

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

KJ PRINTING
AUGUSTA, MAINE

HOUSE

Tuesday, March 1, 1977

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

Prayer by the Reverend Canon Joseph R. Bolger of St. Michael's Church, Auburn.

The members stood for the Pledge of Allegiance.

The journal of the previous session was read and approved.

Papers from the Senate

From the Senate: A Joint Resolution in memoriam: (S. P. 206) Lester Orcutt of Biddeford Pool, President of the Maine Draggermen's Association and a gentleman.

Came from the Senate read and adopted.

In the House, the Resolution was read.

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

Mr. GREENLAW: Mr. Speaker, Ladies and Gentlemen of the House: One of the many privileges of being a legislator, it seems to me, is meeting Maine people from all walks of life. One of the finest people I have had the privilege to meet and work with in the four years that I have served in this legislature is the gentleman we are paying tribute to this morning.

Lester Orcutt has come before the Marine Resources Committee of this legislature on a number of occasions and shared with us his best counsel and advice, not for his own personal benefit but for the benefit of the entire industry in which he earned his livelihood.

As the Resolution says, he was a very gentle man. He was kind, concerned and compassionate. It is perhaps particularly fitting and appropriate that we pay tribute to his memory today, March 1, because today, as many of you know, the legislation which the United States Congress passed a year ago establishing a 200 mile fishery zone goes into effect. It was something Lester thought was particularly important to the revitalization of America's fishing industry, and I am happy that we are able to pay tribute to Lester on this particular day but also saddened by the fact that Lester was not able to see this day come about.

His counsel and friendship will be sorely missed, but the warmth of the association that many of us had with him will live on for a long time to come.

The SPEAKER: The Chair recognizes the gentleman from Kennebunkport, Mr. Tyndale.

Mr. TYNDALE: Mr. Speaker, Ladies and Gentlemen of the House: I would like to add a few words to Skip Greenlaw's, having worked with Lester Orcutt for some 15 years. He served with me on staff of Save the American Fisheries, promoting the 200 mile limit bill. He was a gentleman, as Skip said, right to the toes of his feet, a wonderful man who worked for only one thing, the betterment of the fishing industry.

Thereupon, the Resolution was adopted in concurrence.

From the Senate:

Bill "An Act Concerning the Blue Sky Law" (S. P. 200) (L. D. 598)

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 Extend the Effective Date of Sections of the School Finance Act of 1976 Allowing Local Administration Units to Raise and Expend Additional Funds and to Exclude Such Funds From Computation made pursuant to That Act" (Emergency) (S. P. 204) (L. D. 602)

Came from the Senate referred to the Com-

mittee on Education and ordered printed.

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

Bill "An Act to Establish the Maine Nonprofit Corporation Act" (S. P. 175) (L. D. 626)

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

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

Bill "An Act Relating to Mother's Day, Father's Day and Sons' and Daughters' Day" (S. P. 202) (L. D. 600)

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 Equalizing the Retail Price of Alcoholic Beverages Throughout the State" (S. P. 201) (L. D. 599)

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

In the House, referred to the Committee on Liquor Control in concurrence.

Bill "An Act to Reorganize the Department of Conservation" (S. P. 203) (L. D. 601)

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.

Reports of Committees

Ought to Pass in New Draft

Committee on Legal Affairs on Bill "An Act Relating to Licensing of Theatres and Motion Picture Houses" (S. P. 51) (L. D. 108) reporting "Ought to Pass" in New Draft (S. P. 152) (L. D. 269)

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 tomorrow.

Ought to Pass with Committee Amendment

Committee on Taxation reporting "Ought to Pass" as amended by Committee Amendment "A" (S-15) on Bill "An Act to Exempt Turbojet Fuel used for International Flights from Sales Tax" (S. P. 9) (L. D. 14)

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (S-15).

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

Non-Concurrent Matter Tabled and Assigned

Bill "An Act to Prohibit the Sale of Gasoline Below Cost to Destroy Competition" (H. P. 455) (L. D. 560) which was referred to the Committee on Energy in the House on February 17, 1977.

Came from the Senate referred to the Committee on Business Legislation in non-concurrence.

In the House: On motion of Mr. Davies of Orono, tabled pending further consideration and tomorrow assigned.

Non-Concurrent Matter

Bill "An Act to Assess a Surcharge on Fines and Penalties for the Operation of the Maine Criminal Justice Academy" (S. P. 179) (L. D. 493) which was referred to the Committee on Judiciary in the House on February 23, 1977.

Came from the Senate with that Body having insisted on its former action whereby the Bill was referred to the Committee on State Government in non-concurrence.

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

Petitions, Bills and Resolves Requiring Reference

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

Agriculture

Bill "An Act Relating to Dogs Running at Large" (H. P. 557) (Presented by Mr. Howe of South Portland)

Bill "An Act Concerning the State Payment for Care of Abandoned Dogs" (H. P. 558) (Presented by Mr. Nadeau of Sanford)

Bill "An Act Concerning Dog License Fees" (H. P. 559) (Presented by Mr. Nadeau of Sanford)

Bill "An Act to Define Ownership of Canines" (H. P. 560) (Presented by Mr. Nadeau of Sanford)

Bill "An Act to Provide that Humane Shelters Selling or Giving Dogs away must Notify the Town Clerk of the Sale or Gift" (H. P. 561) (Presented by Mr. Nadeau of Sanford) (Ordered Printed)

Sent up for concurrence.

Appropriations and Financial Affairs

Bill "An Act to Continue Providing Aid to Certain Charitable Institutions" (Emergency) (H. P. 546) (Presented by Mr. Kelleher of Bangor) (Cosponsor: Mr. Martin of Eagle Lake)

(Ordered Printed)

Sent up for concurrence.

Was referred to the Committee on Appropriations and Financial Affairs, ordered printed and sent up for concurrence.

Business Legislation

Bill "An Act Concerning Solicitation by Law Enforcement Officers" (H. P. 547) (Presented by Mr. Carroll of Limerick)

(Ordered Printed)

Sent up for concurrence.

Education

Bill "An Act Relating to Education of Exceptional Children Under 5 Years of Age" (H. P. 548) (Presented by Mrs. Najarian of Portland) (Cosponsor: Mr. Kerry of Old Orchard Beach)

(Ordered Printed)

Sent up for concurrence.

Energy

Bill Bill "An Act to Establish Procedures to Evaluate the Efficiency of Energy Utilization in State-financed and Licensed Facilities" (H. P. 549) (Presented by Mr. Carter of Winslow)

(Cosponsor: Mrs. Huber of Falmouth)

(Ordered Printed)

Sent up for concurrence.

Fisheries and Wildlife

Bill "An Act Concerning Fly Fishing in the Kennebec River" (H. P. 550) (Presented by Mr. Carter of Winslow)

Bill "An Act to Eliminate the Requirement that Persons Over 70 Submit to an Eye Test in Order to be Issued a Complimentary Hunting License" (H. P. 562) (Presented by Mr. McBrearity of Perham) (Cosponsor: Mr. Peterson of Caribou)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act to Provide for the Sealing of Displayed Copies of Adult Magazines" (H. P.

551) (Presented by Mr. Elias of Madison) (By Request)

(Ordered Printed)
Sent up for concurrence

Public Utilities

Bill "An Act to Repeal Incorporation of the Patten Water District" (Emergency) (H. P. 552) (Presented by Mr. Birt of East Millinocket)

(Ordered Printed)
Sent up for concurrence.

State Government

Bill "An Act Concerning the Accrual of Sick Leave by Injured or Incapacitated State Police Officers" (H. P. 553) (Presented by Mr. Joyce of Portland)

(Ordered Printed)
Sent up for concurrence.

Taxation

Bill "An Act to Repeal the Property Tax on Commercial Fishing Vessels" (H. P. 554) (Presented by Mr. Tyndale of Kennebunkport)

Bill "An Act Clarifying the Tax Status of Regional Planning Commissioners and Councils of Government" (H. P. 555) (Presented by Mr. Peterson of Caribou) (Cosponsor: Mr. Smith of Mars Hill)

(Ordered Printed)
Sent up for concurrence.

Transportation

Bill "An Act Concerning Board of Directors of Transit District" (H. P. 556) (Presented by Mr. Jensen of Portland)

(Ordered Printed)
Sent up for concurrence.

Orders

An Expression of Legislative Sentiment (H. P. 563) recognizing that: Ruth G. Robinson of Richmond Retired after 38 Years of Outstanding Public Service to the Town of Richmond in such Capacities as Treasurer, Tax Collector, Secretary, Administrative Assistant to the Selectmen and Interim Town Manager Presented by Mr. Moody of Richmond.

Was read and passed and sent up for concurrence.

House Reports of Committees

Leave to Withdraw

Mr. Howe from the Committee on Business Legislation on Bill "An Act Relating to Publication of an Annual Roster of Real Estate Brokers and Salesmen" (H. P. 121) (L. D. 154) reporting "Leave to Withdraw".

Mr. Goodwin from the Committee on Health and Institutional Services on Bill "An Act to Raise the Age Distinguishing Children's Facilities from Adult Facilities from 16 Years of Age to 18 Years of Age" (H. P. 271) (L. D. 339) reporting "Leave to Withdraw".

Mr. McPherson from the Committee on Local and County Government on Bill "An Act Relating to the Probate Fee for a Certificate of Appointment" (H. P. 333) (L. D. 424) reporting "Leave to Withdraw".

Reports were read and accepted and sent up for concurrence.

Divided Report

Majority Report of the Committee on Public Utilities reporting "Ought Not to Pass" on Bill "An Act Relating to the Telephone Company Directory" (H. P. 103) (L. D. 127)

Report was signed by the following members:

Mr. COLLINS of Aroostook
Mrs. CUMMINGS of Penobscot
Mr. CARPENTER of Aroostook
— of the Senate.
Mr. KELLEHER of Bangor

Mrs. TARR of Bridgton
Messrs. BERRY of Buxton
LUNT of Presque Isle
CUNNINGHAM of New Gloucester
SMITH of Mars Hill
PEARSON of Old Town
NADEAU of Sanford

— of the House.

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

Report was signed by the following members:

Messrs. McHENRY of Madawaska
WOOD of Sanford

— of the House.

Reports were read.

Mr. Berry of Buxton moved that the House accept the Majority "Ought Not to Pass" Report.

The SPEAKER: The Chair recognizes the gentleman from Poland, Mr. Torrey.

Mr. TORREY: Mr. Speaker, Ladies and Gentlemen of the House: I would hope that we would consider this a little bit perhaps we can keep it alive for another reading. I realize it is a controversial bill. Perhaps there has been a little bit of misunderstanding.

This was introduced because certain people, in my area especially, were really inconvenienced because their names were omitted from the telephone directory, and these weren't essentially people who perhaps were just strictly residents that might live in an upstairs apartment of a relative or nearby, some of these people were actually in business. One was a veterinarian, another was a lady who had a food catering business from her home, another was a minister who lived out of town from where his parish church was and another was one who had a refuse business. These folks were really inconvenienced and embarrassed to try to explain to people who couldn't reach them by phone. What the real problem was, when they went to the telephone officials and asked if anything could be done about it, the business manager said, sorry, we can't do anything about this, this is just one of the facts of printing the report. Certainly I will agree that human error occurs in all things, it occurs right here in the printing of documents and things that come before this body, but we in this body and the leadership insist that things be corrected, even to the point that the yellow sheet that carries a list of the committee assignments, they left off the word 'chairman' to the first ranking member of the Senate, and that report went back and was reprinted with that name on there.

