

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Third
Legislature*

OF THE

STATE OF MAINE

1967

KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Tuesday, May 9, 1967

Senate called to order by the President.

Prayer by Rev. John R. Schroeder of Lewiston.

Reading of the Journal of yesterday.

**Papers from the House
Non-concurrent matters**

Bill, An Act Relating to Certification of Qualifications of Candidates for Municipal Office in City of Lewiston. (S. P. 476) (L. D. 1197)

In Senate, April 28, Bill Substituted for the Ought Not to Pass report of the Committee, and the Bill Passed to be Engrossed As Amended by Senate Amendment "A" (S-101).

Comes from the House, Ought Not to Pass Report Accepted in non-concurrence.

Mr. Good of Cumberland moved that the Senate recede and concur with the House.

(On motion by Mr. Couturier of Androscoggin, tabled and specially assigned for Wednesday, May 10, pending the motion to recede and concur.

Bill, An Act Establishing the Policemen's Arbitration Law. (S. P. 342) (L. D. 926)

In Senate, April 19, Passed to be Engrossed.

In House, April 28, Passed to be Engrossed As Amended by House Amendment "A" (H-212) in Non-concurrence.

May 4, the Senate voted to Insist and asked for a Committee of Conference.

Comes from the House, that body have Insisted and joined the Committee of Conference.

The President appointed the following conferees on the part of the Senate:

Senators:

MacLEOD of Penobscot
SEWALL of Penobscot
STERN of Penobscot

Bill "An Act to Relieve Elderly Persons from Increases in the Property Tax." (H. P. 953) (L. D. 1384)

In House, April 21, Passed to be Engrossed As Amended by House Amendment "A" (H-202)

In Senate, May 4, Passed to be Engrossed As Amended by House Amendment "A" and by Senate Amendment "A" (S-105) in non-concurrence.

Comes from the House, that body having Insisted and asked for a Committee of Conference.

On motion by Mr. Ferguson of Oxford, the Senate voted to Insist and join in a Committee of Conference.

The President appointed the following conferees on the part of the Senate:

Senators:

FERGUSON of Oxford
CURTIS of Penobscot
HARDING of Arostook

Resolve Proposing an Amendment to the Constitution Pledging Credit of State and Providing for the Issuance of Bonds Not Exceeding, at Any One Time Issued and Outstanding, Twenty-five Million Dollars for Loans to Private Colleges for Construction and Expansion of Facilities. (S. P. 60) (L. D. 73)

In Senate, March 30, Passed to be Engrossed As Amended by Committee Amendment "A" (S-44)

Comes from the House Indefinitely Postponed in non-concurrence.

(On motion by Mr. MacLeod of Penobscot, tabled and specially assigned for Tuesday, May 16, pending further consideration.)

House Paper

Bill "An Act Increasing Indebtedness of Baileyville School District." (H. P. 1142) (L. D. 1628)

Comes from the House referred to the Committee on Education.

Which was referred to the Committee on Education in concurrence.

Joint Resolution

Joint Resolution in recognition and appreciation of the services of the Honorable JOHN H. REED.

WHEREAS, JOHN H. REED was recently appointed to the National Transportation Safety Board where he will continue to serve his Nation

as he has served his State with vision, distinction and honor; and

WHEREAS, JOHN H. REED has faithfully and honorably served and with the deepest sense of dedication as a member of the Maine House and Senate and as Senate President; and

WHEREAS, his countless contributions as a conscientious and competent legislator were heightened and expanded by a distinguished career as Governor of Maine and as Chairman of the National Governors' Conference and Chairman of the New England Governors' Conference; now, therefore, be it

RESOLVED: that the Members of the House and Senate of the 103rd Legislature extend heartiest congratulations to our former Governor and their most sincere wishes for good luck and God-speed in his new office; and be it further—

RESOLVED: that the Clerk of the House cause a certified copy of this resolution to be presented to the Honorable JOHN H. REED as a token of our esteem. (H. P. 1150)

Comes from the House, Read and Adopted.

Which was Read and Adopted in concurrence.

Orders

On motion by Mr. Hildreth of Cumberland

ORDERED, the House concurring, that the Legislative Research Committee be and hereby is, directed to study the subject of federal tax sharing as opposed to federal grants-in-aid; and be it further

ORDERED, that a report of such study, together with any recommendations deemed necessary, be made to the next special or regular session of the Legislature as the Committee shall determine. (S. P. 636)

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Hildreth.

Mr. HILDRETH: Mr. President, if the newspaper stories of the last few days are correct, and I believe that they are, we, the Legislature, the Governor and the people of Maine are past the state's biennial moment of truth.

Where is the money going to come from? What are we going to do about taxes this time? Maine has one of the highest tax efforts in the nation. The average Maine citizen pays more of what he earns in state and local taxes than does the average citizen of most other states. To make it worse, we are not a wealthy state. We have a low per capita income.

