

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fourth  
Legislature*

OF THE

STATE OF MAINE

1969

KENNEBEC JOURNAL  
AUGUSTA, MAINE

**SENATE**

Friday, March 21, 1969

Senate called to order by the President.

Prayer by Rev. Fr. John Donovan of Winthrop.

Reading of the Journal of yesterday.

**Joint Order**

Out of Order and Under Suspension of the Rules:

On motion by Mr. Katz of Kennebec,

ORDERED, the House concurring, that when the House and Senate adjourn, they adjourn to Tuesday, March 25, at 10 o'clock in the morning. (SP 413)

Which was Read and Passed.

Sent down forthwith for concurrence.

**House Papers**

Bills and Resolves today received from the House requiring Reference to Committees were acted upon in concurrence.

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

The Committee on Taxation on Bill, "An Act Exempting Hearing Aids from the Sales Tax." (HP 183) (LD 222)

Reported that the same Ought Not to Pass.

The Committee on Taxation on Bill, "An Act Repealing the Refunding of Excise Taxes on Malt Liquor." (HP 746) (LD 964)

Reported that the same Ought Not to Pass.

The Committee on Taxation on Bill, "An Act Repealing Liquor License Discounts." (HP 747) (LD 965)

Reported that the same Ought Not to Pass.

Which report was Read.

The PRESIDENT: The Chair Recognizes the Senator from Cumberland, Senator Kellam.

Mr. KELLAM of Cumberland: Mr. President, I would move that Item 6-3, L. D. 965 lie on the table. L. D. 965 lie on the table.

The PRESIDENT: The Senator from Cumberland, Senator Kellam, moves that Item 6-3, Legislative

Document 965, be placed on the table. Is this the pleasure of the Senate?

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr. President, might the Senator assign a date?

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

Mr. KELLAM: Mr. President, I would prefer not to assign a date to this matter. I just want to look the bill over, and I will bring it off as soon as feasible.

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ: Mr. President, I ask for a division.

The PRESIDENT: As many as are in favor of the motion of the Senator from Cumberland Senator Kellam, that Item 6-3, Bill, "An Act Repealing Liquor License Discounts," be tabled will rise and remain standing until counted. Those opposed will rise and remain standing until counted.

A division was had. Thirteen Senators having voted in the affirmative, and twelve Senators having voted in the negative, the motion prevailed and the Bill was tabled pending Acceptance of the Committee Report.

The Committee on Taxation on Bill, "An Act Allocating 25 per cent of Sales Tax Collected in City of Saco." (H. P. 873) (L. D. 1116)

Reported that the same Ought Not to Pass.

Come from the House, the reports Read and Accepted.

Which reports were Read and, except for the tabled matter, Accepted in concurrence.

**Ought to Pass**

The Committee on Health and Institutional Services on Bill, "An Act to Clarify the Barber Laws and Raise Certain Fees." (H. P. 464) (L. D. 601)

Reported that the same Ought to Pass.

The Committee on Retirements and Pensions on Bill, "An Act Relating to Credit for Military

Service Under State Retirement Law." (H. P. 576) (L. D. 762)

Reported that the same Ought to Pass.

The Committee on Health and Institutional Services on Bill, "An Act Relating to Blood Or Tissue Transfer Services." (H. P. 927) (L. D. 1188)

Reported that the same Ought to Pass.

The Committee on Retirements and Pensions on Resolve, Making a Retroactive Adjustment in the Retirement Pension of Charles Hulbert. (H. P. 781) (L. D. 1014)

Reported that the same Ought to Pass.

Come from the House, the reports Read and Accepted and the Bills and Resolve Passed to be Engrossed.

Which reports were Read and accepted in concurrence, the Bills and Resolve Read Once and tomorrow assigned for Second Reading.

**Ought to Pass - as Amended**

The Committee on Health and Institutional Services on Bill, "An Act Increasing Compensation of Members of Board of Hair-dressers." (H. P. 227) (L. D. 283)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-104).

The Committee on Transportation on Bill, "An Act to Clarify Certain Motor Vehicle Laws." (H. P. 246) (L. D. 301)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-51).

