whatever. If you are an adult, you are an adult. We live in a liberal society and this is part of our problem, not because 18-year-olds can drink. We, as adults, allow many things to happen. We turn our heads, we do not like to look at it, we shun responsibilities.

If we are going to do anything at all, let's move the entire adult age out of the high school level. Let's not have limited adulthood so let's not change the laws on emotions, as has been done in the past, strictly on emotions of the times but we, as adults, should pass laws with compassion, with understanding, and with sound judgment for the future.

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



Mr. TARBELL: Mr. Speaker, Ladies and Gentlemen of the House: I think we have had some good arguments this afternoon for prohibition for citizens of all ages. I think we also realize that that is not a practical solution and has not been in the history of our country for the last 200 years, and for us to increase the drinking age, is simply cosmetic surgery. It is not going to have any practical effect whatsoever, one way or the other, on the alcohol or drug problem among our youth or among our adult population. In fact, it would be easy for us, and I think the easy way out for us today would be to simply increase the drinking age and walk away from the problem because the problem is not going to walk away from us. I think it deserves some more creative approaches to this problem than what we see before us here today, and the practical effect, in my opinion, to increase the drinking age, will be to drive many of our young citizens who will continue to drink, will continue to obtain liquor, no matter what the circumstances are, it will drive them underground. They will drink on the sly, they will drink in cars in the back roads, just where the parents, the schools and teachers and we do not want them to drink.

If we are going to change the duties, privileges, the obligations of majority age on the level of drinking, then it seems to me, and there have been proposals today, it would be just as wise to rethink these obligations in other areas from age 18 to adulthood, increase that as well.

One argument that has not been addressed today that I think we ought to consider is the question of respect for the law. We are a legislative body and I think it is incumbent on us to take this into consideration. If we do increase the law and it continues to be broken blatantly by a large number of young citizens, it would simply undermine their respect for the law as well as that of their peers, but more importantly, because of the fact that so many in society today condone and encourage drinking, irrespective of the age, this will undermine our young citizens' respect for the law by simply indicating to them that the adults think it is all right to break the law as well.

I think we need to attack the problem from a more practical standpoint, with a more creative approach, and I do not think we should kid ourselves here today that if we increase the drinking age the problem is going to go away.

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

Mr. LAFFIN: Mr. Speaker, Ladies and Gentlemen of the House: This is a problem that this legislature has wrestled with for two years that I know of and probably longer than that. I am glad that we have so many fine parents in this House. I am glad that we have so many people in this House who can draw a line when a person can drink and when they cannot. Why don't we do away with all the liquor laws and let everybody have it? That is what you are saying.

I tell you, ladies and gentlemen, I made a living on selling booze and the pitiful abuses that took effect, and not through the storeowners that have been mentioned here today, very very few of the storeowners have ever sold to minors. There were some, to be sure, but we knew who they were. I always figured that if people were stupid enough to buy that crap, then I should be smart enough to take their money.

When you get into the category of young people buying booze, you should be ashamed of yourselves. They do not only buy the booze but they have their 18-year-old friends buy it for them and give it to them. It does not cost them a penny. I have seen them drive up in front of my store and an 18-year-old come in with an I.D. — he is 18, he is a man. Well, I will tell you, when I was 18 I knew everything too. The only thing is,

today I don't know half of what I did when I was 18. They drive up with their I.D.'s, they would be going to ballgames — you know as well as not that their friends got that booze.

Let's not be so naive and so hypocritical as to think that we are all mightier than thou art, because we are not. We make mistakes. I can remember when I was 18; I got thrown in the brig, I have been in jail and everything else, but I knew all the answers and yet I wasn't old enough to drink and when they threw me in the brig, I thought they were wrong, they could not do that to me because I was a man. I was 18 years old. I will tell you, the Army might have thought I was 18 but, brother, that didn't mean a thing. The age limit means absolutely nothing. But in the society that we live in, to encourage young people in buying booze is one of the greatest moral sins that we could have. If anyone in this House can get up and tell me one good thing that booze has ever done for society, I will never again say another word against it. It has been the ruination of homes, families, marriages, including my own, I am not any different from anyone else, and when you start them at a young age, you only encourage them to keep on going.

There are many of you in this House who feel that child abuse is so great, and I am one of those who feel that way, I support that, but I say to you, ladies and gentlemen, this is the greatest child abuse that we will ever come in contact with. I am not a parent, it is not going to hurt me. I am not a father. I don't have any children, but I will tell you one thing, there are a lot of children in the City of Westbrook who have suffered because of booze. They have suffered because of their parents and they have suffered because of themselves.

I always believed a man was only as old as he was strong. If he had to fight his way through life, then so be it, but don't open the door, don't encourage him, don't give him anything that you wouldn't want to take yourself, and above all, don't be a hypocrite and say that you are for an 18-year-old, that it is all right for him to drink but it is not all right for a 16-year-old to drink — what's the difference, two years?

I say to you ladies and gentlemen of this House, we have an obligation, a moral obligation. Whether the law is to be broken or whether the law is not to be broken, that is up to the individual who participates in it, but we have an obligation to keep booze away from young people as long, as long, as long as we can, because booze has never done one thing to help our society. If you don't believe me, look at the money we spend on booze, on people who have been caught by that dreadful disease to try to cure them.

I will admit that the 20-year-old law is not going to solve the problem. A 21-year-old law would not solve the problem, and it is very possible a 30-year-old law would not solve the problem.

I am not as intelligent as most of you in this House, and I don't have the answer, and I have very little education, but when I sit down to look at a bill, you don't have to have a college education to know that you are opening the door for young people to get into a situation that is going to be very hard for them to get out of.

I always believed it was none of my business what any adult did. If he wanted to spend his money for this stuff, that is his business, whatever he wants to do is his business, but I certainly believe that as a legislator we have a moral obligation to try, and I don't say to solve but I say to try to help the young people. If it helps one or two young people, then so be it, but at least we are not opening the door, we are not saying yes, you can buy all the booze you want at 18.

I know it has been mentioned here that the 30 and 40-year-olds have problems with booze, but

I will tell you, they didn't start drinking at 35 and 40, they started a long time before that.

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

Mr. HOBBS: Mr. Speaker, Men and Women of the House: When I was elected to this esteemed body back in 1972 at the tender age of 21, I never imagined that I would be asked to become stepparent for the people of Maine, the children of Maine. Well, if we enact this legislation, Mr. Laffin will become a step-parent of the children of Maine.

Many have said that there has been a serious breakdown in the American family unit. It is argued by many that children are not getting the proper foundation on which to build their lives. Whose fault is this may I ask? Why is there a breakdown in communication between parents and children? Why aren't many children learning the virtues and morals and principles of life that were instilled in the generation of the past? Part of the fault, ladies and gentlemen of the House, comes from the same philosophy that is espoused in this piece of legislation, and that is, take the responsibility away from the home, the parents and the communities of discussing such issues of what alcohol will do to the human body and what alcohol abuse will do to a young person.

It appears that this legislature this afternoon, in its questionable wisdom, will yield to the cry that raising the drinking age will be the solution to the problem of drug abuse and alcohol abuse, because alcohol is a form of drug, among minor children.

The question I ask is, will this bill really solve the problem? I think the answer is no. Raising the legal drinking age is a very politically convenient thing to do. We can go back to our districts this coming weekend and say we solved the problem, we got the alcohol out of the school systems, and we can act as Pontius Pilate did and wash our hands of the whole issue. We can ignore getting around the underlying problem and we don't have to think about instituting drug or alcohol programs in our school systems or preaching that type of philosophy to be taught in our homes and by the parents, and we can take the responsibility from the parents of raising their own children and Mr. Laffin and myself can become stepparents to the children of Maine.

When you flip that switch in a few minutes, ask yourselves whether you want to take the politically convenient route and support this legislation, and ask yourselves whether we want to make all 18 and 19-year-olds second-class citizens and scapegoats for the problem that was partly caused by their parents, by our society and by the minute number of irresponsible adults who furnish liquor to minors.

I have asked myself these questions, and that is why I will not vote to treat individuals who have reached the age of majority unequal under the law, and I hope you all vote for the pending motion of indefinite postponement.

The SPEAKER: The Chair recognizes the gentleman from Sangerville, Mr. Hall.

Mr. HALL: Mr. Speaker and Members of the House: Just one thing I would like to add to what has been said. In the two years before that I ran — in the last session, rather, and I have done the same thing this session, on every major piece of legislation that has come before this body, I have gone to the people who elected me. I made probably from 12 to 14 calls a day. In the past two weeks I have asked the people in my district three questions. One is, what is your opinion on the drinking age, what do you feel about that? The second one is the cutting of the size of the House. The third one is the inventory tax. Very few of them have any knowledge about the inventory tax or the cutting of the size of the House, that is secondary, but everyone I have called had a definite answer in regard to

the drinking. It is not that I am in tune with them, but I made a vow when I held my hand up here to uphold the Constitution, I also made a vow to the people of my district that I would abide by what they wanted.

We have struck a happy medium in what I have done by putting things down on paper each day and separating them out in different columns. I cannot support the bill that is before me now, neither can I support age 20. If we had one for the age of 19, that is the way I am told, and that is the way I shall go.

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

Mr. BIRON: Mr. Speaker, Ladies and Gentlemen of the House: I fail to understand how reasonable men and women can grant adulthood to someone at the age of 18, give him all the rights, the right to vote, the right to purchase a home, the right to be married, but yet deny him the right to drink. It is beyond my conception how they can have all these other rights, yet not have the right to drink. Therefore, I speak in favor of the motion of indefinite postponement.

The SPEAKER: The Chair recognizes the gentlewoman from Newcastle, Mrs. Byers.

Mrs. BYERS: Mr. Speaker and Members of the House: There is just one point in the debate this afternoon which has upset me, and that is the matter of rights. Reading through our Constitution, I don't see in our rights the right to drink. I believe it is a privilege like the right to drive an automobile or a right in that manner.

We have several things that are rights, the right to run for office here, and you have to be 21 to do it. If you choose to run for the Senate, you have to be 25. So let's not consider this a right but instead a privilege.

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

Mr. CARRIER: Mr. Speaker, Ladies and Gentlemen of the House: I like this type of bill; this is what you call a 'gut' bill. The ones who have guts should be willing to fight for this bill and vote the way they want it. They should not hide, and they should let their constituents know just where we are and how we do vote — I will. I am never ashamed to tell my constituents how I vote, no matter if they like it or not, that is the way I am. If they like it, good; if they don't, well don't vote for me, that is all.

But today I make an appeal to you, especially to the people who have children, and also to the people who don't have children, I appeal to them to at least listen, and to the ones who have children, I don't have to explain to you what position you are in when you have children of the drinking age.

For those who are interested, I have four children. They have passed that age. They like a drink and I probably do too. But on the other hand, there is a limit to everything.

