

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Twelfth
Legislature***

OF THE

STATE OF MAINE

Volume II

FIRST REGULAR SESSION

December 5, 1984 - June 20, 1985

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HOUSE

Friday, June 14, 1985

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

Prayer by Reverend Trueman Bray, Penny Memorial United Baptist Church, Augusta.

Quorum called; was held.

The Journal of yesterday was read and approved.

Papers from the Senate Ought to Pass as Amended

Report of the Committee on Utilities reporting "Ought to Pass" as Amended by Committee Amendment "A" (S-286) on Bill "An Act to Establish a Spent Nuclear Fuel Disposal Trust Fund" (S.P. 370) (L.D. 1004).

Came from the Senate, with the report read and accepted and the Bill Passed to be Engrossed as amended by Committee Amendment "A" (S-286).

Report was read and accepted and the Bill read once.

Committee Amendment "A" (S-286) was read by the Clerk and adopted.

Under suspension of the rules, the Bill was read a second time, passed to be engrossed as amended in concurrence.

Divided Report

Later Today Assigned

Majority Report of the Committee on Legal Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (S-118) on Bill "An Act to Establish Age 21 Years as the Legal Age to Purchase or Consume Alcoholic Beverages and to Deter Drinking and Driving by Minors" (Emergency) (S.P. 332) (L.D. 820)

Signed:

Senators:

TRAFTON of Androscoggin
NAJARIAN of Cumberland
STOVER of Sagadahoc

Representatives:

REEVES of Pittston
PERRY of Mexico
PAUL of Sanford
RIOUX of Biddeford
WARREN of Scarborough
DILLENBACK of Cumberland
MURPHY of Berwick
MASTERMAN of Milo
NICKERSON of Turner

Minority Report of the same Committee reporting "Ought Not to Pass" on same Bill.

Signed:

Representative:

BOTT of Orono

Came from the Senate with the Majority "Ought to Pass" as amended Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (S-118) as amended by Senate Amendment "C" (S-284) thereto and Senate Amendment "A" (S-140)

Reports were read.

On motion of Representative Reeves of Pittston, the Majority "Ought to Pass" Report was accepted and the Bill read once.

Committee Amendment "A" (S-118) was read by the Clerk.

Senate Amendment "C" (S-284) to Committee Amendment "A" (S-118) was read by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Pittston, Representative Reeves.

Representative REEVES: Mr. Speaker, I move the indefinite postponement of Senate Amendment "C".

Men and Women of the House: Earlier this session, the Legal Affairs Committee passed L.D. 1281 and the legislature passed L.D. 1281 changing the law regulating sales in retail stores and sales on premise consumption in regard to the employment of minors. We changed the law saying that persons under 17

cannot accept payment of sales in retail stores unless there is a person of legal drinking age in the store in a supervisory capacity. This also applies to Class A restaurants, Class A taverns, hotel dining rooms and clubs.

What we intend to do in passing the 21 year old drinking age is make this legal drinking age consistent for all who sell liquor in any capacity. People 17 and under can still be employed, not in the direct handling of liquor for on premise consumption, but can be employed in stores that sell liquor as long as there is someone 21 or older in a supervisory capacity.

Senate Amendment "C" repeals this and goes to the system where a person of 18 years of age can be present in a supervisory capacity. If Senate Amendment "C" were enacted, then someone as young as 14 could be selling beer in a small store with only an 18 year old in a supervisory capacity and the committee feels that this would be inconsistent with our whole program of changing the legal drinking age. So, I hope you will vote to indefinitely postpone Senate Amendment "C".

Whereupon, Senate Amendment "C" to Committee Amendment "A" was indefinitely postponed.

Committee Amendment "A" (S-118) was adopted.

Subsequently, Senate Amendment "A" (S-140) was read by the Clerk and adopted.

Under suspension of the rules, the Bill was read a second time. On motion of Representative Diamond of Bangor, tabled pending passage to be engrossed and later today assigned.

Non-Concurrent Matter

An Act to Amend the Probate Code to Improve Guardianship and Conservatorship Proceedings (S.P. 218) (L.D. 577) (H. "A" H-361 to C. "A" S-176) which was Passed to be Enacted in the House on June 12, 1985.

Came from the Senate, Passed to be Engrossed as amended by Committee Amendment "A" (S-176) as amended by House Amendment "A" (H-361) and Senate Amendment "A" (S-285) thereto in non-concurrence.

The House voted to recede and concur.

Messages and Documents

The following Communication:

State of Maine

One Hundred and Twelfth Legislature
Committee on Local and County Government
June 13, 1985

The Honorable John L. Martin

Speaker of the House

112th Legislature

Dear Speaker Martin:

We are pleased to report that all business which was placed before the Committee on Local & County Government during the first regular session of the 112th Legislature has been completed. The breakdown of bills referred to our committee follows:

Total number of bills received	61
Unanimous reports	50
Leave to Withdraw	11
Ought to Pass	10
Ought Not to Pass	6
Ought to Pass as Amended	17
Ought to Pass in New Draft	6
Divided Reports	9
County Budgets	16
Carry Over Bills	
(Approved by the Legislative Council)	2

Respectfully submitted,

S/ JOHN L. TUTTLE

Senate Chair S/ EDWARD A. MCHENRY
House Chair

Was read and ordered placed on file.

The following Communication:

State of Maine

One Hundred and Twelfth Legislature
Committee on Human Resources

June 13, 1985

The Honorable John L. Martin
Speaker of the House
112th Legislature
Dear Speaker Martin:

We are pleased to report that all business which was placed before the Committee on Human Resources during the first regular session of the 112th Legislature has been completed. The breakdown of bills referred to our committee follows:

Total number of bills received	91
Unanimous reports	72
Leave to Withdraw	24
Ought to Pass	12
Ought Not to Pass	0
Ought to Pass as Amended	28
Ought to Pass in New Draft	8
Divided Reports	15
Carry Over Bills	
(Approved by the Legislative Council)	4

Respectfully submitted,

S/ GEORGETTE B. BERUBE

Senate Chair

S/ MERLE NELSON

House Chair

Consent Calendar First Day

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

(H.P. 832) (L.D. 1176) Bill "An Act Relating to the Establishment of a Maine Children's Trust Fund" Committee on Taxation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-415)

Under suspension of the rules, Second Day Consent Calendar notification was given, the House Paper passed to be engrossed as amended and sent up for concurrence.

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

Passed to Be Enacted Bond Issue

Tabled and Assigned

An Act to Authorize a General Fund Bond Issue in the Amount of \$4,000,000 for State Facilities Energy and General Improvements (H.P. 922) (L.D. 1326) (C. "A" H-381)

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

On motion of Representative Carter of Winslow, tabled pending passage to be engrossed and tomorrow assigned.

Emergency Measure Tabled and Assigned

An Act to Establish an Aroostook County Budget Committee (S.P. 310) (L.D. 799) (H. "A" H-396 to C. "A" S-98)

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

Representative Diamond of Bangor requested a roll call.

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

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

On motion of Representative Diamond of Bangor, tabled pending passage to be enacted and tomorrow assigned.

Emergency Measure

An Act to Amend Certain Aspects of Criminal Homicide in the Maine Criminal Code (S.P. 497) (L.D. 1335)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote

of all the members elected to the House being necessary, a total was taken. 117 voted in favor of the same and none against and accordingly, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Emergency Measure
Later Today Assigned**

An Act Concerning Access to Medical Records by Prosecutors (S.P. 566) (L.D. 1494) (C. "A" S-280)

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

On motion of Representative Hayden of Durham, tabled pending passage to be enacted and later today assigned.

Emergency Measure

RESOLVE, to Establish a Commission to Prepare a Revision of the State's Motor Vehicle Laws (S.P. 321) (L.D. 810) (S. "A" S-278 to Conf. Com. "A" H-370)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 131 voted in favor of the same and none against and accordingly, the Resolve was finally passed, signed by the Speaker and sent to the Senate.

Emergency Measure

RESOLVE, Authorizing Continuing Activities to Streamline Information Processing by Income Supplementation and Social Service Programs (S.P. 527) (L.D. 1422) (C. "A" S-273)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 121 voted in favor of the same and none against and accordingly, the Resolve was finally passed, signed by the Speaker and sent to the Senate.

An Act to Index Eligibility Levels for the Elderly Householders Tax and Rent Refund Program to Conform to Increases in Social Security Benefits (S.P. 85) (L.D. 266) (C. "A" S-281)

Was 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.

Later Today Assigned

An Act to Amend the Maine Certificate of Need Act to Clarify the Provision to Mutually Extend the Review Period for Certificate of Need Review and to Make the Reconsideration Hearing Optional and Establish a Time Limit for Decisions After a Reconsideration Hearing (S.P. 214) (L.D. 572) (C. "A" S-270)

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

On motion of Representative Nelson of Portland, tabled pending passage to be enacted and later today assigned.

Later Today Assigned

An Act to Clarify the General Assistance Law (S.P. 297) (L.D. 786) (C. "A" S-272)

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

On motion of Representative Nelson of Portland, tabled pending passage to be enacted and later today assigned.

An Act to Permit Voluntary Hospitalization of Adults under Guardianship (S.P. 423) (L.D. 1171)

An Act to Provide a Procedure to Petition for Standing and Intervenor Status for Foster Parents in Child Protection Proceedings (S.P. 450) (L.D. 1253) (C. "A" S-271)

An Act to Amend the Maine Certificate of Need Act to Correct Inconsistencies Related to Other Statutory Provisions and to Ensure Cost-

effective Development of Services Requiring Acquisition of Major Medical Equipment (S.P. 461) (L.D. 1264) (C. "A" S-274)

An Act to Allow the Department of Human Services to Investigate and Provide Information on Community Health Issues (S.P. 535) (L.D. 1436) (H. "A" H-393)

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.

An Act Concerning Liability for Injuries Caused by Drunken Persons (S.P. 598) (L.D. 1568) (H. "A" H-395 to C. "A" S-263)

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

The SPEAKER: The Chair recognizes the Representative from Wilton, Representative Armstrong.

Representative ARMSTRONG: Mr. Speaker, I would like to pose a question through the Chair.

Could someone give us a brief explanation of what this will do?

The SPEAKER: The Representative from Wilton, Representative Armstrong, has posed a question through the Chair to anyone who may respond if they so desire.

The Chair recognizes the Representative from Pittston, Representative Reeves.

Representative REEVES: Mr. Speaker, Men and Women of the House: This is the Legal Affairs Committee's amendment to the Dramshop Act to try to mitigate somewhat the enormous amount of liability that liquor licensees now have to be sued for contributing to drunkenness. We did discuss this bill before on the floor. Restaurants and other licensees of liquor can no longer get liability insurance to cover under the Dramshop Act, which is an act that has been on the books in Maine since the 1880's, which says that anyone who sells liquor is liable if they sell liquor to a visibly intoxicated person. There are quite a few safeguards in the law such as visible intoxication but there have been large settlements and very large lawsuits lately and the State of Maine and the liquor licensees in the State of Maine are under a great deal of pressure because they cannot obtain any liability insurance.

The Legal Affairs Committee is doing a study on this issue and this is an interim bill which has a sunset. It is sunsetted for September, 1987.

What the bill does is change the law of comparative negligence in regards to suits under the Dramshop Act to say that each defendant in the suit shall be liable but not jointly liable for any damages. That means that a jury will decide the percentage of liability that perhaps the drunk driver has and perhaps the seller of alcohol has and that amount of damage only will be assessed to the seller of alcohol.

Senate Amendment 263 is the bill. I hope that explains what it does.

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

An Act to Change the Sales Tax Exemption for Property Purchased Outside the State (H.P. 24) (L.D. 22) (C. "A" H-401)

An Act to Initiate Agricultural Technology Transfer and Special Project Programs (H.P. 452) (L.D. 725) (C. "A" H-400)

An Act to Amend the Disclosure of Licensing Records Regarding Adult and Child Care Programs to Clarify Procedures Relating to Vital Statistic Records and Clarify Officials Authorized to Act as Public Guardians or Conservators under the Probate Code (H.P. 584) (L.D. 854) (C. "A" H-407)

An Act to Exempt Veterans' Memorial Cemetery Associations from Maine Sales and Use Tax (H.P. 748) (L.D. 1071)

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.

Later Today Assigned

An Act Concerning Incarcerated Prisoners and the Employment Security Law (H.P. 822) (L.D. 1163) (C. "A" H-403)

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

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Beaulieu

Representative BEAULIEU: Mr. Speaker, Ladies and Gentlemen of the House: I, too, rise to ask for an explanation of what this bill does.

The SPEAKER: The Representative from Portland, Representative Beaulieu, has posed a question through the Chair to anyone who may respond if they so desire.

The Chair recognizes the Representative from Skowhegan, Representative Hepburn.

Representative HEPBURN: Mr. Speaker, Ladies and Gentlemen of the House: I sponsored this bill as a result of problem that occurred in Skowhegan but after talking with some people from the Department of Labor, I have been led to believe that it is a little bit more widespread than just the incident that we had in my town.

All this bill will do is disqualify a person from receiving unemployment compensation if they are convicted of a crime, imprisoned as a result of that conviction and miss more than two days of work if they have not made an agreement with their employer. So, in other words, if they miss more than two days of work, haven't told their employers they are going to miss work and then show up subsequent to that time period, if they are fired, they will be disqualified from receiving unemployment compensation.

The bill does not require that they be fired; it only says if they are fired, they will be disqualified from receiving unemployment. I think it is only a reasonable approach to a problem whereby an employee owes a certain amount of explanation to his employer about when he is going to be at work and when he is not. It is a normal business occurrence — if a person is sick or injured, they would call up their boss and say: "gee, I am sorry I can't make it in today" — I think that is a very logical extension of that.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Beaulieu.

Representative BEAULIEU: Mr. Speaker, Ladies and Gentlemen of the House: Something is wrong here. I believe that the Representative Hepburn is speaking to an entirely different bill. I believe that he is referring to a constructive quit bill that we dealt with yesterday. I am in total confusion and I know for a fact that the title of the bill that I have asked to be satisfied never came to our committee. I believe that the comments that have just been made on the floor refer to an entirely different bill.

I would ask that somebody table this until sometime later today until we find out what is going on.

On motion of Representative Diamond of Bangor, tabled pending passage to be enacted and later today assigned.

An Act Relating to Investigations of Child Abuse in Institutions Licensed by the State (H.P. 923) (L.D. 1330) (S. "A" S-276 to C. "A" H-385)

An Act to Fund Community Response Programs to Address Child Sexual Abuse in Maine Communities (H.P. 962) (L.D. 1383) (C. "A" H-388)

An Act to Encourage the Establishment of Statewide Standards for the Identification and Management of Child Abuse and Neglect (H.P. 985) (L.D. 1415) (H. "A" H-397 to C. "A" H-390)

An Act to Exempt Search and Rescue Units from the Sales and Use Tax (H.P. 1031) (L.D. 1483) (C. "A" H-398)

An Act to Establish a Portion of the Boundary between the Town of Clinton in the County of Kennebec and the Town of Pittsfield in the County of Somerset (H.P. 1111) (L.D. 1621)

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

An Act to Establish a State Policy Relating to the Disposal of Low-level Radioactive Waste (H.P. 1141) (L.D. 1649)

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

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Connolly.

Representative CONNOLLY: Mr. Speaker, Ladies and Gentlemen of the House: I am not going to speak a lot, for two reasons, one, I spoke a lot on this issue a few days ago, and two, I am not having much luck speaking these days.

I just want to call your attention to this issue. This is the initiated referendum and the bill that is before us now, in this form to be enacted would be the one that would also, in my opinion, violate the referendum process by including the competing measure with it.

I would ask for the indefinite postponement of this bill and all its accompanying papers and would ask for a roll call.

The SPEAKER: The Chair recognizes the Representative from Bath, Representative Small.

Representative SMALL: Mr. Speaker, Men and Women of the House: I hope you will support the indefinite postponement of this bill. While I question the merit of the referendum question and I think those that have been here a while and seen my voting record will know that I usually come down on the more conservative side on nuclear questions. I believe the place to defeat this proposed legislation is at the polls and not in the legislature. I think the right to initiate a referendum is a very sacred right. I want to go back home to my constituents, many of whom I am sure signed the petitions and tell them that I did not interfere with their right to put the question on the ballot. As I said, I will then work when this question comes up to defeat it back home.

The SPEAKER: The Chair recognizes the Representative from Livermore Falls, Representative Brown.

Representative BROWN: Mr. Speaker, Ladies and Gentlemen of the House: I hope that you don't vote to postpone this bill. One thing that hasn't been discussed to date and I would like to bring to your attention is the Constitution of the State of Maine. I think the inference has been made this morning that what we are doing is somehow circumventing what the people want or circumventing their right to vote on an issue. If this bill is passed, the voters of Maine will still have the right to vote on the initiated referendum question. That question will be on the ballot.

I think to imply or to even infer in any small way that to pass this bill with a competing measure is somehow interfering in that process is very, very wrong.

I would like to read just a few lines from the Constitution, Article IV, Section 18 which deals with initiated referendum questions. I quote from the Constitution: "any measure thus proposed by electors, the number of which shall not be less than ten percent of the total vote for governor cast in the last gubernatorial election preceding the filing of such petitions, unless enacted without change by the legislature at the session at which it is presented, shall be submitted to the electors together with any amended form, substitute or recommendation of the legislature and in

such manner that the people can choose between the competing measures or reject both." So the process that we have dealt with here is totally in compliance with the Constitution. There is nothing that we have done which has taken away the voters opportunity to act on the initiated question. That question will be put before the voters in November, along with the competing measure. The Constitution provides for that, the process is there, just as the 40,000 plus folks who signed the petition are having their rights protected, so are all the people of Maine having their rights protected by this vote before us today.

So, I would ask that you would defeat the motion before you so that we can provide the voters in November with a real alternative.

The SPEAKER: The Chair recognizes the Representative from St. George, Representative Scarpino.

Representative SCARPINO: Mr. Speaker, Men and Women of the House: You are about to witness a very rare occasion, that occasion when the good Representative from Portland, Mr. Connolly and myself agree.

I would like to speak in support of his motion to indefinitely postpone this bill and all its accompanying papers. I was a signer of that petition. I would imagine somewhere between 70 and 80 percent of the people in my hometown signed that petition. I know what those people are going to say if they see this go out with a competing measure. Quite simply they are going to look at it, and I am going to look at it and say, that once again, regardless of the constitutionality of that competing measure, of that concept, that the Maine State Legislature is going to tell the people what they think they should do, that once again the legislature knows more than the people, the legislature knows more than the people that elected the legislators, that once again, big brother speaks.

Quite simply, the initiated referendum is the most direct and basic form of democracy that we have left on the statewide level. To take any action that would attempt to confuse or confound or change the will of the people or the intent of the referendum, I personally feel is unconscionable. Let this referendum go out the way it was intended, vote, fight for it or fight against it, that is your privilege, just like it is every other citizen's privilege. Let's indefinitely postpone this bill and let the democratic process go on its way.

The SPEAKER: The Chair recognizes the Representative from Livermore Falls, Representative Brown.

Representative BROWN: Mr. Speaker, Ladies and Gentlemen of the House: I would like to pose a question through the Chair to any of the three previous speakers.

For those of you and all of the other 40,000 plus folks who signed the petition, will the voters of the State of Maine have an opportunity to vote on that initiated question which was signed by those many thousands of people? Will the voters of Maine have the opportunity to vote on that question?

The SPEAKER: Representative Brown of Livermore Falls has posed a question through the Chair to any member who may respond, if they so desire.

The Chair recognizes the Representative from Portland, Representative Connolly.

Representative CONNOLLY: Mr. Speaker, Ladies and Gentlemen of the House: The answer to that question is no, not by itself. It will have the competing measure before it. Certainly the competing measure does not circumvent the laws of the Constitution of the State of Maine. The Speaker would not allow us to let that happen. The intention, and Representative Brown as well as I think every other member of this body who has paid any attention to this debate knows, the intention of the competing measure is to confuse the voters so that the final answer will be none of the above.

if this measure goes out by itself for a vote, the merits of it can be debated and the people will have a choice on that question. If the people should turn that down, as they very well may, then the next legislature, if it sees fit, can take some other sort of action. But the intention of the competing measure, Representative Brown, is to confuse the voters.

The SPEAKER: The Chair recognizes the Representative from Freeport, Representative Mitchell.

Representative MITCHELL: Mr. Speaker, Men and Women of the House: The nuclear power issue is a very complex issue and it is supported by the no-nuke movement. There are several very important issues that revolve around that movement that have to be resolved. I think that the most important of those issues is the issue of reactor safety. Although the reactor in Maine has had no accidents, it certainly, by any means, doesn't have the best safety record in the world.