It certainly seems reasonable that things can be adjusted and should be corrected, and certainly these subscribers who are paying their monthly service fee ought to have some recourse to see that their names are in the directory. What I propose to do, and in conversation with Mr. Cunningham from Public Utilities, this bill was drawn up to make it mandatory that the public utilities people would have some authority over the telephone companies and make them publish a supplementary list.

As I heard in the hearing, the big objection was that that would be terribly expensive, that the companies certainly didn't want to do it and the cost would have to be reflected back to the consumers and it just wasn't feasible.

My personal intent and thought was that all the names would just be reflected in each individual directory, certainly not statewide. In my home area, the Lewiston-Auburn directory, I took time to count through the names on a page, and I came up with about a hundred names in a listing of about 300 names on a page and the Lewiston-Auburn directory would have an average of 30,000 listings. I contacted a printing company and they said that a 3½x5½

card could be used and the names of those persons who were omitted could be printed on that for less than \$10 a thousand, so a 30,000 area would mean \$300. I certainly don't think that is an exorbitant amount for the business office in the Lewiston-Auburn area to have to expend to send a supplementary list. I don't expect that list to have to be sent out with postage. I don't see why it couldn't go to the business office and when they send their next phone bills to customers, they could just slip this card in the envelope like they do with other supplementary material.

With that, I hope you will give this further consideration and trust that we can come up with something that will help these people who have been disenfranchised, so to speak, of their chance to have their name listed in the telephone directory.

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

Mr. NADEAU: Mr. Speaker, Ladies and Gentlemen of the House: I see what Mr. Torrey's problem is, but New England Telephone in Maine, which has well over 350,000 subscribers, have a very low incident rate of people not being in their directories.

The cost for sending out these additional supplements would be, I feel, a little more than what Mr. Torrey has told us. We still have the postage to pay for that, and the fact that really bothers me about this is that the cost would then be passed on to the consumers. I feel we pay enough now for the telephone bills, and where Mother Bell is up for another increase, I just don't see how our consumers could afford to pay any more for the use of their telephones.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: One other point that should be mentioned this morning, Mother Bell and New England Tel and Tel here in Maine list somewhere around 185,000 here in the state and approximately 420 errors were recorded last year. The normal procedure of Mother Bell here in the state is to take the subscriber's bill and cut it in half for the remaining period of the year once the error is noted.

I can sympathize with the problem that Mr. Torrey is talking about, but I think we would be unfairly reflecting upon the general rate payers, the people who are subscribers, for this supplement that he is talking about. It was my feeling at the hearing, and I think the feeling of the majority of the members of the committee, that it was just a bothersome thing and it was also a costly item to be involved with.

I would hope that you would support the majority report.

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

Mr. LYNCH: Mr. Speaker, I would like to ask the committee, if there are 425 errors in the New England Telephone Company directories and there is one call per day to information, doesn't that require additional staff in addition to the normal directory calls, information calls?

Furthermore, is there need for additional postage when the telephone company mails out bills each month?

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

Mr. LAFFIN: Mr. Speaker, Ladies and Gentlemen of the House: I support any bill that comes before this body to help any company within this state that needs help. But if any of you here think that the New England Telephone and Telegraph Company needs any help, you are badly mistaken. They are the biggest bunch of bandits this state will ever see. Furthermore, it is our duty to support the people of this state.

The first thing on the docket is, they can send out supplements. They may forget to put your

name in the telephone book, but they will never forget to send you a bill.

I feel that we should support this bill for the simple reason — I don't know the facts of the bill, I don't know the first thing about the bill other than it is against the New England Telephone Company, and for the first three months of last year, they made more money than the automobile industry and the steel business put together.

I don't think the New England Telephone Company is hurting in any way, shape or manner. This is a consumer's bill, it is for the people; it may not be for a lot of people, but it is for some of the people, and if we can help some of the people, then I think we owe that obligation to some of the people.

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

Mr. BERRY: Mr. Speaker, Ladies and Gentlemen of the House: I regret having to take as much time on this bill as we have already taken, but a bill is a bill and we have to dispose of it in some fashion or other.

Mr. Laffin speaks and tells us he does not know what the bill does or contains. He also said that he spoke because it was against New England Telephone. There is a lot of sentiment here along those lines, I share some of that myself, but I think probably if a person is going to vote for this bill, they ought to read it. If you think it is going to benefit a significant number of people, then vote for it, but don't vote for it simply because it is against the telephone company.

If you do pass this bill, the cost incurred will be absorbed by the ratepayers, the same as any cost that a utility incurs.

I spoke with some of the people who supported this legislation, and I told them that I wouldn't oppose this bill if they would amend it and all the cost that was incurred came out of the stockholders' portion, and if it was amended in that fashion, I certainly would support this bill, but this will incur an additional cost, and that cost will be absorbed by everybody who owns a telephone and the benefit received will go to 420 people, which is not a bad error rate out of 380,000.

The SPEAKER: The pending question is on the motion of the gentleman from Buxton, Mr. Berry, that the Majority "Ought Not to Pass" Report be accepted. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

Whereupon, Mr. Birt of East Millinocket 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 Chair recognizes the gentleman from Lisbon Falls, Mr. Tierney.

Mr. TIERNEY: Mr. Speaker, a parliamentary inquiry. On the rare occasions when this House is not in session, I attempt to earn my living as an attorney-at-law. In the last publication of the telephone book in my area, my name was inadvertently, at least I hope it was inadvertently, left out of the yellow pages. Because if this bill were to pass a notice would be sent to all the people in my area stating I was an attorney-at-law and because this could potentially affect my income, I am asking if I am in conflict on this vote.

The SPEAKER: The Chair would advise the gentleman from Lisbon Falls, Mr. Tierney, and the members of the House that under the rules under which we operate and the law of the Ethics Commission under which we operate,

the members of the House are in conflict in any action which could affect their income either way, and since the gentleman from Lisbon Falls, Mr. Tierney, has posed the question in the fashion that he has, it is obvious to the Chair that he has a potential conflict of interest on this piece of legislation.

Thereupon, Mr. Tierney of Lisbon Falls was excused from voting.

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

Mr. BIRT: Mr. Speaker and Members of the House: I have taken a quick look at this bill. I think it does have a certain amount of merit to it. I don't think the acceptance of the "ought to pass" report this morning would do any harm. I think a chance for a review of it and a second look might be in order, and at that time we can decide whether we want to accept it or not.

I would hope that you will vote against the "ought not to pass" and then the "ought to pass" report can be accepted so we can spend a little time thinking over whether we want it or not.

This could affect, as it was pointed out actually by the previous speaker, and it could happen to anybody, and if one small businessman's name inadvertently is left out of the phone directory, it could actually affect him to the point where his economic survival might be jeopardized, and I think the cost involved in that does not appear to be that extensive.

I hope the "ought not to pass" report is not accepted.

The SPEAKER: A roll call has been ordered. The pending question is on the motion of the gentleman from Buxton, Mr. Berry, that the Majority "Ought Not to Pass" Report be accepted. All those in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Bagley, Bennett, Blodgett, Boudreau, A.; Boudreau, P.; Brown, K. C.; Burns, Byers, Carey, Carrier, Carter, D.; Carter, F.; Cunningham, Dow, Dudley, Durgin, Dutremble, Garsoe, Gray, Hughes, Hutchings, Jackson, Kane, Kelleher, Kilcoyne, Lunt, Mackel, Martin, A.; Masterman, Maxwell, McMahon, Mills, Moody, Morton, Nadeau, Palmer, Peakes, Pearson, Prescott, Quinn, Rideout, Smith, Stubbs, Tarr.

NAY — Aloupis, Ault, Austin, Bachrach, Beaulieu, Benoit, Berube, Biron, Birt, Brenerman, Brown, K. L.; Bunker, Bustin, Carroll, Chonko, Churchill, Clark, Conners, Cote, Cox, Curran, Davies, Devoe, Dexter, Diamond, Drinkwater, Elias, Fenlason, Flanagan, Fowlie, Gauthier, Gill, Gillis, Goodwin, H.; Goodwin, K.; Gould, Green, Greenlaw, Hall, Henderson, Hickey, Higgins, Hobbs, Howe, Huber, Hunter, Immonen, Jacques, Jalbert, Jensen, Joyce, Kany, Kerry, Laffin, LaPlante, LeBlanc, Lewis, Lizotte, Locke, Longuee, Lynch, MacEachern, Mahany, Marshall, Masterton, McBrearty, McHenry, McKean, McPherson, Mitchell, Najarian, Nelson, M.; Nelson, N.; Norris, Peltier, Perkins, Peterson, Post, Raymond, Rollins, Shute, Silsby, Sprowl, Strout, Talbot, Tarbell, Teague, Theriault, Torrey, Tozier, Trafton, Truman, Twitchell, Tyndale, Valentine, Whittemore, Wilfong, Wood, Wyman.

ABSENT — Connolly, Littlefield, Spencer.

EXCUSED — Tierney.

Yes, 45; No, 99; Absent, 3; Excused, 1; Vacant 2.

The SPEAKER: Forty five having voted in the affirmative and ninety nine in the negative, with three being absent and one excused, the motion does not prevail.

Thereupon, the Minority "Ought to pass" Report was accepted, the Bill read and assigned for second reading tomorrow.

Divided Report

Majority Report of the Committee on State Government reporting "Ought Not to Pass" on Bill "An Act Concerning Membership on the Public Utilities Commission" (H. P. 13) (L. D. 22)

Report was signed by the following members:

Mr. COLLINS of Aroostook
Mrs. SNOWE of Androscoggin — of the Senate.

Mrs. BACHRACH of Brunswick
Mr. DIAMOND of Windham
Mrs. LOCKE of Sebec
Mr. VALENTINE of York
Mrs. MASTERTON of Cape Elizabeth
Messrs. CHURCHILL of Orland
STUBBS of Hallowell
SILSBY of Ellsworth

Mrs. KANY of Waterville — of the House.

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

Report was signed by the following members:

Mr. MARTIN of Aroostook — of the Senate.

Mr. CURRAN of South Portland — of the House.

Reports were read.

Mr. Diamond of Windham moved that the House accept the Majority "Ought Not to Pass" Report.

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

Mr. CARROLL: Mr. Speaker, Ladies and Gentlemen of the House: I feel at this time I would like to bring to your attention the shortcomings and the actions of the Maine Public Utilities Commission. They have continued to operate in a manner that I might say sometimes that we are God and you are my servant. I have to say that the purpose of introducing this legislation was to be sure that when utilities or anyone came before the commission they would receive a fair and just and equitable hearing.

I find that after a hearing was held on legislation, it went on for nine months, not legislation but a request, that a member of the Commission disqualified himself from voting, thereby creating a tie vote. Finally, after consultation between the two other members, they decided on taking certain corrective action, but this left a rather peculiar taste in my mouth because I realized that we should have some provisions in the law to take care of this type of situation.

When we select a jury and they go into session, go into trial, we have what we call a supernumerary servant, and the supernumerary serves in case one member is called by the wayside or is sick or is disqualified, they automatically have another member who can step in and vote and take part in this trial. But when we have a public utility commission composed of just three members and if one of them takes sick or anything happens to him and he disqualifies himself, you can, after nine months or a year of hearings and thousands of dollars of expenses, wind up with a tie vote and no action taken. It was for that reason I had in the back of my mind when I entered this legislature, and that was to come up with a solution in regards to a member of the utility commission disqualifying himself from voting.

I feel that not passing this legislative document will not correct the situation.