I want to talk about the 18-year-old rights that people talk about here and this wonderful bill that was passed for the 18-year-olds. Looking around here, I think I am the only member who was on the Judiciary Committee when we heard that bill, and in my opinion, it should never have passed. Up at the hearing we had one little fellow from Augusta and then we had five young fellows who talked for it and we must have had about 60 grownups and young people who spoke against it. There was no reason for the thing to pass.

It is a constant replay of saying that we gave them all the rights. Sure you gave them all the rights, but you did not give them all the responsibilities, and this is what I am going to fight about. I am going to tell you that I have a bill in there — you can give them something to drink, but when my bill comes up to give them full responsibilities, I hope you will consider that too. Those of you who think they now have full

responsibilities are misled, they don't know what it is.

To tell you the truth, when the 18-year-old bill came up, there was exception to the 18-year-old for such things as raping somebody. The kid who is 18 and rapes somebody 15 and other things, these are the things that you don't mention. You talk about giving them rights, but you don't talk about the exception to the responsibilities that were passed, these amendments were put on solely for the people of this House at that particular time to get the vote and to pass the 18-year-old law. But I say to you that the 18-year-old exception — one of the exceptions was that during that time the boy who was 18 years old, if he attacked your daughter and raped her at 15, he was not liable as an adult.

Let me tell you how the system works, if you didn't notice it before, and I think a lot of you have, the system works like this. When the new criminal code came up, which some of you people voted for, it did not eliminate that. You look under the criminal code today and the 18-year-old is not responsible for certain crimes. Now, who was responsible for that legislation. Let's face the truth, the blunt truth.

Let's talk about parental obligation. I am a parent, and I will challenge anybody at any time and submit to you that I have done the best for my kids, and whatever way they turn out, that is the way things will be. But I will say to you that I do not agree, and I detest and I resent the implication that it is the fault of the parents. Many of the parents here and otherwise, they do the best they can under all circumstances. If their kid turns out wrong, it is not because of them. They give their heart, they give their soul, they have gray hair at 35, they give them money and they give them an education and everything else, and they still turn out bums, some of them. It isn't their fault. Give them time, give them age.

I don't suggest that we bring the age back up to 21, but I do suggest on drinking — a few years back they decriminalized drinking as a crime. Okay, they did that, but you look at the voting record here yesterday in the other body, it is the same ones who decriminalized that, yet they voted to give them the booze. If they do give them the booze, give it to them at an age where they can at least be responsible.

I submit to you that this is probably not the solution to the problem, but would you turn around and give your kid arsenic today, would you turn around and give him booze, would you turn around and give him dope here in front of everybody and let it be known that you do so? I submit to you that it isn't so.

You have to check much longer and much farther. I have had two years to study these records and I have had two years to give myself time to check on different ones — this is the way I operate — and right in here, right in the vote yesterday, there are people in there who talk one way and then vote another way. I have had people come and see me and they say, Bob, what do we do about my boy? These are sons of people who have been in the legislature before, and yet they come here and vote to feed them the old booze again. There are other people who go down there and they talk against this and they talk against that and then they vote another way. This is their privilege; this is not their right, this is their privilege.

But I submit to you that the important thing about all this is if you want to let them drink early, make them face all the responsibilities. I disagree and I will challenge anybody in this House to get up here and say they haven't got any responsibility. There is no exemption to responsibility for the 18-year-olds right now, and I resent the remarks of some nice people from the other body, too, who had the solution to the thing. They say it is the parent's problem, it is the parents fault. Where is this guy, he isn't

even married. He says it is the parents fault. How does he know this. There are a lot of young people in this House, and I can only say to you that the test will come to you later on when your kids are 15, 16, 17 and 18 years old. I am sure you mean well now, but you don't understand what the problem is at this particular time, especially when you do your best to bring them up in the best way and moral way of this society. I don't really know.

Somebody says, why don't the kids learn the good virtues that used to be promoted before. It is a different society. What are good virtues to us are probably not so hot to them — this is obvious.

I really suggest that the bill, this bill, the 20-year-old, is a halfway affair. It doesn't solve all the problems but it will at least solve some of the problems.

Give the officers a chance to enforce this. They haven't been able to enforce it at 18, they haven't been able to enforce it below 18. Get them up to 20, give them a chance to enforce it and give the people in the schools a chance too, the good ones in school, not some of these professors we have in there who promote things like that, promote sex and everything else that somebody has mentioned over here.

I submit to you that this is a 'gut' bill, this is a bill which requires a lot of conscience, it requires a lot of guts, and I have got the guts to stand up here and say how I am going to vote, and I will defend it at any time. I submit to you that this is a good piece of legislation, and I oppose the motion of Mr. Maxwell — he has his right and I have my right, and I think it was a wonderful speech.

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

Mr. NORRIS: Mr. Speaker, Ladies and Gentlemen of the House: I really wasn't going to speak today, but since there has been some talk about the younger people speaking, I figured that perhaps a parent who is married and feels like some of the younger members in this House that this legislation doesn't address itself to the problem. There is no question that there is a severe problem with alcohol and drugs, and alcohol is a drug, across the State of Maine today, across the country today, there is no question about that, but I don't see how singling out one age group is going to do anything at all to rectify it.

To go along with what was said in the past, I have never sold booze, so I don't know about that. I do know that if you go to the majority of the homes in the state today, you will find booze and you will find beer available to any kid who wants to go to the cabinet and get it. He hasn't got to buy it; all he has got to do is go open the cabinet and take it out, take it to his friends, and it doesn't make any difference whether he is 8 years old or 18 years old or 88 years old, it is available. It is available in the majority of the homes across the state.

So if the people want to do something when they go home tonight, put the booze away, keep it away at least from the 8-year-olds. Let's worry about the 8-year-olds. That is where the problem is. We live in a drinking society. The majority of the members of this House drink and accept it, but we say no, the 18-year-olds aren't able to do it. They will provide it to the 15, 16 and 17-year-olds. The booze is being provided by the permissive society that has it available in every home.

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

Mr. MASTERMAN: Mr. Speaker, Ladies and Gentlemen of the House: I think we all agree that the purpose of the debate is to arrive at a decision. I have listened with some interest, with much interest this afternoon to this debate, both factual and emotional.

As for me, I didn't think I was going to rise at

this time, but I think it is necessary because I have in my possession three letters from people I represent and I feel that most of you feel the way that I do, that you are here to be responsible to the people that you do represent. These three letters, one has 50 signatures, another 74 and another 82, and I understand there were some more in the mail that I did not get. All these people would like to see the drinking age go back to 21, but since we are talking about 20, I will be supporting the age 20 for these people.

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

Mr. JACQUES: Mr. Speaker, Ladies and Gentlemen of the House: Being a member of the Liquor Control Committee and voted against this bill, I stand up here opposing the 20-year-old drinking age.

In 1969, New York State had made a study. They had the State of Connecticut telling them that they had problems with the children going to New York State and drinking in New York and then coming back to Connecticut drunk and getting involved in accidents, so the Governor of New York State decided that he would have a study made. He appointed a 21-member panel and they studied this for one year. They had Rabbis, ministers, college presidents, superintendents of schools, all kinds of people in the state. After the year's study, I wish I had the study here, I forgot it and I wanted to read some of the facts that were studied — they decided that they would leave the age at 18. I would think that we would take this into account, that they spent thousands of thousands of dollars, and we know that New York State is a lot worse off than we are.

In committee hearing, I have been on that committee for many years, I cannot tell you how many and maybe I don't remember, but the same people that keep coming to this committee are the people that would like to do away with liquor completely, and I say the majority of them would and the majority of these people who do introduce these bills are these types of people. I do not drink, I do not touch liquor and I have a son that is 17, one 14 and one 12, and I am telling you right now, from what he tells me that is happening in school about dope, if you think you have problems now, you up that age to 21 or 20 and you are going to see more than you have ever seen in your life.

I have been a public official for 25 years. I was Mayor of my city for two terms and I have seen many things happen. Back in the 40's, you could go out and buy liquor or you could buy beer in a store at 18; I don't remember having that problem, I don't remember having problems of wanting to drink. This is a challenge for these youngster today. It is going to be worse if you up the age.

We had a superintendent of schools testify in front of us telling us that he had four of them who reported to school that were drunk one morning. The question was asked, did you call the parents? He was sent home. One superintendent, I think, said he did call the parents. I am telling you right now, any of you parents here, if you get a call from the superintendent telling you that your son or your daughter is drunk in school, I will tell you one thing, you are not going back to school to pick up that son of yours.

I had a lady call me the other night and said: "I wish you would up the age. I have a problem with my son drinking." I looked at the paper the next morning and this same lady's son was picked for peddling dope. What do you think?

We do have people who work in liquor stores that are 19 and 20 — what are we going to do with these children who are working today? They will be without a job. They work in restaurants that serve liquor, in hotels where liquor is served, what are we going to do with these children? They will not have a job. This is

money that is provided for them, side money for them to be able to spend, and if you think right now that you have people in jail, you are going to have to make your jails bigger because you are not going to stop them from drinking. The I. D. cards, I do not know what you are going to do about them and how you are going to stop them.

I don't know of anything else that this legislature wants to do. Maybe, next year they will come out here and tell them, we are going to take your adult rights away from you. What are we here anyway? Indian givers or something? We give in one hand and then we take it away in the other hand. There are many problems that can happen if we do up the age and I leave it to you to decide and I hope that you people do it pretty soon.

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

Mr. MILLS: Mr. Speaker, I move the previous question.

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

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

The question now before the House is, shall the main question be put now? This is debatable with a time limit of five minutes by any one member.

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

Mr. JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: I do not intend to speak nor have I spoken on this bill. I have made the motion to move the question in the last 32 years several times; sometimes I have won, sometimes I have lost.

I am sorry to take issue with my good friend from Eastport, Mr. Mills, but I think this is an extremely important issue and I think anybody who has and wants to speak should be given that right. I am aware of the fact that the hour is getting late, but if we were not going to finish this thing properly, I don't think we should have started it in the first place. I hope that we will not entertain the motion. I hope that anyone who wants to speak will be able to speak till their heart is content.

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

Mr. MILLS: Mr. Speaker, I would like to inform the gentleman, who was absent from the floor of the House, that we were getting repetitious and I deemed it proper to move the previous question.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: I have not participated in this debate nor will I. In the five terms that I have been down here, I have never yet supported the previous question, which is, in fact, a bad rule and shuts off debate. I think Representative Jalbert's words should be heeded wisely, particularly by the newer members of this House, and not shut off the debate.

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

Mrs. BERUBE: Mr. Speaker, a point of inquiry? I think that many people are unaware. The motion before us now is "ought not to pass." If this motion passes, does that mean that all other options will be closed to us?

The SPEAKER: The Chair would respond to the question that that is in the affirmative. However, the pending question before this body now is "shall the main question be put now?"

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

Mr. NORRIS: Mr. Speaker, Ladies and Gentlemen of the House: I, like my good friend Mr. Kelleher and Mr. Jalbert, have been here several sessions and probably have been as guilty as anyone in the House for calling for the question and have learned the error of my ways. This is a very important issue. It is a very important issue to everyone here. I know the good intentions of my friend from Eastport, but I do feel that everyone should be given the right to speak on this issue, regardless of the side that they are on, and I would implore this House to give everyone a chance to speak on this because it is very near and dear to many, many and probably all the people of the House.

