

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fourth  
Legislature*

OF THE

STATE OF MAINE

**Volume III**

June 17, 1969 to July 2, 1969

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**1st Special Session**

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KENNEBEC JOURNAL  
AUGUSTA, MAINE

The SPEAKER: The Chair recognizes the gentleman from Cumberland, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker, Ladies and Gentlemen of the House: As I indicated to you yesterday, we are preparing an amendment which hopefully will be acceptable to the members of the House and the other body. And the problem here is that there are a number of very serious questions as to whether or not, for example, our present constitutional requirement of a two-thirds vote to reapportion is itself constitutional under the Federal Constitution. There is a serious question as to whether or not we can apportion the House on any basis other than mathematical precision, and for this reason I have been involved today and yesterday in the preparation of the amendment and in an order to the Supreme Judicial Court of Maine requesting the opinion of the justices.

Now it is for this reason, so that we can view the amendment in its final form before taking any action, and can have the opinion of the justices, that I am again suggesting that the matter remain on the table until we have this information before us.

Thereupon, on motion of Mr. Rideout of Manchester, retabled pending passage to be engrossed and specially assigned for Monday, June 23.

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

Resolve Proposing an Amendment to the Constitution to Provide for Election of Members of Executive Council (H. P. 1271) (L. D. 1600)

Tabled — June 19, by Mr. Richardson of Cumberland.

Pending — Passage to be engrossed.

On motion of Mr. Birt of East Millinocket, retabled pending passage to be engrossed and specially assigned for Monday, June 23.

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

Resolve Proposing an Amendment to the Constitution to Reduce the Voting Age to Twenty Years (H. P. 614) (L. D. 802)

Tabled — June 19, by Mr. Corson of Madison.

Pending — Final Passage.

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

Mr. WAXMAN: Mr. Speaker, may this item lie upon the table for one legislative day?

The SPEAKER: The gentleman from Portland, Mr. Waxman, requests that this item lie upon the table until the next legislative day, pending final passage.

Mr. Richardson of Cumberland requested a vote on the tabling motion.

The SPEAKER: A vote has been requested on the tabling motion. All in favor of this matter being tabled until the next legislative day will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

39 having voted in the affirmative and 62 having voted in the negative, the motion to table did not prevail.

The SPEAKER: The Chair recognizes the gentleman from Cumberland, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker, a parliamentary inquiry, Mr. Speaker. Is it appropriate at this time to move that the matter be tabled until later in today's session?

The SPEAKER: The Chair would advise the gentleman that that would not be in order. The longer tabling time has priority.

Mr. RICHARDSON: Mr. Speaker and Ladies and Gentlemen of the House: We have, I am sure, tried the patience of every one of you here in the House by delaying and delaying and delaying for the preparation of this amendment. Now I don't want the gentleman from Madison to think that I have reneged on my obligation to him, I have not. But I do feel that we have an obligation today to go ahead and attempt to give this matter our final approval.

Many of you asked the question, what significance at all is there

to reducing the voting age by one year, and to reduce the age of adulthood and the assumption of full adult rights and responsibility to twenty? I think there are a number of very important reasons for doing so.

First of all I see no reason, no basic reason, for saying that twenty - one is the magic age. I believe that we should reduce the voting age, the age of full adulthood to twenty, consistent with the growing evidence which every one of us recognizes that a person twenty years old possesses the necessary judgment, possesses the necessary maturity to be a full participating member of society.

Now we can argue long into the day about whether it should be eighteen or nineteen or twenty or thirty - five as one gentleman suggested. But I would suggest that I see no reason for continuing to deny adult responsibilities to people who are genuine participating members of society in every other area except voting and their legal capacity under contract to bear the full penalty of failure to act legally and to obey the contracts that they enter into.

