

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fourth
Legislature*

OF THE

STATE OF MAINE

1969

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Friday, March 14, 1969

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

Prayer by the Rev. Mr. Roy Moody of Gardiner.

The journal of yesterday was read and approved.

Papers from the Senate

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

Reports of Committees**Ought Not to Pass**

Report of the Committee on State Government reporting "Ought not to pass" on Bill "An Act Amending the Law Relating to Requests for Autopsies" (S. P. 176) (L. D. 581)

Report of the Committee on Transportation reporting same on Bill "An Act relating to Motor Vehicle License Examination" (S. P. 320) (L. D. 1034)

Came from the Senate read and accepted.

In the House, the Reports were read and accepted in concurrence.

Ought to Pass with Committee Amendment

Report of the Committee on Public Utilities on Bill "An Act relating to the Charter of the Van Buren Water District" (S. P. 273) (L. D. 911) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

In the House, the Report was read and accepted in concurrence and the Bill read twice. Committee Amendment "A" (S-29) was read by the Clerk and adopted in concurrence, and the Bill assigned for third reading the next legislative day.

From the Senate: The following Order:

ORDERED, the House concurring, that when the House and Senate adjourn, they adjourn to Tues-

day, March 18, at 10 o'clock in the morning. (S. P. 410)

Came from the Senate read and passed.

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

Orders

Mrs. Giroux of Waterville presented the following Joint Order and moved its passage:

WHEREAS, ice hockey has been played in Waterville for years; and

WHEREAS, the City of Waterville has become the outstanding hockey center in Maine during 1969; and

WHEREAS, the Waterville Bantams defeated Lewiston for the State championship; and

WHEREAS, the Waterville Pee Wees also defeated Lewiston for the State title; and

WHEREAS, the Waterville Squirts are champions by virtue of no challengers; and

WHEREAS, Waterville High defeated St. Dom's of Lewiston for the State title; and

WHEREAS, Waterville High is the defending New England Champion; and

WHEREAS, all Waterville teams will enter New England tournament play this month; now, therefore, be it

ORDERED, the Senate concurring, that Waterville is proclaimed as the Hockey Capitol of Maine for 1969 and the best wishes of the 104th Legislature are offered to the champions; and be it further

ORDERED, that duly attested copies of this Joint Order be transmitted to Mr. Stanford Trask, principal of Waterville High School, Mr. Spat Roy, coach, and Mr. Raymond Lemieux, head of youth hockey programs in Waterville. (H. P. 1073)

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

Mr. CAREY: Mr. Speaker and Members of the House: This order would have been presented earlier in the week except that we had Androscoggin Day and we didn't want to mar the day by pointing out that Lewiston was no longer the hockey capitol of the State.

The Waterville High School team this evening is engaging Cranston,

Rhode Island in the first round of the New England Tournament at Durham, New Hampshire, and only yesterday we received the challenge from the Lewiston Squirts—they want to have Waterville prove their claim to the title.

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

On motion of Mr. Hawkens of Farmington, it was

ORDERED, that Rev. William Burger of Farmington be invited to officiate as Chaplain of the House on Thursday, April 3, 1969.

House Reports of Committees Leave to Withdraw

Mr. Scott from the Committee on Business Legislation on Bill "An Act to Permit Nonstock Corporations to Engage in Budget Planning" (H. P. 135) (L. D. 157) reported Leave to Withdraw.

Mrs. Kilroy from the Committee on Education reported same on Bill "An Act Establishing an Advisory Committee on the Governor Baxter State School for the Deaf" (H. P. 380) (L. D. 489)

Same member from same Committee reported same on Bill "An Act relating to Tuition Charges for Pupils Attending the Governor Baxter State School for the Deaf" (H. P. 381) (L. D. 490)

Mr. Waxman from same Committee reported same on Bill "An Act Granting Authority to North Atlantic College, Great Diamond Island, Portland to Grant Academic Degrees in Oceanography, Marine Science and Engineering" (H. P. 662) (L. D. 849)

Mr. Noyes from the Committee on Health and Institutional Services reported same on Bill "An Act relating to Penalty for Failure to Undergo Tuberculosis X-Ray Tests" (H. P. 517) (L. D. 688)

Reports were read and accepted and sent up for concurrence.

Tabled and Assigned

Mr. Leibowitz from the Committee on Liquor Control reported same on Bill "An Act relating to Penalty for Illegal Sale of Liquor" (H. P. 738) (L. D. 956)

Report was read.

(On motion of Mr. Corson of Madison, tabled pending acceptance of the Report and specially assigned for Tuesday, March 18.)

Mr. Stillings from the Committee on Liquor Control reported "Ought not to pass" on Bill "An Act relating to Notice to Liquor Licensees when License to be Delayed for Cause" (H. P. 777) (L. D. 1010)

Mr. Emery from the Committee on Public Utilities reported same on Bill "An Act to Amend the Charter of the Auburn Sewerage District" (H. P. 831) (L. D. 1069)

Mr. Dennett from the Committee on State Government reported same on Resolve Proposing an Amendment to the Constitution Extending to Persons Eighteen Years Old all Adult Rights (H. P. 13) (L. D. 13)

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Trask from the Committee on Business Legislation reported "Ought not to pass" on Bill "An Act Providing for the Outlawing of Trading Stamp Disbursement by Certain Business Establishments Selling Motor Fuel" (H. P. 506) (L. D. 677)

Report was read and accepted and sent up for concurrence.

Whereupon on motion of Mr. Pratt of Parsonsfield, the House reconsidered its action whereby the "Ought not to pass" Report was accepted.

On further motion of the same gentleman, tabled pending acceptance of the Report and specially assigned for Wednesday, March 19.

Mr. Cox from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act relating to Construction of Municipal Powers" (H. P. 669) (L. D. 856)

Same gentleman from same Committee reported same on Bill "An Act relating to Licensing of Premises for Dancing Purposes" (H. P. 571) (L. D. 752)

Mr. Donaghy from the Committee on State Government reported same on Bill "An Act relating to

State Historian" (H. P. 710) (L. D. 924) (Later Reconsidered)

Reports were read and accepted and sent up for concurrence.

Referred to Committee on Natural Resources

Mr. Harriman from the Committee on Business Legislation on Bill "An Act relating to Realty Subdivisions" (H. P. 680) (L. D. 879) reported that it be referred to the Committee on Natural Resources.

Report was read and accepted, the Bill referred to the Committee on Natural Resources and sent up for concurrence.

Ought to Pass in New Draft New Drafts Printed

Mr. Jalbert from the Committee on Appropriations and Financial Affairs on Bill "An Act Reactivating the Governor's Committee on Children and Youth" (H. P. 54) (L. D. 56) reported same in a new draft (H. P. 1072) (L. D. 1253) under title of "An Act Reactivating the Governor's Committee on Children and Youth and the Governor's Advisory Council on the Status of Women and Continuing Activities of the Committee on Aging" and that it "Ought to pass"

Report was read and accepted, the New Draft read twice, and assigned the next legislative day.

On motion of Mr. Starbird of Kingman Township, the House reconsidered its action of earlier in the day whereby it accepted the "Ought not to pass" Report on Bill "An Act relating to State Historian" (H. P. 710) (L. D. 924)

On further motion of the same gentleman, tabled pending acceptance of the Report and specially assigned for Wednesday, March 19.

Mr. Lawry from the Committee on Public Utilities on Bill "An Act to Amend the Charter of Great Northern Paper Company" (H. P. 439) (L. D. 563) reported same in a new draft (H. P. 1070) (L. D. 1251) under same title and that it "Ought to pass"

Mr. Scott of Wilton from the Committee on Business Legislation, pursuant to Joint Order (H. P.

973), reported a Bill (H. P. 1071) (L. D. 1252) under title of "An Act to Correct Errors and Inconsistencies in the Maine Insurance Code" and that it "Ought to pass"

Reports were read and accepted, the New Drafts read twice, and assigned the next legislative day.