The SPEAKER: The pending question before the House is "Shall the main question be put now?" Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken. 16 having voted in the affirmative and 103 in the negative, the main question is not ordered.

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

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

The SPEAKER: The pending question before the House is the motion of the gentleman from Jay, Mr. Maxwell, that the House accept Report "B", "Ought Not to Pass." Those in favor will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Aloupis, Bachrach, Beaulieu, Bennett, Berry, Biron, Boudreau, P.; Brennerman, Brown, K. L.; Burns, Bustin, Carey, Chonko, Connolly, Cote, Curran, Davies, Goodwin, H.; Green, Henderson, Hickey, Hobbins, Hughes, Jacques, Jalbert, Kany, LaPlante, Maxwell, McHenry, McKean, Norris, Raymond, Rideout, Talbot, Tarbell, Tozier, Truman, Valentine, Wood.

NAY — Ault, Austin, Bagley, Benoit, Berube, Birt, Blodgett, Boudreau, A.; Brown, K. C.; Byers, Carrier, Carroll, Carter, D.; Carter, F.; Churchill, Clark, Connors, Cox, Dexter, Diamond, Dow, Drinkwater, Dudley, Durgin, Dutremble, Elias, Fenlason, Flanagan, Fowlie, Garsoe, Gauthier, Cunningham, Gill, Gillis, Goodwin, K.; Gould, Gray, Greenlaw, Hall, Higgins, Howe, Huber, Hunter, Hutchings, Immonen, Jensen, Joyce, Kane, Kelleher, Kerry, Kilcoyne, Laffin, LeBlanc, Lewis, Littlefield, Lizotte, Locke, Lougee, Lunt, Lynch, MacEachern, Mackel, Mahany, Marshall, Martin, A.; Masterman, Masterton, McBrearty, McPherson, Mills, Mitchell, Moody, Morton, Nadeau, Najarian, Nelson, M.; Nelson, N.; Peakes, Pearson, Peltier, Perkins, Peterson, Post, Prescott, Quinn, Rollins, Shute, Silsby, Smith, Spencer, Sprowl, Strout, Stubbs, Tarr, Teague, Theriault, Tierney, Torrey, Trafton, Twitchell, Whittemore, Wilfong, Wyman, The Speaker.

ABSENT — Bunker, Devoe, Jackson, McMahon, Palmer, Tyndale.

Yes, 39; No, 104; Absent, 6; Vacant, 2. The SPEAKER: Thirty-nine having voted in the affirmative and one hundred four in the negative, with six being absent, the motion does not prevail.

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

Mr. LIZOTTE: Mr. Speaker, I move that we accept Report "A".

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

Mr. NADEAU: Mr. Speaker, Ladies and

Gentlemen of the House: We are faced today with a very emotional and trying situation. We all know there is a problem with drinking in our schools and that young children are obtaining alcoholic beverages easily. The problem exists, but will Report "A", which is now before us, solve or help alleviate this problem?

Let me refer to Report "A". If you are interested, it is L. D. 574, a new redraft. On Page 3, Section 13, under exceptions, it states: Title 28, Section 303 "shall not apply to any person prior to the date of this act becomes effective, attains his 18th birthday and has been issued a valid identification card under Title 28, Section 1060." Title 28, Section 1060 says how a person goes through the process of obtaining an adult identification card through the Liquor Commission. What this Section 13 says, it means that on the effective date of this bill, an 18 or 19-year-old may continue to purchase or consume, on the premises, alcoholic beverages if he or she has an adult I. D. card. Let me pose this to you. I wonder, if I was a bar owner and after the effective date of this act, L.D. 574, Report "A", and I serve the 19-year-old that I knew was 19, would I be in violation of the law if this 19-year-old did not have an adult I. D. card which is mentioned under Section 13 exceptions? This leaves a cloud in my mind.

I now turn to those 18 and 19-year-olds who are not abusing the law. This last week, Nasson College, some students are in my district, others are in the district of the gentleman from Sanford, Mr. Wood, spent over \$10,000 to renovate a student association center which they have. They obtained a legal liquor license and by doing so hoped to control their form of entertainment and to make sure that they would have a controlled group and not have the abuse of alcohol on the campus. If Report "A" were to pass, this would not hurt them this year, but come September, when many of their students would turn 18 before the effective date of this act, would not have a state liquor I. D. and, therefore, would not be eligible to go to this complex which they have spent very heavily for in trying to control the drinking on their campus. Therefore, I am opposed to Report "A" and urge you to look at Report "D", which is the bill which was first sponsored by the gentleman from Windham, Mr. Diamond.

Report "D" would not affect the students of Nasson College, because this bill states that if you are 18, you may drink on the premises of a legally licensed bar or restaurant. You would have to be the age of 19 to go out and purchase from a store or liquor store or for off-premise consumption.

I ask you to defeat Report "A" with its ambiguities in the exceptions and tell you to think of how this might be difficult to enforce, since it states that if you do not have a state liquor I. D., you cannot purchase, but if you have one and if you were 18 or 19, you could purchase. This would also prevent the high school student from purchasing who is 18 and hopefully keep it away from the schools.

I urge you to vote no on the pending question, which is Report "A", and then vote for Report "D", which is the 18-19-year-old split.

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

Mr. GRAY: Mr. Speaker, Ladies and Gentlemen of the House: I was just asked the question, what is the difference between Report "A" and Report "E" which I signed out of committee. I had the same reservations as the gentleman from Sanford, Mr. Nadeau had, in that I could not rationalize having one 18-year-old not being able to purchase and drink and perhaps the 18-year-old across the street that would be able to drink. This, of course, has been referred to as the grandfather clause. In other words, those who already have their I. D. cards can continue to purchase and use alcoholic

beverages, and those who do not, cannot, and this could perhaps be an age difference of one day.

I was also concerned that this possibly could be challenged in the court under the equal protection clause of our Constitution. I had no recourse but to sign out Report "E" which was originally Mr. Joyce's bill, the gentleman from Portland.

The prime argument that was given to us before the committee, their objective was to get liquor out of the high schools. From figures that they furnished us themselves, anywhere from a low of 5 percent to a high of 16 percent of the student body in high school were still at the age of 19, so I did not see that as solving the problem either. To accommodate them and their arguments, I signed out the bill which would have a clean cut-off of 20 years of age. I would hope that you might defeat Report "A" and wait until the motion is made on Report "E" and then we will have a good clean bill.

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

Mr. JOYCE: Mr. Speaker, Ladies and Gentlemen of the House: I urge you to vote yes on the motion before us. I am the author of the bill that has been referred to as Report "E". I know that in this arena there is a lot of give and take, and believe me, I gave. I accept this bill that is before us now as a good bill. I know that it is not the cureall. I know certainly it is not he "miracle on 42nd street," but it is a big step in the right direction.

My heart moves today but it does not bleed for the college pubs. I did shed a tear when I read one college publication where they came up with \$164,000 to renovate the ice cream shop into a pub. I really don't want to get into that one. I urge you to vote yes on this motion.

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

Mr. BOUDREAU: Mr. Speaker, Ladies and Gentlemen of the House: I would like to make one point that has not been brought out and then I will sit down. When I was in high school, the drinking age was 20. Most people, by the time they were 16 or 17 had their driver's license, which meant those people who couldn't drink at home or whose parents — and I do know parents would let their children drink beer when they wanted a beer — many of my friends who couldn't drink at home got the car every night, got a case of beer, went out and had a party in the car. Believe me, that was a very popular thing to do.

Some people have brought up the fact here of people driving and drinking. I am saying that if we put that age up, we are going to have twice as many people on the road drinking.

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

Mr. NADEAU: Mr. Speaker, Ladies and Gentlemen of the House: I just want to point out that ambiguity which Mr. Gray and I have pointed out. I just request the vote be taken by the yeas and nays.

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 Biddeford, Mr. Lizotte, that the House accept Report "A" in concurrence. All those in favor of that motion will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Ault, Austin, Bagley, Birt, Blodgett, Boudreau, A.; Brown, K. C.; Byers, Carrier,

Carter, F.; Churchill, Connors, Dow, Drinkwater, Dudley, Durgin, Dutremble, Fenlason, Flanagan, Garsoe, Gill, Gillis, Gould, Greenlaw, Henderson, Higgins, Hobbins, Huber, Hunter, Hutchings, Immonen, Joyce, Kane, Kelleher, Kerry, Kilcoyne, Laffin, Lewis, Littlefield, Lizotte, Lougee, Lunt, Lynch, Mackel, Mahany, Marshall, Masterman, Masterton, McBreairty, McPherson, Najarian, Nelson, M.; Nelson, N.; Peakes, Pearson, Peltier, Perkins, Peterson, Prescott, Quinn, Rollins, Shute, Silsby, Smith, Sprowl, Strout, Stubbs, Theriault, Torrey, Twitchell, Whittemore, Wyman.

NAY — Aloupis, Bachrach, Beaulieu, Bennett, Benoit, Berry, Berube, Biron, Boudreau, P.; Brenerman, Brown, K. L.; Burns, Bustin, Carey, Carroll, Carter, D.; Chonko, Clark, Connolly, Cox, Cunningham, Curran, Davies, Dexter, Diamond, Elias, Fowlie, Goodwin, H.; Goodwin, K.; Gray, Green, Hall, Hickey, Howe, Hughes, Jacques, Jalbert, Jensen, Kany, LaPlante, LeBlanc, Locke, MacEachern, Martin, A.; Maxwell, McHenry, McKean, Mitchell, Moody, Morton, Nadeau, Norris, Post, Raymond, Rideout, Spencer, Talbot, Tarbell, Tarr, Teague, Tierney, Tozier, Trafton, Truman, Valentine, Wilfong, Wood, The Speaker.

ABSENT — Bunker, Cote, Devoe, Gauthier, Jackson, McMahan, Mills, Palmer, Tyndale.

Yes, 72; No, 68; Absent, 9; Vacant, 2.

The SPEAKER: Seventy-two having voted in the affirmative and sixty-eight in the negative, with nine being absent, the motion does prevail.

The Chair recognizes the gentleman from Saco, Mr. Hobbins.

Mr. HOBBS: Mr. Speaker, having voted on the prevailing side, I now move we reconsider our action and hope you all vote for me.

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

Mr. LIZOTTE: Mr. Speaker, Ladies and Gentlemen of the House: I hope you all vote against the motion.

The SPEAKER: The Chair recognizes the gentleman from Buxton, Mr. Berry.