The trouble with this biennial moment of truth is that it does come every two years, and each time it seems to get a little bit worse. Fewer avenues are open to us, and we seem to be approaching points of diminishing returns. The property tax in many areas is a depressant to growth and yet it continues to rise. The Governor has just increased the tax on liquor, and an additional tax on cigarettes seems likely. The League of Women Voters continues to stump for an income tax, and the Governor for an auto trade-in tax. I gather that there are some rumors floating around about a possible increase in the general sales tax — I wouldn't know about that. Maine tries harder, but it doesn't seem to be getting any place. I think the time has come when we should consider rethinking our approach on taxes and the Federal Government. One possible approach is indicated in the Maine Republican Platform of 1966. This avenue is called federal tax share whereby a certain per cent of the federal income tax is simply refunded to the state on a weighted basis, depending upon the tax effort of each state and its per capita income. Maine would do well under such a system. I know that a number of states have already memorialized Congress or passed Joint Resolutions urging congressional action on federal tax sharing programs as opposed to federal grant in aid programs.

I don't ask that we take similar action at this time, but I do urge that we consider this question carefully after the session adjourns so that we may act on it wisely. I hope that this Resolve will receive passage.

(On motion by Mr. Katz of Kennebec, tabled until later in today's session.)

Committee Reports**House****Ought Not to Pass**

The Committee on Claims on Resolve to Reimburse Barbara W. Smart of Kennebunkport for Property and Well Damage by Highway Construction. (H. P. 477) (L. D. 690)

Reported that the same Ought Not to Pass.

Comes from the House report Read and Accepted.

The Committee on Labor on Bill "An Act Providing for Unemployment Compensation for State Employees." (H. P. 713) (L. D. 1008)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

Which reports were Read and Accepted in concurrence.

Ought to Pass

The Committee on Highways on Bill "An Act Relating to Registration of Farm Motor Trucks Having Two or Three Axles." (H. P. 669) (L. D. 924)

Reported that the same Ought To Pass.

Comes from the House, report Read and Accepted and the Bill Passed to be Engrossed.

The Committee on Inland Fisheries and Game on Bill "An Act Relating to Guides Under Fish and Game Laws." (H. P. 353) (L. D. 500)

Reported that the same Ought to Pass.

Comes from the House, report Read and Accepted and the Bill Passed to be Engrossed.

Which reports were Read and Accepted in concurrence, the Bills read once and tomorrow assigned for Second Reading.

Ought to Pass As Amended

The Committee on Claims on Resolve to Reimburse Enzly Nason of Linneus for Well Damage by Highway Maintenance. (H. P. 1051) (L. D. 1523)

Reported that the same Ought To Pass As Amended by

Committee Amendment "A" (H-248).

Comes from the House, report Read and Accepted and the Resolve Passed to be Engrossed As Amended.

The Committee on Claims on Resolve to Reimburse L. D. Durgin, of Limington, for Well Damage Resulting from Highway Construction. (H. P. 401) (L. D. 567)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-247)

Comes from the House, report Read and Accepted and the Resolve Passed to be engrossed As Amended.

The Committee on Claims on Resolve to Reimburse Marguerite Spohrer of York for Well Damage Resulting from Use of Salt on Route 1. (H. P. 93) (L. D. 121)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-250)

Comes from the House, report Read and Accepted and the Resolve Passed to be Engrossed As Amended.

Which reports were Read and Accepted in concurrence and the Resolves Read Once. Committee Amendments "A" were Read and Adopted in concurrence, and the Resolves, as Amended, tomorrow assigned for Second Reading.

Divided Report

The Majority of the Committee on Election Laws on Recommitted Bill "An Act Relating to Opening and Closing Time for Polls. (H. P. 577) (L. D. 809)

Reported that the same Ought Not to Pass.

(Signed)

Senator:

ANDERSON of Hancock

Representatives:

BOUDREAU of Portland

BERNARD of Auburn

HAWES of Union

HENLEY of Norway

HODGKINS of Greene

BOURGOIN of Fort Kent

The Minority of the same Committee on the same subject

matter, reported that the same
Ought to Pass

(Signed)
Senators:

COUTURIER

of Androscoggin

BERRY of Cumberland

Representative:

JANNELLE

of Scarborough

Comes from the House, Majority
— Ought Not to Pass Report Read
and Accepted.

On motion by Mr. Anderson of
Hancock, the Senate voted to
accept the Majority Ought Not to
Pass report of the Committee.

Divided Report

The Majority of the Committee
on Transportation on Bill "An Act
Relating to Penalty for Weight
Violations of Trucks. (H. P. 865)
(L. D. 1278)

Reported that the same Ought
to Pass in New Draft under New
Title: An Act Relating to Weight
Violation of Trucks. (H. P. 1122)
(L. D. 1594)

(Signed)
Senators:

JOHNSON of Somerset

RENY of York

BARNES of Aroostook

Representatives:

KEYTE of Dexter

KILROY of Portland

LYCETTE of Houlton

CROSBY of Kennebunk

LEBEL of Van Buren

The Minority of the same
Committee on the same subject
matter, reported that the same
Ought Not to Pass

Representatives:

JEWELL of Monticello

PENDERGAST

of Kennebunkport

Comes from the House, majority
— Ought to Pass in New Draft
report Read and Accepted and the
Bill Passed to be Engrossed.

On motion by Mr. Johnson of
Somerset, the Senate voted to
Accept the Majority Ought to Pass
in New Draft report of the
Committee.

Thereupon, the Bill in New Draft
was read once, and tomorrow
assigned for second reading.

Senate

Ought Not to Pass

Mr. Beckett for the Committee
on Liquor Control on Bill "An Act
to Provide for a Graduated License
Fee for Retail Sale of Malt Liquor.
(S. P. 478) (L. D. 1199)

Reported that the same Ought
Not to Pass as Covered by other
Legislation.

