the sale of optical materials in any commercial location. The effect of such legislation would be to give the high priced privately practicing optometrist a monopoly in the area of eye care and the sale of optical merchandise and thereby greatly increase the cost of eyeglasses to the public. It is a known fact that these individuals mark up optical merchandise from 200 to 300%. The average working man cannot afford these exhorbitant prices and should not be forced to either pay luxury prices or go without such vital needs as eye care and eyeglasses.

In light of the fact that such legislation would in no way benefit the public, its adoption would clearly be to the detriment of the public welfare. By prohibiting the optometrist from advertising or displaying his merchandise, the consumer is denied the opportunity to compare products and to select the most desirable and economic sources of optical merchandise. Especially in light of the wide price range of these products and the style and fashion aspect of selecting eyeglasses, denying the public an opportunity to obtain relevant information is a serious disservice.

In addition, there are hundreds of labor unions, trust funds, and health and welfare plans throughout the nation, which, for decades, have satisfactorily and economically utilized the services of corporate sellers of eyeglasses to provide eye examinations and eye care for these members. Such corporations would no longer be permitted if this legislation were to be adopted. Further, these bills would prohibit a labor union, trust fund or health and welfare plan from directly employing an optometrist to provide their members with eye care and eyeglasses.

During the final days of the recently concluded session of the New York State Legislature, a bill was passed without hearings or investigation, which would have had achieved substantially the same purposes and had the same effect as the proposed legislation now before this subcommittee. Immediately after the legislative approval of the New York bill (Senate Bill 3335–A) scores of labor unions, trust funds and health and welfare plans joined news media, retail and merchant organizations and government agencies in advising the Governor of the evils of that bill and in requesting his veto. After receiving the relevant facts and arguments, Governor Rockefeller vetoed the bill on May 2, 1967, quoting the memorandum of the Insurance Department to the effect that the bill would result in increased costs "with no increase in the quality of service." The Governor indicated in his veto message that disapproval of the bill was also recommended by the New York State Department of Commerce, the New York State AFL–CIO, the Association of the Bar of the City of New York and the National Association of Optometrists and Opticians, "among numerous others."

The following statements are quoted from a few of the scores of letters, memoranda, and telegrams which were sent to Governor Rockefeller by well-respected labor leaders, requesting his veto of the New York Optometry bill.

In a telegram of April 3, 1967, Louis Stulberg, President of the International Ladies Garment Workers Union, speaking about corporate retail sellers of eyeglasses who employ optometrists, said:

"By restricting the continuance of this useful social service the bill would automatically raise the cost of necessary eye care for hundreds of thousands of New Yorkers who could ill afford this sort of increase. The bill is pure special interest legislation. It is an attempt on the part of individual practitioners to strike a blow at low-cost optical care so that they may continue their private practice unsupervised and unregulated."

In a letter of April 4, 1967, Kolodny, Secretary of the United Federation of Teachers said:

"This bill is clearly not in the public interest. The only effect enactment of this bill could have would be to increase the income of single proprietor optometrists at the expense of the public, by limiting the number of optometrists serving the public. The legislature must protect the public welfare, and not the selfish interests of a small group.

"The retail sale of eyeglasses by corporations has been practiced in New York State for a great many years, with great benefit to the public. The public is assured of proper optometric care because the optometrists who are employed by corporations, many of whom are union members, are fully licensed by the State and are as competent to treat the public as are optometrists in individual practice. Even group plans such as HIP and GHI would be prohibited from employing optometrists by this bill, to the public detriment. . . .

"The purpose of this bill is purely economic—namely, to corner the market for the individual optometrists. The purpose is not to raise professional standards, because otherwise optometrists would discontinue the commercial sale of eyeglasses."