For this reason, Mr. Speaker, I hope that we will today give final passage, join the State of Hawaii, for example, which has a twenty year voting age and a twenty year old across the board adulthood. If you say the twenty year olds don't have the necessary capacity, I hope you will cite some evidence. The twenty year old is out of high school, many of them are married, and I think that this is a fine expression of faith in the young people of Maine if we, as I hope we do, enact this bill.

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

Mr. BENSON: Mr. Speaker and Members of the House: I am one of those who would take issue with the gentleman from Cumberland, Mr. Richardson, when he says that there is compelling reason to change the voting age from twenty - one to twenty. I have no reason to believe that there is anything magic about the age twenty - one, but neither do I believe that there is anything compelling about

changing that age for voting purposes and age of responsibility back to twenty.

Many of the young people that I have talked with, people who would be affected, do not find any good reason for the age to be moved. They do not see that age twenty is a new magic age. I went to the public hearing on this issue, two years ago, before State Government, and at that time I listened to some of the finest debate that I think I have ever listened to by young people and that debate was in favor of leaving the voting age at twenty - one. I realize that it depends on who is soliciting the participants just how the debate comes out. But on that particular occasion there were a number of young people that went before State Government saying in effect that the age twenty - one is just as good a voting age as any.

Many of the young people that I know do not care to have the age of responsibility moved back to age twenty. They feel that twenty - one is right and proper. It is soon enough. We catapult our young people into adulthood I think fast enough without moving the age of responsibility back on to them any sooner than age twenty - one.

I am going to be interested in some of the debate on this issue which I am sure is going to follow. So I will have nothing more to say at this time. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Manchester, Mr. Rideout.

Mr. RIDEOUT: Mr. Speaker and Ladies and Gentlemen of the House: I have served on the State Government Committee now for two terms and I attended the hearing that Mr. Benson refers to and I would suggest to the good gentleman from beautiful Mount Desert Island that he should have attended the hearing this year.

We have as a general group of adults used the young people as whipping boy for some time and I for one, very briefly, am going to vote to lower the age to twenty as a vote of confidence, if nothing else, in our young people.

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

Mr. STARBIRD: Mr. Speaker and Members of the House: I will follow Mr. Rideout in voting for twenty and I have attended three hearings on this subject in three consecutive terms and strangely enough the first two terms we heard a great deal from the young people themselves why they should not vote at an earlier age than at present. This year, we had the largest attendance, I would guess, in the vicinity of 250 or 300? Mr. Rideout nods his head yes. We had to recess and move our hearing to Room 105 down the corridor to accommodate them. It was one of the largest hearings that I ever attended here and they were almost unanimous in favor of lowering the voting age. There were some who were against it, of course. But I would say at least ninety percent of the persons that appeared were in favor of it. And many of these were persons of all ages, not necessarily young people. And the larger proportion were young people who very strongly urged us to do this. They wanted to participate, they wanted the responsibility. And even some of those that opposed it, some of the young people, by their very arguments have given us cause to think that they at least by the majority of their arguments were fully qualified to vote.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I see no particular need to change something just for the sake of change and I can report to you that from where I come I have had no one, no one, approach me — I am talking about the twenty years olds themselves now, that wanted to vote. There was a little cry for it when McCarthy was running for president, not in my area but in my county. I saw some of it in the Orono area. But after McCarthy seemed to have faded away the wanting to vote seemed to

fade away a good deal even in the county.

Now I have nothing against the twenty year olds. I think they do have the ability to vote. But only in this one field, it troubles some of the over burdened tax payers of the small towns that I represent. I don't know if you people stop to think that the city affairs are handled much different than a small town. For instance, the city, when you come to raise money, the larger towns, it is done by your council. But in your small towns, your commitments are raised by everybody.

Now at the present time these small towns are having a hard time with their tax burden on real estate and we don't seem to be able to do much for them in this Legislature. But if we pass this twenty year olds we could do something against them in these small towns because we have a problem now of people in the town that paid only a \$3 poll tax and they want something and they all show up at a town meeting and pass a lot of things that even I would like to have but the poor taxpayer on real estate cannot afford.

