

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Ninth
Legislature***

OF THE

STATE OF MAINE

Volume I

FIRST REGULAR SESSION

January 3, 1979 to May 4, 1979

HOUSE

Thursday, March 1, 1979

The House met according to adjournment and was called to order by the Speaker pro tem, Representative Diamond of Windham.

Prayer by Dr. G. Wayne Glick, President, Bangor Theological Seminar.

Dr. GLICK: Let us pray. Almighty God, who with Thy loving power and eternal vigilance, control those nations that look to Thee for guidance. We rejoice in the tokens of Thy favor which have been our portion in the past. Carry us, we pray Thee, to an honorable destiny, animated by justice and mercy and humility before Thee. May no arrogance begotten of prosperity, no conceit bred of success; lead us to forget our dependence upon Thee.

To those who sit in the seats of authority, impart purity of motive, right judgment in thought, discretion in administration. To the people, grant loyalty in industry, a passion for the common good and charity toward one another. To us all, grant the recognition that we are responsible. To the past, for our heritage, to the future in which our children will live and to Thee in this present moment, blessed be Thy Name, O God. Amen.

The journal of yesterday was read and approved.

Papers from the Senate

The following Joint Order, An Expression of Legislative Sentiment recognizing that:

Pernel and Grace Colson of the Town of Penobscot will, on the 28th of February, 1979, celebrate their 71st wedding anniversary (S. P. 261)

Came from the Senate read and passed.

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

The following Joint Order, An Expression of Legislative Sentiment recognizing that:

John Fields of Auburn celebrated his 100th birthday on February 28, 1979 (S. P. 273)

Came from the Senate read and passed.

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

Bill "An Act to Establish Special Retirement Provisions for CETA Employees" (Emergency) (S. P. 268) (L. D. 809)

Came from the Senate referred to the Committee on Aging, Retirement and Veterans and ordered printed.

In the House, was referred to the Committee on Aging, Retirement and Veterans in concurrence.

Bill "An Act to Require Insurance Claim Payments Because of Motor Vehicle Damage to Include Payment for the Reduction in the Trade-in Value of the Motor Vehicle" (S. P. 266) (L. D. 807)

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

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

Bill "An Act Relating to Political Fund-raising by State Employees" (S. P. 270) (L. D. 811)

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

In the House, was referred to the Committee on Election Laws in concurrence.

Bill "An Act to Provide for Self-help for Minor Repairs under the Landlord-tenant Statute" (S. P. 267) (L. D. 808)

Bill "An Act to Prohibit Abortions after Viability" (S. P. 262) (L. D. 806)

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

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

Bill "An Act Making it Unlawful for any

Person to Manufacture, Sell or Offer for Sale or Exchange any Product which Seeks to Imitate an Alcoholic Beverage by Looks, Taste and Smell Excluding Certain Products" (S. P. 269) (L. D. 810)

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

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

Reports of Committees

Leave to Withdraw

Report of the Committee on State Government reporting "Leave to Withdraw" on Bill "An Act Relating to Compensation of the Secretary of the Public Utilities Commission" (S. P. 146)

Came from the Senate with the report read and accepted.

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

Referred to the Committee on Business Legislation

Report of the Committee on Local and County Government on Bill "An Act to Authorize County Appointment of Electrical Inspectors" (S. P. 248) (L. D. 698) reporting that it be referred to the Committee on Business Legislation.

Came from the Senate with the Report read and accepted and the Bill referred to the Committee on Business Legislation.

In the House, the Report was read and accepted and the Bill referred to the Committee on Business Legislation in concurrence.

Non-Concurrent Matter
Tabled and Assigned

Bill "An Act to Require Motorcycle Operators and Passengers and Motor Driven Cycle Operators and Passengers to Wear Helmets if they are Minors" (H. P. 114) (L. D. 123) which was passed to be engrossed as amended by House Amendment "A" (H-40) in the House on February 23, 1979.

Came from the Senate with Bill and accompanying papers indefinitely postponed in non-concurrence.

In the House: On motion of Mr. Carroll of Limerick, tabled pending further consideration and specially assigned for Monday, March 5.

Messages and Documents

The following Communication: (S. P. 264)

State of Maine

DEPARTMENT OF STATE

Augusta, Maine

February 27, 1979

To the Honorable Senate and House of Representatives of the 109th Legislature:

Enclosed you will find House Joint Resolution Number 1 of 1979 passed by the General Assembly of the State of Kansas relative to the calling of a constitutional convention by the several states.

Very truly yours,

S/JAMES S. HENDERSON

Deputy Secretary of State

Came from the Senate Read and with accompanying papers ordered placed on file.

In the House, the Communication was read. On motion of Mr. Garsoe of Cumberland, the Communication and accompanying papers were ordered placed on file.

The SPEAKER pro tem: The Chair recognizes the gentleman from Cumberland, Mr. Garsoe.

Mr. GARSOE: Mr. Speaker and Members of the House: I just wanted to call attention to the members of this body that the great State of Kansas, by this document, has notified the State of Maine that they have addressed a petition to Congress calling for an amendment balancing the federal budget. I want this to be noted in more than just passing, and I want to extend my congratulations to the good thinking

that is going on in the State of Kansas.