I received a letter from a gentleman who said the State of Maryland had legislation identical to mine and it had not worked. The State of Maryland does not have legislation identical to mine, it never has had. I checked this out.

What we do have here today is a solution to a problem that exists, and I hope that the committee, in their wisdom, will realize that when a

member takes the oath of office to serve on a public utilities commission, he takes the oath of office knowing full well he will be called upon to vote. I believe this is a shortcoming, a dereliction of duty and the failure to carry out the oath of office to disqualify one's self after nine months of hearings. I was told this only happened once. In checking the record, I find it happened four times. Even though I know I don't have the chance of a snowball in 'heaven' today of passing this, I realize that this committee has an obligation to the citizens of the State of Maine. So I will accept their report, but I accept it with the understanding that they, in the future, will take some action to make sure that the Public Utilities Commission will not have any more tie votes, that they will take action to see that if a member continues to disqualify himself, he automatically will no longer be a member of that commission.

We need some aggressive action in this area and we do not need any yes man legislation.

The SPEAKER: The pending question is on the motion of the gentleman from Windham, Mr. Diamond, that the Majority "Ought Not to Pass" Report be accepted. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

94 having voted in the affirmative and 24 having voted in the negative, the motion did prevail.

Sent up for concurrence.

Divided Report

Majority Report of the Committee on Transportation reporting "Ought to Pass" as Amended by Committee Amendment "A" (H-36) on Bill "An Act Relating to Sawdust and Shavings being Transported on Public Ways" (H. P. 26) (L. D. 35)

Report was signed by the following members:

Messrs. GREELEY of Waldo
MINKOWSKY of Androscoggin
McNALLY of Hancock

— of the Senate.

Mrs. HUTCHINGS of Lincolnville

Messrs. LUNT of Presque Isle
LITTLEFIELD of Hermon
JACQUES of Lewiston
STROUT of Corinth

— of the House.

Minority Report of the same Committee reporting "Ought to Pass" as Amended by Committee Amendment "B" (H-37) on same Bill.

Report was signed by the following members:

Messrs. JENSEN of Portland
CARROLL of Limerick
BROWN of Mexico
McKEAN of Limestone
ELIAS of Madison

— of the House.

Reports were read.

On motion of Mr. McEachern of Lincoln, the Majority "Ought to Pass" Report was accepted and the Bill read once. Committee Amendment "A" (H-36) was read by the Clerk and adopted and the Bill assigned for second reading tomorrow.

Consent Calendar

First Day

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

(H. P. 216) (L. D. 280) Bill "An Act to Amend the Maine Milk Law" — Committee on Agriculture reporting "Ought to Pass".

No objection being noted, the above item was ordered to appear on the Consent Calendar of March 2, under listing of Second Day.

(H. P. 109) (L. D. 140) Bill "An Act to Clarify

the Maine Municipal Securities Approval Act" (Emergency) Committee on Business Legislation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-34)

On the request of Ms. Clark of Freeport, was removed from the Consent Calendar.

Thereupon, the Report was accepted and the Bill read once. Committee Amendment "A" (H-34) was read by the Clerk and adopted.

Under suspension of the rules, the Bill was read the second time, passed to be engrossed as amended and sent to the Senate.

By unanimous consent, ordered sent forthwith.

(H. P. 71) (L. D. 99) Bill "An Act to Clarify the Right of Trust Companies to Invest Funds Held as Trustee Under Certain Retirement Plans" (Emergency) — Committee on Business Legislation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-38)

No objection being noted, the above item was ordered to appear on the Consent Calendar of March 2, 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:

Bill "An Act Appropriating Funds for the Save Loring Committee" (Emergency) (C "A" S-11) (S. P. 48) (L. D. 97)

Bill "An Act Relating to School Age under the Education Laws" (C "A" H-32) (H. P. 100) (L. D. 124)

No objections having been noted at the end of the Second Legislative Day, the Senate Paper was passed to be engrossed in concurrence, and the House Paper was passed to be engrossed and sent up for concurrence.

Second Reader

Tabled and Assigned

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

Was reported by the Committee on Bills in the Second Reading and read the second time. (On motion of Mrs. Tarr of Bridgton, tabled pending passage to be engrossed and tomorrow assigned.)

Second Reader

Later Today Assigned

Bill "An Act to Correct Errors and Inconsistencies in Laws of Maine" (Emergency) (S. P. 186) (L. D. 531)

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

The SPEAKER: The Chair recognizes the gentleman from Kennebunk, Mr. McMahon.

Mr. McMAHON: Mr. Speaker, I have one question which I think I can answer by the end of the session if some kind soul would table this until the end of the session today.

Whereupon, on motion of Mr. Hughes of Auburn, tabled pending passage to be engrossed and later today assigned.

Passed to Be Engrossed

Bill "An Act Raising the Age of Persons who may Purchase Alcoholic Beverages or Sell as Licensees" (S. P. 199) (L. D. 577)

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

Mr. Pearson of Old Town offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-39) was read by the Clerk.

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

Mr. PEARSON: Mr. Speaker, Ladies and Gentlemen of the House: If I could bring you back for just a minute to Thursday afternoon, if

you will remember correctly, we were on House Amendment "E" to L. D. 577, which at that time was passed under the hammer, which would have called for a drinking age of 20 years of age. I think there was a good deal of confusion last Thursday, particularly amongst the people who are new members to the legislature. It was really our first full-fledged debate and there were a lot of maneuvers, a lot of stunning parliamentary procedure, and I think that some of the confusion arose because the bills weren't explained the way they should have been. I would like to explain this amendment so that everybody has it in their mind the way that I think it should be, and that is without any question.

This amendment that I am offering to House Report "E" would make the age for people to consume and purchase alcoholic beverages 19 years of age, not 20 but 19. This amendment would also increase the fine, double the fines from House Amendment "E", on those people who forge false identification cards.

This amendment, as did, I understand, the amendment the other day to House Amendment "E", would allow people who are bag boys in supermarkets, waitresses in restaurants and so forth, to continue to be able to work at the age of 17, 18 and 19 years of age. It says, however, that you must have a supervisor who is at least 19 years of age on the premises in order to do that. House Amendment "E" would require 20 years of age.

This also, and this is the point I would like to make, have most people listen to, because it caused considerable discussion the other day and it is very much different than the discussion the other day on Committee Amendment "A" and that is, it has a grandfather clause, but it is not tied to any I.D. cards. This grandfather clause would say, let's assume the law went into effect in October, all of those people who had turned 18 years of age in January, February, March, April, May, June, July, August and September, who had received the privilege to drink, would not lose that privilege. Anybody after the enactment of the law who reached the age of 18, however, would have to wait until their 19th birthday.

Mr. Speaker, Ladies and Gentlemen of the House: I offer this because I am very well aware that there are a number of steps that a bill has to go through before it can be enacted into law, and from the readings I have taken and the people that I have talked to, it seems to me that it is most clear that 19 has the best chance, and I want something to pass. I want something to pass very badly because of the problems in high schools.

I have been connected with education for almost nine years now at the high school level and it has presented some violence, so this is something I am familiar with and I feel we have a need in the state to pass a law that will increase the drinking age with perhaps not unnecessarily penalizing those people who are going on to college or to work or vocational schools or whatever.

I think 19 is the logical age to make the break, because almost everybody who graduates from high school, almost 90 percent and greater in some schools, are 18 when they graduate. If you were to say that they had to be 19 before they could purchase alcoholic beverages, that would take that out of that group, out of that peer group, and then they have moved on to another age with other people, with other associations, with other interests, and very few of them ever return to high school.

For that reason, and for others that I am sure will be mentioned here, I move the adoption of this and I ask for the yeas and nays.

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

Mr. GRAY: Mr. Speaker, it would appear

that this is just an effort to revitalize Report "C" which was considered and rejected by this House. Therefore, I would ask the Chair to rule on the germaneness of this amendment.

The SPEAKER: The Chair would make the following comment and ruling. First, keep in mind that we are operating under existing Joint Rules and under House Rules. There are basically two Joint Rules under which we operate, one being Joint Rule 4 and Joint Rule 36 which deals with this question as to whether or not a measure is substantially the same and also dealing with the rejection of a measure during a regular session and special session.

The amendment that has been offered, and in comparing it with the bill that came out of Committee which was Report "C", as I recall, which was L.D. 575, Bill "An Act Raising the Age to 19", these are the two that we are talking about. If you take a look at the amendment that has been prepared and the bill which was the result of the redraft, the age 19 is only one portion of the amendment being offered by the gentleman from Old Town, Mr. Pearson, and then it goes on dealing with about eleven other sections in the law which were not covered by the bill. So the Chair would rule that the amendment is germane pursuant to our rules under which we operate.

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

Mr. BIRON: Mr. Speaker, Ladies and Gentlemen of the House: I would speak in favor of this amendment for one reason. You know, I look at the State of Maine here and all the students we have that attend college, and I look at the problem we are facing with the 20-year-old bill. Most of these students, a lot of them that I know of, work to get to school, to raise the money they need to get through school. It would be impossible for a lot of these students to work in restaurants, bars, where a lot of them work now, to raise the money they need to go through school if the 20-year-old bill passes. So I would speak in favor of the 19-year-old amendment and I hope you vote that way.

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

Mrs. PRESCOTT: Mr. Speaker and Members of the House: I want to raise the drinking age too. There seems to be sufficient evidence to show that the problems of alcohol abuse in our high schools would be reduced by merely raising the drinking to 19. I ask you all to support House Amendment "A".

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

Mr. GRAY: Mr. Speaker, Men and Women of the House: In reference to the remark that was made by the gentleman from Lewiston, if he refers to page 2, section 7, you will see that it does allow people now under the age of 17 but 18 and up to handle alcoholic beverages in stores.

Also, as a member of the Liquor Control Committee and sitting on this committee, we were furnished figures by the gentleman from Old Town which stated that anywhere from a low of 5 to a high of 16 percent of the student body in high schools were still 19 years of age when they graduated. So 19 is not going to solve the problem. If we want to get it out of the high schools, it has got to be 20 or up. By the time an individual has reached the age of 20, they are traveling in different circles, they are attending different social functions. The problem with 19, 18 and 17-year-olds, they are all attending the same social functions.

I would ask, as we did last week, that we reject this amendment.

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

Mr. HOBBS: Mr. Speaker and Members of the House: I rise today to support the amendment offered by the good gentleman from Old Town, Mr. Pearson.

This bill, I think, is important because it has a few provisions which strengthen the existing enforcement provisions of the law, and these enforcement provisions are strengthened under the bill to try to insure that those individuals under the legal drinking age, whatever it will be, will not be able to procure liquor.

If I could bring your attention to one provision of the bill, which I think is important, is that it doubles the fines for those individuals who present fake identification cards or present oral or written evidence of a fake age. I think this is important. It raises the fine, for example, for a first offense to \$200, not more than \$200.

Another provision of the bill which I think will be very helpful in enforcement by the liquor inspectors is the provision which discusses furnishing liquor to certain persons who were prohibited. If I could just quote for a second, it says, "Whoever other than a licensee or his agent within the scope of their employment knowingly procures or in any other way aids or assists in procuring liquor, or whoever furnishes, gives or delivers liquor to a minor who may legally not purchase liquor for himself, except that this provision shall not apply to liquor served in a home in the presence of an adult or a guardian, shall be guilty of a class "D" fine under Title 17A of the criminal statutes and shall be punished accordingly."

A Class "D" crime under the Criminal Code is a fine of not more than \$500 and imprisonment of not more than one year. I think this will act as a club to those irresponsible individuals who would want to procure liquor for minors. These are two important provisions which I think many of us overlook when we discuss what age we should vote upon today to drink.