Ought to Pass Printed Bills

Mr. Scott of Wilton from the Committee on Business Legislation reported "Ought to pass" on Bill "An Act Providing the Maine Insurance Code" (H. P. 201)

Mr. Chick from the Committee on Education reported same on Bill "An Act relating to Conferring Degrees by Thomas College" (H. P. 682) (L. D. 881)

Mrs. Cummings from same Committee reported same on Resolve Discharging Town of Shapleigh from Part of the Indebtedness to State Board of Education for Preparation of Agreement for Disolution of School Administrative District No. 57 (H. P. 460) (L. D. 597)

Mr. Millett from same Committee reported same on Bill "An Act Permitting the Municipalities of Old Orchard Beach and Saco to Form a School Administrative District and Contract for Part of its Students with Thornton Academy" (H. P. 624) (L. D. 812)

Mr. Richardson from same Committee reported same on Bill "An Act to Create a School Administrative District in the Town of Jay" (H. P. 428) (L. D. 552)

Mr. Fraser from the Committee on Health and Institutional Services reported same on Bill "An Act relating to Incurrigibles at Juvenile Training Centers" (H. P. 409) (L. D. 520)

Mr. Soulas from same Committee reported same on Bill "An Act relating to the Administration of Aid to the Aged, Blind, Disabled and Medically Indigent" (H. P. 462) (L. D. 599)

Mr. Brennan from the Committee on Judiciary reported same on Bill "An Act relating to Rehabilitative Programs in State Penal and Correctional Institutions" (H. P. 818) (L. D. 1057)

Mr. Heselton from same Committee reported same on Bill "An

Act relating to Discharge from Hospitals for the Mentally Ill" (H. P. 551) (L. D. 730)

Mr. Hichens from the Committee on Liquor Control reported same on Bill "An Act relating to Accepting Gratuities by Liquor Commission Members and Employees" (H. P. 774) (L. D. 1007)

Mr. Clark from the Committee on Public Utilities reported same on Bill "An Act relating to Penalties for Violations of the For-Hire Carrier Statute" (H. P. 780) (L. D. 1013)

Mr. Williams from same Committee reported same on Bill "An Act to Amend the Charter of Unity Utilities District" (H. P. 575) (L. D. 757)

Reports were read and accepted, the Bills read twice, the Resolve read once, and assigned the next legislative day.

Ought to Pass with Committee Amendment

Mr. Moreshead from the Committee on Judiciary on Bill "An Act relating to Reasonable Counsel Fees under Uniform Act on Paternity" (H. P. 635) (L. D. 823) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice. Committee Amendment "A" (H-99) was read by the Clerk and adopted, and the Bill assigned for third reading the next legislative day.

Divided Report Tabled and Assigned

Majority Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act relating to Minimum Speed under the Motor Vehicle Laws" (H. P. 696) (L. D. 896)

Report was signed by the following members:

Messrs. CONLEY of Cumberland
KELLAM of Cumberland
TANOUS of Penobscot
— of the Senate.

Messrs. NORRIS of Brewer
COTE of Lewiston
CUSHING of Bucksport
COX of Bangor
SHAW of Chelsea
Mrs. BAKER of Orrington
— of the House.

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

Report was signed by the following member:

Mrs. WHEELER of Portland
— of the House.

Reports were read.

(On motion of Mrs. Wheeler of Portland, tabled pending acceptance of either Report and specially assigned for Wednesday, March 19.)

Passed to Be Engrossed

Bill "An Act relating to Display of Maine Products in State Liquor Stores" (S. P. 148) (L. D. 429)

Bill "An Act to Authorize the Chief Medical Examiner to Approve Certain Expenses" (S. P. 177) (L. D. 579)

Bill "An Act relating to the Charter of the Van Buren Light and Power District" (S. P. 274) (L. D. 912)

Bill "An Act relating to Funds and Personal Property of Deceased Patients and Inmates of State Institutions" (H. P. 385) (L. D. 495)

Bill "An Act relating to Minor Children Committed to Private Custody" (H. P. 433) (L. D. 557)

Bill "An Act relating to Maine State Prison Minimum Security Unit" (H. P. 435) (L. D. 559)

Bill "An Act Tolling Running of Probation Period Pending Determination of Violation" (H. P. 470) (L. D. 607)

Bill "An Act relating to Disclosure of Information Concerning Patients at State Hospitals and the Pineland Hospital and Training Center" (H. P. 666) (L. D. 853)

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

Amended Bills

Bill "An Act relating to Length of Time for Motor Vehicle Instruction Permits" (S. P. 183) (L. D. 585)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

Amended Third Reader Tabled and Assigned

Bill "An Act relating to certain Disqualifications under the Employment Security Law" (H. P. 565) (L. D. 746)

Was reported by the Committee on Bills in the Third Reading and read the third time.

(On motion of Mr. Huber of Rockland, tabled pending passage to be engrossed and specially assigned for Friday, March 21.)

Bill "An Act Amending Laws Pertaining to the Maine State Prison" (H. P. 667) (L. D. 854)

Bill "An Act relating to Violations of Law Authorizing Work-Release from County Jails" (H. P. 689) (L. D. 889)

Were reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

Resolve Providing for Purchase of Two Hundred Copies of History of Parkman (H. P. 540) (L. D. 719)

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

Mrs. White of Guilford offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-100) was read by the Clerk and adopted and the Resolve passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

Resolve Providing for Purchase of Copies of History of Sanford (H. P. 677) (L. D. 876)

Was reported by the Committee on Bills in the Third Reading, read the second time, passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

Passed to Be Enacted

An Act relating to Wild Animals in Captivity (S. P. 221) (L. D. 661)

An Act relating to Shooting Domestic Animals or Birds while Hunting (S. P. 355) (L. D. 1127)

An Act relating to Property Tax Exemption of Veterans (H. P. 108) (L. D. 116)

An Act Regarding Unsealed Instruments (H. P. 569) (L. D. 750)

An Act to Amend the Real Estate Transfer Tax (H. P. 580) (L. D. 765)

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

Enactor Tabled and Assigned

An Act relating to Presidential Electors at Large and from Districts (H. P. 755) (L. D. 887)

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

(On motion of Mr. Rideout of Manchester, tabled pending passage to be enacted and specially assigned for Tuesday, March 18.)

An Act relating to Time of Filing Political Nominations for Town Office (H. P. 846) (L. D. 989)

An Act relating to Closed Season on Wild Hares in the Counties of Hancock, Knox, Sagadahoc and Waldo (H. P. 948) (L. D. 1126)

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:

Bill "An Act Increasing Compensation of School Directors of School Administrative Districts" (H. P. 318) (L. D. 405) Committee Amendment "A" (H-76)

Tabled—March 6, by Mr. Richardson of Stonington.

Pending—Adoption of House Amendment "A" to Committee Amendment "A" (H-85)

On motion of Mr. Richardson of Stonington, the House voted to adopt House Amendment "A" to Committee Amendment "A" (H-85).

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

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

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

HOUSE MAJORITY REPORT (8) — "Ought not to pass" — Committee on Liquor Control on Bill "An Act relating to Amount of Liquor that may be Imported into State for Personal Use" (H. P. 703) (L. D. 902)—MINORITY REPORT (2)—"Ought to pass"

Tabled—March 12, by Mr. Chandler of Orono.

Pending—Motion of Mr. Hichens of Eliot to accept Minority Report.

On motion of Mr. Stillings of Berwick, tabled pending the motion of Mr. Hichens of Eliot to accept the Minority Report and specially assigned for Tuesday, March 18.

Mr. Richardson of Cumberland was granted unanimous consent to address the House.

Mr. RICHARDSON: Mr. Speaker and Members of the House: Yesterday we were all very pleased to welcome back into the fold the gentle lady, Representative Coffey, and on careful reflection I thought that perhaps one of my responsibilities as Majority Leader was to help this new young man receive a balanced presentation of political views. I think that he should be given an opportunity to make a choice, and as the Majority Leader of the House and on behalf of the Republican members of the House I want to make a presentation this morning to the gentle lady, Representative Coffey; and the only hooker in the deal is that his name is Hubert. (laughter and applause)

Thereupon, Mrs. Coffey of Topsham was presented with a toy stuffed elephant.

Mr. Levesque of Madawaska was granted unanimous consent to address the House.

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I think probably with a touch of humor this morning that I would like to add to the remarks of the gentleman from Cumberland, Mr. Richardson, that if he is still a firm believer on local

controls and local administration I think probably the name of Hubert is a very very good suggestion, but I think that the action by the members of the household by a majority vote could select a name of their own.