Mr. Curtis for the Committee
on Liquor Control on Bill "An Act
Relating to Sale of Liquor to
Government Instrumentalities and
Excise Tax on Malt Beverages Sold
to Vessels of Foreign Registry. (S.
P. 163) (L. D. 334)

Reported that the same Ought
Not to Pass

Which reports were Read and
Accepted.

Sent down for concurrence.

Ought to Pass

Mr. Harding for the Committee
on Judiciary on Bill "An Act Creat-
ing the Uniform Rendition of
Prisoners as Witnesses in Criminal
Proceedings. (S. P. 456) (L. D.
1394)

Reported that the same Ought
to Pass.

Which report was Read and
Accepted and the Bill Read Once,
and tomorrow assigned for Second
Reading.

Ought to Pass As Amended

Mr. Harding for the Committee
on Judiciary on Bill "An Act Relat-
ing to Amount of Wages Subject
to Trustee Process." (S. P. 377)
(L. D. 991)

Reported that the same Ought
to Pass As Amended by Committee
Amendment "A" (S-117)

Which report was Read and
Accepted and the Bill read once.
Committee Amendment "A" Filing
S-117 was read by the Secretary
as follows:

COMMITTEE AMENDMENT
"A" to S. P. 377, L. D. 991, Bill,
"An Act Relating to Amount of
Wages Subject to Trustee Proc-
ess."

Amend said Bill in the 8th line
(7th line in L. D. 991) by inserting
after the words "to him" the
underlined words 'per week'

Committee Amendment "A" was
Adopted, and the Bill, As Amended,

tomorrow assigned for second reading.

Mr. Hildreth for the Committee on Judiciary on Bill "An Act Relating to Certificates of Organizations of Corporations Filed Prior to January 1, 1960." (S. P. 318) (L. D. 841)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (S-116)

Which report was Read and Accepted and the Bill read once. Committee Amendment "A" Filing S-116 was read by the Secretary as follows:

COMMITTEE AMENDMENT
"A" to S. P. 318, L. D. 841, Bill, "An Act Relating to Certificates of Organizations of Corporations Filed Prior to January 1, 1960."

Amend said Bill in the Title by striking out the figure "1960" and inserting in place thereof the figure "1966"

Further amend said Bill in the 4th line (3rd line in L. D. 841) by striking out the underlined figure "1960 and inserting in place thereof the underlined figure '1966' "

Committee Amendment "A" was Adopted, and the Bill, As Amended, tomorrow assigned for second reading.

Final Reports

The following Committees submitted their final reports:

INDIAN AFFAIRS

SEA AND SHORE FISHERIES

Which reports were Read and Accepted and Ordered Placed on File.

Second Readers

The Committee on Bills in the Second Reading reported the following:

House

Resolve Extending Time for Ramp and Docking Facilities at Long Island Plantation." (H. P. 53) (L. D. 78)

Resolve, Providing Funds to the Washington County Development Authority for Development of Recreational Areas." (H. P. 466) (L. D. 679)

Bill "An Act Relating to Computation of Tuition Rates for Elementary Schools." (H. P. 973) (L. D. 1415)

Bill "An Act Relating to Certain Disqualifications of Benefits Under Employment Security Law." (H. P. 228) (L. D. 318)

Bill "An Act Relating to Wages Paid for Benefits and Eligibility Under Employment Security Law." (H. P. 515) (L. D. 728)

Bill, "An Act Excluding Real Estate Brokers and Salesmen from Employment Security Law." (H. P. 592) (L. D. 822)

Resolve "Increasing Pension for Leeman Grant of Milbridge." (H. P. 115) (L. D. 142)

Bill "An Act to Restrict Purse Seining Near Certain Stop Seines." (H. P. 1139) (L. D. 1621)

Bill "An Act Relating to Allowance for Widows of Justices of the Supreme Judicial Court and the Superior Court." (H. P. 1138) (L. D. 1620)

Bill "An Act Relating to Voting Procedures in School Administrative Districts." (H. P. 1141) (L. D. 1623)

Bill "An Act to Expand the Territory of the York Water District and to Modernize its Charter." (H. P. 1136) (L. D. 1618)

(On motion by Mr. Lund of Kennebec, tabled and specially assigned for Thursday, May 11, pending Passed to be Engrossed.)

Bill "An Act Relating to Regulations Regarding Atlantic Sea Run Salmon." (H. P. 1137) (L. D. 1619)

Bill "An Act Authorizing a Memorial to Klir Beck." (H. P. 1140) (L. D. 1622)

Which were Read a Second Time and Passed to be Engrossed in concurrence.

House — As Amended

Bill "An Act Increasing Amount of State Grants for Community Mental Health Facilities." (H. P. 260) (L. D. 381)

Resolve Reimbursing Mars Hill Utility District for Bonds Issued for Sewer Construction." (H. P. 400) (L. D. 566)

Bill "An Act Relating to the Reimbursement of Board for Secondary School Pupils." (H. P. 303) (L. D. 437)

Bill "An Act Relating to Instruction in a Foreign Language in Secondary Schools." (H. P. 977) (L. D. 1419)

Bill "An Act Relating to Time Limit of Keeping Sick or Injured Dogs by Agency Boarding Such Dogs." (H. P. 602) (L. D. 846)

Which were Read a Second Time and Passed to be Engrossed, As Amended, in concurrence.