I think that the misuse of the byproducts of nuclear reaction to build, perhaps to manufacture nuclear weapons, is a very, very serious issue. I think it deserves a lot of attention. I think that security at nuclear power plants and surrounding nuclear reaction is something that we should be very, very concerned about.

I also think that we should be very, very concerned about the issue of high level radioactive waste disposal because these substances are dangerous for hundreds of thousands of years and they have to be isolated from the environment. That is a great technical challenge for our society.

Low level radioactive waste, on the other hand, is not that serious a challenge and I don't want you to think that I am underestimating the dangers of these substances that we are trying to dispose of. The low level radioactive waste is radioactive trash and radioactive filter sludges generally that have half lives of 30 years or less and the disposal method is to isolate them from the biosphere, keep them away from man, keep them away from the food chain for 300 years. That I think is a technical challenge that we can rise and meet. It is not nearly the challenges that I mentioned earlier.

Furthermore, if our nuclear power plant in Maine were closed today, we would still have the low level radioactive waste problem to deal with. It won't go away by closing the plant down. This bill, the competing measure and the initiated bill, do one thing, they create the game of what is known as NIMBY—not in my back yard syndrome. If either of these bills passed, we are going to have a great big statewide game of NIMBY.

Low level radioactive waste ought to be disposed of at the safest possible site and in the safest possible manner at a reasonable cost. If either of these bills are enacted by the people rather than being disposed of at the safest possible site, they are probably going to be disposed of at the site that has the least political power to defend their interests.

I hope that the voters will turn down both the initiated bill and the competing measure when they deal with these issues in November. That way we can do a good job, we can dispose of the radioactive waste safely and efficiently.

Personally, I haven't decided how to vote on this particular motion. I don't think that the bill is very good. So, I am not going to advocate a yes or a no vote. But I do hope that when you all go out and discuss this matter in your communities, you will realize the problems we are facing and the problems that both of these bills are going to present.

Finally in response to Representative Scarpino's comment on the petition, I did not sign this petition, although I was asked to at Cottles Supermarket in Brunswick and when I walked into the supermarket last January, I was asked if I wanted to sign a petition to keep nuclear power out of Maine. That was a very, very misleading question.

The SPEAKER: The Chair recognizes the Representative from St. George, Representative Scarpino.

Representative SCARPINO: Mr. Speaker, Men and Women of the House: I would like to respond also to Representative Brown's question and to some of the statements made by Representative Mitchell. First thing I will say, I will not give you a yes or no answer because while I am not a lawyer, I have seen the trick often enough. I will give you a yes qualified answer and explain the qualification. Yes, they will get a chance to vote on the initiated referendum. But what we are looking at with the competing measure is a measure that is written based on very simple advertising techniques. You can do, a couple of well known words or phrases, things that are readily identified with the subject, in this case Maine Yankee and nuclear waste, and you are almost guaranteed the keyed response from the individual who is not familiar, extremely familiar, with all the questions or extremely familiar with the problem. They identify waste with what they perceive as being the place that creates the most of it. That decision ignores all the specifics, all the safety, all the technology. It is a decision that gets based on a psychological connection. It does obscure, it does confound, and it does it in a very subtle and subliminal method. That is why I feel it is really very important that this question go out as the single question as generated by the initiated petition.

Now, let's talk about a couple of things that Representative Mitchell mentioned. He mentioned some technical problems, things like half life, terms and radiation. I ask you, how many people in this House really understand it? I have no doubt in my mind that I understand it better than anyone on the low level waste siting commission. I trained in the United States Navy under their nuclear power program when it was still run by the AEC. I held a license to operate, maintain and repair nuclear reactors.

Now, let's talk about radiation. We are dealing with three basic kinds of radiation. Alpha particles, Beta particles and Gamma rays. Direct exposure to kill a human being takes approximately 600 rankines of direct exposure. It makes no difference whether that 600 rankine radiation dose comes from radioactive plutonium or a pair of contaminated shoes. The end result is the same.

For the exposure to long term low level radiation, which there is a mounting degree of scientific evidence causes cancers. Once again, it makes no difference whether that radiation is generated by plutonium or plastic gloves. The radiation is the radiation.

Mr. Mitchell also said that he wanted the safest possible method at a reasonable cost. When one is dealing with long term storage of radioactive waste, because there is no disposal, the only thing we are talking about when we are talking about disposal is long term safe storage. It is almost a contradiction in terms to say safest possible and reasonable cost, it is extremely expensive. The safest method is the method that we haven't even considered in this country yet and it is called glassification and deep well burying. We are talking about shallow well, burying it above the ground. So that is a contradiction and that confuses the issue.

Then he talks about these materials having only a half life of only 30 years. So, it is going to be 300 years until they are safe to be around. Well that is relative only. If we are talking about plutonium or cesium with a half life of 25,000 years then yes, that is an only. But we are talking about a human being with a full life of 70 or 80 years. That is not an only. What you are talking about is making a facility that is going to keep this material isolated from the environment for a term longer than the United States has been in existence. That is not an only. In human terms, that is a long time. You look

at all our storage facilities and all our wonderful constructions that we have around, how many of them do we have around that have been here since 1686? Yes, we have a little better construction technique now, but we still have an atmosphere with oxygen in it. Oxygen is an extremely reactive agent, breaks down all kinds of materials real fast, be it cement, be it lead, be it steel, but one is talking about 300 years, so it is a real problem.

People have a right to say, I don't want this problem in my back yard. People should have a right to sit down and say, if we are going to enter into a compact, we want to know what that compact is. We want to say we approve of that compact. People should have a right to say that we think is the safest place. This initiated referendum, in its initial form, says just that very simply, nothing else. There is no need for a greater choice because that one question gives you total choice.

If we put it out with a competing measure, we are giving the people of this state freedom of selection, not freedom of choice. The democratic system is about freedom of choice, let's give them that choice that they have said they wanted. Let's give it to them, totally and solely.

That is more than enough, we all want to get home.

Once again, I just urge you to support the motion to indefinitely postpone this bill.

The SPEAKER: The Chair recognizes the Representative from Dover-Foxcroft, Representative Law.

Representative LAW: Mr. Speaker, Ladies and Gentlemen of the House: There was 40,000 plus that signed the petition and we should protect those rights. But there were also one million people, roughly, in the State of Maine that did not sign those petitions and we should protect those rights also.

I think that the steps that we took in the Energy and Natural Resources Committee to put out a competing measure in the simplest terms gives everybody the right to vote on what they will want.

The SPEAKER: The Chair recognizes the Representative from Madawaska, Representative McHenry.

Representative McHENRY: Mr. Speaker, Ladies and Gentlemen of the House: Although I agree with the Representative from Portland, Representative Connolly, I really believe, even if we had two issues on the referendum ballot with the election laws reform that we have had in the past where the questions are put by number, I don't believe that it would be all that confusing to our constituents.

I have a question to any member who wishes to answer. If I am correct in my belief, I would like them to tell me so. If the two questions were approved, would not the one initiated by us here in the legislature supersede the one initiated by the people? Am I correct in my assumption?

The SPEAKER: Representative McHenry of Madawaska has posed a question through the Chair to any member who may respond, if they so desire.

The Chair recognizes the Representative from Freeport, Representative Mitchell.

Representative MITCHELL: Mr. Speaker, Ladies and Gentlemen of the House: One of the questions will have to have 50 percent of the vote before it becomes law and if neither of the two questions get 50 percent of the vote, there will be another election and we will keep voting until one of them gets half the vote.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Connolly.

Representative CONNOLLY: Mr. Speaker, Ladies and Gentlemen of the House: That last question I think illustrates something because I don't think some people quite understand how this is going to work. You will only get to check one box. There will be a ballot box and there will be the competing measure and then

there will be the initiated bill and then there will be a box, none of the above. You won't get to check one or more, you only get to check one. Like Representative Mitchell said, one of those three has to get 50 percent. If it doesn't, then we will have a run-off.

The SPEAKER: The Chair recognizes the Representative from Medway, Representative Michaud.

Representative MICHAUD: Mr. Speaker, Men and Women of the House: I hope you vote against the motion to indefinitely postpone the competing measure. There has been a lot said about the people who signed that petition. As I mentioned earlier in my debate, I had constituents call me up that also signed that petition and they want a chance to vote on a place in Maine and they will get that chance for the competing measure. The competing measure offers a lot more, it sets policy. They will have a chance to vote on policy. I have a lot of confidence in the people of the State of Maine that when they go to the polls that they are going to make the right choice, they are not stupid. They are going to ask questions. So, I hope you will go along with me and vote no on the motion to indefinitely postpone.

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

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

The SPEAKER: The pending questions before the House is the motion of Representative Connolly of Portland that the bill and all accompanying papers be indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

ROLL CALL No. 193

YEAS:—Allen, Bell, Bost, Brodeur, Cahill, Carroll, Chonko, Connolly, Crowley, Foss, Foster, Hillock, Holloway, Kimball, Lebowitz, McHenry, Mills, Mitchell, Priest, Reeves, Rydell, Scarpino, Simpson, Small, Sproul, Webster

NAYS:—Aliberti, Armstrong, Baker, A.L.; Beaulieu, Begley, Bonney, Bott, Bragg, Brannigan, Brown, A.K.; Brown, D.N.; Callahan, Carrier, Clark, Coles, Connors, Cooper, Cote, Crouse, Daggett, Davis, Dellert, Descoteaux, Dexter, Diamond, Dillenback, Drinkwater, Duffy, Erwin, Farnum, Greenlaw, Gwadosky, Hale, Handy, Harper, Hayden, Heppburn, Hichborn, Hickey, Higgins, L.M.; Hoglund, Ingraham, Jackson, Jacques, Jalbert, Joseph, Lacroix, Lander, Law, Lawrence, Lisnik, Lord, MacBride, Macomber, Manning, Martin, H.C.; Matthews, Mayo, McCollier, McGowan, McPherson, McSweeney, Melendy, Michael, Michaud, Moholland, Murphy, E.M.; Murphy, T.W.; Murray, Nadeau, G.G.; Nadeau, G.R.; Nelson, Nicholson, Nickerson, O'Gara, Paradis, E.J.; Parent, Perry, Pines, Pouliot, Racine, Randall, Rice, Richard, Ridley, Rioux, Roberts, Rondoni, Salisbury, Sherburne, Smith, C.B.; Soucy, Stetson, Stevens, A.G.; Stevens, P.; Stevenson, Strout, Swazey, Tammara, Tardy, Taylor, Telow, Theriault, Vose, Walker, Warren, Wentworth, Weymouth, Whitcomb, Willey, Zirkilton

ABSENT:—Baker, H.R.; Boutillier, Carter, Cashman, Higgins, H.C.; Kane, Masterman, Paradis, P.E.; Paul, Rolde, Ruhlman, Seavey, Smith, C.W.; The Speaker

26 having voted in the affirmative and 111 in the negative with 14 being absent, the motion did not prevail.

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

By unanimous consent, all matters having been acted upon requiring Senate concurrence were ordered sent forthwith to the Senate.

An Act to Amend and Clarify the Maine Juvenile Code (H.P. 746) (L.D. 1069) (C. "A" H-406)

Was 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.

Later Today Assigned

An Act Concerning Employment of Certain Individuals in Contact with Children (H.P. 963) (L.D. 1384) (C. "A" H-389)

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

On motion of Representative Diamond of Bangor, tabled pending passage to be enacted and later today assigned.

The Chair laid before the House the following matter: An Act Concerning Access to Medical Records by Prosecutors (S.P. 566) (L.D. 1494) (C. "A" S-280) which was tabled earlier in the day and later today assigned pending passage to be enacted.

The SPEAKER: This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 116 voted in favor of the same and none against and accordingly, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The Chair laid before the House the following matter: Bill "An Act to Establish Age 21 Years as the legal Age to Purchase or Consume Alcoholic Beverages and to Deter Drinking and Driving by Minors" (Emergency) (S.P. 332) (L.D. 820) which was tabled earlier in the day and later today assigned pending passage to be engrossed

On motion of Representative Reeves of Pittston, the House reconsidered its actions whereby Committee Amendment "A" (S-118) was adopted.

The same Representative offered House Amendment "A" (H-417) to Committee Amendment "A" (S-118) and moved its adoption.

House Amendment "A" to Committee Amendment "A" was read by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Joseph.

Representative JOSEPH: Mr. Speaker, Ladies and Gentlemen of the House: I wish somebody would table this until later in today's session because I am having an amendment prepared at this moment.

On motion of Representative Reeves of Pittston, tabled pending adoption of House Amendment "A" to Committee Amendment "A" and later today assigned.

Orders of the Day

The Chair laid before the House the first matter of Unfinished Business:

The following matters, in the consideration of which the House was engaged at the time of adjournment yesterday, have preference in the Order of the Day and continue with such preference until disposed of as provided by Rule 24.

Bill "An Act Relating to Retirement Options for Legislators" (H.P. 703) (L.D. 1013)

TABLED—June 13, 1985 (Till Later Today) by Representative DIAMOND of Bangor.

PENDING—Adoption of Committee Amendment "A" (H-154) as amended by House Amendment "A" (H-263) thereto.

On motion of Representative Diamond of Bangor, retabled pending adoption of Committee Amendment "A" (H-154) as amended by House Amendment "A" (H-263) thereto and later today assigned.

The Chair laid before the House the second matter of Unfinished Business:

Bill "An Act Relating to the Administration of Vocational Education" (S.P. 628) (L.D. 1645)

TABLED—June 13, 1985 (Till Later Today) by Representative DIAMOND of Bangor.

PENDING—Passage to be Engrossed.

On motion of Representative Diamond of Bangor, retabled pending passage to be engrossed and later today assigned.

The Chair laid before the House the third matter of Unfinished Business:

RESOLVE, Creating a Joint Select Committee on Economic Development (Emergency) (H.P. 74) (L.D. 95) (C. "A" H-344)

— In House, Finally Passed on June 11, 1985.

— In Senate, Passed to be Engrossed as amended by Committee Amendment "A" (H-344) as amended by Senate Amendment "A" (S-277) thereto in non-concurrence.

TABLED—June 13, 1985 (Till Later Today) by Representative GWADOSKY of Fairfield.

PENDING—Further Consideration.

On motion of Representative Gwadosky of Fairfield, the House voted to recede.

Senate Amendment "A" (S-277) to Committee Amendment "A" (H-344) was read by the Clerk and adopted.

Representative Gwadosky of Fairfield offered House Amendment "B" (H-412) to Committee Amendment "A" (H-344) and moved its adoption.

House Amendment "B" (H-412) to Committee Amendment "A" (H-344) was read by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Fairfield, Representative Gwadosky.

Representative GWADOSKY: Mr. Speaker, Ladies and Gentlemen of the House: House Amendment "B" is a technical amendment which puts the appropriation onto the bill.

House Amendment "B" (H-412) to Committee Amendment "A" (H-344) was adopted.

Committee Amendment "A" (H-344) as amended by Senate Amendment "A" (S-277) and House Amendment "B" (H-412) was adopted.

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

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

An Act to Amend the Wood Measurement Laws (Emergency) (H.P. 960) (L.D. 1381)

— In House, Passed to be Enacted on June 4, 1985.

— In Senate, Failed of Passage to be Enacted in non-concurrence.

TABLED—June 13, 1985 by Representative MICHAUD of Medway.

PENDING—Further Consideration.

On motion of Representative Michaud of Medway, retabled pending further consideration and later today assigned.

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

An Act to Make Additional Allocations from the Alcohol Premium Fund (S.P. 505) (L.D. 1365) (C. "A" S-226)

— In House, Passed to be Enacted on June 10, 1985.

— In Senate, Passed to be Engrossed as amended by Committee Amendment "A" (S-226) as amended by Senate Amendment "A" (S-262) thereto in non-concurrence.

TABLED—June 13, 1985 by Representative DIAMOND of Bangor.

PENDING—Further Consideration

On motion of Representative Diamond of Bangor, retabled pending further consideration and later today assigned.

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

An Act Making Authorizations and Allocations Relating to Federal Block Grants for the

Expenditures of State Government for the Fiscal Years Ending June 30, 1985, June 30, 1986, and June 30, 1987 (Emergency) (S.P. 222) (L.D. 585) (H. "A" H-378 to C. "A" S-250)

TABLED—June 13, 1985, by Representative CARTER of Winslow.

PENDING—Passage to be Enacted.

On motion of Representative Higgins of Scarborough, retabled pending passage to be enacted and later today assigned.

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

An Act to Make Supplemental Allocations from the Federal Expenditure Fund, Special Revenue Funds and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1986, and June 30, 1987 (Emergency) (H.P. 472) (L.D. 675) (H. "A" H-374 to C. "A" H-359)

TABLED—June 13, 1985 by Representative CARTER of Winslow.

PENDING—Passage to be Enacted.

On motion of Representative Higgins of Scarborough, retabled pending passage to be enacted and later today assigned.

On motion of Representative Diamond of Bangor, the following was removed from the Tabled and Unassigned matters:

An Act to Establish Competitive Insurance Rating Under the Maine Workers Compensation System" (H.P. 937) (L.D. 1343)

TABLED—June 12, 1985 by Representative Diamond of Bangor.

PENDING—Acceptance of the Committee Report.

The SPEAKER: The Chair recognizes the Representative from Bangor, Representative Diamond.

Representative DIAMOND: Mr. Speaker, Men and Women of the House: I move that this item be indefinitely postponed.

This is the insurance component of the Workers' Compensation package that we recently passed. Because we adopted that to the labor version through an amendment, we no longer need this L.D. and for that reason, I ask your support for an indefinite postponement.

Whereupon, L.D. 1343 was indefinitely postponed.

On motion of Representative Diamond of Bangor, the following was removed from the Tabled and Unassigned matters:

Bill "An Act to Implement Recognition Grants for Teachers, Establish a Minimum Salary for Teachers and Provide Money for School Administrative Units to Operate Preschool Programs for Handicapped Children" (H.P. 1088) (L.D. 1581).

TABLED—May 29, 1985 by Representative Diamond of Bangor.

PENDING—Further Consideration.

The SPEAKER: The Chair recognizes the Representative from Bangor, Representative Diamond.

Representative DIAMOND: Mr. Speaker, Ladies and Gentlemen of the House: I move this item be indefinitely postponed.

This L.D. before you is one of three reports from the Commission to study the implementation of educational reform—the Committee on Education has a bill in its possession that will be coming to us in the next few days but will be used as a vehicle for the education reform package and as a result, this item and the next item I will be presenting before you will be indefinitely postponed so that we can use that one vehicle.

Subsequently, Representative Diamond withdrew his motion to indefinitely postpone.

On further motion of the same Representative, the House voted to adhere.

Sent up for concurrence.

On motion of Representative Diamond of Bangor, the following was removed from the Tabled and Unassigned matters:

Bill "An Act to Implement Teacher Recognition Grants, Establish a Summer Grants Program for Teachers and Establish a Minimum Salary for 1986-87" (H.P. 1089) (L.D. 1582).

TABLED — May 29, 1985 by Representative Diamond of Bangor.

PENDING — Further Consideration.

On motion of Representative Diamond of Bangor, the House voted to adhere.

Sent up for concurrence.

The following item appearing on Supplement No. 3 was taken up out of order by unanimous consent:

Consent Calendar

First Day

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

(S.P. 570) (L.D. 1506) Bill "An Act to Regulate Recovery of Costs of Canceled or Abandoned Electric Generating Facilities" Committee on Utilities reporting "Ought to Pass" as amended by Committee Amendment "A" (S-287)

Under suspension of the rules, Second Day Consent Calendar notification was given, the Senate Paper was passed to be engrossed as amended in concurrence.

The following item appearing on Supplement No. 2 was taken up out of order by unanimous consent:

Consent Calendar

First Day

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

(H.P. 1140) (L.D. 1648) Bill "An Act to Authorize Franklin County to Raise \$1,432,085 for Renovations and Additions to the Franklin County Court House" (Emergency) Committee on Local and County Government reporting "Ought to Pass" as amended by Committee Amendment "A" (H-416)

Under suspension of the rules, Second Day Consent Calendar notification was given, the House Paper was passed to be engrossed as amended and sent up for concurrence.

By unanimous consent, all matters having been acted upon requiring Senate concurrence were ordered sent forthwith to the Senate.

(At Ease)

The following item appearing on Supplement No. 4 was taken up out of order by unanimous consent:

Consent Calendar

First Day

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

(H.P. 1138) (L.D. 1644) Bill "An Act to Provide for Cost Sharing for Maintenance of Railroad Grade and Highway Bridge Crossings and the Allocation and Appropriation of Funds for Transportation Purposes" Committee on Transportation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-418)

Under suspension of the rules, Second Day Consent Calendar notification was given, the House Paper was passed to be engrossed as amended and sent up for concurrence.