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

HOUSE REPORT — Ought to pass in New Draft — Committee on Inland Fisheries and Game on Bill "An Act relating to Hunting License for Certain Maine Residents in Armed Forces" (H. P. 384) (L. D. 494)—New Draft under title "An Act relating to Hunting and Fishing Licenses for Certain Maine Residents in Armed Forces" (H. P. 947) (L. D. 1125)

Tabled—March 12, by Mr. Porter of Lincoln.

Pending—Acceptance.

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

Mr. CARRIER: Mr. Speaker and Ladies and Gentlemen of the House: We're here today to consider bill 494, L. D. 494, which was substituted by the Committee on Inland Fisheries and Game with a new draft, L. D. 1125. This is the part of the bill which I object to.

The Inland Fisheries and Game Department, combining their reference with some member of the Committee, has come up with this new draft, namely 1125, which will stop the members of the Armed Forces of this state, who at this very moment are fighting for our security, from getting a hunting license for a dollar when they are home on leave or furlough, as proposed by the original bill of Representative Tyndale which I am in favor of.

The bad part of this whole deal, which they tried to make appealing for us to pass, is that by passing this bill in the new draft we are repealing or killing a bill which we passed in the last Legislature after the bill was killed, and by very unethical tactics employed by the Inland Fisheries and Game Department and some members of the Committee in both houses. For the benefit of the new members,

I would like to briefly explain the bill we passed in the last Legislature, which can be found under Chapter 495, which in short states: That members of the Armed Forces, residents of this state, can buy fishing licenses when home on furlough or leave for the fee of \$1.00, for the duration of their leave or furlough.

I believe this to be good legislation and we passed it because the members of this House and of the other branch felt that they wanted to do something for our military men. At that time Inland Fisheries and Game opposed this measure, but the Legislature acted wisely and passed it. Now some of the same members to this innocent looking bill want to repeal this law regardless of the desires of three quarters of the legislators that voted for it. I hope that this is enough to convince you that L. D. 1125 is not good legislation and that you will support L. D. 494 and show our boys and girls in the service that we appreciate what they are doing for us.

So on these grounds, Mr. Speaker, I now move that we substitute the Bill for the Report and ask for a roll call so we can see who's for who and who's for what. Thank you.

The SPEAKER: The gentleman from Westbrook, Mr. Carrier, now moves that the House substitute the Bill for the Report.

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

Mr. GAUDREAU: Mr. Speaker and Members of the House: I certainly respect the opinion of the gentleman from Westbrook, Mr. Carrier, as I know he respects mine. But I believe that a half price for both fishing and hunting license for our servicemen when on leave would be a nice gesture. I had received some static after the 103rd session when we did give the fishermen the license for one dollar, and they wondered why we didn't do something for the servicemen who are hunters.

I am on my feet this morning because it was my idea and I think we should do both, give the gesture to our servicemen that want

to fish or hunt. I remember during the second World War when you bought a ticket for either train or bus at half fare, I believe it was felt that people cared and they did something for you. Well I believe that this bill, under a new draft, will do the same thing. Whenever they want to buy a license and they pay half price, I think it will be a nice gesture.

Now some sportsmen feel that if the State of Maine is to honor our servicemen in this manner that all the people of the State of Maine should pay for the bill, not only the sportsmen; and of course this would mean be funded by the General Fund. I know and you know how far that would get. So I am not going to belabor the issue. I think that this new draft is a good bill, it had a unanimous committee report, and I hope that you would vote against the motion.

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

Mr. TYNDALE: Mr. Speaker, Ladies and Gentlemen of the House: I was the sponsor of legal document 494 to give complimentary hunting licenses to the men in the Armed Forces. I did this at request of a number of my friends, who while they liked the idea of getting the fishing license for a dollar also wanted the hunting license. I went before the Committee and discussed it at quite length with them, and you know as well as I do there are times in this House when you have to accept half a loaf of bread if you can't get the whole loaf. So while I agree with my dear friend, Mr. Carrier, on the principle of the item, I had to say that I have no objection to this compromise if it is the one we have to take. Thank you very very much.

The SPEAKER: The Chair recognizes the gentleman from Belfast, Mr. Thompson.

Mr. THOMPSON: Mr. Speaker and Members of the House: I know that not all servicemen are expecting to get a consideration in buying a hunting and fishing license; and I know one serviceman fairly well, he is my son-in-law and he is thirty-five years old

and is making a career of the armed services. He holds the rank of Captain and is presently stationed in Hawaii. He is an outdoors man of the first water, a hunter, a fisherman and a trapper. He is a forestry graduate of the University of Maine, and I respect his opinion in such matters.

Two years ago he was on sea duty in the Mediterranean, and I mailed him a handful of bills asking for his comment on them, bills to do with hunting and fishing. Among the bills was one asking for free fishing licenses for servicemen and women who might be home on leave. He wrote on the back of the bill like he did on all of the others — don't start giving away the precious privilege of fishing in the State of Maine, because if you do it will soon be gone.

Now I know that not all servicemen are expecting this consideration. I think this is a fair compromise bill and I hope you will vote against the motion.

The SPEAKER: The Chair recognizes the gentleman from Kingman Township, Mr. Starbird.

Mr. STARBIRD: Mr. Speaker and Members of the House: Of course those of us who were here in the last session know the arguments that were brought up concerning the one dollar fee for the fishing license. Those of us who were here four years ago know the arguments pro and con for the complimentary licenses for persons over seventy. There are always arguments pro and con.

Speaking of servicemen I would like to tell a little story. Last fall — no, a year ago this last fall my nephew was home on leave, he was in the Marines, he had been overseas in the European area, no problems there, and had volunteered for service in Vietnam and he was home for a month. He went to the town clerk in his home town in Danforth and he asked to buy a license, thinking that he could get a resident license. But since he had not returned to his home town for something like three years he had to buy an out-of-state license. He had quite an argument but finally he gave in and bought it.

Well now I don't think this is fair either, and I think that quite possibly that many of these instances go on that are not reported, people simply give in and do these things. I think that not only would this be a nice gesture to our servicemen, I think it would be an extremely good policy to follow for our servicemen. They certainly have earned it.

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

Mr. CARRIER: Mr. Speaker and Ladies and Gentlemen of the House: Now that preliminaries are over, let's get down to business and see something here which may require some explanation why the Inland Fisheries and Game cannot afford to sell the licenses for one dollar to the members of the Armed Forces. In challenging their false claims I say that the Department did not lose any money as a result of the special licenses and fees for the military. They claimed in the last session, in order to cloud the issues of the last bill, that it would mean a loss to them of between thirty to forty thousand dollars. I claimed then that they were wrong and I claim it now. Some six hundred licenses were sold, we gave them \$600 which they never would have had in the first place. This is a far cry from the thirty to forty thousand dollars loss that they claimed.

To offset their broken hearts we also passed legislation which allowed them to raise the license fees at least twenty-five cents, but they don't tell us how much extra revenue this gave them.

So you see, my heart bleeds for the Department. They hate to give anything at all, no matter how deserving the cause. However, they do have the gall but not the guts to ask for raises in license fees and also for raises of \$5,000 at a crack for their so-called "key personnel".

To add more wood to the fire I'd like you to consider this. As of this date they have in the Surplus Account over \$400,000. As of January 1, 1969 they had in their Cash Account \$1,337 for the current operating cost to June 30th. It is projected that a substantial

amount will be surplus and thereby boosting their Surplus Fund to close to one half a million dollars or over. Let me ask — how come they cry poverty all this time when they have so much, and the other departments have so little?

I do not intend to get involved in personalities at this time, but let it serve as a warning that I have thought about it. If necessary my files will reveal some very unsavory facts. Let all the legislators and members of the Committee join together and give the veterans a break, and let them enjoy their stay with their families without financial strain. We ask a little for them, but what you give them today means a lot. Join me in passing the original bill, L. D. 494.

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

Mr. LEWIN: Mr. Speaker and Members of the House: I would like to make the record clear. First of all, in answer to my good friend on the other side of the aisle, we will never know how many men on furlough in the last year bought a fishing license at the regular price or the special price. I might mention furthermore, the reason for the surplus in the present fund should there be occasion this fall to be a dry season the surplus money in the fund would take care of the expenses which go on, whether the season is dry or otherwise.