Bill "An Act to Grant a New Charter to the City of Auburn." (H. P. 609) (L. D. 859)

Which was Read a Second Time. Then Mr. Boisvert of Androscoggin presented Senate Amendment "A" (Filing S-119) and moved its adoption.

Senate Amendment "A" Filing S-119 was read by the Secretary as follows:

SENATE AMENDMENT "A" to H. P. 609, L. D. 859, Bill "An Act to Grant a New Charter to the City of Auburn."

Amend said Bill by inserting after the Title, before the enacting clause the following:

'Emergency preamble. Whereas, Acts and resolves passed by the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the said 90-day period will not terminate until after the next regular city election, September 1, 1967, should the Legislature adjourn later than usual; and

Whereas, as it is vitally necessary that the following legislation become effective immediately in anticipation of a dual election problem; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,'

Further amend said Bill by inserting at the end the following:

'Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.'

Senate Amendment "A" was Adopted, and the Bill, As Amended, Passed to be Engrossed in non-concurrence.

Sent down for concurrence.

Bill "An Act Relating to Transportation of Disabled, Collision Damaged, Wrecked or Repossessed Highway Motor Vehicles." (H. P. 59) (L. D. 84)

Which was Read a Second Time and Passed to be Engrossed As Amended by Senate Amendment "A" (S-86) in non-concurrence. Sent down for concurrence.

Senate

Bill "An Act Relating to Education of Indians." (S. P. 633) (L. D. 1634)

Bill "An Act Relating to the Water and Air Environmental Improvement Commission." (S. P. 635) (L. D. 1635)

Bill "An Act Creating the Pest Control Compact." (S. P. 630) (L. D. 1631)

Bill "An Act Relating to Eligibility for Office of Bank Commissioner." (S. P. 632) (L. D. 1633)

Bill "An Act to Establish an Office of Mental Retardation." (S. P. 631) (L. D. 1632)

Which were Read a Second Time and Passed to be Engrossed.

Sent down for concurrence.

Senate — As Amended

Bill "An Act Relating to Eligibility for School Construction Aid." (S. P. 395) (L. D. 1028)

Bill "An Act Relating to Leave of Absence for Teachers Serving in the Legislature." (S. P. 560) (L. D. 1432)

Bill "An Act Relating to Licensing of Elevator Mechanics." (S. P. 109) (L. D. 180)

Bill "An Act Relating to Certain Expenses of Supreme Judicial Court Paid by State to Cumberland County." (S. P. 207) (L. D. 546)

Which were Read a Second Time and Passed to be Engrossed, As Amended.

Sent down for concurrence.

Enactors

The Committee on Engrossed Bills reported as truly and strictly engrossed, the following:

An Act Relating to the Practice of Hairdressing and Beauty Culture. (H. P. 348) (L. D. 496)

An Act to Permit the Use of Candles in Religious or Fraternal Services. (H. P. 525) (L. D. 756)

An Act Clarifying Compensation for Disfigurement Under the Workmen's Compensation Act. (H. P. 608) (L. D. 852)

An Act Providing Funds for a Redevelopment Plan of the Portland and South Portland Waterfront. (H. P. 657) (L. D. 912)

(On motion by Mr. Berry of Cumberland, placed on the Special Appropriations Table.)

An Act Exempting Water and Air Pollution Control Facilities from Sales and Use Taxes. (S. P. 413) (L. D. 1042)

(On motion by Mr. Berry of Cumberland, placed on the Special Appropriations Table.)

An Act Relating to the Length Provision in the Sale or Packaging of Herring. (S. P. 444) (L. D. 1124)

An Act Increasing Tax on Milk Producers for Promotional Purposes. (H. P. 775) (L. D. 1137)

An Act to Increase Borrowing Capacity of the Fort Fairfield Utilities District. (H. P. 806) (L. D. 1182)

An Act Relating to Public Policy on Higher Education. (S. P. 498) (L. D. 1259)

(On motion by Mr. Katz of Kennebec, tabled pending enactment.)

An Act Creating a Capitol Planning Commission. (S. P. 520) (L. D. 1340)

(On motion by Mr. Berry of Cumberland, placed on the Special Appropriations Table.)

An Act Appropriating Funds for Classroom Building at Erskine Academy. (H. P. 930) (L. D. 1346)

(On motion by Mr. Berry of Cumberland, placed on the Special Appropriations Table.)

An Act to Regulate the Alteration of Wetlands. (S. P. 612) (L. D. 1597)

(On motion by Mr. Sewall of Penobscot, tabled pending enactment.)

An Act Relating to Taxation of Buildings on Leased Land in Unorganized Territory. (H. P. 1129) (L. D. 1602)

Which were Passed to be Enacted, and, having been signed by the President, were by the Secretary presented to the Governor for his approval.

Resolve, to Authorize a Professional Review and Analysis of Maine's World Trade Potential. (H. P. 495) (L. D. 708)

(On motion by Mr. Berry of Cumberland, placed on the Special Appropriations Table.)

Emergency

An Act to Allocate Moneys for the Administrative Expenses of the State Liquor Commission for the Fiscal Years Ending June 30, 1968 and June 30, 1969. (H. P. 82) (L. D. 112)

(On motion by Mr. Berry of Cumberland, placed on the Special Appropriations Table.)