The Chair laid before the House the following matter: An Act Concerning Incarcerated Prisoners and the Employment Security Law (H.P. 822) (L.D. 1163) (C. "A" H-403) which was tabled earlier in the day and later today assigned pending passage to be enacted.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Beaulieu.

Representative BEAULIEU: Mr. Speaker, Ladies and Gentlemen of the House: I rise to apologize to the sponsor and to the House. As Chair of the Labor Committee, I had not picked up the fact that the amendment had changed the title so what we had before us yesterday on a supplement as a constructive quit bill, appeared today under new title and I got confused, but I am glad that we tabled it for this matter.

The description of the bill that was given to you this morning by Representative Hepburn is, indeed, accurate.

I would simply remind the body that when I spoke to this issue yesterday that there were two members of the committee who signed the bill "Ought Not to Pass." I did give you a brief explanation as to why we felt strongly on that issue. We leave it up to you to make the decision on whether you want to enact this legislation.

I would ask for a Division on enactment.

Representative Joseph of Waterville requested a roll call.

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

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

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Joseph.

Representative JOSEPH: Mr. Speaker, Ladies and Gentlemen of the House: I signed on the "Ought to Pass" Report and I have further reconsidered my vote and the reason being for that, after further investigation of this, found that what this bill does would be covered in the Unemployment Compensation Commission. We have an Unemployment Compensation Commission comprised of three members, a representative from labor, a representative from business and a chairman. It is my understanding, after asking more questions and I do apologize to the sponsor of this bill for doing this, that any question as to whether you have been incarcerated for two days, have been discharged from your job because of an OUI conviction that, if in fact, you felt that you should have received unemployment compensation and your employer differed, that decision would be made by the Unemployment Compensation Commission. Therefore, I have come to the conclusion that this bill is not necessary. As was pointed out yesterday by the Chairman of the Labor Committee, it seems that we are only bringing attorneys into the system of unemployment compensation in an area where the decision could be made by the unemployment commission.

I do believe that it is an unnecessary piece of legislation.

The SPEAKER: The Chair recognizes the Representative from Skowhegan, Representative Hepburn.

Representative HEPBURN: Mr. Speaker, Ladies and Gentlemen of the House: As some of the debate has indicated, there has been a certain amount of confusion surrounding this bill and part of that is because — yes, it is true that the commission could make a ruling but we had a rather lengthy work session and in the work session, the attorneys were agreeing that it would be clearer if this was spelled out in the statutes rather than leaving it up to the commission to make a determination on each case.

Language to this effect is in the statutes in Massachusetts and Michigan and California and a number of other large states. It really is not a big change. It is not a change that would encompass very many people but I think it is important to put it in there to clear up some con-

fusion which exists in the work force today as to just exactly who is qualified for unemployment and who is not. So, I would hope that you would support me on this and vote for enactment.

The SPEAKER: The Chair recognizes the Representative from Lisbon, Representative Jalbert.

Representative JALBERT: Mr. Speaker, I would like to pose a question through the Chair.

If someone is charged with a crime and incarcerated and cannot post bail for three or four days and while they are being incarcerated and do post bail, would this come into effect?

The SPEAKER: The Representative from Lisbon, Representative Jalbert, has posed a question through the Chair to anyone who may respond if they so desire.

The Chair recognizes the Representative from Skowhegan, Representative Hepburn.

Representative HEPBURN: Mr. Speaker, Ladies and Gentlemen of the House: The language in this bill states that you would have to be convicted and incarcerated. If the person is simply incarcerated and cannot post bail and is later found not guilty, even if they lost their job, they certainly would still be eligible for unemployment compensation. We have a long standing method in this country where a person is innocent until proven guilty and we are certainly not going to try to change that by our unemployment laws. So, there are three conditions that have to be met. First, the person has to be convicted, the person has to serve more than two days, and a person has to be fired by his employer; a three-part test before this statute would even kick in at all.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Beaulieu.

Representative BEAULIEU: Mr. Speaker, Ladies and Gentlemen of the House: I believe that Representative Hepburn has accurately described the attempt in this legislation. From my point of view, what it does is that it makes anybody who has to serve time in jail have just cause for being denied unemployment compensation no matter what the issue is. It also goes one step further — it gives an employer the just cause to discharge and I guess that is where I see this piece of legislation as being a very good money maker for an awfully lot of lawyers. I don't approve of getting lawyers involved in the unemployment security system to any great extent. We have a commission to make these determinations.

I also repeat that the bill was filed because of one instance. We have not had any documentation whatsoever from the commission or the bureau or by the proponents that this bill was put in here because there have been extensive problems due to this. It was truly brought before our committee because it happened in one instance and the proponents wished to make sure that it doesn't happen again. My contention and my vote "Ought Not to Pass" was because of my concern for greater litigation and the fact that I really don't feel that the bill is needed. We have a commission to handle it. I said I would not fight it. I am not fighting it, I am just saying to you why I opted to vote no and to share my opinions with you.

The SPEAKER: The Chair recognizes the Representative from Greenville, Representative Lander.

Representative LANDER: Mr. Speaker, Ladies and Gentlemen of the House: I recommend that you vote for this bill. Even though it is a very simple bill, it will send a message out to employees that, yes, you do have a responsibility to your employer. A number of cases that were brought up when we had the hearing and one in particular was a truck driver that was caught for drunken driving over a weekend and he didn't bother to report to his employer. He was a truck driver, as I said, and that is a

very important position in every company. One thing it would send to the employees, yes, you do have a responsibility to the employer and your fellow employees, and I think if we put this bill through, as has been mentioned, you have got to be convicted before this has any effect. But at least this would send a little message along to be more responsible on your job, not only to the employer but also the employees.

The SPEAKER: The Chair recognizes the Representative from Sanford, Representative Hale.

Representative HALE: Mr. Speaker, Ladies and Gentlemen of the House: I ask you not to support this piece of legislation. We did have one person testify about one truck driver. I know of a number of truck drivers that have had their licenses suspended and they were allowed to drive on the job. I know of other people in my vicinity of the state that have had the same thing. Representative Beaulieu pointed out the ramifications but we must also realize the ramifications that could backfire on the employer. If an employee is incarcerated and not convicted and cannot post bail and does not report within two days, that employee could lose his job. He has not been convicted so he can collect unemployment but, by the same token, he may go to the Labor Board and they may rule in favor of the employee. The employer, in all probability, would have to rehire the employee, pay all back wages, etc. These are the legal ramifications that concern me and why I signed "Ought Not to Pass."

The SPEAKER: The Chair recognizes the Representative from Scarborough, Representative Warren.

Representative WARREN: Mr. Speaker, Ladies and Gentlemen of the House: I would like to pose a question through the Chair.

It has to do with the same topic that the Representative from Greenville, Representative Lander, brought up and that is OUI convictions. As you all know, if you are convicted or plead guilty to a criminal OUI, you have, among other things, a minimum mandatory jail sentence of two days. Generally, if you don't have a lawyer, you go to court and you are convicted, the judge will make you serve that two days immediately. Frequently, if you hire a lawyer, the lawyer can go in, and for whatever reasons, can usually get the judge to postpone that two day sentence to the weekend so that it won't affect your job.

My question is, if someone is out of work for two days because they are serving an OUI sentence, is that cause for dismissal from a job?

The SPEAKER: The Representative from Scarborough, Representative Warren, has posed a question through the Chair to anyone who may respond if they so desire.

The Chair recognizes the Representative from Portland, Representative Beaulieu.

Representative BEAULIEU: Mr. Speaker, Ladies and Gentlemen of the House: It could be interpreted and that is what is not fair and that is what concerns me that it could be interpreted by the employer as being good cause to fire the employee. However, the legislation says that the employee would have to be fired. Once fired by the employer, he cannot collect unemployment. It provides the potential for good cause on both sides of the scales and the scales are not even. I tried to make that point in committee and lost.

The SPEAKER: The Chair recognizes the Representative from Bangor, Representative Duffy.

Representative DUFFY: Mr. Speaker, Ladies and Gentlemen of the House: I urge you not to vote for this bill because I have been sitting here and have been looking at, who is this bill aimed at? This bill is aimed at the little guy out there, maybe the first offender, the poor fellow who is going to come out and have trauma along with it. He has got to call his boss, he probably has a problem with his wife, he just

isn't going to handle the whole situation very well anyway and I think we all have a tendency to just go bury our head in the sand at a certain point in time. I do believe that this might happen to some young fellow and it just isn't going to be fair. I think we have to consider who we are aiming this bill at and who is really going to take the brunt of it.

The SPEAKER: The Chair recognizes the Representative from Waldoboro, Representative Begley.

Representative BEGLEY: Mr. Speaker, Ladies and Gentlemen of the House: I rise in support of this bill. It is my understanding that this bill was looked at very carefully by the Commissioner of Labor, Pat McDonough, and I believe after they went over with the Representative and spent time in looking at it and so forth, that most of the problems were ironed out and I believe that it is a good bill.

Representative Hepburn of Skowhegan was granted permission to address the House a third time.

Representative HEPBURN: Mr. Speaker, Ladies and Gentlemen of the House: I just want to go over a couple of points here. It is true that the language in the amendment is the language that was recommended to us by Commissioner McDonough from the Department of Labor.

I would also like to say that I think the concept that this bill is a lawyers bill is a false one. Generally, any time you clarify the statute, which is what we are doing here, and you keep cases from coming before the commission, you are eliminating lawyers or at least decreasing their role in the process, which I think basically is a move in the right direction.

Also the concerns over people being disqualified because of a two day sentence in jail as a result of an OUI conviction, I don't think is a very scary prospect in face of the language of the bill which says more than two days. We specifically put that language in that it would be more than two days in jail which would be required to disqualify a person from unemployment compensation so that would allow all the people on two day, 48 hour OUI convictions to still be eligible for unemployment compensation should they be fired as the result of their being jailed. I just wanted to bring those two points up to you folks. I hope you support the bill.

Representative Beaulieu of Portland was granted permission to address the House a third time.

Representative BEAULIEU: Mr. Speaker, Ladies and Gentlemen of the House: I feel an obligation to the Bureau of Labor and the Commissioner of Labor to make a point of clarification to you.

Representative Hepburn filed a bill. It was brought to our attention that if we were to pass the bill, that the language had to be rewritten in a different manner. We tabled the bill in committee and allowed the Representative to meet with the people in the Bureau of Labor to make sure he could bring back to our committee the language that would do the job that he wanted done. So, the involvement by the commissioner in her department was simply to make sure that if the committee were to pass legislation on this issue that the language would be appropriate. They did not support the bill in committee.

The SPEAKER: The Chair recognizes the Representative from Dover-Foxcroft, Representative Law.

Representative LAW: Mr. Speaker, Ladies and Gentlemen of the House: I just want to say that I don't see this bill as pointing to the same people that Representative Duffy does. I see this as pointing to the truck driver that does not have the courtesy or the responsibility to notify his employer when he is going to be in jail for two days.

The SPEAKER: A roll call has been ordered. The pending question before the House is passage to be enacted. Those in favor will vote

yes; those opposed will vote no.

ROLL CALL No. 194

YEAS:—Aliberti, Armstrong, Baker, A.L.; Begley, Bell, Bonney, Bott, Bragg, Brown, A.K.; Brown, D.N.; Cahill, Callahan, Carter, Crouse, Crowley, Daggett, Davis, Dellert, Dillenback, Drinkwater, Farnum, Foss, Foster, Greenlaw, Harper, Hayden, Hepburn, Hichborn, Higgins, L.M.; Hillock, Holloway, Ingraham, Jackson, Jacques, Kimball, Lander, Law, Lawrence, Lebowitz, Lord, MacBride, Matthews, McPherson, Murphy, E.M.; Murphy, T.W.; Nadeau, G.R.; Nicholson, Nickerson, Parent, Pines, Pouliot, Racine, Randall, Rice, Richard, Roberts, Salsbury, Scarpino, Sherburne, Small, Smith, C.W.; Soucy, Sproul, Stetson, Stevens, A.G.; Stevenson, Strout, Tardy, Taylor, Telow, Webster, Wentworth, Weymouth, Whitcomb, Zirkilton.

NAYS:—Allen, Beaulieu, Bost, Boutilier, Brannigan, Brodeau, Carroll, Cashman, Chonko, Clark, Coles, Connolly, Cooper, Cote, Descoteaux, Diamond, Duffy, Erwin, Hale, Handy, Hickey, Higgins, H.C.; Hoglund, Jalbert, Joseph, Lacroix, Lisnik, Macomber, Manning, Martin, H.C.; Mayo, McCollister, McGowan, McHenry, McSweeney, Melendy, Michael, Michaud, Mills, Mitchell, Moholland, Nadeau, G.G.; Nelson, O'Gara, Paradis, E.J.; Paradis, P.E.; Perry, Priest, Reeves, Rotondi, Rydell, Simpson, Smith, C.B.; Stevens, P.; Swazey, Tammaro, Theriault, Vose, Walker, Warren, The Speaker.

ABSENT:—Baker, H.R.; Carrier, Connors, Dexter, Gwadosky, Kane, Masterman, Murray, Paul, Ridley, Rioux, Rolde, Ruhlin, Seavey, Willey.

75 having voted in the affirmative and 61 in the negative with 15 being absent, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The following items appearing on Supplement No. 5 were taken up out of order by unanimous consent.

Reports of Committees Ought to Pass as Amended

Representative HIGGINS from the Committee on Taxation on Bill "An Act Relating to Taxation of Aircraft" (Emergency) (H.P. 671) (L.D. 954) reporting "Ought to Pass" as amended by Committee Amendment "A" (H-419)

Report was read and accepted and the bill read once.

Committee Amendment "A" (H-419) was read by the Clerk and adopted.

Under suspension of the rules, the Bill was read a second time, passed to be engrossed as amended by Committee Amendment "A" (H-419) and 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. 629) (L.D. 1647) Bill "An Act Amending the Charter of Farmington Village Corporation" (Emergency) Committee on Local and County Government reporting "Ought to Pass" as amended by Committee Amendment "A" (S-288) (Representative WENTWORTH of Wells — of the House — abstaining)

Under suspension of the rules, Second Day Consent Calendar notification was given, the Senate Paper was passed to be engrossed as amended in concurrence.

By unanimous consent, all matters having been acted upon requiring Senate concurrence were ordered sent forthwith to the Senate.

The following item appearing on Supplement No. 6 was taken up out of order by unanimous consent.

Papers from the Senate Non-Concurrent Matter

Bill "An Act to Require Parental Consent in

the Case of Minors' Abortions" (H.P. 298) (L.D. 387) on which Report "B" "Ought to Pass" as amended of the Committee on Judiciary was read and accepted and the Bill Passed to be Engrossed as amended by Committee Amendment "B" (H-409) in the House on June 13, 1985.

Came from the Senate with Report "A" "Ought to Pass" as amended of the Committee on Judiciary read and accepted and the Bill Passed to be Engrossed as amended by Committee Amendment "A" (H-408) in non-concurrence.

Representative Allen of Washington moved that the House recede and concur.

The SPEAKER: The Chair recognizes the Representative from Augusta, Representative Paradis.

Representative PARADIS: Mr. Speaker, Ladies and Gentlemen of the House: I hope you will vote against the motion to recede and concur. If you recede and concur, you will place yourself in alignment with the other body. To say that Report "A", that we rejected last night, is a parental consent bill is completely inaccurate.

Lyndon Johnson used to use a phrase about some legislation — that this bill is more loophole than law. That is exactly what can be said about Report "A". That bill is more loophole than law. If it were ever to be enacted into law, it would be nothing. If you want the parents of this state to have any rights whatsoever in regards to this subject, then you will vote to insist on Report "B" because Report "A" exempts 80 percent of those youngsters who are having abortions today.

Report "A" only deals with 84 of the 393 abortions that were performed in 1983. That is not parental consent. You exempt 80 percent of the action, that is loophole. When you fail to tax 80 percent of the people, that is not fair taxation. That is a pretty good loophole. I hope this House will not go on record endorsing that type of a bill.

It is quite plain that by enacting a plan like Committee Amendment "A" that you will not be voting for parental consent.

You know there are a lot of groups that are organized and who lobby us on a lot of different issues. There is nothing wrong with being organized and lobbying. I would dare say that maybe ten percent of the citizens of this state are organized and belong to lobbies of different sorts. But the overwhelming majority of the people of this state do not belong to associations and can afford to have lobbyist in the hallway to present their view points. They have to rely on the people of the legislature of the State of Maine to represent them. If you want to represent the parents of this state, you will vote against the motion to recede and concur.

The SPEAKER: The Chair recognizes the Representative from Lisbon, Representative Jalbert.

Representative JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: As a parent of four children, who are all grown up, and as a freshman member of this House, I can't seem to figure out the consistency of some of the things I see. Only just a few days ago, we argued for almost an hour about the fact that a parent should be responsible to support a child beyond 18 if the child should be in high school. Now, some people are saying to the parents, you shall support your child regardless of age if he or she should be in high school but you do not have any right to give consent on a teenage daughter's abortion.

My philosophy has always been, that if you have a duty to your children, you also have a right to determine their destiny.

When I go to my final reward, I shall be asked by the Almighty why my children turned out a certain way. If that shall be the case, I think that I should have the right to determine how they shall be brought up.

This is just a farce — Amendment "A" turns it over to the counselor. The question I was asked by some people, and I asked other people during the noon hour, if the counselor makes a botched up mess of it, who will pay the bill? We will.

Let us go back and give the parents the proper responsibility and duties that they have and let's put it in the hands of the parents and not the counselor's.

The SPEAKER: The Chair recognizes the Representative from Berwick, Representative Murphy.

Representative MURPHY: Mr. Speaker, Ladies and Gentlemen of the House: I would like to think the decision of whether my daughter or my granddaughter (and I have three granddaughters, one is a teenager) was to have an abortion, I think it should be a family decision and I would like to be a part of it. I think that the child that she is going to have is a part of a family and I think it is our decision whether we want to have this child and bring it up. I don't think it is the counselor's decision to make. I think that we, as a family, or any family could probably handle the situation of that girls emotional problems during her pregnancy and afterwards much better than a counselor.

I also like to think that maybe if we couldn't afford to keep this child that there are people like Representative Pouliot in the world who we could make happy with a child. I do not believe in aborting children and I think that in the case of abortion that it is up to the parents to make that decision with their doctor and with their family.

I would hope that you would remain where you voted yesterday and that we would defeat the motion to concur with the Senate and that we would adhere to our vote as of yesterday.

The SPEAKER: The Chair recognizes the Representative from Brunswick, Representative Priest.

Representative PRIEST: Mr. Speaker, Members of the House: I feel that I am going to have to remind you again, as I did once before, that the Supreme Court has indicated that parental consent cannot be required for every case. So the issue, unfortunately or not, is whether or not you like the judicial bypass procedure, which Report "A" has, that is the issue. You cannot deal with parental consent because that issue has been removed from our hands by the United States Supreme Court. We cannot affect that.

Report "A" is a compromise, there is no question about that. Obviously, this compromise is not satisfactory totally to either side. But I think this compromise, which had the support of the majority of those on the Judiciary Committee, who studied this issue again and again, has significant strengths. It provides for the master system to deal with those minors whose maturity is most in question, that is, those 15 and under. It provides at the inquiry into the maturity of that minor when she does not have parental consent to consent to her own abortion, deals with that inquiry in an informal setting, which is very important.

It also provides for impartial mental health counseling for those pregnant minors 16 and 17 by a mental health professional. We chose mental health professionals after considering a wide variety of people. The reason we chose them was because they have boards, they will give impartial advice and they can be policed. That is why we chose mental health professionals.

It is this impartiality, which is crucial it seems to me, to having this bill constitutional. As I have indicated to you, the Attorney General has said Report "A" is constitutional.

Report "A" uses the Judicial resources of this state, through the masters system, only when that is necessary. It uses it where it will do the most good with those minors who are most likely to be immature and to need the review

provided by the master system. Report "A" is a good report, it has significant strengths and I think it is the report which we all should adopt. I urge you to adopt it.

The SPEAKER: The Chair recognizes the Representative from Windham, Representative Cooper.

Representative COOPER: Mr. Speaker, Ladies and Gentlemen of the House: I will be brief. The gentleman from Brunswick, I think, has just covered all the zillion points.

There was a question about a counselor making a decision rather than a parent. Under the original bill, that decision is made by a judge. I would ask which you would feel more comfortable with, a counselor trained to deal with the needs of people, or a judge who is not necessarily trained in that area.

The motion to recede and concur has the best chance of passing both Houses. It is your best chance of getting some form of assistance to minors who are experiencing an unwanted pregnancy. I hope you will support the motion to recede and concur.

The SPEAKER: The Chair recognizes the Representative from Waldoboro, Representative Begley.

Representative BEGLEY: Mr. Speaker, Ladies and Gentlemen of the House: I rise in support of the motion to recede and concur, which would give us the compromise of the Senate of Committee "A" Report.