The Committee on Business Legislation on Bill, "An Act Relating to Report of Insurance Companies of Fire Loss Adjustment to Insurance Commissioner." (H. P. 315) (L. D. 402)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-103).

The Committee on Legal Affairs on Bill, "An Act Relating to the City Charter of the City of Caribou, Authority of the City Council and Time of Elections in the City of Caribou." (Emergency) (H. P. 568) (L. D. 749)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-105).

The Committee on Legal Affairs on Bill, "An Act to Grant a Charter to the Town of Pittsfield." (H. P. 609) (L. D. 797)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-106).

The Committee on Legal Affairs on Bill, "An Act Providing for a Council-Manager Charter for the Town of Vassalboro." (H. P. 638) (L. D. 826)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-108).

Come from the House, the reports Read and Accepted and the Bills Passed to be Engrossed as Amended by Committee Amendments "A".

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

The Committee on Legal Affairs on Bill, "An Act Extending Time for Relocating of Maine Central Railroad Tracks in Livermore Falls," (Emergency) (H. P. 668) (L. D. 855)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-107).

Comes from the House, the report Read and Accepted and the Bill Passed to be Engrossed as Amended by Committee Amendment "A".

Which report was Read.

The PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Bernard.

Mr. BERNARD of Androscoggin: Mr. President, I move that Item 6-15 lie upon the table.

The PRESIDENT: The Senator from Androscoggin, Senator Bernard, moves that Item 6-15 lie on the table.

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr. President, would the Senator please assign a date? I request a division.

The PRESIDENT: As many as are in favor of the motion of the

Senator from Androscoggin, Senator Bernard, that Item 6-15, Bill, "An Act Extending Time for Relocating of Maine Central Railroad Tracks in Livermore Falls," be placed on the table will rise and remain standing until counted. Those opposed will rise and remain standing until counted.

A division was had. Twelve Senators having voted in the affirmative, and fourteen Senators having voted in the negative, the motion did not prevail.

Thereupon, on motion by Mr. Katz of Kennebec, tabled and specially assigned for Friday, March 28, 1969, pending Acceptance of the Committee Report.

#### Ought to Pass In New Draft

The Committee on Public Utilities on Bill, "An Act Adding Airport Facilities to the Revenue Producing Municipal Facilities Act." (Emergency) (H. P. 740) (L. D. 958)

Reported that the same Ought to Pass In New Draft Under Same Title. (H. P. 1080) (L. D. 1313)

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

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

#### Divided Report

The Majority of the Committee on Labor on Bill, "An Act Revising the State Board of Arbitration and Conciliation Law." (H. P. 437) (L. D. 561)

Reported that the same Ought to Pass.

(Signed:)

Sensors:

TANOUS of Penobscot  
PEABODY of Aroostook

Representatives:

HASKELL of Houlton  
HUBER of Rockland  
DURGIN of Raymond  
GOOD of Westfield  
CASEY of Baileyville

McTEAGUE of Brunswick  
BEDARD of Saco

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

(Signed:)

Senator:

BELIVEAU of Oxford

Comes from the House, the Majority Ought to Pass Report Read and Accepted and the Bill Passed to be Engrossed.

Which Reports were Read.

On motion by Mr. Beliveau of Oxford, tabled and tomorrow assigned, pending Acceptance of Either Report.

#### Divided Report

The Majority of the Committee on Labor on Bill, "An Act Relating to Compensation of the Panel of Mediators." (H. P. 691) (L. D. 891)

Reported that the same Ought to Pass.

(Signed:)

Sensors:

TANOUS of Penobscot  
PEABODY of Aroostook

Representatives:

HUBER of Rockland  
DURGIN of Raymond  
GOOD of Westfield  
CASEY of Baileyville  
McTEAGUE of Brunswick  
BEDARD of Saco  
HASKELL of Houlton

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

(Signed:)

Senator:

BELIVEAU of Oxford

Comes from the House, the Majority Ought to Pass Report Read and Accepted and the Bill Passed to be Engrossed.

Which Reports were Read.

On motion by Mr. Beliveau of Oxford, tabled and tomorrow assigned, pending Acceptance of Either Report.