So for the reasons that Mr. Pearson stated and the reasons that I stated, I support this amendment.

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

Mr. KELLEHER: Mr. Speaker, I would like to pose a question through the Chair to either Mr. Pearson or Mr. Hobbins, because they seem to be involved with this amendment, and that is, are there any similarities in this amendment with L. D. 575 and 576, any similarities at all?

The SPEAKER: The gentleman from Bangor, Mr. Kelleher, has posed a question through the Chair to either the gentleman from Old Town, Mr. Pearson, or the gentleman from Saco, Mr. Hobbins.

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

Mr. HOBBS: Mr. Speaker, to the good gentleman from Bangor, as the Chair has ruled, this is germane, and the reason it is germane to the issue is because there are several enforcement procedures which have been strengthened.

First of all, in the other bill, nothing was mentioned about increasing the fines for not only those who procure liquor or penalties for those who procure liquor for minors and also those individuals who present fake identification cards. This amendment differs from the other two bills which we acted upon because it provides, I feel, a grandfather clause which would pass constitutional muster.

The SPEAKER: The Chair would just like to make one comment so there is no confusion. The question is not one of germaneness, because the matter deals with the same issue, and the question that was raised and I responded to was whether or not the amendment was proper.

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

Mr. KELLEHER: Mr. Speaker, I am not questioning the germaneness on the ruling of the Chair, but I will again ask the question to Mr. Hobbins or Mr. Pearson, are there any

similarities in this amendment with L. D. 575 and 576?

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

Mr. HOBBS: Mr. Speaker, basically the bill is the same except for the provisions which I explained and Mr. Pearson explained.

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

Mr. KELLEHER: Mr. Speaker, if I understand the gentleman, Mr. Hobbins, correctly, and if I did not I wish he would correct me — that the amendment is the same as the 19-year-old bill with the exception that there has been some alterations?

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

Mrs. NAJARIAN: Mr. Speaker, a point of parliamentary inquiry? If we defeated raising the drinking age to 19 twice in Amendment "C" and Amendment "D", would not that part of the bill, at least, be unacceptable for us to reconsider at this time?

The SPEAKER: The Chair would answer in the negative, because under the rules that we are operating under, both Joint Rules 4 and 24, when dealing with that specific issue, talked about the rejection of a measure at a first or regular session. The matter would not be proper, however, for a special session but does not affect our involvement here in this session with which we are dealing, and the Chair would call your attention to both of those rules.

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

Mr. DUDELEY: Mr. Speaker, Ladies and Gentlemen of the House: The last legislative day I was reluctant to say anything on this bill but today I feel compelled to tell you that when I went home this weekend, the people that I represent felt that this was the only thing we have done right so far this year and I hope we do not undo it. We voted quite unanimously against these two amendments and I hope that we do the same today.

If the Class D in the Criminal Code, these children of this age, \$500 fines, that is only a blind because none of them have it anyway. Our jails are full and we are not going to put them in jail so the least they will get is their fingers slapped saying "you are a naughty boy" — that is what they get now and they will get the same treatment under this Class D because none of them have \$500 so that is just wishful thinking on the part of somebody at this time to undo what we did the other day. I do hope that we will defeat the amendment soundly.

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

Mr. WYMAN: Mr. Speaker, Ladies and Gentlemen of the House: I feel that I must rise to speak in opposition to this amendment. I have a great deal of respect for my colleague and my seatmate, Mr. Pearson from Old Town, and all of my other colleagues who sincerely feel that this is the way we must deal with the problem. I think we all recognize that we do have a problem with the drinking age or there would not be so much debate and there would not be a lack of consensus. The only question that remains before us, and the question that has been before us all along is, how do we deal with this issue?

I submit to you, ladies and gentlemen, that this amendment raising the age to 19 is not going to accomplish what we want to accomplish, trying to solve the problem. Raising the age to any level is not going to solve the problem, regardless of what age it is.

There has been a lot of discussion about legislating morality. Any legislature cannot legislate morality, and I do not think that that is the issue here. I think there have been a lot of false issues raised such as the issue of right. We have heard a lot about adult rights but we have

heard precious little about the rights of other Maine citizens, the right, for instance, to go out on the highway and operate a motor vehicle free from the fear of being involved in an accident with a drunken teenager.

I realize all ages drink and drive but there are some interesting statistics that I would like to share with you, hopefully for your edification and enlightenment, regarding this issue. According to the Crime Report issued by the Bureau of Public Safety in the State of Maine, in the year 1975, there were 747 arrests for operating a motor vehicle under the influence of alcohol in the 18 and 19-year-old age bracket. Broken down, there were 333 18-year-olds and there were 414 19-year-olds.

Taking it out of the high schools, removing alcohol from the high schools, or at least an attempt to do so, is part of the problem and it is going to have to be part of the solution, at least our contribution to the solution. There has been very little discussion, and I regret it, concerning drunken driving and the number of teenagers involved in this violation of the liquor law.

There has also been very little discussion, unfortunately I feel, over the right for the people of Maine to be represented in their collective will.

This past week I traveled to all three towns in my district because I was concerned over this issue and I wanted to be sure that in my voting I represented the will of the people, and there was not one that I asked that felt that the age should be left at 18. I talked to a number of my colleagues and they have told me that in surveys that they have taken over this weekend, the overwhelming majority of people that they questioned wanted the drinking age to be raised.

I think that it is important that we take this into consideration. I realize that we must vote our conscience and there has been a lot of political maneuvering on this issue and I think we are witnessing some of this political maneuvering now, but I think ultimately it is a question of moral conscience.

I also would like to share with you my concern that this issue of the drinking age being constructed is an issue involving support or opposition to the state's young people. I regret that very much. It saddens me because I was put here partially by the support of many young people, and my support of raising the age to 20, I hope will not be construed, or anyone's support for raising the age to 20, as opposing young people. On the contrary, I believe this is in the young people's best interest.

Finally, I would remind you all that this so-called right to drink is similar to the right to drive. It is not really a right, it is a privilege, and it is a privilege which can be taken away. If I was to drive down the road drunk, that would even be less of a privilege, it would be no privilege at all.

I do want to add that this is a right, or a privilege, whatever you wish to construe it as, that these young people will be regaining in two years. We are not talking about taking away their right to free speech or their right to vote permanently, we are simply, in the name of justice and the name of what is good for all the people of the state, asking that there be a postponement, simply a postponement for two years, the right to drink. I would submit to you and I would ask anyone to challenge me on this, to demonstrate, through statistical evidence or any other way, that this is not going to benefit the entire state. It is not going to solve the entire problem, it is not going to eliminate completely drunken driving, it is not going to eliminate alcohol in the schools, but I believe with all my heart, ladies and gentlemen, that this is going to help. That is the reason I support it and I would urge you to support it.

The SPEAKER: The Chair recognizes the gentleman from Richmond, Mr. Moody.

Mr. MOODY: Mr. Speaker, Ladies and Gentlemen of the House: I had been quite reluctant to speak on this bill, knowing that emotions were running high, but it has come to a point that I can no longer sit in my seat here and listen to some of the points being raised.

There are some points that I would like to bring up that have not been raised as yet. First, I would like to inform you of my position and I hope that all of you members here will support the motion, House Amendment "A", as brought forth by Mr. Pearson of Old Town for numerous reasons. First, it is really a question of which is reasonable. For example, if the drinking age is raised, the first thing that it is going to do to our statutes is, it is going to bring some non-uniformity in our statutes and to give you an example of that — possession of marijuana, as brought forth by the last criminal code, is only a civil offense and perhaps that is what it should be. On the other hand, illegal possession of intoxicating liquor, what we are really talking about, is a criminal offense, it is a misdemeanor, which is by far a much more serious crime than the possession of marijuana.

I can tell you right now that the law enforcement officers in the State of Maine are not going to do anything with marijuana because if someone goes to court and gets convicted, if they fail to pay the fine, they have to go through the civil process to collect it, whereas this is not the case with intoxicating liquor. The second thing is about public office. In addition to having all the public rights the 18-year-olds now have, they also can run for municipal and county offices. I ran for office at 18 and fortunately I was elected. At 19 I became the First Selectman of my home town. At 18, I became a law enforcement officer. What are we going to do when our statutes say that you can be a law enforcement officer at age 18 but you cannot possess liquor?

There are many points, I think, that should be raised. Our statutes are not going to be uniform. Either do one or the other. Don't bounce back and forth. For example, one can even run for county sheriff at 18 and under the right circumstances, it is possible he could get elected. I have known of several cases where this could have happened, and yet you are telling him that he cannot purchase alcoholic beverages.

There are going to be a lot of problems regardless if this is raised, whether it is 19 or 20 but the question is, which is going to be more reasonable? I think the solution is that the 19-year-old is going to be more reasonable. You are telling a person that he is responsible enough to be a law enforcement officer and I know of many 18-year-old law enforcement officers and they must be doing a job equivalent to that of a counterpart or else they would have been dismissed by now. You are telling them they can do all of these other things but not purchase liquor.

About the statistics game I have been hearing about for the past two days here, you can do anything you want to with statistics. You can use statistics to reinforce many arguments that you have. As my experience as a law enforcement officer, it was not the 18-year-old people that we had problems with, it was not the 19-year-old people we had problems with, it was not even the 20-year-old people we had problems with, it was the people in their mid 20's, up to 30, that have not grown up yet, the rowdy gang in their mid 20's to 30's.

As far as operating under the influence, as far as actual statistical data on that, as far as convictions in court, I grant you, by far it is not the 18-year-olds. Sure there are some convictions operating under the influence in court, but I guarantee you one thing, that there are far

more convictions in court of those that are far over the 20-year-old bracket.

So I ask you members of the House to be reasonable on this issue. I urge you not to go to 20. I hope you realize some of the problems that that is going to bring about. I hope that you will contemplate some of the points that I have brought about.

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

Mr. WHITTEMORE: Mr. Speaker, Ladies and Gentlemen of the House: I spent a good many hours in bed this last weekend. I was very sick, so it kept me very close to my phone, and believe me, that phone rang all weekend from many, many people. I wish I had kept count of how many called but every one except two requested that I vote in favor of the 20-year-old bill and that I not only vote for it but that I get up and speak for it.

I have grandchildren from 11 up to 15, one will be 16 this May, and I am very concerned about this bill. If you are talking about 18 to 19 years old, that is one year's difference, and I think this is ridiculous. I think if we are going to do something, we should go to the 20-year-old bill.

I strongly urge you to vote down this amendment and go back to the 20-year-old bill.

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

Mr. MARSHALL: Mr. Speaker, Ladies and Gentlemen of the House: In response to some of the comments made by my good friend from Richmond, Mr. Moody, who was fortunately elected selectman to the town of Richmond at 18, may I remind him that it was not until the age of 21 that he would have been elected to this august body, so the inconsistencies are not limited to alcohol or to any one area.

As a member of the Liquor Control Committee, one of the major reasons I signed the bill to raise the drinking age to 20 out of committee was, in fact, to remove the purchasing power of those 18 and 19-year-old individuals still in high school to buy for their associates and classmates.

I did not sign the 19-year-old bill because it is a half-fashioned manner of solving our problem here. I believe that in order to effectively remove the purchasing power, we must include the 19-year-olds, and I do not see any way around that.

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

Mr. JOYCE: Mr. Speaker, Ladies and Gentlemen of the House: It is my bill that is before us today. I know that there are a lot of rules that we must follow. The rule of life that I try to follow is fundamental fairness, and as I walk through these troubled waters today, I wonder if it will be attained.