The SPEAKER: The Chair recognizes the Representative from Sidney, Representative Bragg.

Representative BRAGG: Mr. Speaker, Ladies and Gentlemen of the House: I suspect that there is one problem I have and maybe a lot of others in this House share with this whole issue. In my own heart, I can't reconcile the fact that an abortion is the end of the problem. I think most of us see this at some point later on in a person's life, someone that goes through this process, of it coming back to them to be, not a solution but just a bigger problem later on. I think that is what the sponsors are trying to address here.

I also cannot accept the argument that Report "B" is not a parental consent bill. Maybe I look at it from a different aspect. I think what this bill is designed to do is to say to those organizations that now are giving advice and counsel to these young women that are in trouble, we know who they are, we know they are out there and their only option from what I understand that they are given now is that, you can carry this baby full term or we will make some other arrangements for you. But there is nothing there for it to go any farther than that. I see the strength of Committee Amendment "B" being that, at this point, there is something interjected into that that says, from here we can give you this advice but at least you have to go back, carry this message to your parents and confer with them or in such case as there is not a proper relationship or there are no parents there, then there does have to be another person and, in this case, it would be the court to become involved. I am really convinced that, at this traumatic time in a person's life, they need someone else to refer to and not just an organizations that is designed just for one purpose and not for the purpose of extending life.

The SPEAKER: The Chair recognizes the Representative from Westbrook, Representative Carrier.

Representative CARRIER: Mr. Speaker and Members of the House: I suggest to you that you vote against the motion to recede and concur. I suggest this to you because I feel that this is a very serious problem that we are talking about. We are talking mainly about parental consent. But the concern is, as you have heard others say yesterday, is the individual that is 14, 15, 16 and up to 18 years old that gets pregnant.

Ladies and gentlemen, I cannot understand

how people show so much concern to our children concerning sex abuse, concerning child abuse, whatever you want to call it, concerning education and counseling and many other phases of this life, which young people can get involved in. I think that people in this House care. They care for their children, they care for their whole family and if they don't, they should. But I think they do care.

We have, I believe, a vehicle, maybe not the perfect vehicle, but nobody has come up with anything close to it, to show that we do care for our people, that we do care for the young girl that gets pregnant today, who is willing to admit her mistake and bring herself back to her parents and if not, go to the right procedure and get protection that the parents will not give to their children.

I think our bill and Committee Amendment "B" does this. There is no reason to make false claims here. I suggested to you yesterday that you take a look at Amendment "B" and that you look at the bottom of the page and start with Number 2, it says in there that, under no circumstances, can a physician do an abortion without the parents consent, one of the parents or the guardian. So, if you want to get specific, let's get specific, but on the basis of truth.

I submit to you that the parents as well as the girl are entitled to certain rights. The parents are liable for what their child does. I will put myself in a position of having children, although they are all grown and let's assume that they were of this age bracket. If, for some particular reason, a girl needed to have an abortion, I would want her to have the best that there is. Even if I disapproved of their action, I would want them to have the best doctors. I would want them to have the best examinations and treatments that is needed, not just go there for an hour's time and forget the whole works and be scared to death. I wouldn't want them to live with that kind of a stigma either. That is why I am not in favor of abortions.

I want to ask you a question, considering the young person, is it worse for her to carry in her heart and in her mind the guilt of having had an abortion and of having aborted a child then it would be for her to get the help that this bill provides? I would hope that it would bring the family back together.

Parents are not that cruel. We all sometimes disagree but we succumb, we love our children. They come for help even at 30 years old or 40 years old.

I would even go to my parents at times if they were living and ask for help but instead I go to my brothers that are older, maybe not wiser, but older.

They say this Amendment "A" is a compromise. A compromise to what? A compromise to do things in a lesser degree? Who are these masters? Do you actually want your child to go to a psychologist? Now you just think for a minute about it. That is only one phase of it. Do social workers come in this? What are these masters? Masters is a great word. Master. Who comes into this kind of stuff? There is no explanation in the bill.

We used to have intake workers, you still have them, but under a different name, to decide whether a juvenile would go to court or not. Now what do we have judges for and what do we have justices for? What do we have courthouses for? They are not there just for monuments, they are there for a purpose. I think we should actually go after that.

I suggested to you a while back, if possible, you read the Statement of Fact under L.D. 1113, which is a merger in this bill, and 386. It explains it a hundred times better than I ever could. "The immaturity of the young child and the need for them to have the help and counsel of their parents." I think this is the crux of the whole thing.

I cannot buy the idea that somebody can pro-

mote something which would kill an individual. I submit to you, ladies and gentlemen, that we do not recede and concur, vote against that motion, and I think within yourself, you will feel much better that you have done the right thing to help that young child and give it guidance if you can and with the help of a judge, if necessary, and for her to be able to get rid of some of the guilt that she will have no matter which way you go and no matter how you solve the problem. I think that young children deserve the wisdom of their parents' knowledge and that is why I hope that we vote against recede and concur so we can insist and try to make some peace on the other side.

I don't want to go into the details because some of you know and others don't but I feel very sure that the vote taken over there maybe an hour ago is strictly a vote of commitment. . . .

The SPEAKER: The Chair would ask the Representative not to talk about the other body's vote.

Representative CARRIER: I won't, because there isn't anything over there about them that excites me that much. I really am not talking about individuals. I am talking about a system that we are under, a system of commitment. We all have commitment to our constituents. We all have commitment, I am sure, to come here and pass laws that we think are good and we do the best, and we also have a chance to correct ourselves later on.

I think the intention of everyone on the committee and otherwise is very noble, but it is a matter of approach. Our approach is that this has been declared constitutional and that is why I promoted the bill. I want to tell you, as you have noticed, I don't put many bills in this House. Not too often do I talk about the goodness of a bill because I feel, unless it is necessary, and a bill is that good, is it going to pass on its own. I made a commitment to myself a long time ago that while I am here, not to be disagreeable, but to help to kill the bills which will be a detriment to the people of this state. I only suggest to you that you vote against the pending motion to recede and concur.

The SPEAKER: The Chair recognizes the Representative from Brunswick, Representative Rydell.

Representative RYDELL: Mr. Speaker, Men and Women of the House: I would like to read a portion of Committee Amendment "B" because I think it is necessary to clarify some of the statements made by Representative Carrier. Under Number 2, which he referred to, "no person may knowingly perform an abortion upon a pregnant woman under the age of 18 years unless; (a) the attending physician has secured the informed written consent of the minor and one parent or guardian; (b) the minor is emancipated and the attending physician has received the informed written consent of the minor; (c) the minor has been granted the right to self-consent to the abortion by court order pursuant to Subsection 3, and the attending physician has received the informed written consent of the minor."

This is not a parental consent bill as has been stated before. It provides that the minor may have parental consent, but if she does not have parental consent, she may be granted the right to self-consent by a court. I think the decision here today is whether we think it is more appropriate for a judge to make that decision or for a counselor to make the decision.

It also has been said that this is not a decision that stops at the time the decision is made but the ramifications of that decision go on, perhaps, for a long time to come. I would ask you to think about the kind of additional contact a judge will have with that young girl as opposed to the kind of contact that a counselor might be able to have should additional assistance be needed in the future.

The SPEAKER: The Chair recognizes the Representative from Buxton, Representative Kimball.

Representative KIMBALL: Mr. Speaker, Ladies and Gentlemen of the House: Being a professional counselor, I wanted to wait so that everybody had an opportunity to listen yesterday and have a chance to process in their own heads what they thought perhaps was the way they would like to proceed. I have taken that opportunity to do that myself and I would like to speak to you on just a couple of issues because it really does need to be clarified.

In my thinking, I don't look at this bill as being an abortion bill, I look at it as being something that really addresses a relationship between parent and child. I think it is an important point to look at it that way and to ask ourselves whether or not we could ever mandate a particular type of relationship between parents and children. Certainly we want our children to be able to make a decision that we think they should make and want them to make sound decisions. As to whether or not they actually do that, ladies and gentlemen of the House, when it comes down to it, it is going to be up to them.

To talk a little bit about adolescence for a minute, it happens to be a field that I am very familiar with being in the business for about 10 years. I would like to take you back a little bit about your own adolescence. For some of you who might not be too far back, I would just like to ask you to think about those times when you were a little bit different outside of your house than you were when you were home. Do you remember coming home from high school and kind of changing just a little bit as you walked through the door, having to take on a little bit different air with your parents than you did with your friends? I do. Why do adolescents do that? It happens to be the nature of the way that they think at that time. Little kids understand the world as being a particular way. They see it as the way their mothers and fathers tell them it is but adolescents are different. Adolescents begin to find out that the world operates in different ways. They begin to operate on their own and sometimes they don't feel quite comfortable with showing Mom and Dad that the way they are operating outside of the home is somewhat different than the way they operate at home. It is taking a chance, you see. It is saying perhaps they might not approve and they are very protective of that.

When I was working for the Cape Elizabeth school department, one of the things I tried to look at one time was developing a contract between parents and kids around the use of alcohol. What it simply said was that the parent and the child would sign a contract and if a child found himself somewhere and couldn't drive home, all they would have to do is give their parents a call and the parents would come, no questions asked about their condition, and take them home because the really important thing was to make sure that that child got home safely. Okay? I thought it was a great idea, a lot of the parents thought it was a great idea and I had a good relationship with those kids so I could talk to them and they could talk to me and what they said to me was, "you know, it isn't that we don't think your idea is good and it isn't that we don't think you aren't trying to do something for us but we would never call." I said, "but why? The issue is that we want to get you home safe." They said, "that whole side of my life is very private to me and I protect it. We take care of one another." I know from working with those children that there really isn't so much an issue of their lying to be protective of that side of their life by not letting their parents know, but it is the nature of growing up. That is all it is. I would like to have you keep that in mind when we consider the motion.

The second part I would like to talk to you

about is that there are probably two professions in the world that people find scary to deal with — one is the courts and the other is people like me. When people come to my office, one of the first things that I have to do is spend about two sessions just getting them to the point where they feel comfortable enough to talk to me. I think that all psychiatrists and psychologists and social workers would say something similar. You never know what people like me are going to tell you, you know when you come into see me? You already know you have a problem; otherwise, you wouldn't be coming. The other person that I think people are uncomfortable with is a judge. All you have to do is be picked up for a traffic ticket once and you know what it is like to walk into that court.

I would like to talk to you about the better of two situations here. If I am looking at an adolescent and I find that child to be in trouble and I find that child really concerned about a decision that he or she is about to make, it may be the biggest trouble that she has ever found herself in in her entire life, I have to tell you that I think that person would be more comfortable talking with someone in my profession than a judge. I don't feel good, to be honest with you, about the fact that she has to come to see me either but I think we would find less of a problem going back underground and less of a problem going out of state if we recede and concur, go along with the other body, and set up that master program.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Aliberti.

Representative ALIBERTI: Mr. Speaker, I would like to pose a question through the Chair.

My question is, in the conditions of this bill, do you have to conform and include all steps before you are allowed permission to have this abortion, i.e., "A", "B", "C" and "D"? Do you have to have all of them? Combination of one, two, three, four? Two, three?

The SPEAKER: The Representative from Lewiston, Representative Aliberti, has posed a question through the Chair to anyone who may respond if they so desire.

The Chair recognizes the Representative from Brunswick, Representative Priest.

Representative PRIEST: Mr. Speaker, Members of the House: It is unclear to me as to which report the gentleman is referring to. If he is referring to Report "B", which is the one Representative Rydell read off, then it is either one of those, not all of them. Any one is sufficient and that is why parental consent is not required under any bill that is before you.

The SPEAKER: The Chair recognizes the Representative from Sidney, Representative Bragg.

Representative BRAGG: Mr. Speaker, Ladies and Gentlemen of the House: In relation to what the Representative from Buxton said, I couldn't help but think — I have been out to lunch with a few of you fellows this summer and I don't know what your ages are but I bet you still act different when your wife is around.

Be that as it may, it goes to show that we never change. In many respects, we never grow up.

I would like to read you this, it will only take a moment, it is the testimony of a person at the public hearing. "I am in strong agreement with this bill because of my own experience at the age of 16. At that time, I was counseled at a Family Planning Agency to get an abortion. No other alternative was mentioned to me. With a little information and lack of maturity, I decided that the counselor had given me the only answer to my problem. My family and friends did not know that I was getting an abortion. I have been on both sides of this issue as I now have a four month old baby girl. I can assure you that the immediate and

long range medical, emotional and psychological trauma of my abortion were far greater than carrying my baby to term. After the abortion, I experienced emotional and physical pain and had no one to turn to. I couldn't talk to the counselor at the clinic or my family so I made an attempt at suicide. After that, I became involved in drugs and alcohol. These drugs helped me to hide the pain and the secret of the abortion. At age 16 I needed my family to know and help me.

"In addition, the fact that the abortion clinic did not even do a blood test, which would have determined my unknown RH blood factor, placed my baby daughter's health and life in danger in my second pregnancy. I am now a married adult and urge you to support this bill because I know from experience that there are many teenagers, who like me, need the decision making maturity and support of their parents for both personal and medical reasons."

Representative Jalbert of Lisbon requested a roll call.

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

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

The SPEAKER: The pending question before the House is the motion of Representative Allen of Washington that the House recede and concur. Those in favor will vote yes; those opposed will vote no.

ROLL CALL No. 195

YEAS:—Aliberti, Allen, Armstrong, Baker, A.L.; Beaulieu, Begley, Bell, Bost, Brannigan, Cahill, Chonko, Coles, Connolly, Cooper, Cote, Crouse, Davis, Dellert, Diamond, Duffy, Erwin, Foss, Foster, Gwadosky, Hale, Handy, Hayden, Hepburn, Higgins, H.C.; Hoglund, Holloway, Ingraham, Joseph, Kane, Kimball, Lawrence, Lisnik, Mayo, McCollier, McPherson, Melendy, Michael, Mills, Murphy, T.W.; Nadeau, G.G.; Nadeau, G.R.; Nelson, Nickolson, Priest, Reeves, Roberts, Ruhlin, Rydell, Simpson, Small, Soucy, Stetson, Stevens, A.G.; Stevens, P.; Swazey, Taylor, Vose, Walker, Warren, Webster, Weymouth, Whitcomb, Zirnklinton.

NAYS:—Bonney, Boutilier, Bragg, Brodeur, Brown, A.K.; Brown, D.N.; Callahan, Carrier, Carroll, Carter, Cashman, Clark, Crowley, Daggett, Descoteaux, Dexter, Dillenback, Drinkwater, Farnum, Greenlaw, Harper, Hichborn, Hickey, Higgins, L.M.; Jackson, Jacques, Jalbert, Lacroix, Lander, Law, Lebowitz, Lord, MacBride, Macomber, Manning, Martin, H.C.; Matthews, McGowan, McHenry, McSweeney, Michaud, Mitchell, Moholland, Murphy, E.M.; Murray, Nickerson, O'Gara, Paradis, E.J.; Paradis, P.E.; Parent, Perry, Pines, Pouliot, Racine, Rice, Richard, Ridley, Rioux, Rotondi, Salsbury, Scarpino, Sherburne, Smith, C.B.; Smith, C.W.; Sproul, Stevenson, Strout, Tammara, Tardy, Telow, Theriault, Wentworth, The Speaker.

ABSENT:—Baker, H.R.; Connors, Hillock, Masterman, Paul, Randall, Rolde, Seavey, Wiley.

69 having voted in the affirmative and 73 in the negative with 9 being absent, the motion did not prevail.

On motion of Representative Carrier of Westbrook, the House voted to insist.

By unanimous consent, ordered sent forthwith to the Senate.

Friday, June 14, 1985

ADMINISTRATIVE SUPPLEMENT

Reference is made to (H.P. 1063) (L.D. 1542) Bill "An Act Concerning Nomination Petitions for Unenrolled Candidates"

In reference to the action of the House on

June 12, 1985, whereby it Insisted and Asked for a Committee of Conference, the Chair appoints the following members on the part of the House as Conferees:

Representative DUFFY of Bangor
Representative SWAZEY of Bucksport
Representative CAHILL of Woolwich

Friday, June 14, 1985

ADMINISTRATIVE SUPPLEMENT

Reference is made to (H.P. 529) (L.D. 749) Bill "An Act to Prohibit Consumption of Alcoholic Beverages within 15 Feet of a Public Way"

In reference to the action of the House on June 13, 1985, whereby it Insisted and Asked for a Committee of Conference, the Chair appoints the following members on the part of the House as Conferees:

Representative ALLEN of Washington
Representative MANNING of Portland
Representative LEBOWITZ of Bangor

The following items appearing on Supplement No. 7 were taken up out of order by unanimous consent:

Papers from the Senate Non-Concurrent Matter

An Act to Establish a Procedure to Appoint Advocates for Foster Children (S.P. 450) (L.D. 1253) (C. "A" S-271) which was Passed to be Enacted in the House on June 14, 1985.

Came from the Senate Passed to be Engrossed as amended by Committee Amendment "A" (S-271) as amended by Senate Amendment "A" (S-289) thereto in non-concurrence.

The House voted to recede and concur.

Orders

On motion of Representative CROWLEY of Stockton Springs, the following Joint Order: (H.P. 1146)

ORDERED, the Senate concurring, that Bill, "AN ACT to Establish a Maine-New Hampshire Boundary Commission." (H.P. 1049), (L.D. 1525, be recalled from the Governor's desk to the House.

Was read and passed and sent up for concurrence.

On motion of Representative BRODEUR of Auburn, the following Joint Order: (H.P. 1147)

ORDERED, the Senate concurring, by 12 noon on Monday, June 17, 1985, that the Joint Standing Committee on Taxation report out the Bill, (H.P. 951), (L.D. 1370), entitled "An Act to Expand and Continue Alcoholism Treatment, Education, Prevention and Research Programs" to the House.

Was read.

Representative Jackson of Harrison objected to passage.

The SPEAKER: The Chair recognizes the Representative from Thomaston, Representative Mayo.

Representative MAYO: Mr. Speaker, a point of parliamentary inquiry?

If the Representative objects to taking an order out of order, when is the order in order?

The SPEAKER: On the next legislative day.

Representative MAYO: Mr. Speaker, is there an appeal?

The SPEAKER: An appeal from what to what?

Representative MAYO: An appeal to taking it out of order? Is the motion to suspend the rules in order?

The SPEAKER: The Chair would answer in the affirmative.

Representative MAYO: I would move that the rules be suspended for taking an Order out of order. I would request a Division.

Representative Brodeur of Auburn requested a roll call.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call, it must have the expressed desire of more than one-fifth of the members present and voting.

Those in favor will vote yes; those opposed will vote no.

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

The SPEAKER: The pending question before the House is the motion of Representative Mayo of Thomaston that the rules be suspended to take an Order out of order. Those in favor will vote yes; those opposed will vote no.

ROLL CALL No. 196

YEAS:—Aliberti, Allen, Beaulieu, Begley, Bost, Brannigan, Brodeur, Carroll, Clark, Coles, Connolly, Cooper, Cote, Crouse, Crowley, Daggett, Descoteaux, Dexter, Diamond, Drinkwater, Duffy, Erwin, Foster, Gwadosky, Hale, Handy, Hayden, Hickey, Hoglund, Jacques, Jalbert, Joseph, Kane, Lacroix, Lander, Law, Lisnik, Manning, Matthews, Mayo, McGowan, McHenry, McSweeney, Melendy, Michael, Michaud, Mills, Mitchell, Moholland, Murray, Nadeau, G.G.; Nadeau, G.R.; Nelson, Nickerson, O'Gara, Perry, Pouliot, Priest, Racine, Reeves, Rice, Richard, Ridley, Rioux, Roberts, Rotondi, Ruhlman, Rydell, Scarpino, Smith, C.B.; Soucy, Stevens, P.; Tammaro, Tardy, Taylor, Telow, Theriault, Vose, Walker, Warren.

NAYS:—Armstrong, Baker, A.L.; Bell, Bonney, Bott, Boutilier, Bragg, Brown, A.K.; Brown, D.N.; Cahill, Callahan, Carter, Cashman, Chonko, Davis, Dellert, Dillenback, Farnum, Foss, Greenlaw, Harper, Hepburn, Hichborn, Higgins, L.M.; Ingraham, Jackson, Kimball, Lawrence, Lebowitz, Lord, MacBride, Macomber, Martin, H.C.; McCollister, McPherson, Murphy, E.M.; Murphy, T.W.; Nicholson, Paradis, E.J.; Paradis, P.E.; Parent, Pines, Salsbury, Sherburne, Small, Smith, C.W.; Sproul, Stetson, Stevens, A.G.; Stevenson, Strout, Swazey, Webster, Wentworth, Weymouth, Whitcomb.