Now all they need in these small towns, these poll taxpayers, is the help from a few twenty year olds that own no property and these over burdened real estate taxpayers are really going to be in trouble. For this reason and the reason that the young people have not come to me and asked to vote — and certainly I have a lot of young people for friends and certainly I would support them if they did, I think it is well enough to leave it as it is.

Now I understand before this Committee on State Government — certainly, when anyone wants something, they probably come here and ask for it. But those — but there is lots that don't want it that can't afford to come clear to Augusta just to oppose what they consider relatively minor. I am sure there is more in my area, there was nobody there that cared enough to come down and appear for the bill and there was no one

that cared enough to speak to me about it. So I hope we leave it as it is for the time being. However, if we do give them the rights to vote, I will be the first one to give them all adult rights.

The SPEAKER: The Chair recognizes the gentleman from Houlton, Mr. Berman.

Mr. BERMAN: Mr. Speaker, Members of the House: This is one of the few occasions probably where I disagree with my good neighbor and seatmate, Mr. Dudley, from Enfield. I think we are living in an age where lack of confidence of one generation in another is very apparent throughout this country, throughout its warp and woof. I don't think the State of Maine should hesitate. I don't think the State of Maine should be recalcitrant in denying twenty year olds the right to vote if they want to. This is a moderate step and I will go along with final passage.

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

Mr. JALBERT: Mr. Speaker and Members of the House: When this bill first came out of committee it had on it both the adult rights and the voting rights. I got an opinion from the Attorney General's office that both questions should be separated. This was done. The adult rights bill is now on its way to become law. This one here is a separate item altogether.

I mildly disagree with the gentleman from Enfield, Mr. Dudley, in that this is not us making the change, this is merely we, the legislators, by two-thirds vote of those elected, asking that this be placed on the ballot, so that the people can decide. Now it might be that there are those who say that the cliché, "If you are old enough to fight, you are old enough to vote," is an old adage, but I just don't think it is.

I have a letter from a young man from my area from Viet Nam in which he states that all surrounding him is nothing but flies as big as your thumb and up here it says: "I hope at least we have an opportunity to voice our opinion

on this conflict by having us vote at the age of twenty." In this morning's newspaper, "Services Will be Held for Rumford Man, 20 Years Old, Killed in Viet Nam." Did he not have a right at least to cast a ballot to go into a conflict that he knew nothing about, cared nothing about, and wanted less?

Mr. Speaker, I certainly hope that this measure, which has been argued so loud and so long and gone from eighteen, to nineteen, to twenty will have passage. And when the vote is taken, Mr. Speaker, I request the yeas and nays.

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

Mr. DAM: Mr. Speaker and Members of the House: I do not know how large a town my good friend Mr. Dudley comes from. But my town of Skowhegan is only 7,400 people. We operate with a town meeting form of government. I have no fears whatever that the twenty year olds will come to a town meeting and ram any issue through to bankrupt my town.

Not only that but in my town alone — and I can speak only for my town because I have been involved — in many issues, the eighteen year olds, the nineteen and the twenty year olds have shown more interest in town affairs and state affairs than many of the older people. Therefore, I have no fears on this bill. This is something that the twenty year old deserves and this is something that I am going to support.

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

Mr. BIRT: Mr. Speaker and Ladies and Gentlemen of the House: I rise this morning in support of this amendment to the Constitution. I have opposed — or I was not in favor of lowering the voting age or granting adult rights to either eighteen or nineteen. As has been previously stated it is pretty hard to determine as to just exactly what age is a reasonable or magic age of point.

There has been a good deal said for many years of young people coming up through their teens and the problems of teenage young

people but when they cross this dividing line from the teens into the twenties, it seems to me that at this time they do at this point approach adulthood. I would certainly hope that the House would support this motion this morning and pass this out to the people for their vote.