I would also like to put it in the record that the so-called servicemen's fishing license became effective in October of 1967. Since the fishing season was nearly over for the year at that time, only two were sold. I might say that in 1968, 1,922 licenses were sold. The number which has already been sold during this year is not available at this time. Now how the number of servicemen's hunting licenses would compare to the number of fishing licenses would be only a matter of speculation. However, our records do indicate, that in the records of the Fish and Game Department, that during the fiscal year of '67 - '68 99,379 resident hunting licenses were sold and 97,254 fishing licenses. If this is any criteria, it

would seem reasonable to assume that should legislation be passed the sale of the proposed serviceman's hunting license would be about the same as that for the fishing license now handled by the Department. Thank you.

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

Mr. EMERY: Mr. Speaker and Members of the House: As a former member of the Armed Forces serving in World War II and in the Korean conflict overseas, I urge that we should vote in the affirmative on the pending motion.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I would just like to make one small observation. If I was to buy a fishing license or a hunting license, I would expect to use it a much longer time than a serviceman. Now let's bear in mind that when this serviceman buys a license he is never here in most cases more than thirty days and most likely it's a week. And let me also remind you that this same serviceman in Colorado or many other states can buy a license for one week at a very reduced price, and also in the Province of New Brunswick and Quebec they sell a license to them for one week.

Actually, when we are charging them a dollar we're really selling them a license that they're only going to use a short time. Please bear in mind that they are not going to use this license like I would or possibly you would, fish every day or fish all season. They are generally here for a week and not more than thirty days, and I wish you would consider this in your deliberation. Thank you.

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

Mr. JUTRAS: Mr. Speaker and Members of the House: Being a retired member of the Armed Forces, I deem it my duty to speak in favor of this bill, presented the original bill 494. I will support it one hundred percent.

Mr. Carrier of Westbrook was granted permission to speak a third time.

Mr. CARRIER: Mr. Speaker and Ladies and Gentlemen of the House: The main reason why I am against this L. D. 1125 is due to the fact that it would throw out one of the good things that we did in the last session, and this is the main reason I am against it; and I think everybody knows it. Now, the figure that I have used, to show you how some of this stuff works around, the figure that I had used of 600 licenses issued at one dollar was a figure, incidentally, given to me by the gentleman that just said that there was 1,922 licenses. Now if this is the way, if this is the kind of information we can get, well that's a different story; but this is not the kind of way that I like to operate.

However, if you do still take that number, and for their own benefit let's give them a 2,000 license figure, and multiply it by a loss roughly of three dollars a license, that's only \$6,000. Now this isn't so. This isn't so because it was evident before that the fellows that came home, some of them, on a leave of furlough would be here for a day or two and on this further moment with their family or friends would decide to go hunting and they would not bother to go and get a license. So actually what they were doing, they were fishing illegally.

On the other hand, in their own home town, the city clerk advised me then that it was also a hard thing for him to do, that many people in the Armed Forces would come home to buy a license to find out that they did not have enough money or were very surprised that there was a fee attached to it.

So therefore, I think this is a situation that if the Committee or the Department don't want to give them a hunting license at a reduced fee, that they should come out and say so; but in the meantime let them keep their hunting license which we voted in this last Legislature and I think which was one of the better bills that was presented. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Van Buren, Mr. Lebel.

Mr. LEBEL: Mr. Speaker and Ladies and Gentlemen: It's too bad to argue on a small item like this. In a few days I will show you where some people buy a license and they save up to \$75 a license, and I will prove it in a few days.

The SPEAKER: The pending question is on the motion of the gentleman from Westbrook, Mr. Carrier, that the House substitute the Bill for the Report. The yeas and nays have been requested. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All of those desiring a roll call on this matter will vote yes; those opposed will vote no. The Chair opens the vote.

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 Westbrook, Mr. Carrier, that the House substitute the Bill "An Act relating to Hunting License for Certain Maine Residents in Armed Forces," House Paper 384, L. D. 494, for the New Draft Report, House Paper 947, L. D. 1125. All of those in favor of substituting the Bill for the Report will vote yes and those opposed will vote no. The Chair opens the vote.

ROLL CALL

YEA—Baker, Bedard, Berman, Bernier, Binnette, Boudreau, Brennan, Bunker, Burnham, Carey, Carrier, Carter, Casey, Chandler, Clark, C. H.; Corson, Cote, Cottrell, Couture, Cox, Crommett, Crosby, Croteau, Curtis, Cushing, Dam, Donaghy, Drigotas, Dudley, Dyar, Emery, Fecteau, Finemore, Fortier, A. J.; Fortier, M.; Foster, Fraser, Gauthier, Gilbert, Giroux, Hall, Harriman, Haskell, Henley, Heselton, Hunter, Jalbert, Jameson, Jutras, Kelleher, Keyte, Kilroy, Laberge, Lawry, Lebel, LePage, Levesque, Lincoln, Marquis, Martin, McKinnon, McTeague, Meisner, Mills, Mitchell, Moreshead, Morgan, Nadeau, Norris, Noyes, Ouellette, Payson, M. W.; Ross, Santoro, Scott, G. W.; Shelta, Soulas, Starbird, Stillings, Tanquay, Temple, Vincent, Watson,

Waxman, Wheeler, Williams, Wood.
 NAY — Barnes, Benson, Birt, Bourgoin, Bragdon, Brown, Buckley, Chick, Coffey, Cummings, Durgin, Evans, Gaudreau, Good, Han-son, Hardy, Hawkens, Hewes, Hichens, Huber, Immonen, Kelley, K. F.; Kelley, R. P.; Lee, Leibowitz, Lewin, Lund, MacPhail, Marstaller, Millett, Mosher, Page, Porter, Pratt, Quimby, Rand, Richardson, G. A.; Richardson, H. L.; Rocheleau, Sahagian, Scott, C. F.; Shaw, Snow, Susi, Thompson, Trask, Tyndale, White, Wight.

ABSENT—Allen, Clark, H. G.; Curran, D'Alfonso, Danton, Dennett, Eustis, Farnham, Faucher, Johnston, McNally, Rideout.

Yes, 87; No, 50; Absent, 12.

The SPEAKER: Eighty-seven having voted in the affirmative and fifty in the negative, the motion to substitute the Bill for the Report does prevail.

Thereupon, the Bill was given its two several readings and assigned the next legislative day.

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

HOUSE MAJORITY REPORT (6)—“Ought to pass” in New Draft—Committee on Taxation on Bill “An Act Providing for Statement of Taxes and Other Assessments on Real Property” (H. P. 581) (L. D. 766)—New Draft (H. P. 972) (L. D. 1153) and MINORITY REPORT (4) reporting — “Ought not to pass.”

Tabled—March 12, by Mr. Starbird of Kingman Township.

Pending—Motion of Mr. Fortier of Rumford to Accept Minority Report.

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

Mr. SUSI: Mr. Speaker and Members of the House: The Attorney General's Office has suggested substantial changes in this bill and the people most interested in it haven't had a chance to become acquainted with what the effects would be with these changes, so I hope someone will move to table.

Thereupon, on motion of Mr. Ross of Bath, tabled pending the motion of Mr. Fortier of Rumford to accept the Minority Report and specially assigned for Tuesday, March 18.

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

Joint Order re Committee on State Government reporting out a bill defining the duties and responsibilities of the Department of Economic Development.

Tabled—March 12, by Mr. Richardson of Stonington.

Pending—Motion of Mr. Jalbert of Lewiston to reconsider passage.

The pending motion to reconsider prevailed.

On motion of Mr. Jalbert of Lewiston, the Joint Order was indefinitely postponed.

The same gentleman then offered the following Joint Order out of order and moved its passage:

ORDERED, the Senate concurring, that the Joint Standing Committees on Appropriations and Financial Affairs and Industrial and Recreational Development report out a bill redefining the duties and responsibilities of the Department of Economic Development. (H. P. 1074)

The Order received passage and was sent up for concurrence.

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

Bill “An Act relating to Allowance for Widows of Justices of the Supreme Judicial Court and the Superior Court” (H. P. 919) (L. D. 1180)

Tabled—March 13, by Mr. Richardson of Cumberland.

Pending—Further consideration. Thereupon, on motion of Mr. Richardson of Cumberland, the House voted to recede and concur with the Senate.