ABSENT:—Baker, H.R.; Carrier, Connors, Higgins, H.C.; Hillock, Holloway, Masterman, Paul, Randall, Rolde, Seavey, Simpson, Willey, Zirkilston, The Speaker.

80 having voted in the affirmative and 56 in the negative with 15 being absent, the motion did not prevail.

The following items appearing on Supplement No. 8 were taken up out of order by unanimous consent:

Papers from the Senate

The following Communication:
The Senate of Maine
Augusta

June 14, 1985

The Honorable Edwin H. Pert
Clerk of the House
112th Legislature
Augusta, Maine 04333
Dear Clerk Pert:

Please be advised the Senate today joined in a Committee of Conference on the disagreeing action between the two branches of the Legislature on Bill, "An Act to Prohibit Consumption of Alcoholic Beverages within 15 Feet of a Public Way" (H.P. 529) (L.D. 749).

The President has appointed the following Conferees:

Senator Violette of Aroostook
Senator Trafon of Androscoggin
Senator Shute of Waldo

Thank you.

Sincerely,

S/ JOY J. O'BRIEN

Secretary of the Senate

Was read and ordered placed on file.

Non-Concurrent Matter

An Act to Allow the Department of Human Services to Investigate and Provide Information on Community Health Issues (S.P. 535) (L.D. 1436) (H. "A" H-393) which was passed to be enacted in the House on June 14, 1985.

Came from the Senate passed to be engrossed

as amended by House Amendment "A" (H-393) and Senate Amendment "B" (S-283) in non-concurrence.

Representative Pines of Limestone moved that the House adhere.

On motion of Representative Carroll of Gray, the House voted to recede and concur.

The Chair laid before the House the following matter: Majority Report of the Committee on Legal Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (S-118) on Bill "An Act to Establish Age 21 Years as the Legal Age to Purchase or Consume Alcoholic Beverages and to Deter Drinking and Driving by Minors" (Emergency) (S.P. 332) (L.D. 820) which was tabled earlier in the day and later today assigned pending adoption of House Amendment "A" (H-417) to Committee Amendment "A" (S-118).

Whereupon, House Amendment "A" (H-417) to Committee Amendment "A" (S-118) was adopted.

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Joseph.

Representative JOSEPH: Mr. Speaker, I offer House Amendment "B" (H-420) to Committee Amendment "A".

House Amendment "B" (H-420) to Committee Amendment "A" (S-118) was read by the Clerk and adopted.

Committee Amendment "A" (S-118) as amended by House Amendment "A" and "B" was adopted.

The bill was passed to be engrossed as amended by Committee Amendment "A" (S-118) as amended by House Amendment "A" (H-417) and House Amendment "B" (H-420) and Senate Amendment "A" (S-140).

Representative Gwadosky of Fairfield moved that the House reconsider its action whereby L.D. 820 was passed to be engrossed as amended.

The same Representative moved that the bill be tabled until later in today's session.

Representative Bott requested a Division. Representative Reeves of Pittston requested a roll call.

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

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

The SPEAKER: The pending question before the House is the motion of Representative Gwadosky of Fairfield that L.D. 820 be tabled until later in today's session. Those in favor will vote yes; those opposed will vote no.

ROLL CALL No. 197

YEAS:—Aliberti, Armstrong, Baker, A.L.; Beaulieu, Begley, Bell, Bonney, Bost, Bragg, Brannigan, Brown, A.K.; Callahan, Carrier, Carroll, Carter, Chonko, Coles, Connolly, Cooper, Cote, Crowley, Davis, Dellert, Descoteaux, Dexter, Dillenback, Drinkwater, Duffy, Erwin, Farnum, Foss, Foster, Greenlaw, Gwadosky, Hale, Harper, Hepburn, Hichborn, Hickey, Higgins, L.M.; Ingraham, Jackson, Kimball, Lacroix, Lander, Law, Lawrence, Lebowitz, Lisnik, MacBride, Macomber, Manning, Martin, H.C.; Matthews, McHenry, McPherson, McSweeney, Michael, Mills, Mitchell, Moholland, Murphy, E.M.; Murphy, T.W.; Murray, Nadeau, G.G.; Nelson, Nicholson, Nickerson, O'Gara, Paradis, E.J.; Parent, Perry, Pines, Racine, Reeves, Rice, Richard, Roberts, Rotondi, Salsbury, Scarpino, Sherburne, Small, Smith, C.B.; Sproul, Stetson, Stevens, A.G.; Stevens, P.; Stevenson, Strout, Swazey, Tammaro, Taylor, Vose, Walker, Warren, Webster, Wentworth, Weymouth, Whitcomb, Zirkilston.

NAYS:—Allen, Bott, Boutilier, Brodeur,

Brown, D.N.; Cahill, Cashman, Clark, Diamond, Handy, Hayden, Joseph, McCollister, Melendy, Michaud, Nadeau, G.R.; Paradis, P.E.; Priest, Ruhlman, Rydell, Simpson, Smith, C.W.; Soucy, Telow.

ABSENT:—Baker, H.R.; Connors, Crouse, Daggett, Higgins, H.C.; Hillock, Hoglund, Holloway, Jacques, Jalbert, Kane, Lord, Masterman, Mayo, McGowan, Paul, Pouliot, Randall, Ridley, Rioux, Rolde, Seavey, Tardy, Theriault, Willey, The Speaker.

101 having voted in the affirmative and 24 in the negative with 26 being absent, the motion did prevail.

The Chair laid before the House the following matter: An Act to Amend the Maine Certificate of Need Act to Clarify the Provision to Mutually Extend the Review Period for Certificate of Need Review and to Make the Reconsideration Hearing Optional and Establish a Time Limit for Decisions After a Reconsideration Hearing (S.P. 214) (L.D. 572) (C. "A" S-270) which was tabled earlier in the day and later today assigned pending enactment.

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

The Chair laid before the House the following matter: An Act Making Authorizations and Allocations Relating to Federal Block Grants for the Expenditures of State Government for the Fiscal Years Ending June 30, 1985, June 30, 1986, and June 30, 1987 (Emergency) (S.P. 222) (L.D. 585) (H. "A" H-378 to C. "A" S-250) which was tabled earlier in the day and later today assigned pending passage to be enacted.

On motion of Representative Carter of Winslow, retabled pending passage to be enacted and specially assigned for Monday, June 17, 1985.

The Chair laid before the House the following matter: An Act to Make Supplemental Allocations from the Federal Expenditure Fund, Special Revenue Funds and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1986 and June 30, 1987 (Emergency) (H.P. 472) (L.D. 675) (H. "A" H-374 to C. "A" H-359) which was tabled earlier in the day and later today assigned pending passage to be enacted.

On motion of Representative Carter of Winslow, retabled pending passage to be enacted and specially assigned for Monday, June 17, 1985.

The following item appearing on Supplement No. 2 was taken up out of order by unanimous consent:

Consent Calendar First Day

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

(H.P. 1144) (L.D. 1651) Bill "An Act Relating to Shares of Stock of Asti-Kim Corporation" (Emergency) Committee on Business and Commerce reporting "Ought to Pass"

Under suspension of the rules, Second Day Consent Calendar notification was given, the House Paper was passed to be engrossed and sent up for concurrence.

By unanimous consent, all matter having been acted upon requiring Senate concurrence were ordered sent forthwith.

Representative Pines of Limestone moved the House reconsider its action whereby the House voted to recede and concur on Bill, An Act to Allow the Department of Human Services to Investigate and Provide Information on Community Health Issues (S.P. 535) (L.D. 1436) (H. "A" H-393) (which was passed to be enacted in the House on June 14, 1985.)

Representative Carroll of Gray requested a

vote on the reconsideration motion.

The SPEAKER: The Chair recognizes the Representative from Limestone, Representative Pines.

Representative PINES: Mr. Speaker, Ladies and Gentlemen of the House: L.D. 1436 has had an amendment placed on it that is in non-concurrence with the bill that we have presently and it is no longer a functional bill. I ask your reconsideration that you vote against the bill.

The SPEAKER: The pending question before the House is the motion of Representative Pines of Limestone that the House reconsider its action whereby it voted to recede and concur. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

75 having voted in the affirmative and 14 in the negative, the motion to reconsider did prevail.

The SPEAKER: The Chair recognizes the Representative from Limestone, Representative Pines.

Representative PINES: Mr. Speaker, Ladies and Gentlemen of the House: I ask for a Division.

I ask that you vote against this motion. The amendment that has been placed on this bill is an amendment where anyone cannot call in for this information within 50 miles of their home. It is not a good amendment. It will be very difficult to implement and it is not an amendment that can be carried out by the department or investigated. I feel very strongly that this bill should not go in this position.

The SPEAKER: The Chair recognizes the Representative from Gray, Representative Carroll.

Representative CARROLL: Mr. Speaker, Men and Women of the House: I would hope that you would go along with the motion to recede and concur. The amendment was a compromise that the other body came up with for the bill that we debated in here quite extensively the other day. It does put in a clause that if you want to call the Bureau of Health for some hazardous waste or toxic chemical information that you should be within a 50 mile radius. I am not real pleased with that amendment but it seemed to be the compromise that we needed to get this very important process on the line. Please stay with the original recede and concur vote.

The SPEAKER: The Chair recognizes the Representative from Medway, Representative Michaud.

Representative MICHAUD: Mr. Speaker, Men and Women of the House: We debated this bill the other day and I was against the bill because we passed a law earlier this year which would allow the municipal officers to get the information they need to establish ordinances for their municipalities. We also have to protect the workers by a law we passed earlier this year, the Chemical Identification Law. I do not feel that we need this extra piece of legislation. If people are concerned about chemicals and what their effects are, they can call the Department of Environmental Protection, they can call Poison Control, they can call Terry Shehata or the Department of Human Services and they can ask what effect a certain chemical has. So, I hope that you would vote against the motion to recede and concur.

The SPEAKER: The Chair recognizes the Representative from Dover-Foxcroft, Representative Law.

Representative LAW: Mr. Speaker, Ladies and Gentlemen of the House: The objective of these two bills are identical. There are some minor differences, but very minor, between the Chemical ID Bill and the one that Representative Cashman is referring to, 1634, I believe.

Presently, if these two bills are signed, we have two agencies in the state government that are responsible for the same bill. We are financing both agencies to do this identical job. I am not sure how this ever got started that we have

two agencies doing the same thing, but believe me, they are. I could care less whether this information is gotten from the Department of Labor or from the Bureau of Health but certainly this is what causes our state government to balloon, when we have identical jobs that the state agencies are doing. I hope you defeat this measure.

The SPEAKER: The Chair recognizes the Representative from Farmington, Representative Roberts.

Representative ROBERTS: Mr. Speaker, Ladies and Gentlemen of the House: I notice that the gentleman from Medway said that, under present conditions, a worker in the mill can find out what chemicals are being used. The town officers can find out what chemicals are being used. But I gather there is an omission and I would like to ask a question of anyone that can answer it. Can an individual, who is not working in the mill, and who is not a town officer, find out what chemicals are being used on the lot next to him under present law or any law that has been passed?

The SPEAKER: Representative Roberts of Farmington has posed a question through the Chair to any member who may respond, if they so desire.

The Chair recognizes the Representative from Dover-Foxcroft, Representative Law.

Representative LAW: Mr. Speaker, Ladies and Gentlemen of the House: The Chemical ID Law does not refer to individuals but any individual can call the town office and get the same information. There is certain information that is restricted under the Trade Secret Act, but the same information is restricted under either law. You can't call up the bureau and get this information any more than you can call up the municipal office and get it.

As I say, it does not specifically refer to individuals but that is the minor difference between these two laws. If that is the problem, we could add that to the other law but we don't need two agencies doing the same thing.

The SPEAKER: The Chair recognizes the Representative from Gray, Representative Carroll.

Representative CARROLL: Mr. Speaker, Men and Women of the House: The good gentleman from Medway brought up a couple of points and the fine Representative from Farmington asked a very important question, a question I think I would like to answer. The answer is no, the individual cannot directly call an agency to get that information under any present law. That information can only be obtained if the Bureau of Health, through their environmental health unit, goes to do an investigation and finds that that information or that chemical is, in fact, hazardous and may, if they can prove that it may have short term or long term health effects, that individual then can get that information from the department.

The gentleman from Medway, my good friend, mentioned that we could talk to Terry Shehata who is with the Bureau of Health, that would be fine but that fine gentleman has left and he is in New Jersey and I don't have his phone number. If the good gentleman from Medway does, I would be happy to share that.

The other piece of legislation that isn't really before us but everybody keeps referring to I would like to explain. The municipal officers can, in fact, get that information. I will read directly from that. It says: "all information submitted to a municipality under this subsection shall be confidential and shall not be a public record under Title 1, Chapter 13. In the event, a request for such information is submitted to the municipality, the municipality shall submit that request to the department to be processed by the department as provided in this subsection." That is an investigation of that request to find if that material is, in fact, hazardous.

What we are saying in the present bill that the individual can call the department, they

can ask that information, the same type of a system we have got set up for poison control, the same type of system that the agricultural people mentioned the other day on the floor.

I would ask you once again to stay with your position and recede and concur.

The SPEAKER: The Chair recognizes the Representative from Auburn, Representative Brodeur.

Representative BRODEUR: Mr. Speaker, Members of the House: The gentleman from Dover-Foxcroft mentioned something about trade secrets. This bill does not interfere with that particular aspect of the law, trade secrets will remain trade secrets. However, most of the hazardous chemicals are not trade secrets. It is just a matter of knowing if they are there and what problems they cause. The people do have a right to know about those chemicals that are next door, that are where their children go to school, that are in towns where they live. I hope you would follow the over 80 of you that voted for this bill last time it came up, to follow Representative Carroll's light so we could pass this bill on. Also follow the 50,000 people who signed a petition asking that they have a right to know about chemical waste and hazardous waste in their neighborhoods.

The SPEAKER: The Chair recognizes the Representative from Waldo, Representative Whitcomb.

Representative WHITCOMB: Mr. Speaker, Ladies and Gentlemen of the House: I would like to pose a question to anyone who can answer.

How many positions does this bill create?

The SPEAKER: Representative Whitcomb of Waldo has posed a question through the Chair to any member who may respond, if they so desire.

The Chair recognizes the Representative from Limestone, Representative Pines.

Representative PINES: Mr. Speaker, Ladies and Gentlemen of the House: On May 9th, there was a fiscal note on this bill for \$15,814 for year 1985-86; \$22,000 for year 1986-87.

I ask you not to recede and concur. If you will look at this amendment, you will have to ask for another fiscal note. It says: "in case of a request for information for a municipality or individual concerning chemicals in use or present at a specific site, the director shall be required to provide information pursuant to this act, only if the specific site is within a 50 mile radius of the municipality or within a 50 mile radius of the residence of the individual requiring the information."

I feel this is an unnecessary expansion of the department and will be very costly and I would like to ask the Chair if it would require a fiscal note?

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Jacques.

Representative JACQUES: Mr. Speaker, Men and Women of the House: The way the law was before, somebody from Fort Kent could ask information about a business that was in Thomaston, Maine. Apparently a member of the other body had objection to that so he offered this Senate Amendment, which would protect the people that are directly around an area and I don't see anything wrong with that, rather than have somebody ask about potential hazards all over the State of Maine. That is what the amendment tries to address and it does address that if we accept that.

Representative Roberts asked a question that was never really answered. Somebody can get that information now, but only if they know what the trade name is of the subject chemical or whatever you want to call it that is involved, then you can go and they can provide you with that information on what physical effects that might have. It probably isn't going to help you much by them telling you what physical effects it is going to have if your kid is in the hospital

because you will probably already know by that time. I urge you to recede and concur.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Nelson.

Representative NELSON: Mr. Speaker, Men and Women of the House: In reference to the question that was asked, if there was a fiscal note on this bill, there is one, it is appropriate, it is H-393. It speaks of one-half person and you have the appropriate fiscal note. So it is in proper order so you can vote on it and accept the Senate Amendment.

The SPEAKER: The Chair recognizes the Representative from Limestone, Representative Pines.

Representative PINES: Mr. Speaker, Ladies and Gentlemen of the House: I would like to address a question through the Chair to the Chairman.

Was this fiscal note put on before the amendment was added to the bill?

The SPEAKER: Representative Pines of Limestone has posed a question through the Chair to the Chairman, who may respond if they so desire.

The Chair recognizes the Representative from Portland, Representative Nelson.

Representative NELSON: Mr. Speaker, Ladies and Gentlemen of the House: Yes it was.

Representative Brodeur of Auburn requested a roll call vote.

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

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

The SPEAKER: The Chair recognizes the Representative from Auburn, Representative Brodeur.

Representative BRODEUR: Mr. Speaker, Members of the House: A few years ago, members of the House used to get as many maps as they wanted to from the Department of Transportation. To me, in order to meet the requirements of this law, I would be glad to give a few of the maps that I have left over to the Bureau of Health so they can calculate what 50 miles is. Seems to me, all they need is a ruler and a scale and calculate how much 50 miles is from one town to the other. I hope you would support the amendment and recede and concur.

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Jacques.

Representative JACQUES: Mr. Speaker, Men and Women of the House: Energy and Natural Resources Committee had this bill two years ago but unfortunately, we did what the legislature does an awful lot, we let the lobbyists from both sides get involved and what they did was make a real mess out of it. When they got done, there was nothing fit to pass. So this year, this same bill went to Human Resources, and appropriately so, because it does deal with community health. I don't understand why a change from all over the State of Maine to a 50-mile radius, which is going to be less work, and I think will not cost the same amount of money is going to change people's opinion on whether people have a right to know what is going to pollute them or what is going to hurt them. I suggest that if you asked a few of the people in India today about what their feelings are when something happens and they don't know what is going on, they may give you an answer. I don't think it would be an answer that is going to be satisfied by not accepting this bill.

The SPEAKER: The pending question before the House is the motion of Representative Carroll of Gray that the House recede and concur.

Those in favor will vote yes; those opposed will vote no.

ROLL CALL No. 198

YEAS:—Aliberti, Allen, Beaulieu, Bost, Boutillier, Brannigan, Brodeur, Carroll, Carter, Cashman, Chonko, Clark, Coles, Connolly, Cooper, Cote, Crouse, Crowley, Daggett, Descoteaux, Diamond, Duffy, Erwin, Gwadosky, Hale, Handy, Hayden, Hickey, Jackson, Jacques, Joseph, Kimball, Lisnik, Manning, Masterman, Mayo, McCollister, McGowan, McHenry, McSweeney, Melendy, Michael, Mitchell, Moholland, Murray, Nadeau, G.G.; Nadeau, G.R.; Nelson, O'Gara, Paradis, P.E.; Perry, Priest, Racine, Reeves, Richard, Rioux, Roberts, Rotondi, Ruhlman, Rydell, Simpson, Smith, C.B.; Soucy, Stevens, P.; Tammaro, Tardy, Taylor, Theriault, Walker, Warren, The Speaker.

NAYS:—Armstrong, Baker, A.L.; Begley, Bell, Bott, Bragg, Brown, A.K.; Brown, D.N.; Cahill, Callahan, Carrier, Davis, Dellert, Dexter, Dillenback, Drinkwater, Farnum, Foss, Foster, Greenlaw, Harper, Hepburn, Hichborn, Higgins, L.M.; Hoglund, Ingraham, Jalbert, Lacroix, Lander, Law, Lawrence, Lebowitz, Lord, MacBride, Martin, H.C.; Matthews, McPherson, Michaud, Mills, Murphy, E.M.; Murphy, T.W.; Nicholson, Nickerson, Paradis, E.J.; Parent, Pines, Rice, Salsbury, Scarpino, Sherburne, Smith, C.W.; Sproul, Stetson, Stevens, A.G.; Stevenson, Strout, Swazey, Telow, Vose, Webster, Wentworth, Weymouth, Whitcomb, Zirkilton.

ABSENT:—Baker, H.R.; Bonney, Connors, Higgins, H.C.; Hillock, Holloway, Kane, Macomber, Paul, Pouliot, Randall, Ridley, Rolde, Seavey, Small, Willey.

71 having voted in the affirmative and 64 in the negative with 16 being absent, the motion did prevail.

The following item appearing on Supplement No. 9 was taken up out of order by unanimous consent.

Petitions, Bills and Resolves Requiring Reference

The following Bill was received and, upon the recommendation of the Committee on Reference of Bills, were referred to the following Committees, Ordered Printed and Sent up for concurrence:

Appropriations and Financial Affairs

Bill "An Act to Provide Funds to Operate the Marine Laboratory Public Aquariums and Seal Pool at Boothbay Harbor" (H.P. 1148) (Presented by Representative HOLLOWAY of Edgecomb) (Cosponsors: Senator CHALMERS of Knox and Representative VOSE of Eastport) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27) (Ordered Printed)
Sent up for concurrence.