Orders of the Day

The President laid before the Senate the first tabled and today assigned matter (H. P. 747) (L. D. 1094) Bill "An Act Relating to Special Offices for Indian Tribes." Tabled May 2 by Senator Katz of Kennebec, Pending Passage to be Engrossed.

On motion by Mr. Katz of Kennebec, the Bill was Passed to be Engrossed, as Amended, in non-concurrence.

Sent down for concurrence.

The President laid before the Senate the second tabled and today assigned matter. (S. P. 576) (L. D. 1437) Bill "An Act Relating to Line Budgets for All Counties." Tabled May 2 by Senator Johnson of Somerset, Pending Enactment.

(On motion by Mr. Johnson of Somerset, retabled and specially assigned for Tuesday, May 16.)

The President laid before the Senate the third tabled and today assigned matter, (H. P. 505) (L. D. 718) House Report — Ought to Pass as Amended by Committee Amendment "A" Filing H-203 from the Committee on Inland Fisheries and Game on "Resolve, Regulating Fishing in Third Chase Pond, Aroostook County." Tabled May 4 by Senator Barnes of Aroostook, Pending Acceptance of Report.

(In House, April 28 Passed to be Engrossed as Amended by Committee Amendment "A" Filing H-203 as Amended by House

Amendment "C" Filing H-220 thereto.)

On motion by Mr. Barnes of Aroostook, the Senate voted to accept the Ought to Pass Committee Report, and the Bill was read once.

Committee Amendment "A", Filing H-203, was read by the Secretary.

On motion by Mr. Barnes of Aroostook, Committee Amendment "A" was indefinitely postponed.

The same Senator offered Senate Amendment "A" and moved its adoption.

Senate Amendment "A", Filing S-115 was read by the Secretary as follows.

SENATE AMENDMENT "A" to H. P. 505, L. D. 718, Resolve, regulating Fishing in Third Chase Pond, Aroostook County.

Amend said Resolve by striking out the Title and inserting in place thereof the following Title: 'Resolve, Regulating Fishing in Fish River Falls, Aroostook County, and Long Pond, Kennebec County.'

Further amend said Resolve by striking out everything after the Title and inserting in place thereof the following:

'Fishing in Fish River Falls regulated.

Resolved: That there shall be no fishing in Fish River Falls, T. 13, R. 8, Aroostook County, from the falls to a point 200 feet below the falls from time of ice out to June 15th of each year; and be it further.

Fishing in Long Pond of Belgrade Lakes, Rome and Belgrade Townships, Kennebec County.

Resolved: That there shall be no bag limit on white perch in Long Pond of Belgrade Lakes, Rome and Belgrade Townships, Kennebec County.'

Senate Amendment "A" was adopted and the Bill, as Amended, tomorrow assigned for second reading.

The President laid before the Senate the fourth tabled and today assigned matter, (H. P. 799) (L. D. 1177) Bill, "An Act Relating to Compensation for Appointive Members of the Various Boards and Commissions in City of Lewis-

ton." Tabled May 5 by Senator Johnson of Somerset, Pending Consideration.

On motion by Mr. Johnson of Somerset, retabled and specially assigned for Wednesday, May 10, Pending Consideration.

The President laid before the Senate the fifth tabled and today assigned matter, (H. P. 978) (L. D. 1420) House Reports — from the Committee on Education on Bill, "An Act Requiring Childhood Education Program for Five-year Olds." Majority Report, Ought to Pass; Minority Report, Ought Not to Pass. Tabled May 5 by Senator Snow of Cumberland, Pending Acceptance of Either Report.

On motion by Mr. Katz of Kennebec, the Senate voted to accept the Majority Ought to Pass Committee Report. The Bill was read once and tomorrow assigned for second reading.

The President laid before the Senate the sixth tabled and today assigned matter, (H. P. 322) (L. D. 456) House Reports — from the Committee on Labor on Bill, "An Act to Clarify the Meaning of a Labor Dispute Under Employment Security Law." Report "A", Ought to Pass; Report "B", Ought Not to Pass. Tabled May 5 by Senator Johnson of Somerset, Pending Acceptance of Either Report.

On motion by Mr. Johnson of Somerset, retabled and specially assigned for Wednesday, May 10, Pending Acceptance of Either Report.

The President laid before the Senate the seventh tabled and today assigned matter, (H. P. 207) (L. D. 298) House Reports — from the Committee on Legal Affairs on Bill, "An Act Relating to Education of Members of Lewiston Police Department." Report "A", Ought to Pass; Report "B", Ought Not to Pass. Tabled May 5 by Senator Johnson of Somerset, Pending Acceptance of Either Report.

On Motion by Mr. Good of Cumberland, retabled and specially assigned for Wednesday, May 10, Pending Acceptance of Either Report.

The President laid before the Senate the eighth tabled and today assigned matter, (H. P. 331) (L. D. 465) House Reports — from the Committee on Taxation on Bill, "An Act Exempting Water Sold for Human Consumption from Sales Tax." Majority Report, Ought Not to Pass; Minority Report, Ought to Pass. Tabled May 5 by Senator Wyman of Washington, Pending Motion by Senator Farley of York to Accept the Majority Ought Not to Pass Report.

The PRESIDENT: The Chair recognizes the Senator from Washington, Senator Wyman.