#### Divided Report

Five members of the Committee on Taxation on Bill, "An Act Relating to Tax on Pari-Mutuel Pools on Harness and Running Horse Racing." (H. P. 417) (L. D. 528)

Reported in Report "A" that the same Ought to Pass in New Draft Under Same Title. (H. P. 1086) (L. D. 1331)

(Signed:)

Senators:

WYMAN of Washington  
MARTIN of Piscataquis

Representatives:

HARRIMAN of Hollis  
FORTIER of Rumford  
ROSS of Bath

Five members of the same Committee on the same subject matter reported in Report "B" that the same Ought Not to Pass.

(Signed:)

Senator:

HANSON of Kennebec

Representatives:

SUSI of Pittsfield  
COTTRELL of Portland  
DRIGOTAS of Auburn  
WHITE of Guilford

Comes from the House, Report "B" Ought Not to Pass Read and Accepted.

Which Reports were Read.

On motion by Mr. Wyman of Wahington, tabled and specially assigned for March 26, 1969, pending Acceptance of Either Report.

**Senate  
Ought Not to Pass**

Mr. Tanous for the Committee on Legal Affairs on Bill, "An Act Relating to Operating a Motor Vehicle Without a License." (S. P. 336) (L. D. 1134)

Reported that the same Ought Not to Pass.

Which report was Read and Accepted.

Sent down for concurrence.

**Ought to Pass**

Mr. Conley for the Committee on Legal Affairs on Resolve to Change the Name of Plantation 33, Hancock County, to Great Pond Plantation. (S. P. 268) (L. D. 906)

Reported that the same Ought to Pass.

Mr. Katz for the Committee on Education on Bill, "An Act Relating to Administration of School Lunch Programs." (S. P. 202) (L. D. 611)

Reported that the same Ought to Pass.

Mr. Stuart for the Committee on Education on Bill, "An Act to

Clarify School Construction Aid for Certain Units." (Emergency) (S. P. 288) (L. D. 930)

Reported that the same Ought to Pass.

Mr. Katz for the Committee on Education on Bill, "An Act Authorizing the Acceptance of Gifts by School Administrative Districts." (S. P. 247) (L. D. 756)

Reported that the same Ought to Pass.

Which reports were Read and Accepted, the Bills and Resolve Read Once and tomorrow assigned for Second Reading.

**Second Readers**

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

**House**

Bill, "An Act Relating to Septic Tank and Cesspool Cleaners." (H. P. 685) (L. D. 884)

Which was Read a Second Time.

The PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Bernard.

Mr. BERNARD of Androscoggin: Mr. President, I would like Item 7-1 to lie upon the table, please.

The PRESIDENT: The Senator from Androscoggin, Senator Bernard, moves that Item 7-1 lie upon the table. Does the Senator care to assign a date?

The Chair recognizes the Senator from Kennebec, Senator Katz.

Thereupon, on motion by Mr. Katz of Kennebec, a division was had. No Senators having voted in the affirmative, and eighteen Senators having voted in the negative, the motion did not prevail.

On subsequent motion by Mr. Katz of Kennebec, tabled and tomorrow assigned pending Passage to be Engrossed.

Bill, "An Act Concerning the Riding of Bicycles." (H. P. 789) (L. D. 1012)

Which was Read a Second Time and Passed to be Engrossed in non-concurrence.

Sent down for concurrence.

**Senate**

Bill, "An Act Relating to Timely Mailing of Tax Reports and Returns." (S. P. 282) (L. D. 915)

Which was Read a Second Time and Passed to be Engrossed.  
Sent down for concurrence.

#### Senate - As Amended

Bill, "An Act Relating to Duties of Municipal Clerks." (S. P. 262) (L. D. 866)

Which was 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 Killing Rodents in Orchards. (H. P. 451) (L. D. 588)

An Act Authorizing the Attorney General to Seek Dissolution of Certain Corporations. (H. P. 656) (L. D. 843)

An Act Relating to Venue of Certain Corporate Court Actions. (H. P. 657) (L. D. 844)

An Act Relating to Consolidation of Corporations with Foreign Corporations. (H. P. 658) (L. D. 845)

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

#### Emergency

An Act to Increase the Borrowing Capacity of Richmond Utilities District. (H. P. 642) (L. D. 830)

This being an emergency measure and having received the affirmative votes of 26 members of the Senate, was Passed to be Enacted and, having been signed by the President, was by the Secretary presented to the Governor for his approval.