Mr. BERRY: Mr. Speaker, Ladies and Gentlemen of the House: Due to the closeness of the vote, I think it is important that we support the reconsideration motion. I, myself, am not totally familiar with the difference between the two bills, and I must confess that I wasn't even aware that they were both 20-year-old bills until the Speaker mentioned that. I certainly would appreciate an opportunity to be able to get those documents out and look at them and make another decision later on.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: I urge you not to support the reconsideration motion made by my good friend from York County. And in regards to the comments just made by Mr. Berry, I would hope you would hope that you would not reconsider. The bill will be back in its second reading and if the gentleman has any problems with the bill, he might want to offer an amendment. But it is kind of like a parliamentary ploy right now. To those of us who are supporting the 20-year-old amendment, my suggestion is, do not vote for reconsideration.

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

Mr. HOBBS: Mr. Speaker and Members of the House: As you just heard, my changing my vote was for the sole purpose of getting this issue before us again.

Many of us here this afternoon have discussed the fact that we wanted to get drinking — and many people have — support the concept of raising the age to get it out of the high schools. This bill will raise the age to 20 years old. As the good gentleman from Sanford also mentioned,

this bill has many ambiguities and there are also possibilities of equal protection arguments.

The reason I moved to reconsider is because I do not want to see this bill enacted into law. If we want to get to the problem, like many people do, then maybe a fair compromise would be a 19-year-old compromise.

I am not in favor of raising the age, as I spoke before, but I feel if it is the wisdom of this body to raise it to some age, the reasonable compromise might be 19 and not 20. That is the reason I used the parliamentary ploy to change my vote, so that I would be on the prevailing side in order to get this issue before us once more in order that we can defeat this motion, defeat this report and discuss the other issues before us.

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

Mr. NADEAU: Mr. Speaker, Ladies and Gentlemen of the House: I do hope you vote to reconsider. As there was just pointed out, there are two 20-year-old reports, but as I referred to earlier, there is an exception here, and if this passes, under this exception, one 18-year-old is going to be able to drink and one won't be able to drink. It all depends on whether he has an I. D. card. Is this fair? That is all I am asking, is that fair? I wish you would all read this.

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

Mr. MORTON: Mr. Speaker and Members of the House: I would urge you all to vote to reconsider this bill. It seems to me that Report "A" is nothing but chaos. When you are going to have youngsters out there at 18 or 19 with I. D. cards, you are not going to get the booze out of the high schools, if that is what you want to do. A great many people today have I. D. cards at ages 18 and 19. With this Report "A" you are just not going to do the job.

If you want a clean-cut 20, let's reconsider Report "A" and kill it and go for 20. If you want a clean-cut 19, that is your privilege too.

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

Mr. GRAY: Mr. Speaker, Men and Women of the House: I was not on the prevailing side; however, I am going to ask this House not to reconsider because what difference there is between Report "A" and Report "B" can be taken care of with an amendment. So if this House is serious about clearing up this ambiguity, we can do it with an amendment.

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

Mr. JOYCE: Mr. Speaker, Ladies and Gentlemen of the House: You heard today about everything that could have been said about the drinking bill. I wanted to show a little mercy. I didn't give you that sermon on 'when there is a skiful — sinful,' but let me tell you this, they play a lot of games. We are familiar with chess and backgammon and all that, well now you are seeing here the game that they play, it is worse than chess. You know, they are moving from their seat to the middle aisle, they will move out and back in and they started at eight-thirty this morning. I thought I missed something. I came in and they were congregated in a group here. I stopped a reporter that I respect very much and I said, what is going on down in the corner? I said, it sounds like a city council meeting for the City of Sodom —

The SPEAKER: The Chair would advise the gentleman from Portland that we are dealing with the bill before us and with nothing else.

Mr. JOYCE: Exactly, I apologize to you, my leader.

I ask you, members of this body, to look towards Seat 93 for just a moment and I will give you momentary leadership. Please vote against reconsideration. I thank you my good people and my Speaker.

The SPEAKER: The Chair would like to

make one thing clear so that everyone is aware of it if it should ever occur. If Report "A" is accepted, there is a possibility that the amendment which has been suggested by the gentleman from Rockland, Mr. Gray, might well not be allowed and might well not be germane and would not be entertained by the Chair.

The Chair cannot rule since the matter is not before us and is not in a position to do so. The Chair wishes to advise the members of the House of that possibility.

Mr. LIZOTTE of Biddeford requested a roll call vote.

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

Mr. LIZOTTE: Mr. Speaker, Ladies and Gentlemen of the House: With this bill for 20-year-olds, we will only be hiding behind a law that we are passing and not curing a problem that is out there. We will be able to wash our hands and say, well, we did our duty, we passed a 20-year-old law and now all the problems will go away. We may be creating more problems than we ever envisioned in our lives at this time on that particular issue.

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 reconsider its action whereby Report "A" was accepted. All those in favor of reconsideration will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Aloupis, Bachrach, Beaulieu, Bennett, Benoit, Berry, Berube, Biron, Boudreau, P.; Brennerman, Brown, K. L.; Brown, K. C.; Burns, Bustin, Carroll, Carter, D.; Carter, F.; Chonko, Clark, Connolly, Cox, Curran, Davies, Diamond, Dow, Durgin, Elias, Fowlie, Goodwin, H.; Goodwin, K.; Green, Hall, Hickey, Hobbins, Howe, Hughes, Hutchings, Jacques, Jalbert, Jensen, Kany, LaPlante, LeBlanc, Locke, Lunt, Lynch, MacEachern, Martin, A.; Maxwell, McHenry, McKean, Mitchell, Moody, Morton, Nadeau, Norris, Peakes, Post, Raymond, Rideout, Spencer, Talbot, Tarbell, Tarr, Tierney, Tozier, Trafton, Truman, Valentine, Wilfong, Wood, The Speaker.

NAY — Ault, Austin, Bagley, Birt, Blodgett, Boudreau, A.; Byers, Carey, Carrier, Churchill, Conners, Cunningham, Dexter, Drinkwater, Dudley, Dutremble, Fenlason, Flanagan, Garsoe, Gill, Gillis, Gould, Gray, Greenlaw, Henderson, Higgins, Huber, Hunter, Immonen, Joyce, Kane, Kelleher, Kerry, Kilcoyne, Laffin, Lewis, Littlefield, Lizotte, Lougee, Mackel, Mahany, Marshall, Masterman, Masterton, McBreairty, McPherson, Najarian, Nelson, M.; Nelson, N.; Pearson, Peltier, Perkins, Peterson, Prescott, Quinn, Rollins, Shute, Silsby, Smith, Sprowl, Strout, Stubbs, Teague, Theriault, Torrey, Twitchell, Whittemore, Wyman.

ABSENT — Bunker, Cote, Devoe, Gauthier, Jackson, McMahon, Mills, Palmer, Tyndale. Yes, 72; No, 68; Absent, 9; Vacant, 2.

The SPEAKER: Seventy-two having voted in the affirmative and sixty-eight in the negative, with nine being absent, the motion does prevail.

The pending question now before the House is on acceptance of Report "A".

The Chair recognizes the gentleman from Auburn, Mr. Hughes.

Mr. HUGHES: Mr. Speaker, Men and Women

of the House: The Maine House and the Maine Legislature is a marvelous place to be because we are a small state and we are a small legislature and we know each other and citizens know us and we can effect change much more quickly than many states and much more quickly than the federal government. But one thing that has frustrated me in the two and a half years now that I have been a legislator is that we tend to see-saw back and forth on a lot of issues. It makes me wonder if we think enough about them in the first place, and perhaps that is the criticism we ought to take to our own heart.

Some years ago we decided that 18-year-olds ought to have adult rights. That meant voting, serving in the army on our behalf and all of the other things which go with it, and now we have seen some problems with drinking, problems that nobody here denies or ignores, and yet the proposed solution is to go to 20 years, originally 21. I think we are flailing around looking for a solution to the problem, hoping by statute that somehow we can help clear it up. There are more precise bills before this House in the area of the drinking age that can more closely identify with the problem, and the problem I heard testified to out there for three to four hours on that Thursday afternoon was that 18-year-old people are buying for younger people. That was the overwhelming thrust of that testimony, and I think we ought to deal with that. We have taken a vote. We voted on whether or not to postpone all of these bills and we voted not to, which meant this House wants some change in the liquor laws and the liquor age.

Now let's look at the problem precisely and develop a legislative solution to the problem that is equally precise. Just saying 20 or 30 or 40 or whatever many of us might want is not going to solve it, but trying to hone in on a solution which stops kids 18 and 19 from buying and supplying for their younger brothers and sisters might help solve the problem, not finally solve it but help solve it. We have some other bills before us that do that, and I would urge, so that we may look at those bills in further debate, that we oppose this bill, which would set the age at 20 and unnecessarily deny to people, perfectly responsible drinkers at the ages of 18 and 19, that right — and I call it a right — of drinking a beer. Is it such a big thing?

If some 18-year-olds are abusing it, let's find a way to deal with that, but let's not, in the same process, overshoot the mark, see-saw back and forth and pass a bill which will create a whole new set of problems for our colleges, for the people who have to deal with young people in that age group.

I would oppose this report and hope that we consider one of the other two bills which are still before us.

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

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: I think probably I would have some disagreement with the remarks of the preceding gentleman, and the gentleman from Auburn, Mr. Hughes.

A short while ago, I was talking with the superintendent and principal in another town, not my own, a principal who I personally have a great deal of respect for, a person who has had a good deal of contact with children, in fact his whole family, he has three other brothers, have all been involved in education. The thinking of the both of them was that if they had been in the legislature at the time, they would have supported the concept of reducing it down to 18. Since then, the abuses that they have seen, or the direction that drinking has gone, has caused them both to have the feeling that they should go back to 20 or 19 years of age and that the drinking age should be adjusted.

The previous gentleman made some comments about the legislature see-sawing. I don't think it is very often, in the years I have been in the legislature reverse itself and go in the opposite direction. I think when they did, they have done it for good and sufficient reasons and have shown a good deal of courage. I think this is the same opportunity that they have today. Many times legislative bodies will not do that, and I would tell you an interesting little story.

I read one time an article that Robert Moses, building New York State, made the comment that if you can get a legislature to appropriate money enough to drive a stake, they will eventually appropriate the necessary money to build a building around it, because they usually don't have the courage to reverse their direction.

I think the move today is to change our direction. I think the action we have initially taken to raise the drinking age to 20 was the right action, and I hope you support that move.

The SPEAKER: The Chair recognizes the gentleman from Buxton, Mr. Berry.

Mr. BERRY: Mr. Speaker, Ladies and Gentlemen of the House: I appreciate you voting for reconsideration, because I have now had an opportunity to look at some of the bills that are before us. I find it just plain inconceivable that a committee could report out a bill of the type of exception that Report "A" has, primarily that anybody who now holds an identification card can continue to purchase regardless of what age you make this.

I don't know how many of you might have read a publication called "The Paper Trail." If you haven't, you should, and you will see how ridiculously easy it is for anybody to obtain any kind of identification card or any legal document.

Now, you can go ahead with Report "A" and any enterprising teenager who wants to can very easily obtain a piece of paper that will allow him or her to purchase alcoholic beverages.