The following Communication: (S. P. 265)

State of Maine

SENATE CHAMBER

President's Office

Augusta, Maine

February 26, 1979

Honorable David Ault

Honorable Judy Kany

Chairman, State Government Committee

State House

Augusta, Maine 04333

Please be advised that on February 21, 1979, Arthur A. Stilphen, Commissioner of Public Safety has, with the advise and consent of Governor Joseph Brennan, nominated Colonel Allen Weeks to be reappointed Chief of the Maine State Police.

Pursuant to MRSA, Title 25, Section 1501, this nomination will require confirmation by the Joint Standing Committee on State Government.

Sincerely,

S/JOSEPH SEWALL

President of the Senate

S/JOHN MARTIN

Speaker of the House

Came from the Senate read and passed to the Committee on State Government.

In the House, the Communication was read and referred to the Committee on State Government in concurrence.

Petitions, Bills and Resolves

Requiring Reference

Tabled and Assigned

Bill "An Act to Establish a Demonstration Project to Create a Grant and Loan Program to Assist Older Citizens in Purchasing Medically Prescribed Eyeglasses, Dentures and Hearing Aids" (H. P. 683) (Presented by Mr. Brenerman of Portland) (Cosponsors: Mrs. Mitchell of Vassalboro, Mr. Joyce of Portland and Mr. Tarbell of Bangor)

Committee on Aging, Retirement and Veterans was suggested.

On motion of Mrs. Nelson of Portland, tabled pending reference and tomorrow assigned.

Agriculture

Bill "An Act Appropriating Funds for Promotion of Direct Marketing of Agricultural Commodities" (H. P. 684) (Presented by Mr. Michael of Auburn) (Cosponsors: Mr. Torrey of Poland, Mr. Wood of Sanford and Mr. Carter of Winslow)

(Ordered Printed)

Sent up for concurrence.

Appropriations and Financial Affairs

Bill "An Act to Provide Matching Funds to Support and Expand the Foster Grandparent Program" (H. P. 685) (Presented by Mrs. Reeves of Pittston) (Cosponsors: Mrs. Wentworth of Wells and Mr. Joyce of Portland)

Bill "An Act to Appropriate Funds to the State Library for the Purchase of 125 Copies of 'Our Maine Heritage' by Rita Stadig" (H. P. 686) (Presented by Mr. Martin of Eagle Lake)

(Ordered Printed)

Sent up for concurrence.

Later Today Assigned

Bill "An Act to Reinstate Aid to Families with Dependent Children Payments for Unborn Children" (H. P. 687) (Presented by Mr. Connolly of Portland)

Committee on Appropriations and Financial Affairs was suggested.

On motion of Mr. Pearson of Old Town, tabled pending reference and later today assigned.

Business Legislation

Bill "An Act Relating to Notification under the Maine Consumer Credit Code" (H. P. 688) (Presented by Mr. Jackson of Yarmouth)

(Ordered Printed)

Sent up for concurrence.

Later Today Assigned

Bill "An Act Creating a Workers' Compensation Insurance Fund" (H. P. 689) (Presented by Mr. Martin of Eagle Lake) (Cosponsors: Mr. Smith of Mars Hill, Mr. Wyman of Pittsfield and Mr. Gillis of Calais)

Committee on Business Legislation was suggested.

On motion of Mr. Wyman of Pittsfield, tabled pending reference and later today assigned.

Business Legislation cont'd.

Bill "An Act Concerning the Maine Property Insurance Cancellation Control Act" (H. P. 690) (Presented by Mr. Hobbins of Saco)

Bill "An Act Exempting the Sale of Insurance from the Application of the Maine Consumer Credit Code, Part 1" (H. P. 691) (Presented by Mr. Hobbins of Saco)

Bill "An Act Amending the Law Relating to Elevators and Tramways" (H. P. 692) (Presented by Miss Brown of Bethel)

(Ordered Printed)

Sent up for concurrence.

Education

Bill "An Act to Permit Persons Under 17 Years of Age to Attend Adult Education Classes" (H. P. 693) (Presented by Mr. Connolly of Portland)

Bill "An Act to Provide Student Loans to Candidates for Practice of Chiropractic in Maine" (H. P. 694) (Presented by Mr. Marshall of Millinocket)

Bill "An Act to Increase the Initial Local Share of School Construction Projects" (H. P. 695) (Presented by Mr. Birt of East Millinocket) (Cosponsor: Mr. Sherburne of Dexter)

Bill "An Act to Honor School Construction Projects Approved under Prior Laws" (Emergency) (H. P. 696) (Presented by Mr. McMahon of Kennebunk) (Cosponsors: Mr. Hanson of Kennebunkport, Mrs. Sewall of Newcastle and Mr. Rolde of York)

Bill "An Act to Permit Special Education Students who have Completed Available Special Education Programs to Enter Vocational Schools before Attaining the Age of 16" (H. P. 697) (Presented by Mrs. Reeves of Pittston) (Cosponsor: Mrs. Gowen of Standish)

(Ordered Printed)

Sent up for concurrence.