The Chair laid before the House the following matter: Majority Report of the Committee on Legal Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (S-118) on Bill "An Act to Establish Age 21 Years as the Legal Age to Purchase or Consume Alcoholic Beverages and to Deter Drinking and Driving by Minors" (Emergency) (S.P. 332) (L.D. 820) which was tabled earlier in the day and later today assigned pending passage to be engrossed.

On motion of Representative Reeves of Pittston, the House reconsidered its action whereby Committee Amendment "A" (S-118) as amended by House Amendment "A" (H-417) and "B" (H-420) was adopted.

On further motion of the same Representative the House reconsidered its action whereby House Amendment "B" (H-420) to Committee Amendment "A" (S-118) was adopted.

The same Representative moved the indefinite postponement of House Amendment "B" (H-420) to Committee Amendment "A"

(S-118).

The SPEAKER: The Chair recognizes the Representative from Pittston, Representative Reeves.

Representative REEVES: Mr. Speaker, Men and Women of the House: House Amendment "B" changes the effective date of the act to September 30, 1986. The way that the bill came out of committee and was accepted by the Senate and the House is that it will go into effect on July 1, 1985, next month. The Committee received testimony from many different sources. This was perhaps the most unanimously supported bill that came out of our committee. The people in alcohol treatment and rehabilitation felt that the 21 drinking age was one of the most important measures that we can pass this session. People in alcohol education and in the schools also endorse this as their number one legislative priority.

The Bureau of Liquor Enforcement and people from the State Police also endorsed it. It is not just because of federal requirements that we are recommending this bill to you but because there is a general consensus of all the people who deal with education, alcoholism treatment and OUI all agree that we want to pass the 21 drinking age as soon as possible. I hope that you will vote to indefinitely postpone House Amendment "B."

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Joseph.

Representative JOSEPH: Mr. Speaker, Men and Women of the House: I urge you to vote against the motion to indefinitely postpone House Amendment "B." I will try to tell you a few reasons why.

First of all, I want to tell you that House Amendment "B" is a good amendment and it is responsible policymaking because it provides for delaying the effective date from July 1, 1985, which is in House Amendment "A", to September 30, 1986. We, therefore, would be complying with federal regulations and would not be losing our highway funds of \$9 million.

I agree with Representative Reeves. I agree that we should be raising the drinking age to 21. That is fine. By adopting House Amendment "B," you will still be raising the drinking age to 21. This amendment only delays the effective date until September 30th. This amendment does not, in any way, harm or delete any of the provisions in House Amendment "A" that you have adopted except the effective date.

I urge you to change the effective date for smoother transition of this process for many reasons. It will have a significant effect to young people in colleges and young people all over the State of Maine. It will split the age groups of those people in college and have an effect on the operation of social events. In my community, we have two colleges, Colby College and Thomas College and I am very concerned about the economic effect of the restaurants and stores that depend upon the business from those students. I also feel that it is extremely important to give us additional time to send a message to the young people across this state that there is stability in our law enforcement, that in fact, these young people have been allowed to consume alcoholic beverages since 1971 to 1977 at the age of 18. Between those years, in the wisdom of this body, we gave 18 year olds the license to consume alcohol and we felt that they were responsible. From 1977 to 1985, we then said that they were not longer responsible, that in fact, the age had to be 20. Now because of federal mandate and the loss of \$9 million to our state, we are now faced with increasing the drinking age to 21. That is fine, I believe that we should comply with that. I see no hurry in doing that. So, I believe that this amendment will not seriously harm or seriously affect this bill. It is simply giving the message of responsible legislation to those people out there to

plan ahead, and to know that on Sept. 20, 1986, the drinking age in the State of Maine will be age 21.

The SPEAKER: The Chair recognizes the Representative from Eliot, Representative McPherson.

Representative McPHERSON: Mr. Speaker, Ladies and Gentlemen of the House: I would ask you to support the Representative from Pittston, Representative Reeves.

My district being one of those in the southern part of the state is but 15 to 20 minutes from the Massachusetts border. In the summer time, we have a very, very heavy influx of young people from Massachusetts and southern New Hampshire. I would just pass on to you one comment made to me by one of the clerks in the Kittery Liquor Store, "please, if you do anything, pass the 21 year old drinking age and do it as soon as you can."

The SPEAKER: The Chair recognizes the Representative from Berwick, Representative Murphy.

Representative MURPHY: Mr. Speaker, Ladies and Gentlemen of the House: I, too, would urge you to vote with Representative Reeves. We, in committee, gave this bill a lot of thought and we came to the conclusion that it was only fair to the kids of today, who are able to drink at 20, that they would be grandfathered. In that way, we felt that it would make a smooth transition. I also live in a border town and my town is the gateway to the lakes of Maine, up above Sanford and all that area. So, we too, get a lot of border hopping.

I would like to make our roads in Berwick, not only safe for the kids that are going to be coming over there to go to Sanford and places to buy these alcoholic beverages, but for my constituents who will be traveling on these roads.

I urge you to vote with Representative Reeves from Pittston and put our age up on July 1, 1985 to 21 to coincide with New Hampshire and Massachusetts, who have already put up their age on June 1st, as we had previously wanted to do.

The SPEAKER: The Chair recognizes the Representative from Sanford, Representative Hale.

Representative HALE: Mr. Speaker, Ladies and Gentlemen of the House: I, too, urge you to support Representative Reeves motion. I do not feel that we are being irresponsible by enforcing this on July 1st. I feel rather that we will be irresponsible to not enforce it. We say that drinking and driving is not allowed, we must enforce that, we have very strict OUI laws, we have very strict other laws and I have to be concerned too, with my county. I do not care that my businesses in my area will lose income from this because I feel that we will be encouraging the young people that come into our state to consume more than they would with this law in effect. This law is not going to stop them, you know that, I know that. When we were younger and 21 was the legal age, it did not stop people from drinking, they drank, but not as much, because when you can't do something in the open, you don't do it quite as much. I urge you to go with Representative Reeves.

The SPEAKER: The Chair recognizes the Representative from Wells, Representative Wentworth.

Representative WENTWORTH: Mr. Speaker and Members of the House: I, too, am from York County and all the border states are already starting to have teenagers jump across the border. In the summer time, many, many of our tourists come in here and the boys and girls, teenagers, can get an automobile license up here that they can't get in their own state. We do have enough of a problem with that but don't let's give them liquor to help them out.

The SPEAKER: The Chair recognizes the Representative from Madawaska, Representative McHenry.

Representative McHENRY: Mr. Speaker, Ladies and Gentlemen of the House: I would like to see the House vote against the present motion before us to indefinitely postpone. I live on the border also and I would rather see this delayed. This bill stinks, in my opinion. It is blackmail, it is a blackmail bill, let's be honest about it. We are blackmailing the state. I have a problem where my constituents live, 20 some odd miles from the border of Quebec, where the drinking age is 18. They live about a stones throw away from New Brunswick where the age is 19. What is going to happen? We are going to have our people going into Canada, driving longer distances, especially in Quebec, where the age is 18. This is not going to be helpful.

Here in the United States of America, we are now saying, let's make it 21. Yet these young adults of 18, 19 and 20 are susceptible to the draft and we say, you kids should go and get killed if we happen to have a war, you are old enough to face conflict, you are old enough to die for your country, you young adults are old enough to vote for us, the politicians — well, I believe if we are going to be 21, make it 21 for everything, responsibility, right to vote, right to serve your country, it should be 21 all the way. Let's not only take the good, let's give them everything. If they are old enough to vote, they are old enough to have self-responsibility, they should be old enough to drink, in my opinion. If they are old enough to die for their country and serve their country, I believe you should give them all the rights. If you are against drinking, why not make it 75 years old, why not 101 years old, let nobody drink. But we all know that doesn't work.

The SPEAKER: The Chair recognizes the Representative from Unity, Representative Stevenson.

Representative STEVENSON: Mr. Speaker, Ladies and Gentlemen of the House: I would like to comment on some of the things that my former friend from Madawaska just said.

We have pushed many emergency bills through here. This is an emergency bill. My big question is, how many lives is it going to save these young people?

There was reference made also about meeting federal regulations. When we pushed through the minimum wage bill, we exceeded federal regulation, we did that. Something was said about a split age group. I am wondering if the split age group is going to be any different next July than it is this July.

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Joseph.

Representative JOSEPH: Mr. Speaker, Ladies and Gentlemen of the House: I want to reemphasize very clearly, I am not debating with you that the drinking age should not be 21. I am not debating with you the provisions of Amendment "A." I am simply asking you to consider delaying the effective day of this bill until September 30, 1986. I guess I would have to ask the question to you, what social improvement will come about if, in fact, we do not delay this, if this bill did go into effect on July 1, 1985. I would like to say that I feel that we are giving those establishments, those restaurants, those schools, those people who will be most affected by this bill time to change some of their policy, time to make plans, time to schedule their events so that it is in a responsible manner. I do not believe that we have to hurry about doing this.

I think it was a good question from the Representative from Unity about saving lives. If you are truly interested about saving lives, I have a folder of statistics here that is documented that says the age of 24 is the age when you see a decrease in accidents. At the age of 29, you then see a decrease of fatalities on the highways due to alcohol related driving incidents. So therefore, if you are truly in-

terested in saving lives, then perhaps you should consider raising the drinking age from 21 to 24 or to 29.

I am not talking about anything except responsible legislation, responsible drinking, and also a clear message of stability in our laws and a message to that generation of young people that have been allowed to drink at the early ages of 18 and 20 since 1971.

I really don't know how you could oppose this piece of legislation or this amendment. I urge you not to indefinitely postpone this effective date.

The SPEAKER: The Chair recognizes the Representative from Augusta, Representative Hickey.

Representative HICKEY: Mr. Speaker, Ladies and Gentlemen of the House: I think we can debate this from now to nine o'clock without any result but I think the important thing here is the date we establish should coincide with what Massachusetts, New Hampshire, and any other bordering states does. If we don't, we are going to have our people traveling to those states and putting themselves in an element of danger.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Boutilier.

Representative BOUTILIER: Mr. Speaker, Men and Women of the House: I am sorry that I am going to delay this debate a short time longer but I feel that I must stand up on this issue. There is an issue here that goes beyond whether you are in favor of the drinking age being raised to 21 or not. I, as an elected member of this House in the State of Maine, cannot sit idly by without speaking on the record about my feelings concerning the present state of affairs.

House Amendment "B" brings an issue to mind concerning the effective date from July 1 of this year to September 30, 1986. Why September 30, 1986? Because that is the last date we can adopt this legislation without losing crucial highway funds. Why is that important? It is important because the federal government is forcing their will upon the states. Is that good policy? I think I can say in a resounding way, no.

What if the federal government came to us the next legislative session and said that they would withhold educational funds unless a mandatory prayer was instituted in every public school? I think there are many of you in this body that would be quite upset by that idea. I think you would be justified.

By passing House Amendment "B", you are sending a message to the federal government that this occurrence is not passing through this legislature unnoticed. There is often much talk in this body about local control. Well, the ultimate local control question is before you today. We cannot turn this around, it is really too late to do that, but we can send a message. This forced legislation is no less than blackmail by the federal government to impose its will on the State of Maine.

I hope you will vote no on the motion to indefinitely postpone House Amendment "B."

The SPEAKER: The Chair recognizes the Representative from Camden, Representative Taylor.

Representative TAYLOR: Mr. Speaker, Members of the House: As a parent of four teenage children, the reason I grade so early was that there was one thing that really was a problem and that is lawmakers changing the drinking age on me, it seemed to me time after time after time. Let's do it, let's be consistent with the States of New England and let's do it as soon as possible. The kids will accept whatever we say so long as we get it over with and stick to our guns.

At this point, the rules were suspended for the purpose of removing jackets for the remainder of today's session.

The SPEAKER: The pending question before the House is the motion to indefinitely postpone House Amendment "B" (H-420) to Committee Amendment "A" (S-118). Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

78 having voted in the affirmative and 25 in the negative, the motion did prevail.

Representative LISNIK of Presque Isle moved the House reconsider its action whereby Senate Amendment "C" (S-284) to Committee Amendment "A" (S-118) was indefinitely postponed.

The SPEAKER: The Chair recognizes the Representative from Presque Isle, Representative LISNIK.

Representative LISNIK: Mr. Speaker, Ladies and Gentlemen of the House: In the last few weeks, we have allowed a bill to go through here, I think it became law May 2nd, that said if you were a supervisor in a small store rather than being 18 years old to supervise the sale of alcohol, you are going to be of mandatory drinking age. That did slip through here and was brought to my attention a couple of weeks ago. I went around talking to a variety of people and nobody seemed to know about it. The liquor lobby didn't know about it or anybody else that I could find. I finally did find the bill and this is exactly what happened. I think we have really put some of the small stores in this state in a terrible bind. We are going to deny a variety of people employment here, we are talking about 18, 19 and 20 year old people who are not going to be able to work in these stores.

I don't think my district is unlike any other districts around this state. We have a lot of small mom and pop stores that hire students that come in, college students, young people. There are a variety of people around here shaking their heads, yes, and I suspect there are some store owners here that are doing the exact same thing. I am not sure why this happened. I am not sure what the rationale was but I hope that we can make a motion to adopt Senate Amendment "C" to the Committee Amendment.

The SPEAKER: The Chair recognizes the Representative from Sanford, Representative HALE.

Representative HALE: Mr. Speaker, Ladies and Gentlemen of the House: I urge you to support Committee Amendment "C." I believe that this will make the transition period much easier to bear for everyone concerned. It also, I believe, grandfathers 20 years olds as of July 1st. I urge you to support the motion on the floor.

The SPEAKER: The Chair recognizes the Representative from Pittston, Representative REEVES.

Representative REEVES: Mr. Speaker, Men and Women of the House: I hope that the House will adhere to our motion this morning whereby we indefinitely postponed Senate Amendment "C."

In this bill and in the law that was passed, people 17 years old and under 17 years old may still work in liquor stores and in bars and restaurants, as long as there is one supervisory person of legal drinking age in that establishment.

Senate Amendment "C" changes a bill that the Legal Affairs Committee passed earlier in the year, which changes the legal age for supervisory positions in these establishments that sell liquor either on the premises or off premises, from 18 years old to legal drinking age. This concept is supported by the committee and by the liquor enforcement people because it would be very difficult to enforce a 21 drinking age if there were no one on the premises of 21 years old responsible for determining the age of the person that they were selling it to.

I hope you adhere to our former action this morning to indefinitely postpone Senate

Amendment "C."

The SPEAKER: The Chair recognizes the Representative from Berwick, Representative MURPHY.

Representative MURPHY: Mr. Speaker, Ladies and Gentlemen of the House: I believe that that 18 year old could handle and sell beer in the stores was changed back when the age was 18. This was just something that was forgotten in our liquor laws and was not put up when the age went to 20. This is why it is still 18.

Now, when a person owns a mom and pop store or whatever they have or a restaurant, they also have a license on the wall and they are responsible for that license and whoever sells beer in that store to whom.

I ran a convenience store for 22 years and I never allowed a person under the drinking age in that store alone to sell beer without supervision because I did not want teenagers to get beer in there. I did not want anyone under age and I did not want them to sell after hours.

Therefore, the laws in the state that I worked under, you could not do that. It does not hurt mom and pop stores one bit. I hired kids to work for me and they had to be approved through the liquor commissioner, the enforcement part of it, and that was no problem because they just made a telephone call to the chief of police and he knew whether these kids had records or whatever their type was. This new law going into effect and putting it up that you have to have a supervisor in a restaurant or the stores at all times, believe me folks is no problem, kids will still get the jobs, they will still be able to do waitress jobs. But it will stop us giving 18 year olds responsibility, which they are not mature enough to handle, and that is peer pressure.

When I was 18 years old and if I worked in a store and sold beer, if some of my classmates came in, I might have found it hard to refuse these kids beer, especially if there was no one else in that store to know that I sold it to them.

The SPEAKER: The Chair recognizes the Representative from Rockland, Representative MELENDY.

Representative MELENDY: Mr. Speaker, Members of the House: I would hope that you would follow Representative LISNIK's light. I was a small store owner and, if it had not been for the fact that my son could sell wine when I was not present, I would have had to hire people. When you are just getting off the ground as a small business there are times when you have to work with what you have within your family. I knew that I was responsible for my license and I never would have left it unless I knew that a responsible person was going to be handling it. People are not going to take a chance of losing their license. I urge you to follow Representative LISNIK's light.

The SPEAKER: The Chair recognizes the Representative from Presque Isle, Representative LISNIK.

Representative LISNIK: Mr. Speaker, Ladies and Gentlemen of the House: I just want to point out that the drinking age is now 20 years old and you can sell if you are 17 with a 18 year old supervisor; that is currently in the law and that is the way the law has stood. We are not making that a mandatory, when this bill goes through, 21 years of age.

As I stated before, I think you are going to hurt a lot of your people back home. If you aren't aware of this issue, if you haven't talked to people, you really ought to talk to some of your store owners because, once the word gets around, you are really going to get some flack from this thing.

I happened to catch it from a liquor inspector who talked to a store owner and I was running all over the place trying to find out what the issue was all about and nobody knew. This thing just slid through here. I think if you talk to your people back home, you are going to find out that this is going to put them in a real bind,

you are going to hurt a lot of stores and you are really going to put some kids, who are not really kids anyone, they are adults, they are married, they have children and they are 20 years old and they are working in stores.

The SPEAKER: The Chair recognizes the Representative from Harrison, Representative JACKSON.

Representative JACKSON: Mr. Speaker, Ladies and Gentlemen of the House: I would like to speak as a former store owner and an employer of these employees we are discussing. I usually employed four college students during the summer. They came to work for me at the last week of May and worked through to the last week of August.

I think the question that we have here is responsibility. As we heard the gentlelady from Berwick discuss, that there is a license on the wall. That license is a responsibility of the owner or the operator of that store.

Myself, as an owner-operator of a store, and leaving a person who is 19 or 18 years old in charge of that operation when I left, I had left knowing full well that that person was a responsible person. We don't employ people, or I don't think most of the people in the State of Maine employ people, who we feel are going to be irresponsible in reference to selling liquor to their peers or beer or wine or whatever the case may be.

I think that many of these operations that I discussed right now have employed students for the summer to assist them because of the influx of the tourist trade, the recreational areas in the state, not knowing that the rules of the game are going to be changed today or tomorrow or Monday, not recognizing the fact that, if they have employed these people hoping that they might have a little time to themselves, that they have got to employ a person now, if we pass this law today without this amendment, of employing a person that is 21 years old in a supervisory capacity.

All this amendment asks for is 90 days from the passage of this bill. The amendment does provide that 90 days after the effective date of this legislation, then the amendment comes into effect for 21 year old supervisory position comes into effect. I would hope that you would follow Representative LISNIK's step and I think it would be a step in the right direction. I am sure that plenty of these operations have employed people not knowing that we are going to change the law in the middle of the game.

The SPEAKER: the Chair recognizes the Representative from Waterville, Representative JACQUES.

Representative JACQUES: Mr. Speaker, Men and Women of the House: It seems like our small store-owners are going to get wacked again, the same guy that you go to see when you want to campaign. I will tell you, I couldn't disagree more with the Representative from Berwick, Mrs. Murphy, when she says this is not going to be a problem because it is a problem.

You are talking about 18, 19 year olds. You are talking about freshmen and sophomores in college that are not going to be able to have in that store being responsible. If they are not going to be responsible, I sure wouldn't let them be there at night with my cash register full of money. Talk about peer pressure, they could have been giving away pizzas, Italian sandwiches and they can give the beer away if that is what they want to do, never mind selling it. If they are going to fall into peer pressure, they could have put it in a bag and their friend could walk out with it. I certainly hope you don't think the small storeowner is stupid enough to hire that type of person in the first place.

One of the biggest problems is going to be to get somebody 21 years of age and over that is going to work in a mom and pop store the hours, which I didn't want to work because I

was working 80 hours a week there, that is Sunday night, Saturday nights and Friday nights. If you keep it to that, they are not going to be there, they are going to be home with their family or they are not going to work a full-time job and they are going to be dead on their feet. So, we had to count on those 18 and 19 year olds to fill in that gap. We hired responsible people and I never had a bit of problem all the time I was there.

How about your family members? I had three family members that worked for me on and off and they were under 21 years of age when they started working there. My sister was probably the hardest person to buy beer from, she asked some of my friends who were in their 30's for ID's, some were insulted and some were tickled to death, but she was responsible and she was working for me.

If you think I am going to take a chance on losing my license — they don't take your license any more, they just fine you \$500 or \$350 for the first offense because the state doesn't want to lose the money it makes on the sales tax when you sell the beer, but they take your license after the third time, and if you think I am going to take a chance and hire somebody that is going to do something like that and lose my license, I've got news for you. I wasn't in a business for my looks, I was in a business to make some money. That is why. So, all you have got to do is take a little time.