I did not support the lowering of the age. I lost and I will accept that. You people have said overwhelmingly, or at least I read it that way, that you want to increase the age — fine, but let's not do it this way. If you want to raise this age, let's go ahead and raise it but let's not do it by any such ridiculous means as this.

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

Mr. JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: I, too, like the gentleman from Buxton, Mr. Berry, lost. I was very strongly, and I admit it, for retaining the age of 18. But I concur also with the gentleman from Farmington, Mr. Morton, if we are going to have a drinking age, let's set it without any gimmicks attached to it.

I can assure you of one thing, I am not the presiding officer, but the fact of the matter is that I have been here 32 years and I can assure you of one thing, any amendment that comes before this House, anyone who does not believe me can see me after we adjourn, I have been known to take a little gamble once in awhile and the book will be open, as I will be declared not germane so fast that it will make our heads rock.

I am accepting, like Mr. Berry, but let's not have these youngsters working with a phony I.D. card with this, that and the other. In any event, the amendment won't go anyway. Let's go to a clean-cut bill, whether it is 20, 19, whatever age it is, and I certainly hope and pray that you do not accept Report "A" for that purpose and that purpose alone, and I request the yeas and nays.

The SPEAKER: For the Chair to order a roll call, it must have the expressed desire of more than one fifth of the members present and voting. Those in favor will vote yes; those opposed will vote no.

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

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

Mr. CARROLL: Mr. Speaker, Ladies and Gentlemen of the House: I would just like to bring to your attention that I represent a district that is bordered by the State of New Hampshire. I have grave concern that the committee that heard this legislation did not proceed to the State of New Hampshire and ask their committee on alcoholic beverages to meet with them to consider a cohesive action of two states with the problem of the 18-year-old consumption of alcoholic beverages. I have very great concern that our young people who live along the New Hampshire border, whether you raise it to 19 or 20 or whatever age you raise it, those who have had this privilege will go across the border, will buy their booze or whatever they want, will come back and the little boys in blue with their little domes on their vehicles will be sitting there waiting for them. They will be lined up in district court every Monday morning or Tuesday or Wednesday and they will have a very good record of violating the law. I have great concern with this.

I was on a study committee which met with the school councillors and I recognized that we had a problem with the alcoholic beverages in the schools, but I happen to know a man of 89 years who went to a local high school here in the City of Augusta and he informed me, just this forenoon, that when he went to high school they could have booze at that time in their high school, so alcoholic beverages is not a new beverage which has just developed in the 20th Century, it is something we have had for many, many years and we have had problems with it.

I wish that in the wisdom of this legislature they would consult with their neighboring state and let us take a cohesive action together. Let us walk together, let us protect ourselves together and let us work together for the good of all, and let us be sure that in solving one problem we do not develop several.

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

Mr. TARBELL: Mr. Speaker, Ladies and Gentlemen of the House: I would just like to elaborate upon the comments made by Representative Jalbert, as well as Representative Nadeau. In Report "A" on Page 3, Section 13, down at the bottom of the page, the legal, technical problem lies in the fact that those citizens who have obtained their 18th birthday or 19th and have gone out and gotten an identification card and they drink, irrespective of the fact that you are setting the age at 20, those 18 and 19-year-olds who have not gone out and gotten their cards may not drink, so you are setting up two classes with this report — those 18 and 19-year-olds who have gotten a card, as opposed to those 18 and 19 who have not gotten a card. I doubt very seriously that this kind of classification setup arbitrarily on the basis of whether or not you have your identification card will pass equal protection of the 14th Amendment of the Constitution of the United States.

So I would like to reaffirm Representative Jalbert's comment, if the sentiment of the House is to pass a 20-year-old drinking bill, let's do so and do so clearly and cleanly, but to set up these kind of arbitrary and very ambiguous legal classifications just does not make sense.

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

Mr. MORTON: Mr. Speaker, Ladies and Gentlemen of the House: Just one word. I agree with the possible legal problems that Mr. Tarbell brought up, but I would also point out that under this Section 13 this act does not go

into effect until 90 days after the legislature adjourns since this is not an emergency; hence, there is going to be a tremendous run on I. D.'s. You are going to have I. D. cards out there for youngsters that are 18 and 19, just as many of them as they can possibly get. So the effectiveness of the 20 year old bill, if you want 20 years, is just not in Report "A". It is a very abominable bill and should be defeated.

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

Mr. WYMAN: Mr. Speaker, Ladies and Gentlemen of the House: I was reluctant to speak this afternoon on this issue for two reasons. One is because emotions are running very high on both sides of this issue and, secondly, because I have been suffering from a cold all week, but I would like to go on record as supporting the 20-year-old bill.

I would just like to remind my colleagues of some reasons that I think have already been mentioned that are very legitimate. First of all, I hope that everyone will realize that this 20-year-old bill is not and should not be regarded as a solution to the drinking problem in the State of Maine. I do not believe that anyone who is supporting this bill regards it as a solution to the drinking problem in the state, and yet I have heard that repeatedly in debate, that people supporting this regard it as a solution. Secondly, I think it is important to realize that 20 for the drinking age is not a right, that drinking is not a right, it is a privilege under the law. Yet, we have heard a lot of discussion about adult rights, so I think it is important to make this distinction. Finally, I think it is important to take into consideration, as I am sure all of you have and will in making this decision, the will of the people.

I do not know how many of you have had a questionnaire, asked your constituents how they feel on this particular bill, but I have. I have been having constituent meetings. Last Fall I went to every home in my district and this issue came up recurringly in overwhelming support of increasing the drinking age. So I think the question is this afternoon, and the hour is late, but I think a major consideration and probably one the biggest question to be resolved is, is the will of the people going to be respected or is the will of a special interest going to be respected.

The SPEAKER: The Chair recognizes the gentleman from Winthrop, Mr. Bagley.

Mr. BAGLEY: Mr. Speaker, Ladies and Gentlemen of the House: We have heard a lot about taking rights away from people and all this Item 13 or whatever it is that people have talked about does, is to refrain from taking rights away from people. That means the people who now have the right will continue that right, that means that new people as they get to be 18 will not have that right, that is all it does. I cannot see that it does any harm. It postpones the effectiveness of the date for one year or two, but it means that eventually the thing will go to 20. It refutes completely the argument that we are taking something away from somebody who has that right now. The individuals who now have that right will continue to have that right if they go after it. After that, the right will not be there, but it will not have been taken away from anyone who has it now.

The SPEAKER: The Chair recognizes the gentleman from Stowe, Mr. Wilfong.

Mr. WILFONG: Mr. Speaker, Ladies and Gentlemen of the House: I had not intended to speak on this bill this afternoon but I guess I am going to have to. I cannot sit here any longer. There are three things that bother me with the 20-year-old bill.

First, the major problem seems to be, as Mr. Hughes pointed out, that the 18-year-olds are buying alcoholic beverages for younger children in school. Twenty years old, I don't believe is going to take care of that problem. I

think if we have a problem with the 18-year-olds buying alcoholic beverages for school children, that perhaps what we ought to look at is maybe a 19-year-old takeout bill and a 18-year-old on-premises bill, that is the first thing.

Secondly, I, too, live in a border area. Fryeburg is right near North Conway, New Hampshire, it is about an hour and 20 minutes from Lewiston. If you do not think on a Friday or Saturday night it won't be very easy to just drive from Lewiston over to North Conway to have a few pops, I think you are kidding yourselves. They are going to be over there and they are going to be driving right through one of my towns, on the way over and on the way back.

As far as the children and the 18-year-olds where I live, they don't hardly have to leave the town of Fryeburg because there's a place called the State Line Store and you take one step over the state line into Conway, New Hampshire and you can buy all the beer you want.

Thirdly, I am a little bit upset by the fact that we want to make the kids that are going to be driving into New Hampshire to drink alcoholic beverages and to bring it back, we want to make them criminals.

When I was 18 and 19 years old, I came home from the military on leave and it was perfectly fine for me to drink all the beer and alcohol I wanted to down at Camp LeJeune in North Carolina because that was the governments way of keeping 50,000 Marines subdued, or at least a good chunk of them. There were not a lot of women around, members of the opposite sex for us to go out and have a date with, but they certainly had all the gin mills right there for us and that sort of kept 18 and 19-year-olds who were pretty rowdy, under control and we condoned that. The United States Government condones that practice. Perhaps what we should do is if we pass this is to send a memorial to the Congress asking the Congress to prevent the sale of alcoholic beverages to members of the military while they are on a military reservation. When I came home, I had to be an offender, I had to break the law. When I came home on leave, if I wanted to go out and have a couple of beers, I had to break the law, yet I was not breaking the law when I was on the military reservation.

I think there are real serious problems with going to 20, if that is what you really want to do, keep the alcohol out of the schools. I do not think that that is going to work. I think what we are doing is being very, very hypocritical, on one hand saying that we want to keep it out of the schools and on the other hand saying that we are going to raise the age to 20.

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

Mr. NORRIS: Mr. Speaker, Ladies and Gentlemen of the House: I have heard several reference to rights, as to whether or not this is a right or a privilege, and I just can't help present this hypothesis — if a woman were refused an alcoholic beverage in an all male tavern, you would find out very quickly that it is a right. You let a woman get refused an alcoholic beverage in an all male tavern, and you will find out that you would be dealing with a right and not a privilege.

The SPEAKER: The pending question before the House is on acceptance of Report "A". Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

#### ROLL CALL

YEA — Ault, Austin, Bagley, Birt, Blodgett, Byers, Carrier, Carter, F.; Churchill, Connors, Cunningham, Drinkwater, Dudley, Durgin, Dutremble, Fenlason, Flanagan, Garsoe, Gillis, Gould, Higgins, Huber, Hunter, Immonen, Joyce, Kane, Kelleher, Kerry, Kilcoyne, Laffin, Lewis, Littlefield, Lizotte, Lougee, Mackel, Mahany, Marshall, Masterman, Masterton,

Nelson, M.; Nelson, N.; Pearson, Peltier, Perkins, Peterson, Prescott, Rollins, Shute, Silsby, Smith, Sprowl, Stubbs, Theriault, Torrey, Twitchell, Whittemore, Wyman.

NAY — Aloupis, Bachrach, Beaulieu, Bennett, Benoit, Berry, Berube, Biron, Boudreau, A.; Boudreau, P.; Brennerman, Brown, K. L.; Brown, K. C.; Burns, Bustin, Carroll, Carter, D.; Chonko, Clark, Connolly, Cox, Curran, Davies, Dexter, Diamond, Dow, Elias, Fowlie, Gill, Goodwin, H.; Goodwin, K.; Gray, Green, Greenlaw, Hall, Henderson, Hickey, Hobbins, Howe, Hughes, Hutchings, Jacques, Jalbert, Jensen, Kany, LaPlante, LeBlanc, Locke, Lunt, Lynch, MacEachern, Martin, A.; Maxwell, McBreairty, McHenry, McKean, McPherson, Mitchell, Moody, Morton, Nadeau, Najarian, Norris; Peakes, Post, Quinn, Raymond, Rideout, Spencer, Strout, Talbot, Tarbell, Tarr, Teague, Tierney, Tozier, Trafton, Truman, Valentine, Willfong, Wood, The Speaker.