#### Emergency

An Act Relating to the Charter of the Van Buren Water District. (S. P. 273) (L. D. 911)

This being an emergency measure and having received the affirmative votes of 27 members of the Senate, was Passed to be Enacted and, having been signed by the President, was by the Secretary presented to the Governor for his approval.

#### Orders of the Day

The PRESIDENT: The Chair recognizes the Senator from Franklin, Senator Mills.

Mr. MILLS of Franklin: Mr. President, I move for reconsideration of our former action on Page 2 of the calendar, Item 6-3, by which we tabled unassigned the report of the Committee on Taxation on Bill, "An Act Repealing Liquor License Discounts," (H. P. 747) (L. D. 965). Having voted with the prevailing side, I move for reconsideration.

The PRESIDENT: The Senator from Franklin, Senator Mills, moves that the Senate now reconsider its action whereby Bill, "An Act Repealing Liquor License Discounts," was placed on the table.

The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY of Cumberland: Mr. President, a parliamentary inquiry: Is this motion in order?

The PRESIDENT: The Senate will be at ease for a few moments.

(Senate at Ease)

Called to order by the President.

The PRESIDENT: The Chair will rule on the parliamentary inquiry posed by the Senator from Cumberland, Senator Berry, that, under the rules of parliamentary law, the procedural motions, such as to recess, to lay on the table and to refer to committee, are not subject to reconsideration. The Chair would rule that the motion to reconsider was out of order.

The Chair recognizes the Senator from Franklin, Senator Mills.

Mr. MILLS of Franklin: Mr. President, under suspension of the rules, I would move to reconsider. I would move that the rules be suspended to reconsider our former action on Item 6-3.

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

Mr. KELLAM of Cumberland: Mr. President, is discussion in order here?

The PRESIDENT: The Senate will be in recess again for a moment.

(Senate at Ease)

Called to order by the President.

The PRESIDENT: In answer to the question of the Senator from Franklin, Senator Mills, the Chair would rule that, on an item of parliamentary procedure, you cannot suspend the rules on such an item. You may not suspend the rules to reconsider an action when it involves a matter of parliamentary procedure.

The Senate is proceeding under Orders of the Day.

The President laid before the Senate the first tabled and specially assigned matter:

Bill, "An Act Relating to Tuberculosis Sanatoriums." (H. P. 686) (L. D. 885)

Tabled — March 14, 1969 by Senator Cianchette of Somerset.

Pending — Passage to be Engrossed.

On motion by Mr. Cianchette of Somerset, retabled and specially assigned for Friday, March 28, 1969, pending Passage to be Engrossed.

The President laid before the Senate the second tabled and specially assigned matter:

Bill, "An Act to Provide for the Expunging of Certain Records of Arrest." (S. P. 223) (L. D. 663)

Tabled — March 18, 1969 by Senator Katz of Kennebec.

Pending — Passage to be Engrossed.

On motion by Mr. Beliveau of Oxford, retabled and tomorrow assigned pending Passage to be Engrossed.

The President laid before the Senate the third tabled and specially assigned matter:

HOUSE REPORT — Ought Not to Pass from the Committee on Judiciary on Bill, "An Act Relating to Mental Illness as a Ground for Divorce." (H. P. 471) (L. D. 625)

Tabled — March 19, 1968 by Senator Barnes of Aroostook.

Pending — Motion by Senator Quinn of Penobscot to Indefinitely Postpone Bill and Report.

On motion by Mr. Martin of Piscataquis, retabled and specially assigned for Wednesday, March 26, 1969, pending the motion by Mr.

Quinn of Penobscot to Indefinitely Postpone Bill and Report.

The President laid before the Senate the fourth tabled and specially assigned matter:

Bill, "An Act Relating to the Sale of Fireworks." (H. P. 284) (L. D. 360)

Tabled — March 20, 1969 by Senator Tanous of Penobscot.