This morning I looked at this Amendment "A" that lies before us. I know that it is early in the morning but I thought that it was my bill and that they only changed the color. I read through it to find some changes. Oh, I saw some horrible changes in that amendment. I will tell you what that amendment says: let's make criminals out of our teenagers. The violation for this should be the civil penalties, I know this, that is where we should correct our efforts, not to the \$300 and \$500 fines for our teenagers, but I read on and I figured that there must be more goodies in this one. I got down to the last paragraph on Page 3; I read this one four times and I still got the same message out of it. They are trying to do something to penalize the people who would be giving this booze to our teenagers. Well, here is the classic example in the arts of writing. "Whoever other than a licensee or his agent within the scope of their employment," it looks like Amendment "A" is trying to give to the licensee, that storeowner, immunity from the right to peddle booze to kids. This is a real startler in there.

You know, they will describe it different ways and say it really does not mean that — that is what it says, that is the way it is going to be interpreted out there on the street.

I urge you to vote to reject Amendment "A" so we can move directly to my bill and give the schools, the high schools and the junior high schools, back to the children of this great State of Maine.

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

Mr. HOBBS: Mr. Speaker, Ladies and Gentlemen of the House: I think after the remarks of the gentleman from Portland, there should be some explanation about the provision which he raised.

First of all, under the existing statute, the language of 1058 is exactly the same. The only change is that we have increased the fine from \$200 and imprisonment of not more than 11 months to a fine of \$500 and imprisonment of not more than one year. Under the existing statutes, this provision, 1058, exists.

As far as his comments regarding licensees or agents, there are other provisions in the statutes which relate to licensees selling to people under age and they are basically fines, possible imprisonment and also loss of liquor licenses, so I thought that point should be raised and clarified.

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

Mr. TARBELL: Mr. Speaker, a point of parliamentary inquiry? Is it possible at this time to question the matter of appending to this amendment proposed or any amendment proposed to increase the drinking age to append along with that an amendment which would also increase correspondingly the age of adulthood, the majority age?

The SPEAKER: The matter is not before this body, therefore, the Chair cannot rule on it. However, privately, if the gentleman wishes to ask the question of me, he may do so.

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

Mr. MASTERMAN: Mr. Speaker, Ladies and Gentlemen of the House: I rise only to report to this House that over the weekend a group who I feel realizes the problem we have, probably more than most of us, is the teachers group, and this group that I am reporting for is a 131 member group of the Retired Piscataquis County Teachers Association who called me and said they were pleased I was sticking with the 20-year-old bill. They want to be placed on record as for the 20-year-old and asked me to support this.

A roll call was requested.

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 SPEAKER: The pending question before the House is on the adoption of House Amendment "A" to L. D. 577. Those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Aloupis, Bachrach, Bennett, Benoit, Berry, Berube, Biron, Boudreau, P.; Brennerman, Brown, K. L.; Brown, K. C.; Burns, Bustin, Byers, Carey, Carroll, Chonko, Clark, Cox, Cunningham, Curran, Davies, Dexter, Diamond, Dow, Durgin, Elias, Fenlason, Fowlie, Garsoe, Goodwin, H.; Goodwin, K.; Gould, Green, Hall, Henderson, Hickey, Hobbins, Howe, Huber, Hughes, Hutchings, Jacques, Jensen, Kilcoyne, LaPlante, LeBlanc, Lewis, Littlefield, Lizotte, Lynch, MacEachern, Mackel, Mahany, Martin,

A.; Maxwell, McBairty, McHenry, McKean, McMahon, Mitchell, Moody, Morton, Nadeau, Palmer, Pearson, Peltier, Post, Prescott, Quinn, Rideout, Rollins, Spencer, Talbot, Tarbell, Teague, Tierney, Tozier, Trafton, Truman, Valentine, Wilfong, Wood, The Speaker.

NAY — Ault, Austin, Bagley, Beaulieu, Birt, Blodgett, Boudreau, A.; Bunker, Carrier, Carter, D.; Carter, F.; Churchill, Conners, Connolly, Cote, Devoe, Drinkwater, Dudley, Dutremble, Flanagan, Gauthier, Gill, Gillis, Gray, Greenlaw, Higgins, Hunter, Immonen, Jackson, Jalbert, Joyce, Kane, Kany, Kelleher, Kerry, Laffin, Locke, Lougee, Lunt, Marshall, Masterman, Masterton, McPherson, Mills, Najarian, Nelson, M.; Nelson, N.; Norris, Peakes, Perkins, Peterson, Raymond, Shute, Silsby, Smith, Sprowl, Strout, Stubbs, Tarr, Theriault, Torrey, Twitchell, Tyndale, Whittemore, Wyman.

Yes; 84; No, 65; Vacant, 2.

The SPEAKER: Eighty four having voted in the affirmative and sixty five in the negative with none being absent, House Amendment "A" is adopted.

This bill was passed to be engrossed as amended in nonconcurrence and sent up for concurrence.

By unanimous consent, ordered sent forthwith.

Amended Bill

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) (S "A" S-16)

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

Mrs. Berube of Lewiston offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-33) was read by the Clerk.

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

Mrs. BERUBE: Mr. Speaker, Ladies and Gentlemen of the House: All this amendment does, it would simply insure that all bilingual programs be taught by competent, certified teachers.

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

Mr. LYNCH: Mr. Speaker, Ladies and Gentlemen of the House: The amendment is not as simple as that. The amendment calls for certified teachers. This is not a language instruction program. This is using a foreign language as a technique for teaching academic subjects.

If we had Vietnamese come into our state and they tried to get an education in our public school systems, under this amendment, if we wanted a teacher to teach the Vietnamese English, we would have to have a person certified in the Vietnamese language. If we wanted to teach them chemistry or math, we would have to have teachers qualified to teach math and chemistry, qualified in the Vietnamese language.

There is no need for certification in the foreign language itself. It is simply having a person with the ability to speak the language and use it as a technique to get across a non-language academic subject.

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

Mrs. BEAULIEU: Mr. Speaker, Ladies and Gentlemen of the House: I have to agree with Representative Lynch at this point. This is not a bill that calls for the teaching of French, and the important line is in the second paragraph which says, "involving bilingual education techniques." The key word is "technique." It is not illogical, and you can support it with facts, that the French spoken in the St. John Valley, the French spoken in Lewiston and the French

spoken in Biddeford is quite different from Parisian or Canadian French.

I see very little reason to anticipate that we need certified people because they are not about the job of teaching the French. All this bill will do is to allow a superintendent to hire a person who has the communicative skills to talk to the children and help them in their English studies.

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

Mr. JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: What gets me on my feet this morning is the expression "Parisian French." It harks me back to my days when I was a junior in high school. My teacher, who incidentally was Irish, took a trip that summer to France and, of course, when we came back to Room 3A from 2A that fall, we started to be subjected to Parisian French. I, as I have been known to do once in awhile, objected to it. I did, however, do most of my objecting at home and my philosophy at home was supported. I would like to give you a little of it here.

Before I do that, I would like to state that on one occasion, and I think this would probably tell the story, I wound up on a quiz with a D- in French and it upset me a little bit. There was a review of the test and of course all I heard for 41 minutes out of 45 was Parisian French from my dear friend Miss Callahan. Finally, I rose and told her what I thought of Parisian French, and I would like to give you some of my thinking.

In Paris alone, for instance, there are 23 jargons. I can no more understand an individual, a Frenchman from France speaking to me than I can understand sometimes other people who would speak English from certain areas.

I have sat in this House a few semesters, I have played 63 in the retiring room, I have heard them talk about "what are you bidding Ben?" 57-57, you ain't got nothing, what are you talking about? What are you bidding 59 — so that goes, you know. There are some people who say ain't in some places and others will say isn't in some other places. Some people here will say Mr. Speaker right now and then when they get out in the corridor they might have other thinking when they have a tete-a-tete with him. It happens sometimes, it is one of those things.

Seriously, as far as I am concerned I would like to tell you this right now. The French that you hear in France is a horror show. You may laugh if you want to. I happen to be able to speak, read and write French very fluently, and I can tell you now, I am of Canadian extraction and the best French spoken is by a person who speaks French in Canada or somebody who comes from that area. I will fight and debate that issue with anybody and I will do it in two languages. There is nothing that aggravates me any more than to hear this foolish comment, Parisian French.

We had a person come here two years ago to address us, or four years ago, in French. One of our inmates here decided that he would have somebody come up and address us in French. Why, it was murder. I didn't know what she was talking about.

It is only natural that we will speak English and use some expressions that we might not use if we were sitting in someone's parlor. When I go to the meeting of the officers of the Maine Central Railroad, and believe me, when the time comes, the President of the railroad, Mr. Miller, can speak the ordinary English and does. When the time comes, it is simply beautiful to listen to him speak the language. That is when the Phi Beta Kappa key he dangles that a little bit, and he is in business.

In any event, I would like to tell you this that you are not voting here on a program as to how a language is to be spoken, not one bit of it, not

one single bit of it, and if any of you here do not believe me, next time you meet a person who is from France, tell him you know somebody who is from Lewiston, who originated from Sainte Marie de la Bois, and he would be delighted to discuss the French language with them in all areas.

You might go to some certain sections of this state and the way they talk the English language, it is not exactly *summa cum laude* language that you hear, just a barely missing mark, if those are passing marks. I just thought I would leave those thoughts with you.

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

Mr. GAUTHIER: Mr. Speaker, Ladies and Gentlemen of the House: In regard to Parisian French and French from Biddeford, Sanford or Lewiston or whatever you want to call it in the State of Maine, I do not see any difference from the French from France. I want to tell you the reason why. There are two instances.

During the war there were some boys from Sanford who spoke French, and they did not speak Parisian French, they spoke Biddeford, Sanford and Lewiston French, and when they went into the service, they were not college graduates, and most of these boys landed good positions. They were interpreters for some of the top officers in France. I asked them, do you understand each other very well? They said there was hardly any difference between the two. We understand it and we have no trouble interpreting — I spoke to several of these boys.

My aunt took a trip to France. She spent two weeks in France, and she is not a college graduate. She was a weaver in the Goodall-Sanford Mill. She talked to the policemen in France (Paris) and other people in France. I asked if she had any trouble understanding each other and she said, no. She said, we understood each other very well. I do not think there is any difference. There is some difference, I wouldn't say that there isn't any difference, but as far as being understood, we can understand the Parisian French very well, as well as the Sanford or Lewiston French or whatever you want to call it.

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

Mr. LYNCH: Mr. Speaker, I move indefinite postponement of House Amendment "A."

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

Mrs. BERUBE: Mr. Speaker, Ladies and Gentlemen of the House: I didn't think a very simple, little amendment would generate all this talk on languages.

The law presently in the statutes specifically states that any bilingual, bicultural programs must be taught by certified teachers. This is in the law. It has worked very well in those areas, particularly the St. John Valley, where they have utilized the programs.

The bill, in the Statement of Fact, says that they merely want to change this in order to increase from the present five years to twelve years of bilingual teaching. I don't object to that. What I do object to is that they have repealed the section calling for certification of teachers, they have also repealed the section which states that this could be taught in districts having large concentrations of non-English speaking pupils. I don't object to that, but I do feel, and I am not going to get into a hassle over this, but I think it is imperative that if we are to use a tool, any tool, that it be done in a standard language, not necessarily a Parisian French, but would say, since it has been brought out, that in all parts of France, in Normandy, in Brittany, they all have dialects but they also all speak a correct French. By language correctly, I say using proper, correct vocabulary.