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

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: I rise in admiration on Mr. Birt's thinking and logic in this case. During the time I was campaigning through my area I raised this question all through the territory. I was very much surprised at the adults with the gray hair who were in favor of lowering the voting age to twenty plus adult rights. They did not want to go below that age. Therefore I will cut it short and support this.

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

Mr. BENSON: Mr. Speaker and Members of the House: I find myself a budding rose between two thorns here this morning. Just one remark that I would like to make and it is relative to what the gentleman from Skowhegan, Mr. Dam, said and that was about the 20-year-old voting on town issues. I think that the thing that disturbs me most about the whole thing is the lack of experience of a person twenty years old. I am talking about experience in terms of years. They are going to be called upon to make valued judgments in local affairs as well as State and national and I feel that at age twenty, although there is once again there is nothing magic about it, at age twenty they just are a little short of the experience I feel is necessary to have to make such valued judgments that I am talking about, and I am talking about issues that mean a great deal to a local community in taxes. That is my entire pitch. Thank you.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House:

Just two comments. I might point out to the gentleman from Southwest Harbor, Mr. Benson, that he might be a thorn between two roses rather than vice versa. I think that when it gets to valued judgments as far as teenagers are concerned, I have found that teenagers and people twenty years old have the ability and the knowledge to make valued judgments and so I don't think that this poses any great problem. One thing which really intrigues me is that at times these people have an ability to make valued judgments much easier than we do because they have less biases than we do. And so I certainly agree with the gentleman from Lewiston, Mr. Jalbert, and I feel that they should be given, the twenty-year-old, the right to vote at this time.

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

Mr. TYNDALE: Thank you Mr. Speaker. Ladies and Gentlemen of the House: I wish to just go on record in support of this constitutional amendment. I have had a great deal of association with young people over the last ten years. I have never found them lacking for qualifications to make good judgment on many problems that I found the senior folks were not even able to solve. Their education today is far more extensive than it was ten years ago and I, after bringing in the news, I certainly would echo the thoughts of Mr. Jalbert on the loss of the young man yesterday. He was a man that I would trust with any kind of a decision and I find a great many young people in this category. And I certainly want to go on record in approval of this constitutional amendment.

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

Mr. BRENNAN: Mr. Speaker and Ladies and Gentlemen of the House: Just very briefly. I cannot think of a resolve that more properly should go before the people since everyone who will vote on this at one time had to be twenty years old. Consequently, it will be a resolve that the people shall have all the facts on as com-

pared to some of the nebulous things we may send back for referendum. So I think it makes a great deal of sense to send it back to the people who will be knowledgeable to make the ultimate decision. So I support passage.

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

Mr. DAM: Mr. Speaker and Members of the House: My good friend from Southwest Harbor, Mr. Benson mentioned the experience in years. I don't think this is a very valid argument for this bill. I went out to work when I was twelve years old. This is a far cry from being twenty years old. When I was fourteen years old I went in my first business. When I was twenty-one I voted for the first time. I think I had years of experience between the age of fourteen and twenty-one. I think the children today know more about State affairs, government affairs and local affairs than a lot of us people sitting right down here today, and I include myself in this also. I don't just single out any few members.

The other thing, we haven't as adults done any great thing in this country. We can look all around us anywhere and we can see war, disease, famine and moral corruption. Now a lot of these young people do want an active part in the government. A lot of these young people are knowledgeable. A lot of these young people don't want to just go down and vote irresponsibly. They want to go down and offer suggestions how to make this a better state, how to make this a better country. Now I think we owe these people this right.

In all our political campaigns regardless of party, Republican or Democrat, we go out and enlist the aid of the teenagers. They go out and they pass our leaflets. They go out and support us. Now if we want to use them and then when we are done with them, just like a dirty rag we throw them to one side, this is well and good. But I don't believe in this. I think if we are going to use these teenagers to promote our cause and promote our political beliefs, then

also we should give them an active part in the government and the only way we can do that is by supporting this bill to allow the twenty year olds to vote.

The SPEAKER: The Chair recognizes the gentlewoman from Topsham, Mrs. Coffey.