Mr. WYMAN of Washington: Mr. President and Members of the Senate: I rise to oppose the motion of the good Senator from York, Senator Farley. There are three very important necessities required if we are to remain on this earth. One is air, another is food, and the other is water. Now, the air we breathe is not taxed as yet. The food we take home for home consumption is not taxed. Even our funerals when we leave this earth are not taxed. Yet we do tax the water we drink, and it seems to me it would make good sense to remove the tax from water. So, I oppose the motion of Senator Farley and hope that we pass this bill.

The PRESIDENT: The Chair recognizes the Senator from York, Senator Farley.

Mr. FARLEY of York: Mr. President and Members of the Senate: I do not rise to table, but I do oppose the motion of the Chairman of the Taxation Committee because I am a member of that Committee.

If you go back to the sales tax project in 1951, water was a part of that package. At the hearing only one gentleman appeared as a proponent for this bill. There was no opposition to it. I questioned the proponent in reference to the bill, and on a statement of facts on the bill it would make a loss of \$175,000 of revenue that is coming into the State of Maine. He said to me that the Governor had told him it was a good bill. I said "I don't

think the Governor looked down there and saw that \$175,000."

For many years this bill was presented by a former Senator from Androscoggin County, and his own party voted against it. I trust and hope that the Senate will accept the Ought Not to Pass Report of the Taxation Committee.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from Hancock, Senator Young.

Mr. YOUNG of Hancock: Mr. President and Members of the Senate: I rise in support of the Senator from Washington, Senator Wyman. I signed the Ought to Pass Report. I was one of the Minority Report signers. I feel if this bill is passed that it will lie on the Appropriations Table anyway and, if by chance, we passed a different tax bill, and had more money available, we could exempt water sold for human consumption from the sales tax. Therefore, I oppose the motion of the good Senator from York, Senator Farley.

The PRESIDENT: The Chair recognizes the Senator from Washington, Senator Wyman.

Mr. WYMAN of Washington: Mr. President, I ask that when the vote is taken it be taken by a division.

The PRESIDENT: Is the Senate ready for the question? The question is on the motion of the Senator from York, Senator Farley, that we accept the Majority Ought Not to Pass Report of the Committee. The Senator from Washington, Senator Wyman, has requested a division.

As many as are in favor of the motion to accept the Majority Ought Not to Pass Report will stand in their places and remain standing until counted. Those opposed to the motion?

A division was had. Nine Senators having voted in the affirmative, and 23 Senators having voted in the negative, the motion to accept the Majority Ought Not to Pass Report did not prevail.

Thereupon, the Senate voted to accept the Minority Ought to Pass Committee Report. The Bill was read once and tomorrow assigned for second reading.

The President laid before the Senate the ninth tabled and today assigned matter, (H. P. 121) (L. D. 147) Bill, "An Act Repealing Trade-in Credit for Motor Vehicles Under Sales Tax Law." Tabled May 5 by Senator Reny of York, Pending Enactment.

(In House — May 4, 1967 Failed on Passage to be Enacted.)

Mr. Reny of York moved the pending question.

The PRESIDENT: This Bill, having had its three several readings in the House, its two several readings in the Senate, having been passed to be engrossed, and having been reported by the Committee on Engrossed Bills as truly and strictly engrossed, having failed to be enacted in the House, is it now the pleasure of the Senate that this Bill be passed to be enacted?

This being an emergency measure, under the Constitution it requires for its passage the affirmative vote of two-thirds of the entire elected membership of the Senate. All those in favor of the passage of the Bill to be enacted will rise and stand in their places until counted.

A division was had. 19 Senators having voted in the affirmative, and 13 Senators having voted in the negative, 19 being less than two-thirds of the entire, elected membership of the Senate, the Bill failed of enactment, and was ordered placed on file.

The President laid before the Senate the tenth tabled and today assigned matter, (H. P. 934) (L. D. 1350) Bill, "An Act Relating to Unity Institute and John F. Kennedy Institute." Tabled May 5 by Senator Snow of Cumberland, Pending Enactment.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Snow.

Mr. SNOW of Cumberland: Mr. President, under suspension of the rules, I would move that the Senate reconsider its action whereby this bill was passed to be engrossed, and I would like to speak to my motion.

The PRESIDENT: The Senator from Cumberland, Senator Snow, moves that we suspend the rules

and reconsider our action whereby this bill was passed to be engrossed. Is this the pleasure of the Senate?

The motion prevailed.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Snow.

Mr. SNOW of Cumberland: Mr. President, I would move for the indefinite postponement of Senate Amendment "A".

The PRESIDENT: The same Senator now moves that we indefinitely postpone Senate Amendment "A".

The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY of Cumberland: Mr. President, I think the Senate is entitled to an explanation on the merits or lack of merits of the amendment, in view of its past action on this bill.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Snow.

Mr. SNOW of Cumberland: Mr. President, I rise to move the indefinite postponement of Senate Amendment "A". If my memory is correct, it would permit the John F. Kennedy Institute of Fort Kent to use the name "College," in exception to the general laws of the State. The general laws of the State were enacted a number of sessions ago and provided that the term "College" could be used by institutions seeking to be so-called after two years experience. John F. Kennedy Institute opened its doors last Fall.

It is my understanding that the faculty of John F. Kennedy Institute consists of the President of the College, Claude Charette, two part-time instructors, and a librarian who also acts as office manager. The courses of instruction offered at John F. Kennedy Institute are French, English, Biology, History of Civilization, Introduction to Education, and one course in art.