I agree with Representative Lisnik, call back and see the people that own these stores and see if this is going to have no effect whatsoever on them and it is going to be real easy and you are still going to have all kinds of people coming out your ears that want to work for you and you will find out that isn't the case. So, before you vote to go along with this amendment that was passed down there, this hair-brain amendment, think about it.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Nadeau.

Representative NADEAU: Mr. Speaker, Ladies and Gentlemen of the House: Very briefly, I think all of you get the point by now. But Representative Melendy mentioned that her son could not have participated in her business had this law been in effect back then. Well, I was the son of a storeowner. When I was 18, 19, and 20, I was going to school days and managing my father's store at night, now that would not have been possible if this bill goes through as is.

Representative Lisnik's motion to reconsider Senate Amendment "C" I think is definitely in order. I would also concur that this did slide by kind of quick. I don't think we gave this a whole lot of thought.

This is going to put some small business in a particular dilemma, I think. It is going to put some young people in a dilemma trying to make some money whether they are in college or not. Finding jobs is pretty tough these days.

The gentlemen from Waterville, Mr. Jacques, mentioned finding people to work those kinds of hours, particularly on weekends, it's very difficult for a small business. I think this is going to create some hardships and the small business person is going to hire responsible people. I think it is in their best interest and I think if we allow this current law to be retained, in the long run, it will benefit us all.

The SPEAKER: The Chair recognizes the Representative from Berwick, Representative Murphy.

Representative MURPHY: Mr. Speaker, Ladies and Gentlemen of the House: I think you will find this 18 year old thing is just an inconsistency in the law. Liquor enforcers came to the committee and said this should be changed back to the legal drinking age as it was before the 18 year old drinking law went in.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Telow.

Representative TELOW: Mr. Speaker, Ladies and Gentlemen of the House: May I direct a question through the Chair?

The question I have is on the amendment. What is the minimum age, because I am getting kind of confused here, because I am the instigator of this to start off with. It formerly was L.D. 400 "An Act Relating to Employment of Minors Under the Liquor Laws", then it was a redraft to 1281 and again "An Act to Amend the Liquor Laws," but nowhere in there do I see 18 or 19 as the minimum age. Where did that all of a sudden crop up? Is that under the amendment or what?

The SPEAKER: Representative Telow of Lewiston has posed a question through the Chair to any member who may respond, if they so desire.

The Chair recognizes the Representative from Pittston, Representative Reeves.

Representative REEVES: Mr. Speaker, Men and Women of the House: Earlier this year, the House and Senate passed and enacted Public Law 133, which refers to a person 18 years or older in a supervisory capacity and was changed to "references to a person of legal drinking age in a supervisory capacity." This was Representative Telow's bill and it was brought to us with the endorsement of the Liquor enforcement people who wanted to see a change in the law that had been over looked as the drinking age changed corrected. So the House and the Senate passed and enacted this legislation. The amendment that we are considering now to the 21 drinking age bill repeals, permanently repeals, what the committee did earlier in terms of changing the supervisory capacity age from 18 to legal drinking age, which after this bill is enacted, will be 21.

If you pass this amendment, a person with a work permit of 15 could be selling beer in a store with an 18 year old person supervising. It is a permanent change, it is not just for 90 days.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Telow.

Representative TELOW: Mr. Speaker, Ladies and Gentlemen of the House: The reason why I was confused, the two bills that I have here, was not 18, 19; 17 was the minimum that a person could be working in these places. That is why I wanted to get it straight as to what the amendment was because we are not talking 18, 19, you are now talking, under my bill that I sponsored, 17 years of age was the minimum, with a supervisor at that time whatever the legal age was. In my checking around with the Liquor Enforcement Division and seeing the complaints that they have had, the problem was that it was the 17 year olds that were hired that created a problem on the liquor violations. Now, I am only bringing up the fact that they are talking 17, you are putting somebody in responsibility. Now, I know in the stores that I ran, sure I might have had them at 17 but I always had a department manager that was a supervisor in a supervisory capacity. I do want to straighten it out because the bill and the last redraft does not say 18 or 19, it says 17 years of age that they can work there.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Aliberti.

Representative ALIBERTI: Mr. Speaker, Ladies and Gentlemen of the House: I find it difficult to separate two issues in a bill. I am in favor of one issue and against the other issue. The first issue is the drinking age. I definitely believe that that is the route to go and increase the drinking age to 21. However, the employment part of that bill concerns me a great deal. It involves a segment of our population that needs to be encouraged to go into the work force for whatever need they have. Much of that work force includes summer work for those students who want to pursue the most valuable thing in their lives, their

education. I think there are two elements involved in one bill. Support the drinking age of 21 and also allow the employment abilities for our post drinking age students that need the employment and have the responsibility.

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Jacques.

Representative JACQUES: Mr. Speaker, Men and Women of the House: It has been stated a couple of times here that the 18 year old age for selling that was left on here, which is 17 year olds, was an inconsistency in the law and it would just never change. That is not the case. For the members that were here back when this happened, I remember very clearly, we went through this exact same debate and it was decided at that time, that because the jobs and everything that has been said here, it was left the way it was. It wasn't an oversight on our part. Check the record and you will see that there was extensive debate.

I would like to ask you all one question. Why would anyone want to hire a 17 year old to work in a store when he had to have a 21 year old there to okay everything he did? Why not just hire the 21 year old and he will take care of everything for you? The 17 year old will be out on the street.

The SPEAKER: The Chair will order a vote. The pending motion before the House is the motion of Representative Reeves of Pittston that the House reconsider its action whereby Senate Amendment "C" was indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

A vote of the house was taken.

70 having voted in the affirmative and 17 in the negative, the motion to reconsider did prevail.

The SPEAKER: The pending question before the House is indefinite postponement of Senate Amendment "C."

Representative Murphy of Berwick requested a roll call.

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

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

The SPEAKER: The pending question before the House is indefinite postponement of Senate Amendment "C." Those in favor will vote yes; those opposed will vote no.

ROLL CALL No. 199

YEAS:—Brown, A.K.; Dexter, Farnum, Hichborn, McPherson, Michael, Murphy, E.M.; Paradis, E.J.; Perry, Reeves, Rice, Scarpino, Smith, C.B.; Smith, C.W.; Soucy, Sproul, Taylor, Telow, Webster, Wentworth, Weymouth, Whitcomb

NAYS:—Aliberti, Allen, Armstrong, Baker, A.L.; Beaulieu, Begley, Bell, Bonney, Bost, Bott, Boutillier, Bragg, Brannigan, Brodeur, Brown, D.N.; Cahill, Callahan, Carrier, Carroll, Carter, Chonko, Clark, Coles, Connolly, Cooper, Cote, Crouse, Crowley, Daggett, Davis, Dellert, Descoteaux, Diamond, Dillenback, Drinkwater, Duffy, Erwin, Foss, Foster, Greenlaw, Gwadosky, Hale, Handy, Harper, Hayden, Hepburn, Hickey, Higgins, H.C.; Higgins, L.M.; Hoglund, Ingraham, Jackson, Jacques, Jalbert, Joseph, Kane, Lacroix, Lander, Law, Lawrence, Lebowitz, Lisnik, Lord, MacBride, Macomber, Manning, Martin, H.C.; Matthews, Mayo, McCollister, McGowan, McHenry, McSweeney, Melendy, Michaud, Mills, Mitchell, Moholland, Murphy, T.W.; Murray, Nadeau, G.G.; Nadeau, G.R.; Nelson, Nicholson, Nickerson, O'Gara, Paradis, P.E.; Parent, Pines, Priest, Racine, Richard, Rioux, Roberts, Rotondi, Ruhlin, Rydell, Salsbury, Sherburne, Simpson, Stetson, Stevens, A.G.; Stevens, P.; Strout, Swazey, Tam-

maro, Tardy, Theriault, Vose, Walker, Warren, Zirkilnton, The Speaker

ABSENT:—Baker, H.R.; Cashman, Connors, Hillock, Holloway, Kimball, Masterman, Paul, Pouliot, Randall, Ridley, Rolde, Seavey, Small, Willey

22 having voted in the affirmative and 114 in the negative with 15 being absent, the motion did not prevail.

Thereupon, Senate Amendment "C" (S-284) was adopted.

Committee Amendment "A" (S-118) as amended by Senate Amendment "C" (S-284) was adopted.

The Bill was passed to be engrossed as amended by Committee Amendment "A" (S-118) as amended by Senate Amendment "C" (S-284) thereto, and Senate Amendment "A" (S-140) and House Amendment "A" (H-417) in non-concurrence and sent up for concurrence.

On motion of Representative Reeves of Pittston, the House reconsidered its action whereby L.D. 820, "An Act to Establish Age 21 Years as the Legal Age to Purchase or Consume Alcoholic Beverages and to Deter Drinking and Driving by Minors" was passed to be engrossed

On motion of the same Representative, the House reconsidered its action whereby Committee Amendment "A" (S-118) as amended by Senate Amendment "C" (S-284) and House Amendment "A" (H-417) thereto was adopted.

On motion of the same Representative, the House reconsidered its action whereby House Amendment "A" (H-417) to Committee Amendment "A" (S-118) was adopted.

On motion of Representative Reeves of Pittston, House Amendment "A" (H-417) to Committee Amendment "A" (S-118) was indefinitely postponed.

Thereupon, Committee Amendment "A" (S-118) as amended by Senate Amendment "C" (S-284) was adopted.

The Bill passed to be engrossed as amended in concurrence.

The Chair laid before the House the following matter: An Act to Clarify the General Assistance Law (S.P. 297) (L.D. 786) (C. "A" S-272) which was tabled earlier in the day and later today assigned pending passage to be enacted.

Whereupon, the bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The following item appearing on Supplement No. 11 was taken up out of order by unanimous consent.

Papers from the Senate Non-Concurrent Matter

Bill "An Act to Require Parental Consent in the Case of Minors' Abortions" (H.P. 298) (L.D. 387) on which the House Insisted on its former action whereby Report "B" Ought to Pass" as amended Report of the Committee on Judiciary was read and accepted and the Bill Passed to be Engrossed as Amended by Committee Amendment "B" (H-409) on June 14, 1985.

Came from the Senate with that Body having Adhered to its former action whereby Report "A" Ought to Pass" as amended Report of the Committee on Judiciary was read and accepted and the Bill Passed to be Engrossed as amended by Committee Amendment "A" (H-408) in non-concurrence.

Representative Paradis of Augusta moved the House recede and concur.

The SPEAKER: The Chair recognizes the Representative from Augusta, Representative Paradis.

Representative PARADIS: Mr. Speaker, Ladies and Gentlemen of the House: I will be very, very brief. The hour is late and we have fought long and hard. We have fought honorably for what we perceive to be right. This vote does not represent a compromise, it represents

a commitment to what we think possibly enactable. I would ask you to support my motion to recede and concur so that we can begin to have some sort of parental consent on abortions of minors in Maine. That is the issue, that has always been our commitment and we hope that by voting to recede and concur we can get this bill passed and we can begin to make an effort here in Maine to show some parental responsibility over these abortion rights on minors.

The SPEAKER: The Chair recognizes the Representative from Washington, Representative Allen.

Representative ALLEN: Mr. Speaker, Men and Women of the House: Less there by any confusion, I, too, would urge you to recede and concur so that we can accept Committee Report "A."

The SPEAKER: The Chair recognizes the Representative from Woolwich, Representative Cahill.

Representative CAHILL: Mr. Speaker, Ladies and Gentlemen of the House: I would hope that you would vote against the recede and concur motion so that we could adhere.

The SPEAKER: The Chair recognizes the Representative from Eastport, Representative Vose.

Representative VOSE: Mr. Speaker, Ladies and Gentlemen of the House: I sat very patiently and listened to all the arguments for three reports. The committee, unfortunately, has been bouncing this thing around like a yoyo. I don't think that anyone of them at this point in time are exactly sure just which way they want to go. I would strongly suggest that we defeat the motion to recede and concur and allow the committee to take this issue back to them and, either next year or whatever the case may be, come back to us with a very sensible solution.

The SPEAKER: The Chair recognizes the Representative from Corinth, Representative Strout.

Representative STROUT: Mr. Speaker, Men and Women of the House: This is the first time that I have spoken on this issue. I agree with the gentlemen from Eastport that today we should not pass this bill.

I am a father of six children. I have three daughters and three sons. I have one daughter, who will be graduating this Sunday 18 years old. I have another daughter that will be turning 15 in December. If you pass this Report "A," you are saying to me, as a father, and to the mother of my daughter, that somewhere down the line if we should be faced with situations that have been brought on the floor the last couple of days, that my daughter would have to have counseling and I am opposed to that.

I can tell you as a father that I would rather have my neighbor consult with my daughter than someone who is a professional in the counseling field.

I think the only decision that we have before us at this time is to vote no on recede and concur so that we will do nothing, which is where I am coming from tonight.

The SPEAKER: The Chair recognizes the Representative from Augusta, Representative Paradis.

Representative PARADIS: Mr. Speaker, Ladies and Gentlemen of the House: I will be very brief. Just so there is no confusion, this was not an easy decision for those of us on Report B to make. We made it in the interest of compromise and we made it in the interest of having some bill. We all concur, all of us, that the motion to recede and concur should win. Let there be no mistake about that. The groups that have been lobbying for Report B now agree that we ought to recede and concur. I am happy to have the others join with me, who had signed Report "A", to support the motion to recede and concur. Those who do not, I am very sorry, for their own reasons.

But I tell you if the motion to recede and con-

cur fails, then the entire bill is dead. I would dare say there are some who would like to see the entire bill dead. I am not one of those. I have labored too long. We have given this too much conscientious effort to have this bill die. It is a beginning and it is an honest and sincere beginning. I hope you will support the motion to recede and concur so that we can have a parental consent bill.

The SPEAKER: The Chair recognizes the Representative from Stockton Springs, Representative Crowley.

Representative CROWLEY: Mr. Speaker, Ladies and Gentlemen of the House: I agree with Representative Vose and Cahill and Mr. Strout. I have been sitting here for a few days listening and listening and wondering, where in God's name have the parents gone? How come they can't be responsible? How come they can't be looked upon as the ones that should be consulted in this thing?

I would rather have my children consulting me. Even when I was a counselor of college students, and in one year I had three youngsters that decided to come to me and they weren't 18, 17 and 16, they were 20, 21 year old girls and they came and discussed. The first thing I tried to get them to do and succeeded was to have them first consult their parents, because they had to live with their lives for a long time and they should know that their parents are out there to love them and respect them. If they get their legs knocked off or something, who is going to take care of them? The parent. After the abortion is over, who is going to take care of them? The parent.

Another thing that has been bothering me all week is we talk about judges as though they are some inferior type people. I know a few judges, I am a little older than most of you, and judges are a little older I guess, but I haven't met a judge in my life that I didn't think would be a lot better counselor that I am with the experience and the knowledge, brains that they have and so forth. For us to sit here and think judges are not capable of making great decisions with our kids, I think is a big mistake.

I think we should take this, as Representative Vose said, back to the drawing board next year and come up with a better bill. I am voting against this bill.

The SPEAKER: The Chair recognizes the Representative from Lisbon, Representative Jalbert.

Representative JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: Right along, I have supported my good friend from Augusta, Representative Paradis. But I could not go along with him on this issue. As a parent who has raised four children, I think it has been my experience that when you raise children everybody and his uncle will try to tell you how to raise them. If it doesn't turn out right, they say, that is your problem. He is your child. So, I say let's not give up our rights as parents. I have never given up my duty as a parent and I don't think that the government should come along and say to me, you shall go to a counselor before my children can come to me or my children can go to my wife, who I can honestly and proudly say is a lady, who has been the closest to her children of anybody I have ever seen. I don't want that to happen.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Beaulieu.

Representative BEAULIEU: Mr. Speaker, Ladies and Gentlemen of the House: I rise to support the positions taken by Mr. Crowley, Mr. Vose and Mr. Strout. I think I am a little confused. We have a motion before us to recede and concur and yet the arguments in the hall have been, please do not vote for Report A because it is riddled with loopholes and we could wind up in the courts.

Now why is it all of a sudden that the proponents of a parental consent bill are receding

and concurring to what has been, in the past couple of days, promoted as a lousy report? I urge everybody here to vote no on recede and concur.

The SPEAKER: The Chair recognizes the Representative from Cumberland, Representative Dillenback.

Representative DILLENBACK: Mr. Speaker, Ladies and Gentlemen of the House: I haven't spoken on this bill, but as long as you have kept me here all afternoon, I feel I have a right to say a few words.

I have quietly been here listening. Now the young people today are very mobile, they all have vehicles, more or less, or their friends do. I am afraid if you force somebody to go to a judge or to somebody else, they are going to jump into that car and go out of state away from their parents and I do not want to see that happen.

I am going to join with the rest of these people and vote against this bill.

The SPEAKER: The Chair recognizes the Representative from Windham, Representative Cooper.

Representative COOPER: Mr. Speaker, Ladies and Gentlemen of the House: I will keep this very short. I just wanted to concur that I hope you will vote to recede and concur. This, I believe, is the last opportunity this year to support a bill that encourages parental consent or at least parental involvement. All of the minors would have someone who would discuss with them the possibility of involving their parents in the decision to have an abortion. That is the fact of the bill. I wish you would keep that in mind, those of you who are concerned about parental consent, you cannot have parental consent but at least with this bill you will have somebody encouraging minors to involve their parents in the decision.

The SPEAKER: The Chair recognizes the Representative from Monmouth, Representative Davis.

Representative DAVIS: Mr. Speaker, Ladies and Gentlemen of the House: Again, as Representative Dillenback has said, I have listened for two days to this argument concerning this issue. I am the father of four daughters and one son. I am telling you now that I have finally made up my mind that I agree with Mr. Vose, Mr. Crowley, Mr. Dillenback, and Mrs. Beaulieu. I hope you will vote with them.

The SPEAKER: The Chair recognizes the Representative from Buxton, Representative Kimball.

Representative KIMBALL: Mr. Speaker, Ladies and Gentlemen of the House: I am not even going to tell you how to vote but I do think I need to stand and say a little bit in defense of my profession. I will just address one of the issues that Representative Strout brought up. It is an issue that we agree on with him, I am quite sure. I think that, if you talk to anyone else that is in the profession as well as myself, sincerely, if things can be settled out of my office and out of the rest of the offices, if they can be settled with the next door neighbors, if they can be settled with your aunt, your cousin, it is always a much better way of resolving problems than coming to see a person like me.

The SPEAKER: The Chair recognizes the Representative from Gorham, Representative Brown.

Representative BROWN: Mr. Speaker, Ladies and Gentlemen of the House: I, too, have listened to this long enough. My position from the beginning was for parental consent and it always will be. I was here in the House in the 109th when we passed it. I am a cosponsor of this bill. I would ask you please to vote against the motion to recede and concur. I would rather have nothing.

The SPEAKER: The Chair recognizes the Representative from Westbrook, Representative Carrier.

Representative CARRIER: Mr. Speaker, and

Members of the House: I wish to reveal to you the truth about this bill. As you know, we all have a different approach and mine was pretty nice and clear. If we were to have this bill at all, I would naturally have preferred Report B, but the situation is not whether A or B or C is the best, as of today, the things that are going on around here is not the question of what is best.

We have suffered by the nonfeasance of the other body over there. The thing is that the same people that were here a few days ago were to accept Report A or they were voting to recede and concur, today when the motion is made, they don't want to vote for recede and concur. I will tell you why they don't want to vote for recede and concur because the same people that have been lobbying this place for the last two weeks or the last week or so, every night and day, they don't want this bill at all. This is why they tell the people that have voted to recede and concur before to change their vote and vote to adhere because they don't want any bill at all.

So, let's be truthful. I want a bill, I wasn't for Report A. I don't think that is the real vehicle for the thing. But I think rather than have nothing, I will vote for Report A strictly on the principles of those that have promoted this thing and now they don't want the bill at all. They have fought, they have lobbied you, they have written letters, they have cornered you, they have promised things to make you vote for Report A, which is what is now here. Wisely, a lot of people refused it and we didn't vote for Report A. This is why there are some people that have not supported Amendment B before are voting today, not to recede and concur, that is what they wanted a day ago. They changed because the people outdoors and in the hall and people upstairs, they don't want any bill. This is why.

I submit to you that if you want to do something for those kids, if you even want to do a little thing for the kids that get caught in a pregnancy, you better go with Report A.

We have tried all kinds of ways, we had all kinds of hopes to get around to this thing but we haven't. I submit to you that today your best vote is to support the motion to recede and concur.