Passed to be Engrossed

Bill "An Act to Permit Region 3, Northern Penobscot County Vocational Region, to Borrow Operating Funds" (Emergency) (H. P. 717) (L. D. 823) (Presented by Mr. MacEachern of Lincoln) (Cosponsor: Mr. Dudley of Enfield) (Approved for introduction by a Majority of the Legislative Council pursuant to Joint Rule 27)

Committee on Education was suggested.

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

Mr. CONNOLLY: Mr. Speaker, I move that the rules be suspended for the purpose of giving this bill its first and second readings today without reference to a committee and I would like to speak briefly.

There is an emergency situation that exists in the Penobscot County Vocational Region, Region No. 3, that was brought to our attention late yesterday morning by Representative MacEachern and Representative Dudley. It seems that the vocational region has run out of money to meet its basic operating costs, and all the towns that participate in that vocational region, through their cooperative board, have agreed to make up the deficit until such time as the town meetings are held and money can be appropriated to meet that particular expense.

After that decision was made to make up the deficit, the cooperative board went to a bank and asked to borrow \$150,000 to meet the deficit. The bank agreed to make the loan, but upon

researching the statutes felt that the cooperative board had no statutory authority to borrow the money. Consequently, we have this particular piece of legislation, which everyone should understand is a one-time, one-shot deal, that affects only this particular region. If this particular piece of legislation is not enacted by Friday of this week, it would appear that the school in the vocational region would be forced to close down until such time as the towns have their meetings and appropriate funds which, as I understand it, could be the end of March or even sometime in April.

In addition to having approval by the entire Legislative Council, this bill has been reviewed by the Attorney General's Office and the attorney for the bank involved and it meets with their full approval.

Thereupon, on motion of Mr. Connolly of Portland, under suspension of the rules, the Bill was read twice, passed to be engrossed without reference to any committee and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

Tabled and Assigned

Bill "An Act to Require that Certain Information be Provided by Insulation Installers" (H. P. 698) (Presented by Mr. Michael of Auburn) (Cosponsors: Mr. Pearson of Old Town, Mr. Davis of Monmouth and Mr. Brown of Livermore Falls)

Committee on Energy and Natural Resources was suggested.

On motion of Mr. Blodgett of Waldoboro, tabled pending reference and tomorrow assigned.

Fisheries and Wildlife

Bill "An Act to Prevent Game Wardens from Trapping in the Area in Which They Work" (H. P. 699) (Presented by Mr. Martin of Eagle Lake)

(Ordered Printed)

Sent up for concurrence.

Health and Institutional Services

Bill "An Act Concerning Reimbursement for Health Care Services in Certified Rural Health Clinics" (H. P. 700) (Presented by Mr. Breneman of Portland) (Cosponsors: Mr. Wyman of Pittsfield, Mr. Morton of Farmington and Mr. Hunter of Benton)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act to Amend the Alternative Method of Support Enforcement" (H. P. 701) (Presented by Mr. McSweeney of Old Orchard Beach)

Bill "An Act Concerning Periodic Tenancy under the Landlord Tenant Law" (H. P. 702) (Presented by Mr. Marshall of Millinocket)

(Ordered Printed)

Sent up for concurrence.

Labor

Bill "An Act to Amend the Employment Security Law to Provide Benefits to Certain Educational Employees" (H. P. 703) (Presented by Mr. Vincent of Portland)

Bill "An Act Concerning the Posting of Information on the Allowability of Witness and Attorney's Fees under the Workers' Compensation Act" (H. P. 704) (Presented by Mr. Baker of Portland) (Cosponsor: Mr. McHenry of Madawaska)

Bill "An Act Concerning Unemployment Benefits for Persons Madatorily Retired because of Age" (H. P. 705) (Presented by Mrs. Reeves of Pittston) (Cosponsors: Mr. Dellert of Gardiner and Mr. Wyman of Pittsfield)

Bill "An Act Amending the Claim Period Provision of the Workers' Compensation Act" (H. P. 706) (Presented by Mr. Hobbins of Saco) (Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act Concerning Access by Physically Disabled Persons to Certain Public Facilities" (H. P. 707) (Presented by Mrs. Nelson of Portland)

Bill "An Act to Provide for Certain Signs to Assist Blind Person in Elevators" (H. P. 708) (Presented by Mrs. Kany of Waterville) (Cosponsors: Mr. Conary of Oakland, Mrs. Beaulieu of Portland, and Mr. Cloutier of South Portland)

(Ordered Printed)

Sent up for concurrence.

Local and County Government

Bill "An Act to Return a Portion of Land to the Town of Wales by the Town of Sabattus" (H. P. 709) (Presented by Mr. LaPlante of Sabattus)

Bill "An Act Converting the Unorganized Township of Edmunds into the Town of Edmunds" (Emergency) (H. P. 710) (Presented by Mr. Vose of Eastport)

(Ordered Printed)

Sent up for concurrence.