ABSENT — Bunker, Carey, Cote, Devoe, Gauthier, Jackson, McMahon, Mills, Palmer, Tyndale.

Yes, 57; No, 82; Absent, 10; Vacant, 2.

The SPEAKER: Fifty seven having voted in the affirmative and eighty two in the negative, with ten being absent, the motion does not prevail.

The Chair recognizes the gentleman from Auburn, Mr. Hughes.

Mr. HUGHES: Mr. Speaker, I move acceptance of Report "D".

The SPEAKER: The Chair recognizes the gentleman from Windham, Mr. Diamond.

Mr. DIAMOND: Mr. Speaker, Ladies and Gentlemen of the House: Being the author of L. D. 205, now called L. D. 567 and called Report "D", I would like to speak to this bill if I could.

This bill still allows 18-year-olds to consume alcoholic beverages on site, such as restaurants, taverns and the like and that requires one to be 19 years old to take alcoholic beverages off the premises.

This bill was designed to help alleviate a problem identified by many parents, educators and high school students, and that is the availability of alcohol to the high school and junior high students and in some cases elementary students. Since most 18-year-olds are indeed still in high school, their peer group is potentially all high school aged students and in many cases this contact peer group extends to the junior high age, and as I previously stated, even to the elementary age.

The evidence is quite clear that the one problem we are dealing with, the one problem that all these bills are speaking to is drinking by those children who are under 18 years of age. Working in the educational community as a teacher myself and then as a principal for six years, I had the opportunity to witness this firsthand, witness 14 and 15-year-olds at dances and athletic events intoxicated. Until you have seen that, you do not realize what the problem is. You can read about it and read statistics but you have to see it yourself.

This bill deals with that problem and that problem alone. This bill does not attempt to say that all 18-year-olds cannot handle alcohol, nor does it stipulate a specific age beyond the legal adult age when alcohol can be controlled by an individual. We all know of 18-year-olds and 35-year-olds and 50-year-olds who abuse alcohol and therefore should not be using it. You see, it is impossible to legislate a safe age. There is no safe age. If the problem is that 18-year-olds are too young to assume adult rights, privileges and responsibilities, then let's deal with that problem. But that is not the issue here today, the issue here before us is clear, should we totally take away a privilege of an adult because of a problem with those who are not yet adults? I say we cannot move in such a generalized way. We must deal with the

problem at hand clearly and distinctly, without dramatizations and undue emotions.

The problem, as previously stated, is the availability of alcohol to those who are under 18, but at the same time it reduces the availability of alcohol to those who are under 18, according to L. D. 576. The enforcement of this bill is no more of a problem than currently exists. Only one I.D. would be required, as does now exist, one I.D. showing one is 18 and one is 19 to take off the premises, and the date would so illustrate.

Remember the rights of all adults, including those 18, and at the same time deal with the problems previously discussed. We cannot, as I stated previously, just sweep away adult rights. We cannot zero in on 18-year-olds as one group of adults. L. D. 576, Report "D", speaks solely to the problem, and we hope you will vote in favor of that.

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

Mr. STROUT: Mr. Speaker, Ladies and Gentlemen of the House: I rise this afternoon to oppose the pending motion. I would like to relate to the members of this House that you can very plainly see now the posture you are in. You have been told this afternoon the previous motion that we lost, which I voted with the majority to defeat Report "A" in the last vote, and now the procedure we are being faced with this afternoon is trying to get us in a position where we are going to lose all of these bills and stay at 18. I saw it coming. I have been watching the maneuvers this afternoon, and it has irritated me to some extent.

I submit to you that there are two more proposals that we had before us, and I would ask you to defeat the pending motion by a large margin so that hopefully the next person who is able to get to his feet and be recognized by the Speaker will be able to make the motion on Report "E". If we fail on that, we still have Report "C" which is at age 19. If we are going to pass a drinking age bill here this afternoon, I think we should have a clear 19, not an 18-19.

I am in favor of supporting age 20, but if I am put in a position of losing the age 20, then I want the opportunity to vote for age 19. We can see very plainly that if this motion passes this afternoon, next week when it goes to the other body, we are going to lose every bill we have here before us.

I want the members of this House to realize what position you are in at the present time, and if you are interested in age 19 or age 20, you want to vote no on the pending motion so that it can put us in a posture where we can do something to raise the drinking age in 1977.

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

Mr. GRAY: Mr. Speaker, Men and Women of the House: I concur wholeheartedly with the previous speaker. If you were against Report "A" because of the grandfather clause, I can assure you that this bill is almost as bad and would be almost as difficult to enforce. So I hope you will vote against the pending Report "D" and support Report "E".

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

Mr. SPENCER: Mr. Speaker, Ladies and Gentlemen of the House: I would like to speak briefly in favor of Report "D". I have worked with the gentleman from Windham, Mr. Diamond, on this bill, and what we tried to do was to aim the solution at the problem that is cited most often in discussing the question as to whether the drinking age needs to be raised, and the problem which has been cited time after time after time is that younger children under the age of 18 are able to get liquor from

the 18-year-olds who are in high school with them and who they see all the time.

What we have tried to do with this bill is to remove the right of the students who are in high school to purchase alcoholic beverages to take out, so that they will not be in a position where they can give it to their younger friends. We have tried to solve the problem that we have in our high schools without creating a situation where we make crooks out of the students who are in our colleges. The reality is that if we raise the drinking age to 20, there will be a great many young adults who are in the colleges, who are in the military, who have the right to get married, who have the right to sign a contract, who can't go to a pub and buy a beer.

The 18-19 split often suggested that it creates a problem because you have to worry about two age levels. But the fact is that the two age levels apply in entirely different situations. The stores will be looking to see if the person buying the alcoholic beverages or the beer is 19. That will be their only concern and they will know what the cutoff date is to determine whether or not the person is 19. In the pubs, in the college towns and so on, they will be looking as they do now to see if the individual is 18.

What we have tried to do is to draw a narrow solution to a very real problem, get the liquor out of the high schools, keep it from being passed on to the younger kids, without creating a whole new problem at the college level and without creating the same kind of problem that we would have on the borders of the state.

I think it is a reasonable and carefully thought out response to the problem. I have had a great deal of constituent interest in this issue and a great many people have said that we have got to raise the drinking age. When I have explained this proposal, I found that most of them felt that this was the proper response and a limited response to this whole question. If this doesn't work, I think what we will see is that it is not the 18-year-olds who are buying it and giving it to their friends, and we will have to look for other solutions. But if the problem which we want to address is the problem of increasing drinking and alcoholism in the high schools, I think this bill deals with that problem in a careful way and that by voting in favor of Report "D" we can act positively to deal with that problem without creating a host of other problems.

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

Mr. MARSHALL: Mr. Speaker and Members of the House: To reiterate comments of the former speaker, Mr. Spencer of Standish, I would like to point out that that is the intention that I voted for the 20-year-old bill, and that is the exact reason why I cannot support this bill, is that at Stearns High School, with a high school senior population of 165, 19 of those individuals will be 19 before graduation date. If you want to remove that availability to juveniles, you must also take into consideration that 11.5 percent of the student population will be 19 and under this bill we won't be accomplishing that.

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

Mr. PEARSON: Mr. Speaker, Ladies and Gentlemen of the House: The problem I have with this bill is a very simple one, if you will listen to my story. Please try to picture yourself as a chaperone at a dance at a high school where many of the problems of alcohol and misbehavior can occur, for that matter, at sport activities, extracurricular activities after school. This bill would allow an 18-year-old, after he gets out of school, or she gets out of school, to go to the local bar, have drinks, some of them responsibly and some of them become drunk, and then go to the school dance or the basketball game or the hockey game, or what have you, and cause disturbances that we are trying to eliminate from the schools.

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

Mr. HUGHES: Mr. Speaker and Members of the House: At the risk of my life, I will add one thing more to the debate on this bill.

There is one other merit, I think, to this bill which hasn't been discussed. It will solve, I think, the problem of getting drinking out of the high schools in the sense it will make it impossible for people to buy and sell to their classmates or underclassmen. At the same time, it will allow a healthy, legal outlet for those 18-year-olds who decide, perhaps for good reasons, perhaps for bad reasons, that they want to drink. It will give them a legal alternative. It will mean that they can turn to drinking on premise, drink legally, not have to flaunt the laws which I think, at least those of us in Judiciary Committee, we hold rather dear to our hearts, and that is not become criminals. It gives them that legal outlet. More than that, it means that if they are going to drink legally, they will drink on premises. They will drink where they are under regulations of the liquor laws. The responsibility of the tavern owner or bar owner or restaurant owner, or whoever has that license will be to keep order, to keep an intelligent, mature atmosphere.

There are a lot of restrictions, and I think if people are going to begin, this is a rather healthy way in which they should begin to deal with drinking, first drinking in this kind of adult situation, in a restaurant or a pub, and then perhaps one year later being able to buy and take out.

It has a double-barreled approach — one to stop the drinking in the high schools, and secondly to provide a more mature setting for the drinking that begins legally at age 18. I would ask you to consider that aspect of it and vote for this bill.

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

Mr. JOYCE: Mr. Speaker, Ladies and Gentlemen of the House: This "D" will not get to the problem. The previous speaker was right, I think I heard him right. I would agree, if you are looking for a way out, this is the bill. I am not looking for a way out, I am going to stand face to face with the parents of this great state and I am going to tell them 20 years of age is the bill that will get the booze out of the schools.

I am going to talk to the kids, I am going to talk to my three teenage daughters, and I am going to tell them, unless we can get the bill to 20, those dances won't return, those debates won't return. The flying bottles in those few football games played at night will still be there. This won't work.

There are two things you have got to think about today when we discuss this drinking bill — be true to yourself, look inside, then be true to the parents of this state. You look at them. What answers are you going to give to them? They want us to put out a good bill. We owe that to them. It is the old story, if you can't stand the heat, get out of the kitchen.

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

Mr. LAPLANTE: Mr. Speaker and Members of the House: I talked to my good friend Mr. Diamond yesterday, and I told him that I would not support a split 18-19, but after hearing the debate today, I think it is probably one of the better bills we have in front of us at this time.

The only thing we are going to do by changing the age to 20 is to take it out of the taverns, the public taverns. We will not take it out of the schools. We will take it out of the public taverns and will place it in abandoned buildings, private woods, fields, parking areas and create a dangerous situation, worse than it is now. I would urge support of this bill.

Mr. Nadeau of Sanford requested a roll call vote.

The SPEAKER: For the Chair to order a roll

call, it must have the expressed desire of one fifth of the members present and voting. All those desiring a roll call 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 Auburn, Mr. Hughes, that Report "D" be accepted in non-concurrence. All those in favor will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Aloupis, Bachrach, Bennett, Benoit, Berube, Biron, Boudreau, P.; Brenerman, Brown, K. L.; Bustin, Carter, D.; Chonko, Clark, Cox, Cunningham, Davies, Dexter, Diamond, Dow, Ellas, Goodwin, H.; Goodwin, K.; Green, Greenlaw, Hall, Henderson, Hickey, Hobbins, Howe, Huber, Hughes, Jacques, Kilcoyne, LaPlante, MacEachern, Mackel, McKean, Moody, Nadeau, Nelson, M.; Peltier, Quinn, Rideout, Spencer, Tarbell, Tierney, Trafton, Truman, Valentine, Wilfong.