Someone has mentioned that this has to do with technique. I would say that teaching a

dialect to a student that does not speak the dialect at home, I do not think would be beneficial to them. I think also that techniques in the past have proven to be other than language, they have proven to be sensitivity training sessions, in a pilot program that was started with federal funding, the bilingual program, and it was not at the time conducted by certified teachers. I think that our teachers are professionals in this state and I certainly think that they could handle this well.

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

Mr. BAGLEY: Mr. Speaker, Ladies and Gentlemen of the House: The only question that we are debating really is whether the teachers of chemistry or biology, if they are going to teach in a situation where there are people who do not understand English they need to have a certificate in the language in which they are going to try to instruct those students. If anyone can speak enough French to enable them to tell a French speaking student what is going on in a chemistry class, that person certainly does not need a certificate in French. In fact, if we try to get people with a certificate in each foreign language to teach all the languages, we are going to be in a bad way as far as trying to find teachers is concerned. I hope you will go along with the indefinite postponement.

The SPEAKER: The Chair recognizes the gentlewoman from Auburn, Mrs. Lewis.

Mrs. LEWIS: Mr. Speaker, Ladies and Gentlemen of the House: I would just like to correct one thing. I do not think that there is much chance of either chemistry of biology being taught, since this refers only to the elementary grades. This is really a tool to help children in the lower grade to learn the English language, and I certainly concur with Representative Berube from Lewiston that it is important that the language that is not English, as well as English, I might add, should be taught with the person using proper grammar.

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

Mr. GREEN: Mr. Speaker, I would like to ask a question to the good lady from Lewiston, Mrs. Berube, if she would care to answer. What qualifications are needed for certification?

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

Mr. LYNCH: Mr. Speaker, Ladies and Gentlemen of the House: I think what was referred to by the last speaker teaching at the elementary grades to youngsters that speak a foreign tongue, we are attempting to do two things, we are not only attempting to teach them English but we are attempting to teach them a foreign language, not as they speak it at home but as a teacher feels it ought to be spoken. So you are trying to do two programs at one time.

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

Mr. GREEN: Mr. Speaker, I would just like to ask my question again, I didn't hear an answer to it either from the good lady from Lewiston or anyone who would care to answer — what qualifications are needed for certification in this particular instance?

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

Mrs. BERUBE: Mr. Speaker, I don't know if I can answer this, but it is all in the statutes under Title 20. If you care to read it, I am sure you will find the answer there.

The SPEAKER: The Chair recognizes the gentlewoman from Auburn, Mrs. Lewis.

Mrs. LEWIS: Mr. Speaker and Members of the House: I would just answer that the certification is determined by the Commissioner of Education, by that department.

The SPEAKER: The Chair recognizes the

gentleman from Livermore Falls, Mr. Lynch.

Mr. LYNCH: Mr. Speaker and Members of the House: The certification will be granted to teachers to teach on the elementary or secondary level in the areas in which they are qualified to teach. If it is foreign language, that is one thing, if they are certified to teach sciences or math or any area in which they have majored, that is something else.

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

A vote of the House was taken.

Whereupon, Mrs. Lewis of Auburn 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 Livermore Falls, Mr. Lynch, that House Amendment "A" to L. D. 109, be indefinitely postponed. All those in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Bagley, Beaulieu, Berry, Birt, Blodgett, Boudreau, P.; Brenerman, Brown, K. L.; Bunker, Burns, Carey, Carter, D.; Carter, F.; Churchill, Connors, Connolly, Cote, Cox, Cunningham, Dexter, Diamond, Dudley, Durgin, Dutremble, Fenlason, Flanagan, Fowlie, Garsoe, Gillis, Goodwin, H.; Gould, Gray, Hall, Henderson, Howe, Hunter, Immonen, Jalbert, Jensen, Kane, Kelleher, Kerry, LaPlante, Littlefield, Lizotte, Lougee, Lunt, Lynch, MacEachern, Mackel, Mahany, Marshall, Martin, A.; Maxwell, McBairty, McHenry, McKean, McPherson, Mills, Mitchell, Moody, Morton, Najarian, Nelson, M.; Nelson, N.; Palmer, Peakes, Pearson, Peltier, Peterson, Prescott, Rideout, Rollins, Shute, Smith, Spencer, Sprowl, Strout, Stubbs, Tarbell, Teague, Theriault, Tozier, Twitchell, Wood.

NAY — Aloupis, Ault, Austin, Bachrach, Bennett, Benoit, Berube, Biron, Boudreau, A.; Brown, K. C.; Bustin, Byers, Carrier, Carroll, Chonko, Clark, Curran, Davies, Devoe, Dow, Drinkwater, Elias, Gauthier, Gill, Goodwin, K.; Green, Greenlaw, Hickey, Higgins, Hobbins, Hughes, Hutchings, Jackson, Jacques, Kany, Kilcoyne, Laffin, LeBlanc, Lewis, Locke, Masterman, Masterton, McMahon, Nadeau, Norris, Perkins, Post, Quinn, Raymond, Silsby, Talbot, Tarr, Tierney, Torrey, Trafton, Truman, Tyndale, Valentine, Whittemore, Wilfong, The Speaker.

ABSENT — Huber, Joyce, Wyman.

Yes, 85; No, 61; Absent, 3; Vacant, 2.

The SPEAKER: Eighty five having voted in the affirmative and sixty one in the negative, with three being absent, the motion does prevail.

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

Enactor Reconsidered

An Act to Authorize the Commissioner of Public Safety to Empower Local and County Law Enforcement Officials with Statewide Jurisdiction (H. P. 102) (L. D. 126) (C. "A" H-15)

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

On motion of Mr. Greenlaw of Stonington, under suspension of the rules, the House recon-

sidered its action whereby the Bill was passed to be engrossed.

On further motion of the same gentleman, under suspension of the rules, the House reconsidered its action whereby Committee Amendment "A" was adopted.

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

House Amendment "A" to Committee Amendment "A" (H-45) was read by the Clerk.

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

Mr. GREENLAW: Mr. Speaker, Men and Women of the House: This amendment is strictly a technical change to clarify some of the language in the bill. It has the approval of the Judiciary Committee and I now hope that we could send it over to the other body for reengrossment.

Thereupon, House Amendment "A" to Committee Amendment "A" was adopted.

Committee Amendment "A" as amended by House Amendment "A" thereto was adopted.

The Bill was passed to be engrossed as amended by Committee Amendment "A" as amended by House Amendment "A" thereto in non-concurrence and sent up for concurrence.

Enactor Tabled

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

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

On motion of Ms. Goodwin of Bath, was placed on the House Appropriations Table.

An Act Concerning Witness Fees Under the Public Utility Regulatory Statute (S. P. 59) (L. D. 132)

An Act to Revise the Bath Water District Charter (S. P. 72) (L. D. 151)

An Act Requiring Public Utilities Commission Regulated Motor Carriers to File a Designated Agent for Service of Process and Court Appearances (S. P. 82) (L. D. 190)

An Act Relating to the Definition and Licensing of Applications under the Pesticide Control Law (H. P. 108) (L. D. 139) (C. "A" H-17)

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

Orders of the Day

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

HOUSE REPORT — "Ought to Pass" in New Draft (H. P. 467) (L. D. 484) — Committee on Education on Bill, "An Act to Amend the School Lunch and Milk Program" (H. P. 64) (L. D. 89)

Tabled — February 23, 1977 by Mr. Lynch of Livermore Falls.

Pending — Acceptance of the Committee report.

Thereupon, the Report was accepted and the Bill read once.

Mr. Lynch of Livermore Falls moved that the rules be suspended for the purpose of giving the Bill its second reading.

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

Mr. CONNOLLY: Mr. Speaker, a point of order. L.D. 484, which is a redraft of another bill, has no statement of fact attached to it, and I wonder if that presents some kind of problem. I know that it was raised with the majority leader last week.

The second point that I would like to make, Mr. Speaker, is that I know there is another

amendment that is going to be offered to this bill, and those of us who were going to support that amendment didn't realize the rules would be suspended today. We understood we would be able to present that amendment tomorrow.

Thereupon, Mr. Lynch of Livermore Falls withdrew his motion to suspend the rules.

The Bill was assigned for second reading tomorrow.

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

Bill, "An Act to Create a Board of Registration of Substance Abuse Counselors" (H. P. 418) (L. D. 530)

— In House, referred to Committee on Business Legislation.

— In Senate, referred to Committee on State Government in non-concurrence.

Tabled — February 24, 1977 by Ms. Clark of Freeport.

Pending — Further Consideration.

On motion of Mr. Clark of Freeport, the House voted to recede and concur.

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

Mr. QUINN: Mr. Speaker, is the House in possession of L. D. 34?

The SPEAKER: The Chair would answer in the affirmative. An Act to Increase the Property Tax Exemption for Parsonages to \$40,000, House Paper 25, L. D. 34, is the possession of the House.

Mr. QUINN: Mr. Speaker, I move we reconsider our action whereby this Bill was passed to be enacted.

The SPEAKER: The Chair recognizes the gentleman from Wells, Mr. Mackel.

Mr. MACKEL: Mr. Speaker, Ladies and Gentlemen of the House: This bill is one which I sponsored at the request of a minister in the town of Wells. It is an act which would increase the exemption of parsonages from \$20,000 to \$50,000, at least in its original wording.

We held a public hearing on this in the Committee on Taxation. This was a well attended hearing that was held. Just about everyone who testified before the committee was in favor.

The only opponents we had to this particular bill was the Maine Municipal Association and one person who identified himself as half minister and half professor, and I suspect he was more professor than minister.

The committee, in its deliberations, reduced this exemption to \$40,000 at just value, which is really 100 percent market value, and I would like to read the statement of fact in case you haven't already read it. This is the committee's amendment. This amendment increases the current real property exemption for parsonages from \$20,000 to \$40,000 but also requires that the valuation figures used meet 100 percent real market value. That is, of course, what we call just value.

Practically speaking, this means that if a town currently has a 50 percent assessment ratio, that is that all property is assessed at 50 percent of its real market value, then this change in the law would not increase or decrease the exemption currently granted to the parsonages.

The bill itself has had its several readings in the House, it was enacted, and I really believe it is unnecessary and undesirable for us to reconsider as requested by Mr. Quinn. I would ask for a division on this reconsideration motion.

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

Mrs. NAJARIAN: Mr. Speaker and Members of the House: I ask the members of the House to please reconsider. This bill has gone through without any debate. The committee amendment states under the fiscal note that it will cause no

loss in 1978 and 1979, which is patently untrue. It won't cause any fiscal loss to the state, but it does cause a fiscal loss to some of the municipalities in the state, it will cause even more of a loss in 1978 and even more in 1979 when the property must be assessed at 70 percent of its value.

I hope the members will reconsider.

The SPEAKER: The Chair recognizes the gentleman from Kittery, Mrs. Durgin.

Mrs. DURGIN: Mr. Speaker and Members of the House: I listened to these arguments about loss of revenue to our municipalities with concern. I wonder if perhaps we are placing too much emphasis on the value of a dollar and not giving proper weight and consideration to spiritual and moral values. I am very much afraid that we are becoming a materialistic society and this attitude is reflected too often in our legislative deliberations and decisions.

Recently, we have argued long and with considerable feelings about the drinking problem. We seem to be at a loss on how to handle the drug problem and many other social problems that are getting out of hand. I have heard legislators say that we can't legislate morality, and we heard that today. Perhaps that is so, but at least we can and should strengthen those institutions which are designed and able to provide the spiritual and moral leadership so necessary to our modern society. This bill gives us such an opportunity.