Now, the purpose of limiting the use of the name "College," as I understand it, was to protect the students who may attend duly organized schools of instruction from becoming victims of schools which have not demonstrated their

competence. It seems to me that, although John F. Kennedy may be a fine school, that it should at least wait the time prescribed by the law before it may use the term "College."

The PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator MacLeod.

Mr. MacLEOD of Penobscot: Mr. President and Members of the Senate: I rise to support the motion of the Senator from Cumberland, Senator Snow, to indefinitely postpone Senate Amendment "A". This institution is not by any stretch of the imagination a college, nor should it be allowed to use the term "College."

If it can supplement its staff, increase and widen its courses offered to the students, and increase its students, attendance, there will be a bill along, L. D. 1368, which will give to the State Board of Education the power to grant the temporary right to use the word "College." If this institution, six months or a year from now, does qualify, it will be granted this privilege, but certainly they are not at that stage today, and I hope that the motion prevails.

The PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Albair.

Mr. ALBAIR of Aroostook: A parliamentary inquiry, Mr. President: Did the gavel fall on the suspending of the rules?

The PRESIDENT: The rules have been suspended, and we have reconsidered our action whereby we passed the bill to be engrossed. The pending motion is the motion of the Senator from Cumberland, Senator Snow, that Senate Amendment "A" be indefinitely postponed.

The Chair recognizes the Senator from Aroostook, Senator Harding.

Mr. HARDING of Aroostook: Mr. President and Members of the Senate: I rise in opposition to the motion which the good Senator from Cumberland, Senator Snow, has made. I think of the college which I graduated from, Colby College. It too had a humble start — a man coming up the Kennebec River in a small boat landed on the banks of the Kennebec River,

and now we have a college we are all proud of.

Now, every college has to have its start. We are asking here in this bill that Unity College have a start, and we are asking by amendment that John F. Kennedy College be given the same benefits. Not only is the name important to these institutions getting started, but also, under the bill, you will notice that they will be eligible for state and federal surplus property, and also they will be eligible under the law for aid under the Maine Higher Education Authority Act.

Now, you folks here who are in favor of Unity College remaining as it is, remember this was attacked one of the times when these were two particular bills. Now, after this one is defeated, as far as John F. Kennedy is concerned, this bill will go back to the House, as you know, and it has got to run the gamut again.

I understood from the Chairman of the Education Committee, my good friend and colleague, the Senator from Kennebec, Senator Katz, that he felt in fairness that if Unity College was to get the name of Unity College that John F. Kennedy College should receive the same benefits, and I take him at his word on that. When the vote is taken I would ask that it be taken by a division, and I hope that you oppose the motion of the Senator from Cumberland, Senator Snow.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Snow.

Mr. SNOW of Cumberland: Mr. President and Members of the Senate: I think I momentarily lost my train of thought. I wanted to remind the Senate that a separate bill, which would have authorized John F. Kennedy Institute to have the privilege which is suggested by the amendment, was reported unanimously Ought Not to Pass by the joint standing Committee on Education, and that this report was accepted by the Senate.

I feel that there is a substantial difference existing between John F. Kennedy Institute and Unity Institute. On Unity Institute there was a divided report from the Committee and it was fully debated

in the Senate, and the Senate in its wisdom decided that Unity should receive permission to call itself a college. I have no quarrel with that now, but I think the case here is quite different, and I hope the Senate will support my motion to indefinitely postpone Senate Amendment "A".

The PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Harding.

Mr. HARDING of Aroostook: Mr. President, may I ask for the report of the Committee on the Bill, L. D. 1350?

The PRESIDENT: The Chair will advise the Senator that the report of the Education Committee was Ought Not to Pass.

The Chair recognizes the Senator from Hancock, Senator Anderson.

Mr. ANDERSON of Hancock: Mr. President and Members of the Senate: It would seem that the good Senator from Cumberland, Senator Snow, not only has trouble with belts but loud speakers. I would like to inquire what next?

The PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Harding.

Mr. HARDING of Aroostook: Mr. President and Members of the Senate: I think the report of the Education Committee confirms what I have suggested to you. I believe that both of these bills were unanimously opposed by the Education Committee, and this Legislature in its wisdom overrode the Education Committee in regard to the Unity College. It seems to me that if we are going to treat one of these — definitely I would treat them both in the same manner, and this is what this amendment would do. I suggest to you that if this amendment is killed, as the Senator from Cumberland, Senator Snow, suggests, that the next one in line will be to kill the provision for Unity College. So I hope that you would oppose his motion.

The PRESIDENT: The Chair recognizes the Senator from Piscataquis, Senator Ross.

Mr. ROSS of Piscataquis: Mr. President, I would like to ask one question through the Chair. How

many students are there in the school in question?

The PRESIDENT: The Senator from Piscataquis, Senator Ross, has asked a question through the Chair. Any Senator may answer if he wishes.

Mr. SNOW of Cumberland: Mr. President, I understand that there are 17 students currently enrolled at John F. Kennedy Institute in Fort Kent. This information was relayed to me yesterday afternoon in a conversation with Mr. Charette, the President.

The PRESIDENT: Is the Senate ready for the question? The pending question is on the motion of the Senator from Cumberland, Senator Snow, that we indefinitely postpone Senate Amendment "A".