NAY — Ault, Austin, Bagley, Beaulieu, Berry, Birt, Blodgett, Boudreau, A.; Brown, K. C.; Burns, Byers, Carrier, Carter, F.; Churchill, Conners, Connolly, Drinkwater, Dudley, Durgin, Dutremble, Fenlason, Flanagan, Fowlie, Garsoe, Gill, Gillis, Gould, Gray, Higgins, Hunter, Hutchings, Immonen, Jalbert, Jensen, Joyce, Kane, Kany, Kelleher, Laffin, LeBlanc, Lewis, Littlefield, Lizotte, Locke, Lougee, Lunt, Lynch, Mahany, Marshall, Martin, A.; Masterman, Masterton, Maxwell, McBreairty, McHenry, McPherson, Mitchell, Morton, Najarian, Nelson, N.; Norris, Peakes, Pearson, Perkins, Peterson, Post, Prescott, Raymond, Rollins, Shute, Silsby, Smith, Sprowl, Strout, Stubbs, Talbot, Tarr, Teague, Theriault, Torrey, Tozier, Twitchell, Whittemore, Wood, Wyman, The Speaker.

ABSENT — Bunker, Carey, Carroll, Cote, Devoe, Gauthier, Jackson, Kerry, McMahon, Mills, Palmer, Tyndale.

Yes, 51; No, 86; Absent, 12; Vacant, 2.

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

The Chair recognizes the gentleman from Gorham, Mr. Quinn.

Mr. QUINN: Mr. Speaker, I move the adoption of Report "C."

The SPEAKER: The gentleman from Gorham, Mr. Quinn, moves that the House accept Report "C" in non-concurrence.

The Chair recognizes the gentleman from Old Town, Mr. Pearson.

Mr. PEARSON: Mr. Speaker, Ladies and Gentlemen of the House: This bill was sponsored by myself and the gentle lady from Hampden, Mrs. Prescott. Many people have indicated to us that they probably could go along with age 19. I would urge you to do so. Before the vote is taken, I am going to anticipate one of the criticisms of this bill and try to show you that it is fallacious.

Some will say that this will not eliminate all of the people in the high schools, and that is true. I have conducted a small survey of a number of high schools in the state, Orono, Old Town, Brewer, Sumner, Biddeford, Stearns, Falmouth, Bangor, Hampden and East Corinth, and came up with the statistics on how many people would be 19 when they graduated. Mr. Speaker, it averages, I would say, approximately 10 percent, but those 10 percent will be 19 only during the last couple of months of their senior year, three or four at the very most, in most cases.

The principals of the high schools that I have talked to have told me that that is not a significant number; it would represent probably one or maybe two people per home room in high



school, and it is something which would be acceptable to them. And as I indicated to you before, it is acceptable and encouraged and promoted by the Department of Education and Cultural Services.

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

Mr. STROUT: Mr. Speaker, Ladies and Gentlemen of the House: As I spoke previously this afternoon, I tried to warn you of what position we were going to be in.

Earlier today I voted to raise the drinking age to age 20. Now I have before me, it would seem, no alternative but to vote to raise it to 19. I, however, in the next vote that is going to be cast, am going to vote no against 19, because I am making a solid commitment today that I am going to vote for age 20 or nothing.

It makes sense to me that if we are going to do something about the drinking age in the State of Maine, we either have to vote to raise it to age 20 or not at all.

I know and could see very plainly this morning, as I read the paper that the move by the other body was in effect hoping that we would today vote for a 19 year old bill so that when this bill leaves this body it will go down to the other end of the hall as a non-concurrent matter. That would put them in a position to do nothing at all and send it back to us and see that before we leave this session we will have left the drinking age at 18. I submit to the members of this House today that if you are solid for age 20, you will vote accordingly on the pending motion and then you will hold steadfast on the next motion that would be offered if we can defeat the pending motion before us. Therefore, Mr. Speaker, I would request a roll call.

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

Mrs. PRESCOTT: Mr. Speaker, Ladies and Gentlemen of the House: For those of you who would ask what difference would one year make, I would like to make this statement. Every young teenager has an 18-year-old friend who will purchase the desired liquor. A 19-year-old student is out of high school, working, in college, is pursuing a goal and that daily contact is going to end and that is what we are trying to do, stop that daily contact with those who can purchase the desired liquor.

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

Mr. JOYCE: Mr. Speaker, Ladies and Gentlemen of the House: I do not feel the motion on this 19-year-old will solve the problem as we see it in the schools. I think this bill would shortchange the people of Maine who have a right to expect more from us.

The SPEAKER: The Chair recognizes the gentleman from Sangerville, Mr. Hall.

Mr. HALL: Mr. Speaker, Ladies and Gentlemen of the House: Again, I reiterate what I said before. We are not shortchanging the people of the state because this bill does not help the people of the state. No bill that we pass down here is going to take the place of what should be done in the home, you know that as well as I do, but this is a bill that I promised the people that I could support and they would go along with. This is the one that I am going to go with.

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

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

The SPEAKER: The pending question before the House is on the acceptance of Report "C". Those in favor will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Alopous, Ault, Bagley, Bennett, Beoit, Berube, Biron, Birt, Brown, K. C.; Bustin, Byers, Carroll, Carter, D.; Chonko, Clark, Cox, Cunningham, Curran, Dexter, Diamond, Dow, Durgin, Fenlason, Fowlie, Garsoe, Gill, Goodwin, H.; Goodwin, K.; Green, Greenlaw, Hall, Hickey, Howe, Huber, Hughes, Hutchings, Jensen, Kane, Kilcoyne, LaPlante, LeBlanc, Lewis, Littlefield, Mackel, Mahany, Martin, A.; Maxwell, McBreairty, McKean, Mitchell, Moody, Morton, Nelson, M.; Pearson, Peltier, Post, Prescott, Quinn, Rollins, Spencer, Sprowl, Teague, Tierney, Trafton, Wilfong, Wood, The Speaker.

NAY — Austin, Beaulieu, Berry, Blodgett, Boudreau, A.; Boudreau, P.; Brenerman, Brown, K. L.; Burns, Carrier, Carter, F.; Churchill, Connors, Connolly, Davies, Drinkwater, Dudley, Dutremble, Elias, Flanagan, Gillis, Gray, Henderson, Higgins, Hobbins, Hunter, Immonen, Jacques, Jalbert, Joyce, Kany, Kelleher, Laffin, Lizotte, Locke, Lougee, Lunt, Lynch, MacEachern, Marshall, Masterman, Masterton, McHenry, McPherson, Nadeau, Najarian, Nelson, N.; Norris, Peakes, Perkins, Peterson, Raymond, Rideout, Shute, Silsby, Smith, Strout, Stubbs, Talbot, Tarbell, Tarr, Theriault, Torrey, Tozier, Truman, Twitchell, Valentine, Whittemore, Wyman.

ABSENT — Bachrach, Bunker, Carey, Cote, Devoe, Gauthier, Jackson, Kerry, McMahan, Mills, Palmer, Tyndale.

Yes, 68; No, 69; Absent, 12; Vacant, 2.

The SPEAKER: Sixty eight having voted in the affirmative and sixty nine in the negative, with twelve being absent, the motion does not prevail.

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

Mr. LIZOTTE: Mr. Speaker, Ladies and Gentlemen of the House: I move that the House accept Report "E".

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

Mr. JOYCE: Mr. Speaker, Ladies and Gentlemen of the House: We have now reached the moment of decision. This is where you will make the decision. No longer can we hide. We have sat through the various plans today, the planned demolition of raising the drinking age. We have come now to a moment where we have that bill that I submitted as the 20-year-old drinking bill. This is the bill that was praised earlier today. It takes care of all the problems, goes up to 20 years of age. People that can use the I.D.'s today, next month it will not be any good if this bill goes through. This is the bill that is going to lay it right on the line. This is where you are going to have to tell the people back home either you are for it or you are against it. I think this is one of the two bills there — we killed the other one — that I feel would have taken care of the alcohol in schools.

I think now the vote on this Report "E", will tell the people back home, the parents, will tell the teachers, tell those children in the schools — here is your school, we are giving it back to you. You won't have to worry about the kids drinking, you won't have to worry about the beer cans in the locker rooms. This is the bill that will tell these kids, you can have that dance on some Friday and Saturday nights, you do not have to worry about that 19-year-old and the 18-year-old coming in and passing out the beer, this is it.

I want you to think about what it means to the mothers of Maine. If you can face them and tell them when the moment of decision came on that 20-year-old bill you did not run out in the hall, you did not get down in a car and start to drive home, you stood here to be counted, and that is all I am asking of you today. You have the responsibility to give the answer to these kids, whether or not you want to give them the school back, they have not had it for at least

four years. I urge to vote in favor of this Report "E."

The SPEAKER: The Chair recognizes the gentleman from Anson, Mr. Burns.

Mr. BURNS: Mr. Speaker, Ladies and Gentlemen of the House: I have listened with a lot of respect to all the speakers today and one thing I have not heard today is that this is a moral issue and morality cannot be legislated. I therefore move indefinite postponement of this bill and all its accompanying papers and request a roll call vote.

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

Mr. BOUDREAU: Mr. Speaker, Ladies and Gentlemen of the House: I agree with Mr. Joyce that the time has come for a decision, but it is very evident looking at the votes we have taken that there is no consensus here. To my good friend Mr. Joyce, I would say, yes, it is time to give something back, it is time to tell those people that it is not up to the legislature to decide this problem. It is a problem that parents have to deal with, it is a problem that individuals have to deal with on their own as they go through the growing up process. I would urge you to vote against this motion.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: I would urge this House not to support the motion made to indefinitely postpone this bill. I want to preface my remarks to just one or two issues that have happened here this afternoon in terms of maneuvering this House in support of an issue that some people in my political party, who I happen to disagree with, are on the other side. I respectfully ask that the presiding officer of this House on the record that when the vote is taken that the lights remain on and I respectfully ask the Speaker of the House again, and I am doing it just on the public record, that I as a member here was not happy with the parliamentary maneuvering or the positioning of his comments in dealing with amendments that could or could not be offered that may be germane or not germane. Forgetting where I am on the issue with many of my friends and colleagues in this House.

The SPEAKER: The gentleman from Bangor may proceed on the bill or he may take his seat.

Mr. KELLEHER: I think I made my point.

The SPEAKER: The Chair would further advise the members of this House, and the gentleman from Bangor, Mr. Kelleher in particular, that when the Chair feels it is necessary to make a point so members are not confused as to what is going on, he will do so.