This bill provides this legislature with an opportunity to demonstrate our faith and interest in the continued existence of the many small, poor churches in the state. They exist in every village, town and city throughout the state. The loss in revenue is insignificant as compared to the needs of our churches and the great need for our churches in today's troubled society. I urge that you defeat this amendment.

The SPEAKER: The pending question is on the motion of the gentleman from Gorham, Mr. Quinn, that the House reconsider its action whereby L. D. 34 was passed to be enacted. All those in favor of reconsideration will vote yes; those opposed will vote no.

A vote of the House was taken.

Whereupon, Mr. Green of Auburn 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 Chair recognizes the gentleman from Gorham, Mr. Quinn.

Mr. QUINN: Mr. Speaker, Ladies and Gentlemen of the House: I would like to address the substantive provision of the bill. I had not proposed to do this until a subsequent stage when I had hoped the House would do me the courtesy of attempting an amendment.

I must first apologize. I failed in observing the passage of this bill, I have been asleep all the time, but to me it is a bill that bears discussion and I think I detect in the maneuvers of those who are in favor of the bill a very clear effort to prevent us from airing the subject and to discuss it, so if you will bear with me, I will discuss it now.

The first amendment to the Constitution of the United States provides for separation of church and state. This principle has been observed strictly in the case of church involvement in government activities and it has been construed by the courts to prevent some really beneficial activities, such as aid to academically qualified parochial schools, but in other areas, this important provision has been ignored, and the most notable of these is taxation.

No matter what legalistic rationale is used, the de facto matter is that to exempt religious facilities from taxation is to officially support religion by government. When taxes are forgiven, the state is in fact helping to support those forgiven. If my church does not pay for its share of police, fire, education and other expenses of government ordinarily levied against property, then other property owners in my town, many of whom in no way subscribe to my religious beliefs, must make up the difference. This bill is just such a case.

It proposes to double the presently allowed tax exemption, not on the house of worship but on the living facilities of the pastors. It is questionable enough to make any exemption for religious activities, but to make additional exemptions on real property owned by religious organizations is doubly dubious. Many would argue against the bill on this basis alone, but setting aside these larger, philosophical objections held by many citizens, there are more than enough technical inequities in this proposal to make it very poor legislation. Let's look at them.

First, it discriminates in favor of those churches who choose to pay their pastor in part by housing and ignores those churches who may not have the money or the inclination to buy a parsonage.

Second, it discriminates against some municipalities in that it does not concern itself with either a ratio or a total value of such exemptions.

In Gorham, we have several parsonages, but some communities, less fortunate in their religious activities, may well have none. Are the property taxpayers in Gorham to suffer while these other communities escape?

Third, it discriminates against good government in the area of taxation in that it would double the levy against those communities that have been conscientious enough to bring their evaluation and appraisal procedures up to decent standards but have little or no effect upon those who have allowed their tax procedures to become lax or outdated.

While the just provision inserted by the Taxation Committee in their committee amendment is an excellent proposal and one for which they should be complimented, if the doubling from \$20,000 to \$40,000 is retained, the net effect will be to double the exemption in communities taxing at 100 percent and to have no effect on those communities taxing at only 50 percent.

Fourth, the cost as stated on the bill is misleading in that it says it will cost the state nothing this year and only a pittance in succeeding years. Nothing could be further from the truth. To say that it won't cost anything is intellectual chicanery; in fact, it is downright misleading.

The fact of the matter is that it will cost a great deal to begin with and a great deal more as the years go by. It will simply not appear in the state budget. Specifically, it will cost the City of Portland over \$10,000 this year alone, and if we extend the value of Portland to the entire state, something over \$100,000 statewide. It reminds me of the sleight of the hand pulled by the Department of Transportation last year. They reduced their own budget by the simple means of assigning more maintenance miles of roads to the cities and towns. It made it look great on their own expense sheet, but to say that it saves money, when the localities had to spend as much or more, is not what most reasonable people would term a true economy.

Fifth, and perhaps most important, it makes budget decisions for other people and it does so without consideration or knowledge of their problems or their desires. If we pass this bill, we will be adding a cost to every city and town in the state that has a parsonage.

At a Cumberland County budget hearing the other day, the City of Portland people were begging the rest of the county for less than

\$5,000 for a worthy purpose in Portland; they didn't get it. Maybe those Portland representatives should have come to us, for if we pass this bill, we are about to give \$10,000 to Portland churches, at the expense of the Portland taxpayers, whether the churches need it or not, and insofar as the record shows, when they haven't even asked for it.

A \$40,000 house is not a mansion, although it is better than some of us can afford, but the cost is beside the point. The question is whether we have better places to put our money, or to be more precise, whether the towns and cities have better places to put their money.

Local control is a popular term today. Well, here is a chance to put our true intentions to the test. Let's continue the tax reform envisioned in just, but let's not add to the inequities of the town-and-local-budgets.

Mr. Speaker, I move the indefinite postponement of this bill and all its accompanying papers.

The SPEAKER: The motion to indefinitely postpone is not in order at this time.

The Chair recognizes the gentleman from Wells, Mr. Mackel.

Mr. MACKEL: Mr. Speaker, Ladies and Gentlemen of the House: First of all, I would like to point out that in addition to the City of Portland, we do have, I believe, about 497 other municipalities who are involved here and who are concerned. I don't know where all these facts and figures come from that Mr. Quinn was referring to, but at least those facts and figures that I have come from the Department of Taxation and are very, very valid.

This bill is designed, the original bill, to assist the churches that are struggling to make ends meet, and this is particularly true in the case of newly established churches in which the ministers, in many cases, must moonlight in order to make ends meet. We are not talking about the large churches in some of the large cities, we are talking about the small, rural churches that need every dollar that can be raised and can save every dollar they can possibly save.

The State of Maine has a history of providing property tax relief to parsonages. This goes back to the turn of the Century and beyond. This is a long and established principle. This bill that I have sponsored does not intend to establish a new principle or to modify it. It merely brings it into the 20th Century.

At the turn of the Century, the property tax exemption for parsonages was \$6,000. These were real dollars, these were not the inflated dollars we are dealing with today. In 1965, that is 12 years ago, this exemption was increased to \$20,000 of assessed value, not market, not just value, but of the assessed value. So again, I want to repeat that the principle has been long established. The State of Maine and the inhabitants of this state desired and did provide this exemption in order to assist the churches that were struggling and are still struggling within the state.

Since 1965, when the initial \$20,000 exemption was established, this has been eroded through inflation and changes in assessment practices, which have increased assessed valuations from perhaps as low as 10 and 20 percent a few years back to a current 50 percent of assessed ratio, in a few cases, 100 percent, so that \$20,000 exemption has been eroded to something considerably less than I would suppose each of us can make his own guess and estimate perhaps \$5,000 or \$10,000 at the most in its current value.

As Mr. Quinn anticipated, I am going to say that there is no measurable loss of revenue to the state. This information was provided to me by the Bureau of Taxation, that there is really no loss to the state and there is an insignificant loss of revenue to municipalities which cannot be estimated within reasonable limits. We had,

as an example, the City of Portland cited as one, but that is not typical of the rest of the State of Maine.

Although taxing a parsonage is required by law, most communities do not tax parsonages. Obviously, taxing parsonages is not popular throughout the state and perhaps it would be more appropriate to exempt parsonages entirely to make honest men of our town fathers and our assessors but they are not, in most cases, taxing the parsonages. Obviously, this is a very unpopular statute that we have on the books.

I would emphasize that that \$40,000 exemption as provided by the Committee on Taxation is on "just" value which is 100 percent of market value. All municipalities must assess, at least 50 percent of the market value during this current year and this, of course, would gradually build up until we reach 70 percent in 1979. This assessment of 50 percent of market value reduces the value of the \$40,000 exemption that we have in the committee amendment and which was enacted by the House. It does reduce it in effect right back down to \$20,000 as we are really not doing much but we are helping at least a few of those parsonages that are located in communities that are taxing above the 50 percent ratio.

In effect, again, I am saying that there is really no increase to the exemption unless the municipality is taxing parsonages and we know that most are not. The municipality must be assessing in excess of 50 percent of market value in order to realize a loss of revenue to that community. I would like to again repeat the words that were stated by Representative Durgin from Kittery — we have in our deliberations in the last couple of days been concerned about the problems that we are having in our society today on drinking, drugs and many other things and we seem to place such great value on the dollar sign and so very little on so many of these other intangible values that we cannot measure with a calculator.

I think it is about time we realize that there do exist values other than a dollar sign and I think this is a case in point. I believe that we should assist those institutions that can help and develop a higher level of morality throughout the state.

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

Mr. GREEN: Mr. Speaker, I would like an opinion from the Chair at this time and that is, how do we put this bill into a position for indefinite postponement?

The SPEAKER: The Chair would answer to the question posed by the gentleman from Auburn, Mr. Green, that the bill would have to be reconsidered. This motion would have to prevail in order for the motion to indefinitely postpone to be in order.

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

Mr. HUGHES: Mr. Speaker, Ladies and Gentlemen of the House: I am active in my church as a deacon, a church that voluntarily contributes to the City of Auburn, in lieu of taxes. We are one which is able to do so and happy to do so. I guess I am speaking today for those churches which cannot afford that, especially in smaller towns, which are on the brink of going under in many cases. Often small town communities have lost their sense of community that they used to have, have become bedroom communities and many of those parishes are struggling so we are talking about a bill which would have an effect on those parishioners.

The question of church and state has been raised and I can simply say that this question has been addressed in many courts and the courts have upheld this kind of exemption, therefore, it leaves to the minds of the courts who are the interpreters of the Constitution,

there is no problem with that, so we are able to give this kind of relief to churches, and I would urge you, as a matter of policy, to do those things which can help support especially these small, struggling parishes in our small towns.

What we are simply doing is reestablishing their position which they previously had.

I know that we spent many hours in the last few days debating the liquor bill, and one of the reasons that I opposed raising it was that I have seen another program to deal with drinking work effectively, and that is the program that I have been involved with in my church, working with young people and we have made some marvelous accomplishments in the area of drugs and alcohol. There are some stories that I wish I could share with you but I cannot. I don't think that would be proper, but groups like this are the groups which can make progress on alcohol, on questions of morals and I think we as a legislature, when it is constitutionally permissible to do so, should do that which we can do to aid them in their struggles.

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

Mrs. NAJARIAN: Mr. Speaker and Members of the House: Mr. Mackel said a while ago that most parsonages were not taxed in their communities anyway and that some of them were struggling along, but I don't see how, if they are not being taxed, that this bill is going to help them, but there are many churches that are not struggling along and they are not paying for services in lieu of taxes. I know that there are at least three parsonages in my neighborhood and I know something about the standard of living of those families that live in those homes, and it is far higher than most of their neighbors.

I really object to this kind of class property tax exemption which has no basis on ability to pay. There will be a circuit breaker bill coming through which will exempt from the property tax those people who are really too poor to pay, and I think those are the people we should be giving property tax exemptions to. Therefore, I hope you will please vote to reconsider so we can amend it or something.

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

Mr. QUINN: Mr. Speaker and Members of the House: The first and specific answer to the question by Representative Green of Auburn, if you wish to proceed on the course to put this bill in a position to amend, you must vote yes on my proposal to reconsider at this time.