Mrs. COFFEY: Mr. Speaker and Members of the House: I am going to be very brief, but just to comment on what Representative Dudley said, in our town at our town meetings we have rules and regulations on voting rights. In other words, if the issue was property taxes or something like this and I didn't own any, I wouldn't have the voting privilege; and I think every town has these rules and regulations set up, so I don't see what this has to do with the voting age now.

The SPEAKER: The Chair recognizes the gentleman from Norway, Mr. Henley.

Mr. HENLEY: Mr. Speaker and Ladies and Gentlemen of the House: Inasmuch as I think that I, of all the legislators, perhaps got the most, be that as it may, whether it was good or bad publicity, over appearing at hearings on the lowering of the voting age, I feel that I would like to take a little time of this body to state my point.

I am not nearly as adamant relative to this Act as I would be if it was eighteen or nineteen; let us put it that way. I also will state that I shall personally vote against it. I would like to comment a bit on some of the others. I would like to come to my good friend, Mr. Benson's defense. I agree with about everything he said on it. He probably said it better than I. I don't feel that twenty, or eighteen or nineteen or twenty-one is any magic age but we have got along pretty well as it is.

My good friend, Mr. Martin of Eagle Lake stated that there was less bias with the younger people. I agree but also less restraint and I think it is the restraint possibly that I would be most concerned with. With the younger age, whether it be twenty, twenty-one or twenty-five, we find less restraint; and as far as experi-

ence is concerned, not just necessarily in years but the experience of doing things for oneself and being responsible monetarily. Those are a few of the things I would like to mention.

With all the other rights and obligations with it there isn't nearly as much objection of course to the twenty, but I still insist that we are taking something and picking it out the air. If it will be any help, fine; but I am still going to go along and vote against it so that is all I have got to say on it.

The SPEAKER: The Chair recognizes the gentleman from Madison, Mr. Corson.

Mr. CORSON: Mr. Speaker and Ladies and Gentlemen of the House: I think we have all reached a decision. Let's vote.

The SPEAKER: The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I shall be very brief this morning. We have debated this document on several occasions which started with eighteen year olds, nineteen year olds and now twenty year olds. I think the members of the House in their wisdom could very well see that in the immediate future as it is presently twenty year olds are getting a far better education than they did when the limit of twenty-one was adopted by our Constitution and I think if for no other reason other than to give the people that were once twenty years of age, and seeing the progress that has been made in our society, should be given the opportunity to vote on this matter on a state-wide referendum and to see actually what their feelings are as to whether the general public actually feels that our youngsters at twenty years of age are not better educated, better reasoning and will be able to perform the services of the rights to vote and the rights to be able to agreements and contracts, of which many of them are married by that time and are accepting responsible positions in the municipalities and the State;

so I think we should vote to support this feeling of the general public and that this will be referred back in their votes in a general election. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Lincoln, Mr. Porter.

Mr. PORTER: Mr. Speaker, Members of the House: I have a great respect for the youngsters of today. I spent my whole life working with kids. I have seen great improvements in education and it is reflected in the maturity of many of these young folks. Now we have an opportunity to give them a piece of the action. I think they deserve it. And I am confident that at their age twenty they won't make any more mistakes than I made at the age of twenty-one.

The SPEAKER: The Chair recognizes the gentlewoman from Guilford, Mrs. White.

Mrs. WHITE: Mr. Speaker and Members of the House: Before the beginning of this session I received a communication which you probably all did receive asking if I would be in favor of lowering the voting age. I replied stating that I never had supported such a piece of legislation but that I was willing to listen. I have listened. I went to the hearing on this bill. I listened to the report of the voting in the high school in our town. I think they have made a good cause and I shall support this bill.

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

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

The SPEAKER: The pending question is the final passage of Resolve Proposing an Amendment to the Constitution to Reduce the Voting Age to Twenty Years. If

you are in favor you will vote yes; if you are opposed you will vote no. The Chair opens the vote.