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

HOUSE MAJORITY REPORT (5)—“Ought not to pass”—Committee on Transportation on Bill “An Act Concerning the Riding

of Bicycles" (H. P. 789) (L. D. 1022)—MINORITY REPORT (4) —"Ought to pass"

Tabled—March 13, by Mrs. Payson of Falmouth.

Pending—Acceptance of either Report.

Thereupon, on motion of Mrs. Payson of Falmouth, tabled pending acceptance of either Report and specially assigned for Tuesday, March 18.

Mr. Benson of Southwest Harbor presented the following Joint Order out of order and moved its passage:

ORDERED, the Senate concurring, that Legislative Document 229, Bill, "An Act Relating to Reports of the Managers of the Maine Industrial Building Authority and the Maine Recreation Authority," H. P. 189, be recalled from the Governor to the House. (H. P. 1075)

The SPEAKER: The Chair recognizes the gentleman from Southwest Harbor, Mr. Benson.

Mr. BENSON: Mr. Speaker and Members of the House: This bill originated in the Legislative Research Committee. I sponsored it as a result of the committee report and it was heard before the Committee on Industrial and Recreational Development.

Very briefly it calls for MIBA and MRA to make monthly reports to the Legislature. This is something that both MIBA and MRA is perfectly willing to do and has been doing now for several months. Therefore, really it wasn't terribly important that we pass this legislation. However, I guess it's just a matter of sponsoring bills that are so good, it's difficult to stop them. I think that recalling it from the Governor's desk is the proper thing to do. It is not necessary legislation and it is setting a precedent really of demanding that departments report monthly or periodically to the Legislature, and if this were to be put on the books I think we might see some more to follow. So if you would support the order I would appreciate it.

Thereupon, the Joint Order was received out of order by unanimous consent, passed and sent up for concurrence.

(Off Record Remarks)

On motion of Mr. Richardson of Stonington, the House reconsidered its action of earlier in the day whereby Bill "An Act to Create a School Administrative District in the Town of Jay" (H. P. 428) (L. D. 552) was assigned for third reading the next legislative day.

The SPEAKER: The Chair recognizes the gentleman from Wilton, Mr. Scott.

Mr. SCOTT: Mr. Speaker and Members of the House: I am very delighted with the very favorable "Ought to pass" Report. However, recognizing the error I will go along with the motion to recommit.

Thereupon, on further motion of the same gentleman, the House reconsidered its action whereby it accepted the "Ought not to pass" Report.

Thereupon, the Bill was recommitted to the Committee on Education and sent up for concurrence.

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

HOUSE REPORT "Ought to pass" Committee on Appropriations and Financial Affairs on Bill "An Act Closing the Military and Naval Children's Home and Disposing of the Property" (H. P. 757) (L. D. 977)

Tabled — March 13, by Mr. Ross of Bath.

Pending — Acceptance.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: Before we start and for the benefit of those who don't know, let us see what we are talking about. We have in Bath a Children's Home where we take children who are orphans or who come from broken homes. This was founded shortly after the Civil War to take care of orphans of veterans of that unfortunate conflict. The State took over the Home in 1866. Now we take any children, but we still do have priorities of veterans; and they can come from anywhere in the State, not just Bath, Maine.

At the present time there are thirty children there and not one of them comes from Bath. It is

an imposing stately building slightly over one hundred years old. It is attractive, neat and clean. It has fire escapes and an alarm system. The opposition will state that it is unsafe and a fire trap. Just now they have passed out a long official report. But in my opinion it is no more unsafe than the buildings that you and I live in, the majority of the hotels, private schools and so forth in the State of Maine and certainly it is safer than ninety percent of the foster homes.

They say, why should we give preferential treatment to thirty children when there are some two thousand children in foster homes. In my mind they should say, why don't we upgrade the whole program instead of destroying the very best part.

The Home serves several purposes that are often overlooked by the opponents. They can take children on the spur of the moment in case of family catastrophe. They can take brothers and sisters and whole families and not split up those groups. There are some children that need group-type living. To deprive them of this would prevent their proper future adjustments. But even more important, under our State Foster Home Program, no child is eligible unless the courts have designated the Department of Health and Welfare to be their legal guardians. We can take any truly needy child, but if this Home closes there is no place at the present time for twenty-four of these children to go.

I will read you just one paragraph of a letter from the Division of Child Welfare: "We can offer foster homes to five of the twenty-nine children presently at the Home, but cannot offer homes to the others unless the courts designate the Department as legal guardians or unless the Department of Health and Welfare obtains a voluntary foster care program from the legislature."

Why in the world do we have this biennial argument here in the State Legislature? Unfortunately, the Home itself is kind of an orphan or a step-child. No one wants to have the supervision of it. Right now it is under the jurisdiction of the Department of Mental

Health and Corrections, but they don't want it. It was suggested several years ago that it be transferred to the Department of Health and Welfare, but unfortunately they don't want it. Consequently, at the expense of the children is always all of this bickering. Now they have not been given sufficient funds and sufficient supervision to run it the way we really would like to run it.

I hate to oppose a unanimous Appropriations Committee Report, because the Appropriations Committee certainly is doing a very good job this year and all of us in State Government want to economize. But at the expense and health and happiness of thirty unfortunate children, I think it's a very poor way to do this. We are talking about \$47,500 in the first year and \$95,000 in the second year. Yesterday this same group pleaded with us for an emergency appropriation to take care of staff and administration in the office of the highest paid state employee in the State of Maine. I went along reluctantly with this because basically I don't approve of the program.

But here just one day later this same group is saying that we should phase out an operation that has proven its worth time and time again. Over the years hundreds of persons from this Home have become very successful in business and excellent citizens of this country. Our motives are not the slightest bit selfish. The payroll there is very small — 13 persons. Local purchases are certainly minimal. The City of Bath furnishes the education for all these children, and as I said before, we don't even have one Bath child in the Home. However, the Home is one of our traditions to which we point with pride, we surely do not want to see it close. So I move that the bill be indefinitely postponed and when the vote is taken I request it be taken by the yeas and nays.

The Speaker: The Chair recognizes the gentleman from Sanford, Mr. Jutras.

Mr. JUTRAS: Mr. Speaker, Ladies and Gentlemen of the House: A word before you vote on this issue. It is understandable that

the Representatives from the Bath area and Sagadahoc County area be provincial or chauvinistic and fierce defenders of an institution which is supported on emotional fuel. However, you as legislators must never forget that when the staff of any institution almost exceeds the number of the inmates, then fiscal responsibility requires the closing of such institutions.

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

Mr. LUND: Mr. Speaker, Members of the House: Orphans is a term which generates a good deal of sympathy, and I can assure you that it is not particularly easy to undertake to carry out the task your Appropriations Committee is undertaking in seeking the passage of this bill and opposing the pending motion. This year, for the first time apparently in many years, the Appropriations Committee undertook to visit all of the State institutions, and incidentally many of them had a higher per capita cost than the Bath Home. And I would say that it is a misrepresentation to suggest that this bill or the action of the Committee on this bill is one which is based solely upon economy thinking.

When your Committee visited this home we went there with an open mind, and from the outside one sees an attractive three-story large home of the type seen along our coastal areas, with an attractive front door. But ladies and gentlemen of the House, the front door opens inward. Right behind the front door in the hallway is the stairway going upstairs. I don't think I need to tell you what happens in a building with large numbers of people in it where the front door opens inward, and especially when there's a stairway right behind it for people to pile up on when they can't get the door open. The stairway itself is an open stair well.

When you're talking about a three-story building full of children, the immediate thought when one looks over from the third story is that there is a safety hazard, and a youngster, as active youngsters may, climbing on to the banister and falling down the stair well. But far more serious

than that is the fire hazard, because as you all know I'm sure, when smoke begins to pass through a building, and it doesn't have to be very hot smoke in order to asphyxiate people, it travels up an open stair well just like a chimney. This is the reason that you don't see open stair wells in the buildings that are being built today, and you don't see open stair wells in the older buildings that are being used for this type of purpose. It is very easy after a nursing home or some other large building burns down to have a great public outcry and to call for reform measures and to try to point the fingers at the people who are responsible for the conditions that caused the fire and the tragedy. But I would suggest to you that this Legislature has a responsibility to act before this type of tragedy happens.