I have not totally changed my position but I have changed it enough to bring to you the truth of what has been going on with this bill. So, I submit to you that you should support the motion to recede and concur and inquire to those that supported that motion before, why today, if they vote the opposite. I don't have to give you their issues. Let them account for themselves, like I will account for myself. I submit to you that you should support the motion to recede and concur.

The SPEAKER: The Chair recognizes the Representative from Washington, Representative Allen.

Representative ALLEN: Mr. Speaker, Men and Women of the House: I rise to urge you to vote in support of recede and concur. All members, all 13 members of the Judiciary Committee, were in agreement that some form of this bill ought to pass both Houses. The proponents of Report B had an opportunity to present that report to you. A majority of you accepted that. Some of you rejected that. Some of you rejected it because you wanted to support Report A. Some of you may have rejected that because you wanted to, in fact, kill the entire bill. I respect that. I, for one, have been out there in the lobby and I, for one, have been trying to persuade you to support Report A. I accept the fact that I was unable to do that here in this House. I very much respect your individual decisions as to why or why not you will or will not support recede and concur. But from the onset, from the very beginning, when I said that I was committed to Report A, I, and those six people that joined me on Report A, advocated some form of urging kids to go to

their parents when they need them. I, for one, am happy to hear my friend from Westbrook and my friend from Augusta urge you also to now support the only report, the only thing available to you, and that is Report A.

Mr. Speaker, may I pose a question to you?

My question is, if we fail to recede and concur, will this bill be dead? Will it die in non-concurrence?

The SPEAKER: The Chair would answer in the affirmative.

The Chair recognizes the Representative from Eastport, Representative Vose.

Representative VOSE: Mr. Speaker, Ladies and Gentlemen of the House: I would like to pose a question through the Chair to any member of the Judiciary Committee. Would somebody explain the present law to me now?

The SPEAKER: Representative Vose of Eastport has posed a question through the Chair to any member who may respond, if they so desire.

The Chair recognizes the Representative from Augusta, Representative Paradis.

Representative PARADIS: Mr. Speaker, Ladies and Gentlemen of the House: There is no law on the Maine books today.

The SPEAKER: The Chair recognizes the Representative from South Portland, Representative Nicholson.

Representative NICHOLSON: Mr. Speaker, Ladies and Gentlemen of the House: We talked about this for two days and everything has been said. I move to indefinitely postpone this bill and all its accompanying papers. I ask for a roll call.

The SPEAKER: The Chair would advise the Representative from South Portland that the only portion of his speech that is applicable is the request for the roll call.

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

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

The SPEAKER: The pending question before the House is the motion to recede and concur.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Nelson.

Representative NELSON: Mr. Speaker, Men and Women of the House: I ask permission to pair my vote with the Representative from South Portland, Representative Kane. If he were here and voting, he would be voting yes and I would be voting no.

The SPEAKER: The pending question before the House is the motion to recede and concur. Those in favor will vote yes; those opposed will vote no.

ROLL CALL No. 200

YEAS:—Aliberti, Allen, Baker, A.L.; Begley, Boutillier, Bragg, Brodeur, Brown, D.N.; Carrier, Carroll, Carter, Chonko, Clark, Cooper, Cote, Diamond, Duffy, Farnum, Foster, Gwadosky, Harper, Hayden, Higgins, H.C.; Higgins, L.M.; Jacques, Lacroix, Lebowitz, Lord, MacBride, Manning, Mayo, McGowan, McHenry, McSweeney, Melendy, Michael, Michaud, Murphy, E.M.; Murray, Nadeau, G.G.; Nadeau, G.R.; Paradis, P.E.; Parent, Perry, Pines, Priest, Racine, Rice, Richard, Rioux, Roberts, Rondoni, Ruhlman, Scarpino, Sproul, Stevenson, Swazey, Tammara, Tardy, Telow, Walker, Whitcomb, The Speaker.

NAYS:—Armstrong, Beaulieu, Bell, Bonney, Bost, Bott, Brannigan, Brown, A.K.; Cahill, Callahan, Coles, Connolly, Crouse, Crowley, Daggett, Davis, Dellert, Descoteaux, Dexter, Dillenback, Erwin, Foss, Greenlaw, Hale, Handy, Hepburn, Hichborn, Hickey, Hoglund, Ingraham, Jackson, Jalbert, Joseph, Kimball, Lander, Law, Lawrence, Lisnik, Macomber,

Martin, H.C.; McCollister, McPherson, Mills, Mitchell, Moholland, Murphy, T.W.; Nicholson, Nickerson, O'Gara, Paradis, E.J.; Reeves, Rydell, Salsbury, Sherburne, Simpson, Smith, C.B.; Smith, C.W.; Soucy, Stetson, Stevens, A.G.; Stevens, P.; Strout, Taylor, Theriault, Vose, Warren, Webster, Wentworth, Weymouth, Zirkilton.

ABSENT:—Baker, H.R.; Cashman, Conners, Drinkwater, Hillock, Holloway, Masterman, Matthews, Paul, Pouliot, Randall, Ridley, Rolde, Seavey, Small, Willey.

PAIRED:—Kane-Nelson.

63 having voted in the affirmative and 70 in the negative with 16 being absent and two paired, the motion did not prevail.

On motion of Representative Cahill of Woolwich, the House voted to adhere.

The Chair laid before the House the following matter: An Act Concerning Employment of Certain Individuals in Contact with Children (H.P. 963) (L.D. 1384) (C. "A" H-389) which was tabled earlier in the day and later today assigned pending passage to be enacted.

On motion of Representative Nelson of Portland, under suspension of the rules, the House reconsidered its action whereby this Bill was passed to be engrossed.

The same Representative offered House Amendment "A" (H-421) and moved its adoption.

House Amendment "A" (H-421) was read by the Clerk and adopted.

The Bill passed to be engrossed as amended by Committee Amendment "A" (H-389) as amended by House Amendment "A" (H-421) in non-concurrence and sent up for concurrence.

The following item appearing on Supplement No. 10 was taken up out of order by unanimous consent.

Petitions, Bills and Resolves Requiring Reference

The following Bill was received and, upon the recommendation of the Committee on Reference of Bills, was referred to the following Committees, Ordered Printed and Sent up for Concurrence:

Appropriations and Financial Affairs

Bill "An Act to Promote Industrial Stability" (H.P. 1145) (Presented by Representative DIAMOND of Bangor) (Cosponsors: Representative HAYDEN of Durham, Senators VIOLETTE of Aroostook and CLARK of Cumberland)

(Ordered Printed.)

Sent up for concurrence.

By unanimous consent, all matters having been acted upon requiring Senate concurrence were ordered sent forthwith to the Senate.

(At Ease)

The House was called to order by the Speaker.

The following item appearing on Supplement No. 13 was taken up out of order by unanimous consent:

Orders

On motion of Representative DIAMOND of Bangor, the following Joint Order: (H.P. 1147) (Cosponsors:)

ORDERED, the Senate concurring, that Bill, "AN ACT to Clarify the Discretionary Authority of the Harness Racing Commission to License Parimutuel meets and Assign Racing Dates," (H.P. 790, L.D. 1120), be recalled from the Governor's desk to the House.

Was read and passed and sent up for concurrence.

By unanimous consent, was ordered sent forthwith to the Senate.

The following items appearing on Supplement No. 12 were taken up out of order by

unanimous consent:

Papers from the Senate

The following Joint Order: (S.P. 638)

ORDERED, the House concurring, that Bill, "AN ACT to Amend the Reapportionment Law" (S.P. 619, L.D. 1630), be recalled from the Governor's desk to the Senate.

Came from the Senate, read and passed.

Was read and passed in concurrence.

Divided Report

Majority Report of the Committee on Judiciary reporting "Ought Not to Pass" on Bill "An Act to Establish Confidential Communications Between Certified Public Accountants and their Clients Concerning Tax Matters" (S.P. 620) (L.D. 1635)

Signed:

Senators:

CARPENTER of Aroostook
SEWALL of Lincoln

Representatives:

COOPER of Windham
ALLEN of Washington
DRINKWATER of Belfast
KANE of South Portland
PRIEST of Brunswick
STETSON of Damariscotta
LEBOWITZ of Bangor
MacBRIDE of Presque Isle
PARADIS of Augusta
CARRIER of Westbrook

Minority Report of the same Committee reporting "Ought to Pass" as amended by Committee Amendment "A" (S-292) on same Bill.

Signed:

Senator:

CHALMERS of Knox

Came from the Senate with the Majority "Ought Not to Pass" Report read and accepted. Reports were read.

Whereupon, the House voted to accept the Majority "Ought Not to Pass" Report in concurrence.

Non-Concurrent Matter

An Act to Amend the Maine Certificate of Need Act to Require More Timely Decision Making on the Part of the Department of Human Services (S.P. 214) (L.D. 572) (C. "A" S-270) which was passed to be enacted in the House on June 14, 1985.

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" (S-270) as amended by Senate Amendment "A" (S-293) thereto in non-concurrence.

On motion of Representative Diamond of Bangor, tabled pending further consideration and specially assigned for Monday, June 17, 1985.

Consent Calendar

First Day

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

(S.P. 504) (L.D. 1364) Bill "An Act Establishing a Commission to Study Family Matters in Court and the Establishment of a Family Division of Court" (Emergency) Committee on Judiciary reporting "Ought to Pass" as amended by Committee Amendment "A" (S-291).

Under suspension of the rules, Second Day Consent Calendar notification was given, the Senate Paper was passed to be engrossed as amended in concurrence.

The Chair laid before the House the following matter: Bill "An Act Relating to the Administration of Vocational Education" (S.P. 628) (L.D. 1645) which was tabled earlier in the day and later today assigned pending passage to be engrossed.

Representative Gwadosky of Fairfield offered House Amendment "B" (H-422) and moved its adoption.

House Amendment "B" (H-422) was read by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Fairfield, Representative Gwadosky.

Representative GWADOSKY: Mr. Speaker, Ladies and Gentlemen of the House: Sometimes when we are serving in this Legislature, we find out that no matter how strongly you feel about a particular issue and no matter how committed you are, that your train gets derailed and you get knocked down to the mat. I guess when that happens you have two choices, you either stay on the mat and don't get up for the count or you get up and start swinging again and try and do the best you can.

Clearly, the original bill to create a Department of Vocational Technical Institutes or agency outside the Department of Education has some overwhelming support, both in this body and in the other body. However, like it or not, the VTI's are not going to be separated from the Department of Education. That is the way it is. So, both committees, the Education Committee and the State Government Committee, were able to get together yesterday and try to work out differences we may have and what we could do from now on since we were fortunate to have a companion piece of legislation dealing with VTI's from the Education Committee.

We took the consensus of that group yesterday and this morning we met with the Governor's Office and the Department of Education and tried to hammer out what we think now is a pretty good piece of legislation that the Governor's Office now supports.

Essentially what we have done, if this amendment is adopted to this bill, is this allows us to provide the greatest amount of help that we can to VTI's without having a separate department.

This bill, as amended, would provide for a separate Board of Vocational Technical Institutes so it would be like every other secondary, post-secondary institution. It would have a separate governing board which would become fully operational in July of 1986.

Also, because it is going to become operational in July of 1986, we have put together a committee to further study for the next six months the recommendation of the Education Committee and the State Government Committee in offering more flexibility to VTI's having direct appropriations before the Appropriations Committee which everybody felt was crucial for the survival of VTI's.

Secondly, the ability to collect fees that they generate.

Thirdly, a greater flexibility in personnel structures. Also the ability to invest funds which they may acquire from gifts.

This bill, if this amendment is adopted, would create a little subcommittee that would meet at this time and that would be made up of the Department of Finance and Administration, Department of Personnel, the Governor's Office of Employee Relations, the Department of Educational and Cultural Services, the Board of Trustees of the Maine Vocational Technical Institutes and one committee member from the Joint Standing Committee on Education, one committee member from the Joint Standing Committee on State Government and one from the Joint Standing Committee on Appropriations, would meet and review, recommend, and submit legislation to the Governor in December of this year in regards to the form of appropriations for the vocational technical institutes, the authority and procedures governing personnel and labor relations functions of the vocational technical institutes, other administrative authority and functions including staffing relating to the VTI's. The bill then says the Governor will review and submit legislation that comes out of this particular group by February 1, 1986.

In other words, those recommendations to solve the various problems, which we have

identified with the VTI's, will be looked at one more time before they are finally put into law by a group of interested people that will enable us to really look at these things with a magnifying glass to make sure that everything is going to work smoothly with the Department of Personnel and to make sure of the necessary changes.

I said originally that this bill would have a separate Board of Vocational Technical Institute. I want to give you the membership of that particular board. The membership of that board of trustees would consist of four members of the current State Board of Education, two members of private industry, one member from organized labor, one member from the Board of Trustees at the University of Maine system and a member of the general public who has shown an interest in vocational technical institutes. There are also two non-voting members, who are ex officio, one is the executive director of the State Development Office and the other one is the Commissioner of Education.

Obviously, we believe and have believed from the very beginning, that the advantages of having a separate board is that they will be able to put 100 percent of their energies into the VTI's. The advantages of, including members of the State Board of Education on this is, that you have extremely better coordination of the entire educational policies and philosophies of the state and we think that clearly in the beginning of the year, if the VTI's across this state knew they were going to get this type of legislation, I think that they would have been ecstatic because this is going to resolve all the problems that they have been having with funds and personnel. It is going to create a separate board which will be an advocate for them. It will allow them for that direct appropriation from the Appropriations Committee, which everyone admits that they need so badly, and allow them the flexibility to meet and respond to the needs of private industry who may want to develop into contracts with them and offer equipment to them in exchange for courses or services, allow them to quickly be able to allocate money to a particular VTI when that incident does come up. It would also allow them to provide the necessary services to the various workers across the state who are going to be going to VTI's, not only to learn their first time skill out of high school, but they are also being retrained and learning their second and third time skills as their job requirements require.

I think I speak for both committees, we have had the opportunity now and we support this amended version. The Governor's Office now will support this and we are still excited, obviously, we didn't get what we were hoping for, we didn't get the full loaf but I think we all agree that we are not talking the difference between a full loaf and a half loaf, this is easily three quarters of a loaf. I think it represents the absolute best that we will be able to achieve for the VTI's for this session. I am excited about it and I urge your acceptance of this amendment.

The SPEAKER: The Chair recognizes the Representative from Orono, Representative Bost.

Representative BOST: Mr. Speaker, Men and Women of the House: As with Representative Gwadosky, I would hope that you would accept this amendment. I believe it represents a meaningful compromise providing autonomy for a governing board for VTI's, and maintaining an involvement by the Department of Education in cultural services through membership on that governing unit by four state board members.

All of us here in this body are concerned with the current status of vocational education in this state as borne from much of the debate last week.

Remaining in the status quo is unacceptable

to anyone who is aware of the problems VTI's are facing under the current hierarchy.

As Representative Gwadosky has stated and I will simply restate, this establishes a nine member board, four of whom are State Board members, one from the University of Maine, one from Labor, two from business, one from the general public. And additionally, as he mentioned, there will be a study in place to examine finance, personnel, lump sum budgeting, and so forth.

This amendment agreed to by all parties represents a giant step in the right direction. I would strongly urge its adoption.

The SPEAKER: The Chair recognizes the Representative from Canton, Representative McCollister.

Representative McCOLLISTER: Mr. Speaker, Ladies and Gentlemen of the House: I would like to direct a question through the Chair.

The fiscal note calls for \$10,000 to maintain the trustees. To me that appears very small. I would like to compare that with what the trustees of the University of Maine have for a budget. Could anyone give us that comparison?

The SPEAKER: Representative McCollister of Canton has posed a question through the Chair to any member who may respond, if they so desire.

The Chair recognizes the Representative from Fairfield, Representative Gwadosky.

Representative GWADOSKY: Mr. Speaker, Ladies and Gentlemen of the House: I will respond to that question by saying, to be quite frank, I don't know what the budget is of the University of Maine or the Maine Maritime. I will say that the \$10,000 figure is here for the expenses of the board. As you may know, this board will not be receiving a per diem, it is very similar to the State Board of Education, they will just be receiving expenses and that is what this figure is for.

I will say that one of the things that the committee will be studying for recommended legislation of next year is that they will study the staffing patterns. There was some discussion at one time, that given the involvement of this bill, that the resurgency of the VTI's they may need an additional administrative assistant to whatever governing board we are going to have, whether it be the State Board of Education or this new board of trustees as we are suggesting here today. That would be a possible recommendation and most likely a very plausible recommendation from that committee that they put some sort of administrative assistant on to this board to provide the necessary administrative help that they will probably very surely need.

Representative Handy of Lewiston offered House Amendment "A" (H-423) to House Amendment "B" (H-422) and moved its adoption.

House Amendment "A" (H-423) to House Amendment "B" (H-422) was read by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Handy.

Representative HANDY: Mr. Speaker and Members of the House: The amendment before you simply adjusts the membership on the board of trustees as outlined by the Representative from Fairfield, Representative Gwadosky. Whereas in the amendment he discussed categorizes where these members of the board of trustees shall come from, mine does not, save for the members of the board of education and the ex officio members. My amendment does not designate that two shall come from the field of business and industry, one from the field of labor, but rather allows the latitude and discretion of the chief executive and his appointing to select from those groups if he so desires. That way we do not limit the Governor in his selection of the members of the Board of Trustees.

The SPEAKER: The Chair recognizes the

Representative from Gorham, Representative Brown.

Representative BROWN: Mr. Speaker, Ladies and Gentlemen of the House: I would hope that you would indefinitely postpone House Amendment "A" because both committees have worked many, many hours to get a bill that everybody could be satisfied with and passed this session. I think we have made a lot of headway. I would not want to do anything at this point that would spoil anybody's acceptance of this amendment that we have all worked out together.

I move indefinite postponement of House Amendment "A" to House Amendment "B."

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Handy.

Representative HANDY: Mr. Speaker, Ladies and Gentlemen of the House: I don't want to spoil anybody's fun either. But I think today what we have to be concerned with is educational policy and the policies that we put into place in this legislature.

First of all, and I must state, quite frankly, that although the State Government Committee and the Education Committee did meet to discuss in general principle the suggestions of Representative Gwadosky's amendment, which he devised without at least my participation, but I did have an opportunity to review it and discuss it with members of his committee and our committee, when the final details were hammered out, to my knowledge, only Mr. Gwadosky and various state officials were involved in the hammering out of that. So, I really don't view it as a true compromise bill. However, I am supportive of his amendment. But I think, although the language may be very insignificant, this is a significant state policy.

I would like to suggest to you that the University of Maine Board of Trustees does not include any representative from the vocational technical institutes on its board of trustees, nor does it include a member of Maine Maritime on its board of trustees. Therefore, I don't see why we should create this exception to the rule and have a member of the University Board of Trustees.

The coordination of programs can be facilitated without that individual.

I also have a problem with this categorization of individuals from these various interest groups, two from the field of business and industry, one from the field of labor. I think that opens us up to many amendments down the road to other individuals seeking a position on this board of trustees or increasing or decreasing one number in any one of these categories.

I would hope that you would oppose the motion to indefinitely postpone so that we can enact this significant and cogent policy for a board of trustees instead of getting down to this quota system that the Representative recommends in his amendment.

The SPEAKER: The Chair recognizes the Representative from Saco, Representative Nadeau.

Representative NADEAU: Mr. Speaker, Ladies and Gentlemen of the House: I would like to pose a question through the Chair if I may?

Am I not correct that the gentleman from Lewiston at one point advocated a quota system for the Board of Trustees of the University of Maine?

The SPEAKER: Representative Nadeau of Saco has posed a question through the Chair to the Representative from Lewiston, Representative Handy, who may respond if he so desire.

The Chair recognizes that Representative.

Representative HANDY: Mr. Speaker, Ladies and Gentlemen of the House: No.

The SPEAKER: The Chair recognizes the Representative from Stockton Springs, Representative Crowley.

Representative CROWLEY: Mr. Speaker, Ladies and Gentlemen of the House: I will just take a second here. We have spent a great deal of time, I have over the past three years, of laboring over the composition of the Board of Trustees. I know the State Government Committee did the same thing, labored over what the disposition should be and they ended up with the same thing that I ended up with. In fact, the State of New Hampshire has exactly the same thing. The reason for it is that you do need people from business and industry there and it should be specified. You do need someone from labor there because we are talking about training and retraining. So, I think those categories are very important in the make up of membership of the board of trustees.

The SPEAKER: The pending question before the House is the motion of Representative Brown of Gorham that House Amendment "A" to House Amendment "B" be indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

87 voted in the affirmative and 7 in the negative, the motion did prevail.

Thereupon, House Amendment "B" was adopted.

The Bill was passed to be engrossed as amended by House Amendment "B" and sent up for concurrence.

(Off Record Remarks)

On motion of Representative Hichborn of LaGrange,

Adjourned until nine o'clock Monday morning, June 17, 1985.