Public Utilities

Bill "An Act to Amend the Charter of Mapleton to Increase the Sum Paid to the Trustees of the Mapleton Sewer District and to Amend the Provisions Relating to Liens for Collection of Rates Due" (H. P. 711) (Presented by Mr. Roope of Presque Isle)

Bill "An Act to Amend the Provisions of the Charter of the Gardiner Water District Relating to Trustees and Funding" (Emergency) (H. P. 712) (Presented by Mr. Dellert of Gardiner)

(Ordered Printed)

Sent up for concurrence.

State Government

Bill "An Act to Designate the Moose as the State Animal" (H. P. 713) (Presented by Mr. Dow of West Gardiner)

Bill "An Act Establishing Mechanisms to Pinpoint Responsibility and Facilitate Coordination Between the Various Manpower Training and Economic Development Programs" (H. P. 714) (Presented by Mrs. Kany of Waterville) (Cosponsors: Mr. Birt of East Millinocket, Mr. Rolde of York, and Mr. Jacques of Waterville)

(Ordered Printed)

Sent up for concurrence.

Taxation

Bill "An Act to provide for a Tax Credit for the Gas Tax Relating to Taxicabs" (H. P. 715) (Presented by Mr. Baker of Portland)

(Ordered Printed)

Sent up for concurrence.

Transportation

Bill "An Act to Repeal the Agent Requirement for the Issuance of Certain Semitrailer Permits" (H. P. 716) (Presented by Mr. Carroll of Limerick)

(Ordered Printed)

Sent up for concurrence.

Orders

An Expression of Legislative Sentiment (H. P. 680) recognizing that:

The Wells High School Girls' Basketball Team, coached by Terri Regan, has won the Western Division, Class C Basketball Championship

Presented by Mrs. Wentworth of Wells.

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

An Expression of Legislative Sentiment (H. P. 681) recognizing that:

On February 25, 1979, the Wells Public Library was dedicated to Ethel Weymouth, a

teacher of 43 years and benefactor of the library, who has donated many years of public service to the citizens of Wells.

Presented by Mr. Wentworth of Wells.

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

An Expression of Legislative Sentiment (H. P. 682) recognizing that:

Daniel M. Curtis of Milbridge has attained the outstanding rank and distinction of Eagle Scout

Presented by Mrs. Curtis of Milbridge.

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

House Reports of Committees Leave to Withdraw

Mrs. Kany from the Committee on State Government on RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide that the House of Representatives Shall be Reduced from 151 to 132 Members (H. P. 286) (L. D. 363) reporting "Leave to Withdraw"

Report was read and accepted and sent up for concurrence.

Divided Report

Majority Report of the Committee on Health and Institutional Services on Bill "An Act to Allow 17 Year Olds to Donate Blood without Parental Consent" (H. P. 251) (L. D. 296) reporting "Ought Not to Pass"

Report was signed by the following members:

Mr. CARPENTER of Aroostook
Mrs. GILL of Cumberland
Mr. HICHENS of York

— of the Senate

Messrs. MATTHEWS of Caribou
BRENERMAN of Portland
Mrs. PAYNE of Portland
Mrs. CURTIS of Milbridge
Mrs. MacBRIDE of Presque Isle
Mr. CLOUTIER of South Portland
Mrs. PRESCOTT of Hampden

— of the House

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

Report was signed by the following members:

Messrs. BRODEUR of Auburn
NORRIS of Brewer
VINCENT of Portland

— of the House

Reports were read.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Hampden, Mrs. Prescott.

Mrs. PRESCOTT: Mr. Speaker, I move that the House accept the Majority "Ought Not to Pass" Report.

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

Mr. NORRIS: Mr. Speaker, Ladies and Gentlemen of the House: I am very proud to be on the side of the vampire this morning. I think there is a very important issue here at stake, and I certainly find no fault with the reasons that the people have that oppose this piece of legislation, such as their tender, young 17 year olds giving a little blood without their consent. I know some 17 year olds, you get a half a dozen of them together and they could lift this State House. I agree with that and the problem that we are really faced with is a very serious one, and that is a blood shortage. As I was saying to a colleague of mine yesterday, I hope some day I don't lie in an emergency room bleeding to death and there is no more blood, whether I be 17 years old or 50 years old or 70 years old, and I think that is what we are talking about.

I have been around long enough to realize where this piece of legislation is going, so I would like to propose a little contest this morning. I would hope that the Republicans in the legislature and the Democrats in the legis-

lature would get together and through their respective floor leaders would sign up those of us who are capable and able to give blood. If we took the 184 members here, that might make up for the loss of some of the 17 year olds who would willingly give but because their parents see differently or because of religious or ethnic reasons wouldn't allow them to do it.

Perhaps we can do something of that nature, and I am sure that all of you who are willing, if you will go to your respective offices, and if I don't get a chance to stop in mine, I will give word now that I am perfectly willing to give. All of you that are willing, check with your respective officers, and I am sure Mr. Boudreau can make arrangements with the Bloodmobile to be here in a week or two and we will see if we can help this blood deficit.

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

Mr. BRENERMAN: Mr. Speaker, Ladies and Gentlemen of the House: Two years ago, this bill appeared before the Health and Institutional Services Committee and it was reported out 13 to nothing "ought to pass." Obviously, because it is back again, we all know what happened to it on the floor. However, that is not the reason why the majority of the committee has voted "ought not to pass."