You have been presented on your desks today with a list of the measures which ought to be carried out if this building is to be rendered safe and suitable for the use to which it's now being put. And I for one would not object to the rather high cost of rehabilitating this old building if I felt in my heart that it housed a program of which the State could be proud. While I have the greatest respect for the gentleman from Bath, I too have feelings about children, and I have a feeling that this attractive old home is being used as a catch basin for children in need. And I think that the State of Maine owes the children in need something better than a catch basin.

If there were a forward looking program here which offered professional services to these kids, if it was apparent that there was a program here, I would be the first to say let's carry it on and improve it. However, it appears to me that the State is neglecting its duty in the way it is conducting this operation and that we should instead be looking to the other means that are available for solving the problems that are evident here.

As I have indicated the question is not only one of fire safety, but also that of a program which your

Committee felt did not live up to the standards that we ought to be seeking here in the State of Maine. There are other programs available for these children, there are other means to which they can be placed in other institutions or through the regular Foster Care Program, and I hope that the House will vote with its head as well as with its heart today and oppose the motion for indefinite postponement.

The SPEAKER: The Chair recognizes the gentleman from Eliot, Mr. Hichens.

Mr. HICHENS: Mr. Speaker and Ladies and Gentlemen of the House: We have just been awared of the back of economy. I would like to bring to mind the value of lives and of souls rather than economy measures. I have not had the privilege of visiting this home in Bath, but I have had the privilege of being a friend of the Administrator of this home, and a few weeks ago I had a bill in committee to have children of inmates of the Pineland Home put out to private homes. That bill was defeated because of the arguments that these people going out into private homes would not receive the care they would at Pineland.

I believe this is the case as described by Representative Ross that twenty-four of these children have no place to go as it is. They have had the instruction of the Administrator of this Home which is of great value at the present time, of course we don't know how long he would be there, but I feel that under the present conditions that the lives and the soul conditions of these children in this Home is much more valuable than the economy at this point. Thank you.

The SPEAKER: The Chair recognizes the gentlewoman from Bath, Miss Watson.

Miss WATSON: Mr. Speaker and Ladies and Gentlemen of the House: The two major arguments against the Military and Naval Children's Home in Bath seem to be an allegedly exorbitant cost and the charge that the building in Bath is a fire trap. I think we

should examine these arguments closely.

The resident cost per child at the Bath Home is \$3096; the total per capita cost is \$1229 per child. The average cost for the institutions under Mental Health and Corrections is \$3523 resident cost and \$2053 per capita cost. Therefore, the cost of keeping a child at the Bath Home is less than the average cost for other state institutions.

Some would argue that it would be cheaper to send these children to foster homes. What you are not told is that many of these children have already been in foster homes and have just not been able to make it. They haven't been able to adjust because of emotional problems.

Seven of the 30 children presently at the home are mildly retarded and 14 are emotionally disturbed. Some of these children have been kicked around for years. Where will they go now? It will cost from \$1500 to \$3300 more per child to send them to Stevens, South Portland, or Pineland, but you're going to have to send them there if they can't be sent to a foster home.

The mildly retarded don't belong in Pineland. Next year Bath is opening a vocational wing at the high school. There will be special classes for these children. The emotionally disturbed children should not be institutionalized. They're not incorrigible. They need love and affection and as close to a home atmosphere as possible.

Also, if you close the Home you will be breaking up families of from two to five children. These children have had nothing in life. Are we now going to deny them the love of brothers and sisters, the security of being part of a family?

Perhaps you feel that the main reason I am defending the Home is that it is in the City of Bath. Bath would be better off without the Home. We could tax the property and we wouldn't have to pay the cost of the education of these children. But the Home has become a deeply ingrained part of the community. We want it to remain there.

It has been said that the Bath Home is a fire trap. It has new fire escapes with easy access; it is being completely rewired; it has a modern fire alarm system which is connected to the fire station, which incidentally is on the same street. Granted the Home needs more work done. It should have a sprinkler system and needs much renovation. We should be spending more money, not less, and utilizing the Home to the greatest possible extent. Yet my concern is not so much that the Home should remain open in Bath but that such a facility be maintained somewhere because it is badly needed to take care of these marginal children.

Before I sit down I would like to ask the members of the House a few questions. I hope you will think carefully about the answers before you vote on this matter. I realize that money is tight and that we must economize, but what have these children done that our so-called economy should start with them?

Granted, money is a scarce commodity, but what about the commodities of concern, affection, security and love? What do they cost? What is their value?

There are those in this House who would have spent one half million dollars on a giant birthday party for the State. What do we possibly have to celebrate if even one of our children is deprived of an equal chance?

Is money our most important resource or is human life?

What is the happiness of children worth to us? What kind of price tag do we put on the life of an innocent child?

Do we have the right to deny these children the opportunity to remain together as brothers and sisters — as a family?

Who among us would like to face these children and say, "Sorry, kids, but you're not worth \$3,000 a year so we're going to break you up and parcel you off to separate foster homes and institutions"?

Who among us is able to say, "We just don't care"?

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

Mr. McTEAGUE: Mr. Speaker, I would ask to pose a question to Mr. Lund or any member of the Appropriations Committee that would wish to answer.

The SPEAKER: The gentleman may pose his question.

Mr. McTEAGUE: In the event that the House would not vote to close the Home, what action is anticipated to provide funds to ensure the safety of the children in the Home and particularly to correct the deficiencies set out in the report from the Division of State Fire Prevention?

The SPEAKER: The gentleman from Brunswick, Mr. McTeague poses a question through the Chair to the gentleman from Augusta, Mr. Lund, who may answer if he chooses, and the Chair recognizes that gentleman.

Mr. LUND: Mr. Speaker, to my knowledge, none.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: As you are well aware, I also am a member of the Committee on Appropriations and Financial Affairs. Before I make any comments on the Home, I want to make it quite clear to every member of the House that I am a supporter of every type of program that will help the deprived children of this state. I have always been and I will continue to do so. This is one of the reasons why I stand up today to tell you my feelings on the Home in Bath. If I did not feel this way, I would not have voted the way I did on the bill.

I cannot believe that this House or the people of the State of Maine can condone the type of situation that exists at the Bath Home. I was not aware of anything at the Bath Home until this session. I had never been there; I had never been concerned about it, and I was not aware of the situation that existed. As the gentleman from Augusta, Mr. Lund pointed out, the Committee visited most of the

institutions of the State of Maine. One of those was the Home in Bath. The visit surprised me.

I was surprised first of all with the type of program that existed there, by the lack of supervision. For example, the kids that were in the gymnasium alone on concrete floors playing basketball. I am not concerned per se about the per capita cost. If it costs us \$10,000 to take care of a child and do a good job, then I'm willing to pay it, but I am not willing to pay for thirteen employees to take care of twenty-six children, and the very fact is that they are not being taken care of. At the hearing, the Superintendent of the institution told us that there were some mentally disturbed children and that there were some emotionally disturbed children. There is no professional help for these type of children there. The institution is doing them a disfavor and not a favor in keeping them there.

If you would take a look at the two sheets of paper passed to you from the Insurance Department, you would quickly realize that indeed it is a firetrap. It's been pointed out once and it will be pointed out again. A boiler room in the basement that does not have a self-closing door, we would not allow this condition to occur in any hospital or any nursing home in this State, and yet we condone it in a State institution. The front door opening inward. This is ridiculous. The fire escape on the third floor where the children sleep and where there are two people sleeping at night, two employees, but none of them are awake, and that smoke can come up from the basement through the stair well without any problem whatsoever. They could all be dead by the time they realized that there was a fire in the basement, not caused by a fire, but caused by the smoke.

It was pointed out to you that there is a fire alarm system. It is a fire alarm system, but it is a fire detection system. No sprinkler system is there, no smoke detection system is there. What good would it do once the fire has hit the detection button after the children are all dead? I don't care

how far away or how close the fire department happens to be. I don't think we, as legislators, can wait until this Home is down, burned, and we have twenty-six children that are dead, and then we can say we should have done something about it. If the House feels that they do not want to do anything about it and close the Home, then I think we should all be aware what this means to us in the long run, and if anything happens there, my conscience will be clear, and I hope that everyone else's will be too, because I cannot allow this to occur.

The Superintendent of the institution at the hearing said that he had never been informed of requirements at the Home. We have copies of two letters that were sent, one in March of '67 and another in March of '68 from the Department, Insurance Department from the Division of State Fire Protection, which indicated at that time the problems of the sprinkler system, the problems of the stair wells, the problems of fire doors, and nothing was done. Now how long are we going to allow this to exist? I certainly am not saying the words that I am saying now because I want to abolish something and to throw twenty-six children out into the streets. I would be the last one to want this type of thing.