Pending — Passage to be Engrossed.

On motion by Mr. Conley of Cumberland, retabled and specially assigned for Friday, March 28, 1969, pending Passage to be Engrossed.

The President laid before the Senate the fifth tabled and specially assigned matter:

SENATE REPORT — Ought Not to Pass from the Committee on State Government on Bill, "An Act to Provide for Disclosure of Compensation and Expenses of Legislative Counsel and Agents." (S. P. 303) (L. D. 996)

Tabled — March 20, 1969 by Senator Beliveau of Oxford.

Pending — Motion by Senator Mills of Franklin to Substitute Bill for the Report.

The PRESIDENT: The Chair recognizes the Senator from Franklin, Senator Mills.

Mr. MILLS of Franklin: Mr. President, addressing my remarks only to the timing of the proposed tabling motion, I would say that nobody has picked March 27th, next Thursday, so far today, and I do need a few more days to get this amendment ready. I, therefore, would move March 27th, Thursday, as a special assignment for this matter.

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Katz.

Thereupon, on motion by Mr. Katz of Kennebec, retabled and specially assigned for Thursday, March 27, 1969, pending the motion by Mr. Mills of Franklin to Substitute the Bill for the Report.

On motion by Mr. Duquette of York, the Senate voted to take from the table the twenty - second tabled and unassigned matter:



Bill, "An Act Closing the Military and Naval Children's Home and Disposing of the Property." (H. P. 757) (L. D. 977)

Tabled — March 20, 1969 by Senator Duquette of York.

Pending — Motion by Senator Dunn of Oxford to Reconsider Indefinite Postponement.

The PRESIDENT — The Chair recognizes the Senator from Oxford, Senator Dunn.

Mr. DUNN of Oxford: Mr. President, I would like to withdraw my motion for reconsideration.

The PRESIDENT: The Senator from Oxford, Senator Dunn, withdraws his motion for reconsideration.

The Chair recognizes the Senator from Sagadahoc, Senator Reed.

Mr. REED of Sagadahoc: Mr. President, having voted on the prevailing side, I would move that we reconsider our action whereby this bill was indefinitely postponed.

The PRESIDENT: The Senator from Sagadahoc, Senator Reed, moves that under suspension of the rules, the Senate reconsider its action whereby this bill was indefinitely postponed. Is this the pleasure of the Senate?

The motion prevailed.

The PRESIDENT: The Chair recognizes the same Senator.

Mr. REED: Mr. President, I now move that this bill be committed to the Committee on Health and Institutional Services in non-concurrence, and I would like to say that this in no way casts any reflection on the Committee on Appropriations and Financial Affairs. I think they have done an excellent job and I am sure they will continue to do one. I would also like to thank them for their cooperation on this particular move.

The PRESIDENT: The Senator from Sagadahoc moves that Bill, "An Act Closing the Military and Naval Children's Home and Disposing of the Property," (H. P. 757) (L. D. 977), be committed to the Committee on Health and Institutional Services in non-concurrence and sent down for concurrence. Is this the pleasure of the Senate?

The motion prevailed.

Sent down for concurrence.

On motion by Mr. Wyman of Washington, the Senate voted to take from the table the fifteenth tabled and unassigned matter:

HOUSE REPORTS — from the Committee on Taxation on Bill, "An Act Providing for Statement of Taxes and Other Assessments on Real Property." (H. P. 581) (L. D. 766) Majority Report, Ought to Pass in New Draft (H. P. 972) (L. D. 1153) Minority Report, Ought Not to Pass.

Tabled — March 19, 1969 by Senator Wyman of Washington.

Pending — Acceptance of Either Report.

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

Mr. WYMAN of Washington: Mr. President and Members of the Senate: To me this bill has merit. I signed the Ought to Pass Report on it, and I would like to see it enacted into law. However, I think we may as well face reality and, since it received a decisive defeat at the other end of the corridor, I see no useful purpose to be served by belaboring this further, so I move to accept the Ought Not to Pass Report.

The PRESIDENT: The Senator from Washington, Senator Wyman, moves that the Senate now accept the Minority Ought Not to Pass Report of the Committee. Is this the pleasure of the Senate?