I will offer a couple comments. First of all, my friend from Auburn, Mr. Hughes, said, why don't we give something to these organizations of moral worth and value to our community. My response to that is, if we wish to give, then let us give, let's not mandate it upon the property taxpayers of the locality concerned.

To use the kind of — and I use this term with all due respect — flim-flam enjoyed by the just and non-just provisions that my good friend from Wells, Mr. Mackel, just did, to put it in easy, comprehensible terms, it means that a city which is complying with the constitutional mandate of a tax evaluation every ten years and who is conscientiously following the improved tax reform procedures we do, will lose money and for them will lose ten thousand and some hundreds of dollars. Those towns who do not bring their tax things up to date and who are taxing at 50 percent or less will not, in truth, lose anything by this bill.

But to that, I offer two comments. One, it is absolutely inevitable that they will lose, in years down the road, as they do come to 100 percent evaluation, and secondly, if those other 496 towns for which Mr. Mackel refers to are in such good financial shape and they are not taxing their parsonages anyway, why offer them this mandated requirement.

I do not address the question as to the good of

the church or to the bad of the church or to the living standards or non-living standards, I simply say that in Gorham, if we wish to assist our churches; let us do it, don't tell us that we have to.

Our homemakers in Gorham this year want \$1,500 for their homemaker services to which all of our churches prescribe from local monies, and we gave that to them but we had to scratch at some cost and take some money from our police department in order to provide it.

If this bill passes, when Gorham goes to 100 percent evaluation, it will cost us just under \$3,000, which you have laid on us as a desirable form of government expenditure. I think it is improper in that sense, although I admire, cherish and fully appreciate the value of churches to our community, that is not at stake. What is at stake is fiscal management of our towns and communities.

The SPEAKER: The pending question is on the motion of the gentleman from Gorham, Mr. Quinn, that the House reconsider its action whereby L. D. 34 was passed to be enacted. All those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEAS — Bachrach, Beaulieu, Benoit, Berry, Biron, Boudreau, A.; Brernerman, Brown, K. C.; Burns, Bustin, Byers, Carey, Carroll, Carter, D.; Chonko, Clark, Connolly, Cote, Cunningham, Curran, Davies, Diamond, Dudley, Elias, Fenlason, Gill, Goodwin, K.; Green, Hall, Henderson, Howe, Huber, Jackson, Jensen, Joyce, Kane, Kany, Kilcoyne, LaPlante, LeBlanc, Lewis, Lizotte, Locke, Lunt, Lynch, MacEachern, Masterton, Maxwell, McHenry, McKean, Morton, Nadeau, Najarian, Nelson, M.; Nelson, N.; Norris, Prescott, Quinn, Raymond, Rideout, Spencer, Talbot, Tierney, Tozier, Trafton, Truman, Twitchell, Valentine, Willfong, Wood.

NAYS — Aloups, Ault, Austin, Bagley, Bennett, Berube, Birt, Blodgett, Boudreau, P.; Brown, K. L.; Bunker, Carrier, Carter, F.; Churchill, Conners, Cox, Devoe, Dexter, Dow, Drinkwater, Durgin, Dutremble, Flanagan, Fowle, Garsoe, Gauthier, Gillis, Goodwin, H.; Gould, Gray, Greenlaw, Hickey, Higgins, Hobbins, Hughes, Hunter, Hutchings, Immonen, Jacques, Jalbert, Kelleher, Kerry, Laffin, Littlefield, Lougee, Mackel, Mahany, Marshall, Martin, A.; Masterman, McBreairty, McMahon, McPherson, Mitchell, Moody, Palmer, Peakes, Pearson, Peltier, Perkins, Peterson, Post, Rollins, Shute, Silsby, Smith, Sprowl, Strout, Stubbs, Tarbell, Tarr, Teague, Theriault, Torrey, Tyndale, Whittemore, Wyman.

ABSENT — Mills.

Yes, 70; No, 77; Absent, 1; Vacant, 2.

The SPEAKER: Seventy having voted in the affirmative and seventy seven in the negative, with one being absent, the motion does not prevail.

Mrs. Lewis of Auburn was granted unanimous consent to address the House.

Mrs. LEWIS: Mr. Speaker, Ladies and Gentlemen of the House: Today is a historic one, not only for the State of Maine but more important an advent for the future of one of the state's most important industries, the fishing industry. It is the effective date of the 200 mile fishing legislation, placing under regulation the catch of fish out to the Continental Shelf.

Some 10 years ago, a group of fishermen from various ports in Maine, concerned about the rapid disappearance of the important species of fish due principally to the over fishing by fleets of European vessels fishing off the coast of Maine and other New England States, under the leadership of Representative Monty Tyndale, who was the Chairman of Save the American Fishing Industry, decided to take an active in-

terest in the 200 mile limit bill which was receiving formidable opposition in Washington, principally from the State Department and other diplomatic interests concerned only with the impact of such legislation on foreign policy. In the meantime, foreign fishing fleets were rapidly depleting our fish resources. Acting with their own personal finances, Representative Tyndale organized his sail on to Washington to impress the Congress with their determination to secure passage of this legislation.

Fifteen druggers, gillnetters with some lobstermen, sailed from the Port of Kennebunkport with the destination of the Capitol Yacht Club in downtown Washington. They were enthusiastically received in ports wherever there were fishermen. Upon their arrival in Washington, they were received by the Congressional Delegation representing all of the New England states. They testified before the Foreign Relations, Marine Resources and other committees relating to the 200 mile limit. Upon their return, they had a luncheon meeting at the Shawmut Inn at Kennebunkport and solidified their organization, calling it Save the American Fishing Industry.

Meetings were held in Gloucester, Newport and other New England ports. Special credit should go to Congressman Peter Kyros, a member of the Marine Resources Committee, Congressman Bill Cohen, Senator Edmund Muskie of Maine and Congressman Jerry Studds of Massachusetts, all who diligently worked hard to get the legislation passed, but principally, fishermen from Maine and Massachusetts and Point Judith off Rhode Island, who, at their own expense, dedicated their efforts in this work.

Representative Tyndale was the original author of the 200 mile bill and he sponsored the bill in the 104th Legislature, so Maine led the way under Representative Tyndale and I commend him today.

(Off Record Remarks)

The Chair laid before the House the following matter:

Bill "An Act to Correct Errors and Inconsistencies in Laws of Maine" (Emergency) (S. P. 186) (L. D. 531), which was tabled earlier in the day and later today assigned pending passage to be engrossed.

On motion of Mr. Palmer of Nobleboro, tabled pending passage to be engrossed and tomorrow assigned.

The following paper appearing on Supplement No. 1 was taken up out of order by unanimous consent:

Mr. Goodwin of South Berwick presented the following Order and moved its passage:

Whereas, in connection with the proposed examination by the House of ballots cast in the general election of November 2, 1976, for a House seat in District 45, certain questions have arisen with regard to the validity of the absentee ballots cast in said election; and

Whereas, that election involved 3 candidates, David Ault, Jed Davis and Charles Rollins; and

Whereas, the present dispute is based on a challenge petition filed with the House by Mr. Davis and involves only Mr. Ault and Mr. Davis; and

Whereas, Mr. Ault has been seated conditionally by the House pending determination of the present dispute; and

Whereas, with absentee ballots counted, a difference of 30 votes separates the contestants, the contestants having stipulated 1,811 votes for Mr. Ault and 1,781 votes for Mr. Davis; and

Whereas, the Commission on Governmental Ethics and Election Practices has examined the matter, a copy of its findings of fact and opi-

nion being attached hereto as Appendix A; and Whereas, the Commission on Governmental Ethics and Election Practices made certain findings of fact which are quoted herein and adopted by the House for the purposes of this order, as follows:

"All 263 absentee ballots were subject to challenge . . ." "The ground for dispute of the absentee ballots as specified in papers filed on behalf of Jed Davis were as follows:

A. Fifty-three absentee ballots were challenged on the grounds that the name and address of the voter were not written or typed in the upper left-hand corner of the return envelope by the town clerk.

B. Three were challenged because the envelope was not signed by the voter.

C. Four were challenged because the voter's signature on the envelope was not certified.

D. Nine were challenged because no reasons for voting absentee were specified on the envelope.

E. One was challenged because no address appeared on the envelope.

F. Two were challenged because the absentee ballot applications were not signed by the voter.

G. Seventeen were challenged because the registrar of voters did not certify the applicant to be a registered voter.

H. Seventy-eight were challenged because the voters did not designate a recipient for the absentee ballot on the application."

"No question of fraud was pressed regarding the absentee ballots, although investigation was urged in some documents submitted on behalf of Mr. Davis. It could not be determined exactly how many absentee ballots might be defective, since more than one alleged defect might have applied to the same ballot. Further, it was conceded that none of the absentee ballots were challenged at the polling place at the time the absentee ballot envelopes were opened and deposited in the ballot box, nor was a challenge made at any other time when it would have been possible to tie specific ballots to the envelopes and applications containing the alleged defects. Accordingly, Mr. Davis contested the validity of all absentee ballots. The challenge regarding the absentee ballots was thus raised for the first time at the recount and reiterated in the appeal hearing before the commission;" and

Whereas, since this court last examined questions relating to absentee ballot procedures, the Legislature has enacted Title 21, section 2, which provides rules of construction for interpretation of the words "shall," "must" and "may;" and

Whereas, determination of questions raised in this dispute regarding absentee ballot procedures involve important and unresolved questions of law; and

Whereas, these questions must be resolved before the House can determine the results of this election pursuant to the Maine Constitution, Article IV, Part Third, Section 3; and

Whereas, it appears to the members of the House of Representatives of the 108th Legislature that questions of law have arisen which make this occasion a solemn one; now, therefore, be it

ORDERED, that in accordance with the provisions of the Constitution of the State, the Justices of the Supreme Judicial Court are hereby respectfully requested to give their opinion on the following questions:

1. Do the provisions of Title 21, section 1577, prevent inspection of absentee ballot applications and absentee ballot envelopes, prior to the separation of the ballots from the envelopes and the placement of absentee ballots in the ballot box, for the purpose of challenging specific absentee ballots, based on irregularities in execution of the application or envelopes?

2. May the clerk issue an absentee ballot to an

applicant who has not been certified by the registrar to be a registered voter?

3. Must challenges to absentee ballots, based on irregularities in execution of absentee ballot envelopes, be made in accordance with the provisions of Title 21, section 1257, prior to deposit of the absentee ballots in the ballot box?

4. If the answer to question 3 is in the negative, please answer the following question: Can a candidate first raise an objection to absentee ballots, based on alleged irregularities in execution of absentee ballot applications or absentee ballot envelopes, at the time of a recount?

5. Where the facts indicate that in the execution of certain absentee ballot applications and absentee ballot envelopes, the provisions of Title 21, section 1253, subsections 2, 4 or 5; section 1254, subsections 4 or 5; or section 1261 were not complied with in the manner alleged in the facts stated by the Commission on Governmental Ethics and Election Practices, is it proper to not count all absentee ballots in determining an election?

The Order was read.

Pursuant to House Rule 40, tabled pending passage and tomorrow assigned.

Mr. Nadeau of Sanford was granted unanimous consent to address the House.

Mr. NADEAU: Mr. Speaker, Ladies and Gentlemen of the House: The last couple of days have been a trying time for my entire family. My mother's brother, a Christian missionary, Brother Lionel Richard, is in the Country of Uganda. After hearing the good news this morning, I would like to thank all of you for my entire family for your support in this unusual situation.

(Off Record Remarks)

On motion of Mr. McEachern of Lincoln, Adjourned until nine thirty tomorrow morning.