Those members of the committee who supported this two years ago, myself, Representative Prescott and Senator Gill, saw two important points made this time that we disregarded last time.

Off the top of your heads, this bill probably sounds like a good one, but in reality, it has, as I said, two problems. First of all, it contributes maybe a small amount but it does contribute to the erosion of parental control over our children, in this case, in the parental responsibility for the health of the child.

This is international year of the child, and for the last two years, we have passed legislation to encourage and strengthen the family unit. To some extent, this bill flies in the face of those actions.

Secondly, the Red Cross argues that 17 year olds often forget to bring their parental permission slips to school; therefore, they can't give blood. It seems odd that the Red Cross feels that kids have enough responsibility to donate blood but they lack the responsibility in dealing with parental permission slips. They can't get their parents to sign the slip or they leave it home.

I see no problem with 17 year olds getting parental permission slips for the one or two times in the year that are 17 years old that they are allowed to give blood.

We had a teacher at our hearing from Falmouth High School who noted that the blood donation program at Falmouth High School works very well. However, she said she feels very strongly as a parent that she should consent to her child's actions in this case each time that it is done because it is her responsibility.

I hope that the members of the House will agree with her and agree with the majority of the committee that this bill "Ought Not to Pass."

The SPEAKER pro tem: The Chair recognizes the gentleman from Auburn, Mr. Brodeur.

Mr. BRODEUR: Mr. Speaker and Members of the House: I oppose the "Ought Not to Pass" motion and I do so for three reasons.

The first reason is that the bill would benefit the people of the State of Maine, possibly saving a few lives. If it would save one life, that alone would prove the worth of this bill.

The second reason that I support the bill is that I do not believe that this bill, if it becomes law, will contribute to the deterioration or the disintegration of any family.

The third reason is that I believe one of the ways in which we can benefit our youth is by helping them develop a positive self-image. It seems the passing of this bill is a way to do

that. To the second reason, that of parental authority, is there a need for a parent to retain the power to say no? I think that is the question that we have to decide on.

First, one of the issues on the family that we agree about is that the parents should have in mind what are the best interests of our children when they make a decision which affects that child. The parents should set realistic limits when appropriate. One of the functions of parenting is to help our children become self-governing and self-regulating persons.

From those ideas which we agree, I draw up the following conclusions, that it is appropriate for parents to set limits on their children's behavior when they do not trust them to be able to decide for themselves, but I don't think that parental authority is the sole reason that decisions like that ought to be made. At 17, the child has been making decisions which are more crucial than giving blood. They have taken most of the responsibility for their own education, they decide on how much studying they are going to do, they decide on what kind of relationships they have with their teachers, their friends, what they do on dates — these decisions are of a more serious nature than deciding to give blood.

I have been working with children in an advisory or a teaching capacity for the past 15 years. What I find most rewarding in my work with children is their positive achievements which they have. I am sure that most of you have experienced the exuberance of a younger child when they get the approval from their teacher or their parents on the good deed that they have done. All of that exuberance may not be as evident in adolescence. Adolescence is a time in a person's life when each individual makes decisions, which will determine that person's identity. We all have a kind of stake in the kind of decisions our youth makes. I think we will be better served by making it easier for youths to contribute to our society in a positive way.

I am presently working with some high school students, freshmen, a program where they have to give 25 hours of free service to their community or their church or their friends in need, their friends or neighbors in need. Almost all of those 80 youths are way ahead of schedule in giving services to the community. In a few instances, the results have been dramatic. Some of them have given three times what has been required by the program. One parent expressed a rather positive change in the attitude of her son. In having that boy as a student of mine, I was also impressed with the change in his attitude.

I believe that we ought to recognize in our laws, laws already reflect this in some ways, that 18 is not a magical age at which a person becomes capable to make all the decisions which he or she was not capable of making the day before they turned 18 years old. I believe there are selective times where the legislature should very carefully, very gradually, very cautiously, look into changing the age both upward and downwards, changing that age they believe to be best in giving our young people certain responsibilities. If we can help make one 17 year old's day by allowing him or her to give something of themselves, the gift of life, it could be the time when that person may need to find one day in which to feel worthwhile. For that reason, I think the question is whether we can allow 17 year olds to feel that they are trusted in being able to make this decision.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Presque Isle, Mrs. MacBride.

Mrs. MacBRIDE: Mr. Speaker, Ladies and Gentlemen of the House: I am a parent who also feels that this is another attempt to undermine the control and supervision of our children. I don't think it is just a matter of trust; I think it is a matter of really good common sense.

I have worked on a good many blood drives and I see the enthusiasm of young people who want to give blood, but never yet have I seen anyone who didn't come because he had to bring a parental consent or who would really object to that.

I am very much in favor of having 17 year olds give blood, but I do feel that it is a very simple process to have the parent sign that slip. Parents often can tell if a youngster is tired or not feeling well or know something about the health of that child, whereas the supervisor at the blood unit would not be able to have that information.

I think it is most important that this bill does not pass and I urge you to vote "Ought Not to Pass" on it.