### ROLL CALL

YEA — Allen, Barnes, Bedard, Berman, Bernier, Binnette, Birt, Boudreau, Bourgoin, Brennan, Brown, Buckley, Burnham, Carey, Carrier, Carter, Casey, Chandler, Chick, Clark, C. H.; Clark, H. G.; Coffey, Corson, Cote, Cottrell, Couture, Croteau, Cummings, Cushing, D'Alfonso, Dam, Donaghy, Drigotas, Dyar, Eustis, Farnham, Fecteau, Finemore, Fortier, M.; Fraser, Gauthier, Giroux, Good, Hardy, Haskell, Hawkens, Heselon, Hewes, Huber, Hunter, Jalbert, Jameson, Johnston, Jutras, Kelleher, Kelley, R. P.; Keyte, Kilroy, Lawry, Lebel, Lee, Leibowitz, LePage, Levesque, Lewin, Lund, MacPhail, Marquis, Marstaller, Martin, McKinnon, McNally, McTeague, Meisner, Millett, Mills, Mitchell, Moreshead, Morgan, Mosher, Nadeau, Norris, Noyes, Ouellette, Payson, Porter, Quimby, Rand, Richardson, G. A.; Richardson, H. L.; Ricker, Rideout, Rocheleau, Ross, Sahagian, Santoro, Scott, C. F.; Scott, G. W.; Shaw, Sheltra, Snow, Soulas, Starbird, Stillings, Tanguay, Temple, Thompson, Trask, Tyndale, Vincent, Watson, Waxman, Wheeler, White, Wood.

NAY — Baker, Benson, Bragdon, Crommett, Curtis, Dudley, Evans, Hall, Hanson, Henley, Hichers, Immonen, Laberge, Lincoln, Page, Wight, Williams.

ABSENT—Bunker, Cox, Crosby, Curran, Danton, Dennett, Durgin, Emery, Erickson, Faucher, Fortier, A. J.; Foster, Gilbert, Harri-man; Kelley, K. F.; Lewis, Pratt, Susi.

Yes, 115; No, 17; Absent, 18.

The SPEAKER: One hundred fifteen having voted in the affirmative and seventeen in the negative, the Resolve receives final passage, it will be signed by the Speaker and sent to the Senate.

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

SENATE REPORT — Committee on Judiciary on Bill "An Act Defining the Crime of Theft Known

as Shopstealing and Establishing Rights and Penalties" (S. P. 365) (L. D. 1247) reporting same in a new draft (S. P. 503) (L. D. 1599) under same title and that it "Ought to pass" (In Senate, accepted and Bill passed to be engrossed.)

Tabled — June 19, by Mr. Richardson of Cumberland.

Pending — Acceptance in concurrence.

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

Mr. LUND: Mr. Speaker, I move indefinite postponement of this bill and all its accompanying papers, and I would speak briefly to my motion.

The SPEAKER: The gentleman from Augusta, Mr. Lund moves the indefinite postponement of the report and bill. The gentleman may proceed.

Mr. LUND: Mr. Speaker and Members of the House: We are talking about L. D. 1599 which is one of the redrafts which is close to the top of your desk I imagine. This bill is an attempt to deal with a serious problem that we have been encountering throughout the country and here in Maine. And it attempts to deal with the problem of shoplifting through several means, and a couple of them I would like to discuss with you and point out why I feel they should not be enacted by this Legislature.

In the first instance one of the devices which is attempted to be used to combat shoplifting is to give the storekeeper, the merchant, his agent or employee, a right to detain a person whom he believes or is reasonably, either has committed or is committing or is attempting to commit this offense of shopstealing. Now whenever an individual is detained against his will he is in fact arrested, and the Attorney General's office in its letter in regard to this problem refers to it as a technical arrest. Well technical or not it is an arrest, and this bill would attempt to delegate to a merchant or his employee the right to arrest an individual and hold that person. Not only is it an attempt to delegate this power of arrest to a non-