As many as are in favor of the indefinite postponement of Senate Amendment "A" will stand and remain standing until counted. Those opposed to the motion?

A division was had. 9 Senators having voted in the affirmative and 22 Senators having voted in the negative, the motion to indefinitely postpone Senate Amendment "A" did not prevail.

Thereupon, the Bill, As Amended by House Amendment "B" and Senate Amendment "A" was Passed to be Engrossed.

Then the Bill was Passed to be Enacted, and, having been signed by the President, was by the Secretary presented to the Governor for his approval.

The President laid before the Senate the matter tabled earlier in the session, S. P. 636, Order presented by the Senator from Cumberland, Senator Hildreth which was tabled by the Senator from Kennebec, Senator Katz pending the motion that the Order be passed.

On motion by Mr. Katz of Kennebec, the Order was Passed. Sent down for concurrence.

On motion by Mr. Wyman of Washington, the Senate voted to take from the Table the 42nd tabled and unassigned matter (S. P. 607) (L. D. 1589) Bill, "An Act Relating to Fallout Shelters in Public School Buildings." Tabled

May 5 by Senator Wyman of Washington pending Passage to be Engrossed.

On further motion by the same Senator, the Bill was Passed to be Engrossed and sent down for concurrence.

Mr. Mills of Franklin was granted unanimous consent to address the Senate.

Mr. MILLS of Franklin: Mr. President, this isn't exactly a momentous occasion, but we're getting through a little early and I thought the Senate might be interested in taking special notice of something that happened in Brunswick the other day, and it may be thought by my fellow Senators from Kennebec that I'm moving over the line a little bit, but as the story develops, I'm sure they'll forgive me.

Over in Brunswick last Saturday a twelve year old girl named Lynette Miller from Vienna won the State spelling championship. When anyone from Vienna, such a small town as that, distinguishes themselves so much, I think it is appropriate to make note of it. Of course, Vienna is a wonderful town. It is the home of Fritz Eaton and Dorothy Waugh and many others who contributed to the community, and I think that I can move in on the Senators from Kennebec in making note of this occasion because this little girl goes to school in Farmington. It is School Administrative District No. 9. We've adopted Vienna into our School Administrative District, and if the good Senator from Augusta, Senator Lund, in his redistricting activities would be good enough, maybe he would let us take Vienna over completely. We have got them for school purposes, and I drive through there every morning enjoying the scenery so much, and occasionally see good old Fritz Eaton out around his buildings, that I would like to make a special request, if it is possible, to let Vienna come over into Franklin County for good, at least as far as the Senatorial District is concerned.

And another thing, I wish that perhaps with a joint effort, sort of a hands-across-the-sea thing,

with the Senators from Kennebec, including yourself, Mr. President, maybe we could have this twelve year old girl, Lynette Miller, down here and make her a special sergeant-at-arms some day before she goes to Washington, D. C. to represent the whole State of Maine as the best speller in the State.

In the Sunday Telegram last Sunday they ran a picture of Richard Nixon, Charles Percy, George Romney, Nelson Rockefeller and Ronald Reagan, fifty of youth's chosen people made selections and voted, but they are far outstripped by this little girl, this twelve year old Lynette Miller of Vienna, and I am sure that really was the news of the day. The Kennebec Journal picked it up and only had a little obscure Associated Press story, and the Sunday Telegram also really picked the news.

Not to slight my seat mates over to the right — I'm sure I'm not the only one who reads the newspapers around here — but some of them perhaps didn't read this in the New York Times on Sunday, the Part two of the Summer Vacation Preview had this tremendously beautiful picture of Sunset and Sunshine Maine. They are two little villages down in Deer Isle, and I had some close connections with Deer Isle too, because my father was here 60 years ago with Hollis' father as Senator and three months after my mother moved to Farmington, I was born, so I came close to being born down in that area. You can't buy publicity like that, gentlemen, for the State of Maine. That is because we have such beautiful spots as Sunshine and Sunset, Maine, in the bailiwick of my two friends to the right, the good Senators from Hancock. That's the end of the Chamber of Commerce Session for the day.

Mr. Lund of Kennebec was granted unanimous consent to address the Senate.

Mr. LUND of Kennebec: Mr. President and Members of the Senate: I am sure that those of us who are local people would take much less offense at the intrusion by the good Senator from Franklin

into these local affairs of ours if only he would pay as much attention to pronunciation as he does to spelling. If he were a local fellow he would realize that the town is not Vienna; it is Vienny.

Mr. Katz of Kennebec was granted unanimous consent to address the Senate.

Mr. KATZ of Kennebec: Mr. President, I am wondering if you share my sentiments personally, but I do wish when the Senator from Franklin refers to Senator Lund that he wouldn't quite accent "the good Senator from Kennebec."

On motion by Mr. Johnson of Somerset, the Senate voted to take from the table the 31st tabled and unassigned matter, (H. P. 690) (L. D. 971) Bill "An Act Relating to Claims Against Estates of Deceased Recipients of Aid to the Aged, Blind and Disabled." Tabled April 26 by Senator Johnson of Somerset, Pending Enactment.

On motion by Mr. Berry of Cumberland, placed on the Special Appropriations Table.

On motion by Mr. Ross of Piscataquis,

Adjourned until ten o'clock tomorrow morning.