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

Mr. CARRIER: Mr. Speaker, Ladies and Gentlemen of the House: I opposed this bill two years ago and I strongly oppose it here today. I am very concerned about what this bill would do and I hope you are too. This concerns your children and also your grandchildren. This bill deals with giving blood. Blood giving is the life sustaining element which we must have and this bill could create many legal complications.

This bill, as written, promotes the giving of blood by 17-year-old children. Regardless of how big or how strong or how energetic they are, they are still children and you are still responsible for them and you still have the liability that you might incur if you do run into trouble by the taking of the blood.

I submit to you that this is a very dangerous procedure, more dangerous than most people will agree to. The fact is, I have inquired a lot about this bill, about the effects of it and the possible effects of it, and the one thing that strikes me to be the most dangerous is the fact that somebody who gives blood might be under drugs. They don't give any test to see if they are under drugs. Whether they take the test or not, they cannot, to my knowledge, test or tell if a child is under drugs. If he is under drugs and he gives blood and it is passed on to you or your children, you will get the effects from it. This can be extremely serious.

We do have trust in our children. I am the parent of four children. They are all grown up now but I am still very concerned about the present people that do have children under 18. It is nice to give them all kinds of permission to do things, but I submit to you that if we give them permission to do things, they should also take the liability that is involved, take the responsibility that is involved. As a parent, absolve me from the responsibility if we must have this, which I hope we never have.

There will be many things said about the cost. It costs about 50 cents to take the test. They say this will be quite a savings to the Red Cross. Maybe it is, but I just cannot digest the fact of using kids as pawns to get blood out of them and infringe upon the parental rights that this bill would do.

If you will look at the last sentence of the bill, which says that the consent shall be valid and binding on the person as if he had achieved his majority, but what this says is that if your child gives blood and there are complications, he cannot come back and say to the court, if you sue somebody for damages or for hospital bills and use as an affirmative defense that he was not 18 years old, that he didn't know what he was doing, in fact, under this bill, the only liability you would not have to take care of as far as bills are concerned is the liability of negligence on the part of the ones that take the blood. Erroneously, the members that appeared before the committee did not say that. I think they made the mistake of saying that they would pay all bills and be liable for every part of blood that is taken if there are complications. This is not so. The parent is liable, will be liable, even if they don't need the consent.

I submit to you that this bill should have the same treatment as it did before. We know where the bill is going, just look at the report. I don't have to volunteer to give blood, they probably wouldn't take it anyway.

We do have trust in our kids and I know that you have and I know you are concerned about them and this is one of the very dangerous areas. Taking blood could result in very serious legal and physical complications. I hope you accept the "Ought Not to Pass" Report.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Portland, Mrs. Payne.

Mrs. PAYNE: Mr. President and Members of the Senate: I am a parent too and I feel on this, as one of the proponents of this bill brought out, that they would get more blood from 17 year olds who were giving spontaneously without parental permission, in other words, peer pressure, and I think that a great many 17 year olds would be very glad to have that note from mother, possibly saying that today they didn't want to give blood. Maybe they know how they feel that day.

The words "parental authority and parental control" put parents and children in adversary position. I think what we mean when we say this is that it further erodes communications and understanding between parent and child. A child could bring this home, talk it over with their family, it is another thing that they can talk over and further get closer with, so I am urging that this bill "Ought Not to Pass."

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

Mr. BOUDREAU: Mr. Speaker, Ladies and Gentlemen of the House: I agree, partly, with testimony on both sides of this issue. I am the sponsor of this bill.

I saw Representative Carrier in the hall a few weeks ago and he had the bill in his hand and he said, "what is wrong with you anyway?" I helped him kill this bill two years ago. Since then, though, I have been involved with the Red Cross and been involved with student blood programs in high schools.

I think there is a lot of misunderstanding and myth about giving blood. Five percent of the people nationally, who can give blood, give. I think that tells something about all of us. Until I gave blood about two years ago, I thought it was kind of a weird thing and I really didn't know if I wanted to do it, and finally one day I decided I had enough gumption to go and give blood and it really wasn't a big deal. I do it on a regular basis now. I think that is an important point to make.

We talk about responsibility for kids and parents should have the discretion of whether or not kids should give blood or not, but the fact of the matter is, for some reason many of us don't give. I think when you look at the facts and figures that show that 5 percent of the people nationally give, that tells you something about the myths and misunderstandings that do exist about giving blood.

It is unfortunate, and I agree with some of the points of people against this bill, I surely don't want to take the right of the parents away to decide whether or not their kid should give blood or not, but I do believe that at 17 a student is responsible enough to know if they want to give or not. That is why I put the bill in, and like Mr. Norris, I have no illusions about where this bill will go when it reaches the other end of the hall, but I thought I would say something since I was the sponsor.

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

Mr. MASTERMAN: Mr. Speaker, Ladies and Gentlemen of the House: I am amazed this morning that we continue to say that this is really a blood bill. I consider it a parent bill. I am not going to prolong this, because I think I know where it is going, having been in the debate the last time around, and I am not going

to tell the story that I had at that time about my own children. I am only going to say a couple of things that I heard at the hearing, and one of the very fine committee people made the remark that in their school, when they wanted the girls to give blood, they sent around the most handsome boy in the school, and when they wanted the blood from the boys, they sent around the prettiest girl. I guess probably at any age most of us would react to this.