The motion prevailed.

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

Mr. KATZ: Mr. President and Members of the Senate: Suddenly it is Spring. I notice it is snowing this morning, and we have a school subsidy bill for you to consider. It is being reported out on the Senate calendar Tuesday morning. Behind it will be the unanimous report of the Committee on Appropriations and a substantial majority report of the Committee on Education.

Of the six members of the Senate on the joint committee, five, Senator Sewall, Senator Duquette, Senator Dunn, Senator Stuart and myself, have signed the report. I understand that Senator Kellam and two other members of the

Committee on Education, all three of whom are from Portland, are considering signing a minority report.

I am sure that you will have substantial interest expressed over the weekend, and perhaps it is appropriate for me to take a moment of your time this morning to brief you as to exactly the direction we have followed. I want to assure you that we have tried hard, very, very hard indeed, to come out with an honest response to the challenge which confronts us. I think that all of you know that my one goal this winter has been to secure a bipartisan answer, and in that direction I have devoted most of my energies all winter long.

The print-out before you, entitled Report A - and I am not sure yet whether there will indeed be a Report B - dated March 20th, is the proposed distribution of state aid. I hope that when you do look for your community's name, and I am sure all of you are doing it now, that you will also look at a few of the other communities in the State and, because you are all statesmen with broad perspectives, you will consider the needs of the entire State.

We have proposed that the general subsidy be increased from the 36.7 million dollars of the current year to some 43.2 million dollars for the year ahead of us, 1969, an increase of some six and a half million dollars. Because some of this increase is already in the current services budget, which has been reported out by the Committee on Appropriations, and which we have had before us, it will mean something over 4.9 million dollars in additional funds which we will have to finance. It is again an honest response to what is almost an historic problem of our communities faced by the double jeopardy or the double pincers of rapidly increasing local costs for education and a radical change in state valuations.

You will notice that every community in the State will receive at least ninety percent of what they received last year, and most of them will receive substantially

more. To the right of Column 2 you will notice asterisks beside about seventy of our communities. If you will refer to the last two pages of this print-out, you will find that these are the communities which are receiving Federal impact money, the so-called 874 moneys, over and above State contributions. These communities are listed, and the amount of Federal moneys are indicated.

It is my understanding that there is some feeling here that if we do not adjourn until after July 1st that perhaps we don't have to pass out these moneys in addition. I have a personal feeling that it is a just and honest obligation and, whether this Legislature adjourns on May 15th or July 30th, that these moneys are due and payable.

Because of the modest amount of money which was available, we have limited all communities to a maximum increase of fifteen percent above their 1968 subsidies.

This legislation has been prepared to be effective for one year only, and I want to make it very, very clear that when this subsidy year runs out we shall revert back to existing law in every respect. And "every respect" means a State subsidy at a substantially lower figure based upon a \$290 per pupil allowance. It is very clear that there is a heavy burden still on us to live up to our responsibilities and direct our energies and abilities to drafting a new subsidy bill for the second year and thereafter.

In indicating this aid for one year only, the bill says that there is provision for adjustment of these figures by the State Board of Education because of increased enrollment due to private or parochial schools closing or because of new programs for handicapped children. I am very, very proud of one modest change we made in this, which is to increase in the case of handicapped children the amount of State support to three hundred percent of that of the average child.

The bill makes provision, and I think that this is significant and you should be clear on this, the bill makes provision that, upon passage of this bill, the legislative

bodies in the various towns or, in the case of the school districts, a school district meeting, must convene to review and to evaluate what to do with this revised amount of money; whether to put it into educational projects which they have cut because of previous fear, or to use it for the benefit of the taxpayer. In that respect the decision is a local one and, I think, very, very properly a local one.

Today is March 21st, and all over the State of Maine there are communities which have been waiting patiently for our decision. I think the time has come for us to move, and to move expeditiously, and I urge you to take these print-outs home and talk to your education people, talk to your constituents, and I would urge you to come back next week prepared to move forward with immediate consideration of our joint committee report.

Mr. Quinn of Penobscot was granted unanimous consent to address the Senate.