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

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen: I have heard a lot of pros and cons on this, expense, pathos and everything else. The problem concerning me before I vote is where do these children go if we vote to go along with indefinite postponement, where are they going to be put? According to the classifications described here, I don't know to my personal knowledge of any place in the State of Maine they could be sent to. I would like to have some member explain that to me.

The SPEAKER: The gentleman from Eastport, Mr. Mills, poses a question through the Chair to any member of the Appropriations

Committee who may answer if they choose, and the Chair recognizes the gentleman from Southwest Harbor, Mr. Benson.

Mr. BENSON: Mr. Speaker and Members of the House: In answer to the question posed by the gentleman from Eastport, Mr. Mills, I have here a memo from Doctor Edgar Merrill, Director of Division of Child Welfare, Department of Health and Welfare, and it says that following is a list of six group care facilities with whom the Division of Child Welfare has a varying number of children placed. They are Opportunity Farm, New Gloucester, Maine; Lewiston - Auburn Children's Home, Auburn, Maine; Bangor Children's Home, Bangor, Maine; New Life Centers, Incorporated, Limerick, Maine; Boy's Port, Limerick, Maine; Boy's Haven, Parsonsfield, Maine; St. Louis Home, West Scarborough, Maine; St. Michael's Home, Bangor, Maine. I am sure there are others. This is a list of eight.

While I am up, if I might, I would like to just make a few observations. I think if we were talking today about opening this Home, the situation would be quite different. This is a very emotional issue; it has been discussed in several sessions of the Legislature, and I feel that — well I'm sure that many many fine people have been brought up in this Home. I think the time has come now, however, for us to heed the warnings that are on your desk as the result of a very recent fire inspection. I think that we should as the gentleman from Augusta, Mr. Lund so aptly put it, vote with our head and not our heart. I understand, if my information is correct, that the population of this Home declines rather sharply in the summertime. If this is so, I wonder where these children go in the summer.

Without further debate or prolonging this, I urge you very very sincerely to vote for this bill and against the motion of the gentleman from Bath, Mr. Ross, to indefinitely postpone.

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

Mr. VINCENT. Mr. Speaker, like many members of the House here, I have been reading over this report from the Insurance Division, and having read the two pages, if the rules and regulations of this Department were imposed on the housing in the State of Maine, there would be no slums in the State. I strongly doubt that any member in this chamber, whether he lives in a private home or a rent, could pass the inspection to the letter of the law.

Mr. Speaker, we have been talking about safety in the homes, and I've looked around this chamber, and I fail to see even a sprinkler system here in the House chamber, we have one exit at the back. We have talked about the over staff. No one has talked of cutting this staff, just of eliminating the program, I would ask these points be taken into consideration in the vote.

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

Mr. BIRT: Mr. Speaker, Ladies and Gentleman of the House: There has been quite a bit of discussion on this particular issue relative to the fire inspection and the fact that many of us are living in homes that probably would not pass some of the requirements of the Insurance Department. This is very true, but on the other hand, these are private homes and they are our individual responsibilities.

When it comes to public institutions, they do become the responsibility of the Insurance Department, and we all realize, and if you want to take one typical example, in another area there was a fire that occurred in Greenville last summer, and there has been a good deal of agitation for improvement of safety regulations in old wooden hotels and the cost of installing the equipment that is necessary could very well create the condition whereby some of these hotels would have to be phased out.

One of the questions that was asked, if there had been any provision made for the cost or for the requirements of the cost of bringing this building up to proper standards. An evaluation — no

thought has been given to providing the money, but an evaluation has been made by B.P.I. and this evaluation indicates that it would cost \$162,000 to bring this building up to proper standards. Already \$26,000 has been put into it in the last ten years and we are still a long ways from bringing it up to proper modern standards. Even if we did bring it up to proper modern standards, we would still have an old building with a somewhat debatable program.

One other statement has been made that the cost per person or child in this Home is slightly in excess of \$1,200. The budget document indicates that the first year's cost of operating this Home would be \$95,834. The average patient load or child load in this Home is thirty over the run of a year, which comes to \$3,195. And it might be interesting to take my own family for instance, and if I multiplied this \$3,195 by four it would cost me \$12,780 to maintain my own home, and I wish I had that much income, and I would hope that the action of the Appropriations Committee is supported.

The SPEAKER: The Chair recognizes the gentleman from Eliot, Mr. Hichens.

Mr. HICHENS: Mr. Speaker, in reference to the statements made by the gentleman from Southwest Harbor giving a list of these places where these children might go, these places may be in existence, but I question as to whether there is room for these young people to go there.

I talked with the Director of the Boy's Port this past winter. They have eight boys there and have fifteen on the waiting list. I wonder if the other institutions aren't under the same conditions.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: This year is the first opportunity during my legislative experience that I have visited this Bath Home. I have heard much about it in previous sessions, but I did along with other members of the Appropriations Committee at the early part

of this session, I went down there. I was disturbed at the things that I saw that have already been mentioned. I will not go into them further.

I agree with the opponents of the committee report that this is a beautiful old home. It does need a lot done to it to really bring it up to where it should be. I take serious issue with the contention that the committee was motivated by economy. I want to point out to you that this committee of ten people who visited this Home who made this report were motivated by their interest, by what they felt was in the best interests of the children in this Home, and many of these committee members have children of their own, some have grandchildren and some even have great-grandchildren, and I don't think we should question their motives in this matter. I don't think that the cost factor was an overriding factor in coming to their decision. I think they seriously questioned whether this institutional type of a building or a home for children was the proper way. I was certainly disturbed when I learned at the hearing, as has already been mentioned, that these children of all ages, mind you, from way down here to way up here (indicating), that they slept in the upper floors of this building with no older person except two, as has been mentioned, that were sleeping on these floors, there was no overnight watch in that building. This certainly disturbed me very much.

I believe that an upgrading of our foster homes will give these children a much better outlook, a better prospect in life than to start their life in an institution like this, which by its very nature is somewhat of a mongrel, there are certain groups in there that should be in our foster homes in the state, and certainly some of them would qualify to be in Pine-land, and this has already been brought out. I believe that their prospects are much better in these foster homes where they could have at least a very good hope of becoming a part of a family and continuing their life in that way. This thing I don't think in such a

group as is gathered here can ever be brought about.

I have a letter here that was written to the Committee, and I have contacted this former citizen of Bath, I have recently contacted him and asked him if he was willing for me to read this letter and to be quoted, and he assured me that he was. He says that he knows that many of the people in the City of Bath do not agree with his feelings, but he graciously consented that I read his letter and use his name. It is addressed to the Chairman of the Appropriations Committee, Senator Sewall. He says: "Dear Senator Sewall: May I encourage you as Chairman of the Appropriations Committee in the move to discontinue support of the Bath Military and Naval Childrens Home in this community. The home undoubtedly filled a need in the nineteenth century; it seems to me to be out of place in the twentieth. As the father of five children, I would certainly hope that if they were ever to become wards of the state they might become part of a family unit in a foster home rather than placed in an institutional setting, however well maintained that institution might be. More power to you as you close off tax dollars to such an institution as this outmoded home. Sincerely, Reverend Lewis H. Bickford."

I am sure that the members of this committee voted with their hearts and with their consciences when they voted this way. I think it is up to you now to make your own decision as to what you think is best in this very serious situation. I hope you will go along with the findings of the ten members of your Appropriations Committee.

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

Mr. McTEAGUE: Mr. Speaker, not without difficulty do I arrive at the personal decision to vote against the closing of the Home and to vote for Mr. Ross' motion. However, as a part of my decision I wish to state that in the event that the vote today and in the other chamber is such that the Home is to remain open, I will

definitely support the passage of appropriations in adequate amounts to care for the — to correct, rather, the fire hazards which exist, and I would hope that other members of the House, regardless of the side which they take in the vote today, in the event that the Home remains open, would also put the safety of the children in front of economy, and take steps to ensure that there are adequate funds available for fire safety.