I want to just say that I am amazed that people say this is not a bill to erode the family structure, because I see it exactly doing that.

I said at the hearing, and I didn't intend to talk up there either, but because of what the Red Cross people said, I felt that I had to say something, and I don't know about the rest of you—I will first make the remark that I made up there. I said to the committee that I thought they were being used. I, for one, am not going to be used here this morning.

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

Mr. NORRIS: Mr. Speaker, when the vote is taken, I would request a roll call.

The SPEAKER pro tem: 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 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 pro tem: The pending question is on the motion of the gentlewoman from Hampden, Mrs. Prescott, that the Majority "Ought Not to Pass" Report be accepted. All those in favor will vote yes; those opposed will vote no.

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

Mr. BRODEUR: Mr. Speaker, I request that my vote be paired with the gentleman from Lewiston, Mr. Jalbert. If he were here, he would be voting yea and I would be voting nay.

ROLL CALL

YEA—Aloupis, Bachrach, Baker, Barry, Benoit, Berube, Birt, Blodgett, Bordeaux, Bowden, Brennerman, Brown, D., Brown, K. L., Brown, K. C., Bunker, Call, Carrier, Carroll, Carter, D., Carter, F., Chonko, Churchill, Cloutier, Cunningham, Curtis, Damren, Davis, Delbert, Doukas, Drinkwater, Dutremble, D., Dutremble, L., Elias, Fenlason, Fillmore, Fowle, Garsoe, Gavett, Gillis, Gowen, Gray, Gwadosky, Hanson, Hickey, Higgins, Hunter, Hutchings, Immonen, Jackson, Jacques, E., Joyce, Kane, Kelleher, Kiesman, Laffin, Lancaster, LaPlante, Leighton, Leonard, Lewis, Lizotte, Locke, Lougee, Lowe, Lund, MacBride, MacEachern, Mahany, Marshall, Martin, A., Masterman, Matthews, Maxwell, McHenry, McKean, McMahon, McPherson, McSweeney, Mitchell, Morton, Nadeau, Nelson, A., Nelson, M., Nelson, N., Payne, Pearson, Peltier, Peterson, Post, Prescott, Reeves, J., Reeves, P., Rolde, Roope, Sherburne, Silsby, Simon, Small, Smith, Sprowl, Stetson, Stover, Strout, Studley, Tarbell, Theriault, Torrey, Tuttle, Twitchell, Violette, Wentworth, Whitemore, Wood, Wyman.

NAY—Boudreau, Brannigan, Brown, A., Conary, Connolly, Cox, Davies, Dow, Dudley, Gould, Hall, Howe, Huber, Hughes, Jacques, P., Michael, Norris, Paradis, Paul, Sewall, Soulas, Tierney, Vincent, Vose.

ABSENT—Austin, Beaulieu, Berry, Dexter, Diamond, Hobbins, Kany, Masterton, Rollins, Tozier.

PAIRED—Brodeur and Jalbert.

Yes, 114; No, 24; Absent, 10; Paired, 2.

The SPEAKER pro tem: One hundred fourteen having voted in the affirmative and twenty-four in the negative, with ten being absent and two paired, the motion does prevail.

Sent up for concurrence.

Consent Calendar First Day

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

(S. P. 77) (L. D. 166) Bill "An Act to Strengthen Regional Library Systems" Committee on Education reporting "Ought to Pass"

On the objection of Mr. Sprowl of Hope, was removed from the Consent Calendar.

The SPEAKER pro tem: The Chair recognizes the gentleman from the Hope, Mr. Sprowl.

Mr. SPROWL: Mr. Speaker, Ladies and Gentlemen of the House: This bill, An Act to Strengthen Regional Library Systems, came from the Committee on Education unanimous "ought to pass." I realize what my chances are of turning this around today, and I am not going to make a motion to do that, but I do want to wave a flag that at least the trustees of the library in Camden are very much opposed to this bill, and if there are others here who have problems with the bill, as we do, then I will make a motion at second reader.

Thereupon, the Report was accepted, the Bill read once and assigned for second reading tomorrow.

Consent Calendar Second Day

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

Later Today Assigned

(S. P. 33) (L. D. 21) Bill, "An Act to Permit Hotel or Motel Managers to Eject Disruptive or Destructive Persons from their Premises and to Require these Persons to Assume Responsibility for any Damages Caused" (C. "A" S-18)

On the objection of Mr. Blodgett of Waldoboro, was removed from the Consent Calendar.

On motion of the same gentleman, tabled pending acceptance of the Committee Report and later today assigned.

(H. P. 352) (L. D. 449) Bill "An Act to Place Responsibility for Preparation and Implementation of Emergency Evacuation Plans in the Bureau of Civil Emergency Preparedness"

On motion of Mrs. Bachrach of Brunswick, was removed from the Consent Calendar.