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

Mr. KELLEHER: Mr. Speaker, on a point of order. I understand and respect your position up there as well as I respect and understand mine down here. This afternoon, in my opinion, when you pass comments on what may or may not be germane to a bill on terms of amendments, I think that you unfairly influenced this house.

The SPEAKER: The gentleman, at that time, had the opportunity to question ruling of the Chair if he had so desired and could have taken that opportunity. The gentleman is out of order.

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

Mr. GOODWIN: Mr. Speaker, Men and Women of the House: I would just like to say that I agree with the gentleman from Portland, Mr. Joyce, that if we pass this 20-year-old limit, we can tell the parents that we have taken the responsibility for bringing up your kids, that we have taken one more responsibility off your shoulders and put it on the shoulders of the state, that you do not have to worry at all about your kid drinking any more, that this is solely the responsibility of the state in the upbringing of your child. If that is what you want to tell the

parents of the state, then go ahead and vote for the 20-year-old drinking age.

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

Mr. HENDERSON: Mr. Speaker, Ladies and Gentlemen of the House: I hope what I have been hearing here this afternoon from Representative Joyce in particular, since he is so eloquent, and others, is not just a lot of talk about what we are going to do. It seems that there is a lot of feeling that if we pass this law, we are going to be solving a big chunk of this problem as much as it is denied by saying that this is only a part of it. If that is the case, we cannot do it by just passing a law, it has to be enforced. There is no free lunch in enforcing law. When we change this drinking age from what it is now, taking away from people whatever they have, privilege or right, and deny it to people in the colleges and the people who have been drinking, there ought to be no hypocrisy about this. We should enforce the letter of this law and that means we should appropriate the money to have the proper number of liquor inspectors, and there would have to be plenty more than there are now, which is already too few, to enforce this law. Or are we really saying, we hear what the people say, we will give them the law but it really won't make the big difference. If we have the nerve to do this, to pass this, then we ought to have the nerve to pay for it.

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

Mr. NADEAU: Mr. Speaker, Ladies and Gentlemen of the House: I can go with 20 years of age. I know how I would do it. I would write to Governor Meldrim Thomson and the New Hampshire legislature and ask them to raise their drinking age bill to 20 because it might solve the problems of the rest of the state but I am telling you, we will have our schools back in York county, we will have them back all right, they will have New Hampshire booze in them.

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

Mr. LAPLANTE: Mr. Speaker, Ladies and Gentlemen of the House: As the good gentleman from Portland has suggested, we cannot tell the mothers, we have your son or daughter and you do not have to worry any more, that the state has now passed a law that they cannot drink. They will and now we can turn back to the mothers and say, well, so what, now they become criminals. Here mothers, have yourself a criminal.

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

Mr. BOUDREAU: Mr. Speaker, Ladies and Gentlemen of the House: For the record, when I asked the members of the House to vote against the motion, the motion at the time was indefinite postponement, that was my mistake.

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

Mr. MCKEAN: Mr. Speaker, Ladies and Gentlemen of the House: I was not going to say anything on this bill. I wanted to find out if my mike worked, but this morning I found out in committee hearings that we are running the moose to Canada and now I find out that we are going to run our 18 and 19-year-olds over there because we have a large portion of this state bordering on Canada. Their law is 18 years old and I am a little concerned about the 18 and 19-year-old people in my area, which is about one and a half miles from the Canadian border, going to Canada, getting all the booze they desire and trying to get back. If they do not get picked up by the RCMP's, if they do not have problems at the border, they may get home to our law enforcement agencies.

I am also rather concerned because of the federal installations in the State of Maine. We have a big one in our area. There could be

problems. I have been in the military and I know that there have been problems around military installations where they have 18-year-old drinking ages on the federal property and higher drinking ages off the federal property. This leads to an individual leaving the installation and being picked up by local law enforcement officers because he was drinking. I also see problems in other areas in our federal agencies.

I would like to say this. Let's take a long hard look at it. I do not think that we are going to solve the problem with a 20 year old bill.

I am a parent; I also own a store and I also sell beer in my store. I have never sold booze to an individual less than 18 years of age, and I don't know of anybody in my area who does.

I think what we are trying to do is make a legislative out of a law enforcement problem. I can name you two cases that I know of where individuals were caught practically red-handed giving booze to minors in our school system. The same two individuals didn't spend 20 minutes in our court system and they were right back out on the street doing it again. We have laws that we don't enforce, but we have them. If we can't enforce what we have now, how do we expect them to enforce more? Food for thought.

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

Mr. CARRIER: Mr. Speaker and Members of the House: Through some error somewhere, my standing on the bill was that I was going to cosponsor the bill with Mr. Joyce because I believed in the bill, and through some error, my name didn't get on there, but maybe it is better that way.

I have great reservations here today — I can't believe what is going on, and I don't agree with the procedure that was used with these bills. I don't know where the fault is. I hate to think of it as — the word is not conspiracy, but something has happened here. I thought we had somewhat of an assurance that the 20-year-old bill would pass in the Senate and it would pass here.

I have noticed that somebody mentioned the word ploy. Well, if you want the information, the word ploy has been used by some members of the other house to their detriment and I just think it is bad all around. They themselves came up as opponents of this measure, they came up as opponents of all the measures and yet they have got the guts to go up there and vote for the bill. If this isn't a ploy, I think it should be explored, and if they want to play that kind of game, from now on I am not on the defensive, I am the offensive and I think it should be put on the books and see what happens here.

This is germane to the issue, and I will tell you why this is germane to the issue, just as the rest of the schedule is germane to the issue. They withdraw all the bills at one time, which I think is wrong, and if the rules allow this, I am going to put an order in to change the rules, because I think the sponsor should have as much control over the bill as anybody in this House, in the leadership or otherwise, and this is germane to this bill.

Another thing you will notice, notice the order in which these bills were presented. Notice again, look at your books. We are at a point that if we are going to save anything — actually, what is everybody trying to do over here? They are trying to help the young people, that is what they are trying to do, but they put the 19-year-old bill ahead of the 20-year-old bill. If this 20-year-old bill dies, everything is dead. Somebody says it isn't so, but you wait for the end results.

The thing is, I submit to you that there are a lot of private interests in this thing, and if you don't think there is private interest, you go down to the Secretary of State's Office and look at who got contributions to get elected to this

House and look who is voting for this bill and compare it to the thing.

The SPEAKER: The Chair would advise the gentleman from Westbrook that if he has a question of ethics on any member, that he simply file a request with the Commission on Ethics. The matter before us is this bill and the Chair will entertain no other discussion than on the bill which is before us, and that is the motion to indefinitely postpone. This is not only an attempt to tell the gentleman from Westbrook that, but every other member of this House. We would appreciate it if you would refrain your remarks to the pending legislation and nothing else.

The gentleman may proceed on the issue.

Mr. CARRIER: I am on the issue, and all I want you to do is listen to what I have to say. I did not divert from the issue and I did not make any accusation against anybody in this House. I just said for them to look at the records, just as much as you would, and all I want to do is be heard on this issue.

I feel that if the people of this state want to do something, the people right here want to do something for the young people today, this is probably the last chance you will have to do it in this session.

I hope, in good judgment, no matter which way you vote, I will still like you, but in your good judgment and for the kids, you should not support the motion to indefinitely postpone.

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

Mr. LYNCH: Mr. Speaker, Ladies and Gentlemen of the House: I think the change in the reduction of the age from 21 to 18 was a mistake. I hope you don't indefinitely postpone the bill. You have a drinking problem to solve. It is not going to be done overnight. It is going to require cooperation on many, many sides. But you are also going to face other problems because of the reduction in the age limit. Marriage is going to be one that you are going to have to face up to before long. The divorce problem is going to create problems, financial problems for the state.

The implication was made a few minutes ago that by going back to age 20 the state would be taking over the education of the youngsters in the state. That is not so. We are simply putting back what was beforehand. When we went to 18, we encouraged drinking, and that has been a fault on the state level and national level, that when people disobey laws, it becomes hard to enforce them, then we change the laws to accommodate the people. Whether they are right or wrong, it makes it easier.

I hope you take a stand at least once and go back to 20.

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 Anson, Mr. Burns, that this Bill and all accompanying papers be indefinitely postponed in non-concurrence. All those in favor of that motion will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Aloupis, Berry, Biron, Boudreau, P.; Brenerman, Brown, K. L.; Burns, Bustin, Connolly, Curran, Davies, Diamond, Elias, Goodwin, H.; Green, Hall, Henderson, Hickey, Hobbins, Hughes, Jalbert, Kany, LaPlante, Maxwell, McHenry, Nadeau, Norris, Raymond, Rideout, Talbot, Tarbell, Tozier, Truman, Valentine.

NAY — Ault, Austin, Bagley, Beaulieu, Bennett, Benoit, Berube, Birt, Blodgett, Boudreau, A.; Brown, K. C.; Byers, Carrier, Carroll, Carter, D.; Carter, F.; Chonko, Churchill, Clark, Cox, Cunningham, Dexter, Dow, Drinkwater, Dudley, Durgin, Dutremble, Fenlason, Flanagan, Fowlie, Garsoe, Gill, Gillis, Goodwin, K.; Gould, Gray, Greenlaw, Higgins, Howe, Huber, Hunter, Hutchings, Immonen, Jacques, Jensen, Joyce, Kane, Kelleher, Kilcoyne, Laffin, LeBlanc, Lewis, Littlefield, Lizotte, Locke, Lougee, Lunt, Lynch, MacEachern, Mackel, Mahany, Marshall, Martin, A.; Masterman, Masterton, McBreairty, McKean, McPherson, Mitchell, Moody, Morton, Najarian, Nelson, M.; Nelson, N.; Peakes, Pearson, Peltier, Perkins, Peterson, Post, Prescott, Quinn, Rollins, Shute, Silsby, Smith, Spencer, Sprowl, Strout, Stubbs, Tarr, Teague, Theriault, Tierney, Torrey, Trafton, Twitchell, Whittemore, Wilfong, Wood, Wyman, The Speaker.

ABSENT — Bachrach, Bunker, Carey, Connors, Cote, Devoe, Gauthier, Jackson, Kerry, McMahon, Mills Palmer, Tyndale.

Yes, 34; No, 102; Absent, 13; Vacant, 2.

The SPEAKER: Thirty-four having voted in the affirmative and one hundred two in the negative, with thirteen being absent, the motion does not prevail.

Thereupon, Report "E" was accepted in non-concurrence.

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

On motion of Mr. Blodgett of Waldoboro, the House reconsidered its action of earlier in the day whereby Bill "An Act to Reestablish the Shade Tree Planting Programs in the Department of Conservation," House Paper 512, was referred to the Committee on Agriculture.

On further motion of the same gentleman, the Bill was referred to the Committee on Natural Resources, ordered printed and sent up for concurrence.

(Off Record Remarks)

At this point, the Speaker appointed Mr. Cunningham of Gray to the Committee on Public Utilities.

On motion of Mr. Shute of Stockton Springs, Adjourned until Tuesday, March 1, at nine-thirty in the morning.