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

Mr. SOULAS: Mr. Speaker, Ladies and Gentlemen of the House: It has not been my privilege to always agree with the Appropriations Committee as you will notice in my voting. However, this particular issue is very close to my heart because I am the Chairman of the Health and Institutional Committee, and I had the privilege of attending that particular visitation with the Appropriations Committee. I can honestly say today that what you have heard from the Appropriations Committee is the truth, the whole truth, and nothing but the truth, and I don't know why, but every legislative session for some reason or other, the total population of the Bath Home increases almost twenty-five children. Last year there was only eight children at the Bath Home. This year, they have reached the maximum again of close to twenty-six to thirty, so I just want to leave you with this thought. I hope you will vote against the motion of the honorable Representative from Bath, Mr. Ross.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I have spoken on more than one occasion with the gentleman from Bath, Mr. Ross, on this issue, and when I call him my friend, I mean that; he knows that I mean it.

I will suggest to him that he might possibly refresh his memory when he makes the comment that the Mental Health and Corrections doesn't want this and the Health and Welfare Department does not want this. I would suggest to him

that two years ago I presented a bill calling for the transfer of that Home from the Mental Health and Corrections to the Health and Welfare Department; the Commissioner of Health and Welfare went to the hearing attended by the gentleman from Bath, Mr. Ross, as well as myself, and stated that he would take over the program.

Now this Home does just that, it lacks a program. All ages are mixed together. One of the opponents of closing the school appearing before the Committee stated that some of the youngsters in the school were truants; also stated as has been testified here that some of them were in some stages of mental retardation.

Now unfortunately, being one of those who had been affected with this horrible program, horrible sickness as it is, of mental retardation, I stand here to tell you this, not told to me by a layman, told to me in front of relatives of mine by a psychiatrist to the effect that if you leave this child here now it will delay him to come back as a good citizen if he is not given the care, and also, and bear this in mind, and also more important and of utmost importance that is, that it will affect the other children. This school has neither psychiatrists nor psychologists.

I know that there is a bill here to beef up our foster home programs as presented by the gentleman from Portland, Mrs. Boudreau. I intend to wholeheartedly support this program, and I think really it is a shame and an attempted indictment of the Appropriations Committee when some would think that economy or the price tag is what we were most motivated by.

Now we hear finally today the gentleman from Brunswick, Mr. McTeague, make the comment that if this is not passed, if this Home is not closed, he would support monies that would make this program possible. I would like to ask the champions of keeping this school open where they have been for the last fourteen years since this program has really started seriously, and I have been on both sides of the ledger on this thing,

I have been told that I should go visit the school. I have visited on several occasions and I have made two reports wherein it concerns this program. Where have these people representing Bath been when the hopper opens on the first of January that would make it possible for them to put legislation in asking for a psychiatrist, asking for a psychologist, asking for money, not to put this building together again, to tear it down? The building is an old wooden structure, it's over one hundred years old, and when anybody says that it's as good as his home or my home or anybody else, I will tell you that somewhere along the line that might not be stretching the truth, but somewhere along the line it is stretching the imagination. Now I don't claim that my home is too pretentious, but I know some people have made the statement that the Naval and Military Home is as good as their home; that in my opinion from some people that it comes from is not only stretching the imagination, but it certainly is stretching the truth.

Now insofar as I am concerned, just a few minutes ago before we went into debate here when this letter was distributed, one member who is an opponent of this, not a member of this body now, in front of two other members, made the statement: where does this letter come from, Louie? Well that kind of remark to a certain degree aggravates me, because for many members of this House and many members who are in this House know one thing, there are three things I'll drop everything for, someone that wants me to make out an application, a worthy application for old age assistance, someone who wants to get into a program because of mental retardation. Why, I don't think there's anybody in this House, and I would say that all of the members of this House together cannot come up with the times that I have pounded away at Pineland to get an individual into a home on time before it's too late, not wanting to hurdle over the waiting list, but saying let's hurry, let's hurry, let's go for these programs. My record there is clear!

I also will remind that even some members of this House know just my efforts in the area of trying to help them and help theirs and help those that they ask me to help for care, be it on a mental level or care for eyes or operations or one thing and another. This is my very life; it has been my very life, and it shall continue to be my very life.

Now we talk about the hundreds who have come out of that Home in the last number of years who have become good citizens. How about the hundred of thousands who have come out of foster homes who have become good citizens? One thing that really infuriates me is when somebody will tell me that I will place a dollar bill before I will look out for someone in need. Now my record is clear of voting for programs. If I vote for a program, I will vote to pay for it. I remember standing here many many moons ago saying at the outlet of a legislative session I will not vote for increased taxation. I then voted against increases for State employes, God love 'em, it was the only time I ever did, I assure you, I voted for all programs when it came time for programs of mental retardation, programs of new buildings at Pineland and other areas.

I am sorry that I have taken more time than I felt I wanted to take wherein it concerns this program. You would think that at times when the Appropriations Committee comes out and brings forth such a report they are people with horns. Just remember this, that as far as I am concerned, maybe my blood is a little bit rougher, and it may be even a little bit more dry when it comes to certain programs like taking off the cross on top of the ballot, but believe me, my heart really mellowes when it comes to programs of this nature. My only reason today for voting to close this school is for the good of the youngsters that are in it!

The SPEAKER: Is the House ready for the question? The pending question is the motion of the gentleman from Bath, Mr. Ross, that this Bill and Report be in-

definitely postponed. The yeas and nays have been requested. For the Chair to order a roll call, it must have the expressed desire of one-fifth of the members present and voting. All of those desiring a roll call will vote yes and those opposed will vote no, and the Chair opens the vote.

A vote of the House was taken.

More than one-fifth having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is the motion of the gentleman from Bath, Mr. Ross, that the "Ought to pass" Report and Bill "An Act Closing the Military and Naval Children's Home and Disposing of the Property" House Paper 757, L. D. 977, be indefinitely postponed. All of those in favor of indefinite postponement will vote yes, those opposed will vote no, and the Chair opens the vote.

ROLL CALL

YEA — Bedard, Berman, Brennan, Burnham, Carrier, Coffey, Corson, Cote, Cottrell, Couture, Crosby, Croteau, Curtis, Dam, Emery, Finemore, Fortier, M.; Fraser, Gilbert, Hewes, Hichens, Kelleher, Laberge, McTeague, Mosher, Quimby, Rand, Ross, Santoro, Tanguay, Tyndale, Watson, White.

NAY — Baker, Barnes, Benson, Bernier, Binnette, Birt, Boudreau, Bourgoin, Bragdon, Brown, Buckley, Bunker, Carey, Carter, Chandler, Chick, Clark, C. H.; Crommett, Cummings, Cushing, Donaghy, Drigotas, Dudley, Dyar, Fec-teau, Fortier, A. J.; Foster, Gaudreau, Gauthier, Giroux, Good, Hall, Hanson, Hardy, Haskell, Hawkens, Henley, Heselton, Huber, Hunter, Immonen, Jalbert, Jameson, Jutras, Kelley, K. F.; Kelley, R. P.; Keyte, Kilroy, Lawry, Lebel, Lee, Leibowitz, LePage, Levesque, Lewin, Lewis, Lincoln, Lund, MacPhail, Marquis, Marstaller, Martin, McKinnon, Meisner, Millett, Mills, Mitchell, Moreshead, Morgan, Nadeau, Norris, Ouellette, Page, Porter, Pratt, Richardson, H. L.; Rideout, Rocheleau, Sahagian, Scott, C. F.; Scott, G. W.; Shaw, Sheltra, Snow, Soulas, Starbird, Stillings, Susi, Temple, Thompson, Trask, Vincent, Wax-

man, Wheeler, Wight, Williams, Wood.

ABSENT — Allen, Casey, Clark, H. G.; Cox, Curran, D'Alfonso, Danton, Dennett, Durgin, Eustis, Evans, Farnham, Faucher, Harri- man, Johnston, McNally, Noyes, Payson, M. W.; Richardson, G. A.

Yes, 33; No, 97; Absent, 19.

The SPEAKER: The Chair will announce the vote. 33 having vot- ed in the affirmative and 97 hav-

ing voted in the negative, the mo- tion does not prevail.

Thereupon, the "Ought to pass" Report was accepted, the Bill read twice and assigned for third read- ing the next legislative day.

(Off Record Remarks)

On motion of Mr. Cox of Ban- gor,

Adjourned until Tuesday, March 18, at ten o'clock in the morning.