Thereupon, the Report was accepted, the Bill read once and assigned for second reading tomorrow.

Passed to Be Engrossed

Bill "An Act to Increase from 3¢ to 5¢ Per Inhabitant the Amount Appropriated Annually for the State Stipend Fund for Agricultural Societies" (H. P. 118) (L. D. 128)

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

Mr. Carter of Winslow offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-45) was read by the Clerk and adopted.

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

Amended Bill

Bill "An Act to Dissolve Membership of the Towns of Hope and Appleton from the Community School District" (Emergency) (H. P. 97) (L. D. 124) (C. "A" H-38)

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

Passed to Be Enacted

An Act to Prohibit a Manufacturer or Wholesaler of Alcoholic Beverages to Hold a Retail License (S. P. 109) (L. D. 202)

An Act Relating to the Transfer of the Planning and Development Functions of the Urban

Renewal Authority of the City of Bangor (H. P. 160) (L. D. 188)

An Act to Dissolve the Proprietors of the Centre Meeting-House in Farmington (H. P. 329) (L. D. 366)

An Act to Amend the Procedure of the State Board of Arbitration and Conciliation (S. P. 73) (L. D. 127) (C. "A" S-11)

An Act to Revise Certain Motor Vehicle Laws (S. P. 89) (L. D. 174) (C. "A" S-14)

An Act Amending the Sardine Tax Law (H. P. 128) (L. D. 133) (H. "A" H-35 to C. "A" H-34)

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" As Amended by Committee Amendment "A" (H-44)—Committee on Local and County Government on Bill, "An Act to Increase Salaries of County Officers" (H. P. 201) (L. D. 227)

Tabled—February 28, 1979 by Mr. LaPlante of Sabattus.

Pending—Acceptance of Committee Report. On motion of Mr. LaPlante of Sabattus, retabled pending acceptance to the Committee Report and Tomorrow assigned.

The Chair laid before the House the following matter:

Bill "An Act Creating a Workers' Compensation Insurance Fund" (H. P. 689) which was tabled earlier in the day pending reference.

On motion of Mr. Davies of Orono, tabled pending reference and tomorrow assigned.

The Chair laid before the House the following matter:

Bill "An Act to Permit Hotel or Motel Managers to Eject Disruptive or Destructive Persons from their Premises and to Require these Persons to Assume Responsibility for any Damages Caused" (S. P. 33) (L. D. 21) (C. "A" S-18) which was tabled earlier in the day pending acceptance of the Committee Report in concurrence.

On motion of Mr. Blodgett of Waldoboro, retabled pending acceptance of the Committee Report in concurrence and tomorrow assigned.

Mr. Morton of Farmington was granted unanimous consent to address the House.

Mr. MORTON: Mr. Speaker, Ladies and Gentlemen of the House: I would just like to call the attention of the House to an item which was enacted today in the House, Item 9-3 on Page 8 of your Calendar, An Act to Dissolve the Proprietors of the Centre Meeting-House in Farmington. This may have aroused some curiosity in people's minds, and I would just like to call your attention to a little vignette of history in the State of Maine.

By an act of this legislature in 1822, the Town Meeting-House Society was founded in Farmington, and in order to provide for a meeting house, they sold pews. I think you would all be interested to know that in that original legislation it said "And the collector is hereby empowered to collect all taxes committed to him for that purpose," buying pews, "by the assessors in the same manner as collected through the towns and he is to observe the same laws provided for the collection of state, county and town taxes." They really put some teeth in that law to sell those pews and get the money for them when they first had the meeting house society founded. That particular clause was removed in 1828.

Eventually, the county became involved and used the Centre Meeting-House for a courthouse, and finally a quiet title to the property, along about 1880. By 1900, the meeting house, as such, which had been used by all denomina-

tions throughout its life, and had been burned and replaced a couple of times, was becoming not necessary for religious purposes and the idea of selling pews pretty well had gone out and it had become quite difficult for them to get enough people together to even elect their trustees. However, they did continue to elect trustees with a few adjourned meetings and that sort of thing, up until the period of about 1942 when the society went completely defunct and someone, one day on Broadway in Farmington, handed the record book of the society and the treasurer's book of the society to an attorney on Broadway and said, "Here, these books will be interesting to you someday."

The funds reverted to the town and the town had been managing those funds as trust funds for the cemetery that was indicated in the act ever since that time.

I really appreciate the fact that this does away with the Centre Meeting-House Society. It was necessary to clear title to that land. The land under this bill will revert to the town, as will the property of the society, and it has been administered by the town for these last 30 years.

For the benefit of the gentleman from Old Town, my good friend Mr. Pearson, I don't want to neglect to tell him that from 1900 until his death, Chester Greenwood was President of the Centre Meeting-House Society.

On motion of Mr. Violette of Van Buren, the House reconsidered its action of yesterday whereby Bill "An Act to Include the Term "Sexual or Affectional Orientation" in the Maine Human Rights Act" House Paper 673, was referred to the Committee on Legal Affairs.

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

(Off Record Remarks)

On motion of Mrs. Lund of Augusta, Adjourned until twelve o'clock noon tomorrow.