Mr. QUINN: Mr. President, through the Chair may I inquire of the Honorable Senator from Kennebec, Senator Katz, what the initials "CSD" signifies on some of the items in the margin?

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

Mr. KATZ: Mr. President, would you believe "Community School District"?

Mr. Beliveau of Oxford was granted unanimous consent to address the Senate.

Mr. BELIVEAU: Mr. President, I would like to inquire of the good Senator from Kennebec County as to what our reply should be to our constituents when we advise them that this program is for one year only and that at the end of the year we will revert to the present school subsidy of \$290 per pupil? Is it the intention of the good Senator that we are to return here again in a special session to pass on it, or do you intend to pass on it during this regular session?

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

Mr. KATZ: Mr. President, I think our course of action is very clear, that there is a responsibility on us to draft new legislation immediately after the passage of our first year subsidy bill. It is very heavy, and I can't think of anything more important facing us. I certainly would reject the notion of deferring anything until a special session.

Mr. KELLAM of Cumberland was granted unanimous consent to address the Senate:

Mr. KELLAM: Mr. President and Members of the Senate: Before any of the gentlemen of the Senate make too many decisions on this matter of school subsidy, I hope they will bear with me and examine the further print-out that I have had delivered to the front row and, I believe, to two or three at that end of the back row. Unfortunately, I have had a little difficulty receiving the printed material from the Department of Education on this matter. I have been working on this for what seems like forever trying to get a good comparison and honest presentation as to what the difference in opinion is between the good Senator from Kennebec and myself. I have secured just that number of print - outs this morning and I am in hopes that some more will be arriving shortly. If so, we will distribute them to you, and I hope to get them to the House so that they will have them for the weekend.

I beg your indulgence on this matter, but if you had seen me running around all day yesterday and the day before, trying to get this material prepared, you might have a little more sympathy or not.

I would like to discuss just briefly the matters that were presented to you by the speaker previous to myself. I have sponsored a bill on school subsidies and have been working on it ever since this session started. It is a good, honest, reform measure, and it deserves the consideration of this body. It

deserves passage and, I think that if we could study that bill and get enough time to look it over, I believe that the Legislature would see the merits of it. Unfortunately, it has been bottled up in committee while we hear about all the urgencies involved in getting legislation passed. This has irked me some, not so much that it upset me particularly, but it is a little bit irksome to prepare legislation and then have this dire urgency hanging over you all the time and yet nothing being accomplished. I had thought that an interim measure had been established with this body that could be supported by all here two weeks ago, and I believe if that compromise measure had been presented it would have been approved by the Legislature. Unfortunately, at the last minute it was not presented.

I have done the best I could to salvage what degree of honesty we can when preparing a measure of this kind, and have taken one issue from my original measure on which Senator Katz and I disagree and have had it prepared, and it will be presented to you as the other report. I believe they will be labeled "Majority Report" and "Minority Report" from the joint committee. The Minority Report has one-third of the membership of the Education Committee for supporters. What the difference in the two is that my report will carry out the laws of the State, will abide by the mandate of using the current valuation figures in computing the aid to be given to the school units.

The 1968 revaluation figures of some communities were higher than they had anticipated or, at least, higher than they hoped they would be and, since our school subsidy program is based upon the assessed valuations as reported by the Board of Equalization in our Tax Department, they do reflect themselves in the subsidy payments.

We have on the books the current law which will provide for a certain level of support for 1969. When you hear a great deal of discussion about the absolute urgency of hav-

ing a bill out right now, you may get the impression that nobody gets anything for 1969 unless we do something. This is not true, of course; the present law does work, and all school units would receive support for their school units. I have had the 1969 figures placed in the print - outs. The reason why they are four columns is so that everybody here will know just what the 1969 aid is, as well as what the 1968 was, what the proposal of the majority is, and what my proposal is.

What I basically wish to do is to continue some semblance of honesty in abiding by the law and using the current 1968 figures. This would be the 1968 valuation figures. The other report wishes to go back to 1966.

I think, before we make a decision on this matter, we should fully realize that if you can go back to 1966, the next year around you can go back to '64, '62 or '60, and the law does require that we use the current valuation figures. I am attempting to do that. On the Majority Report, if we build in this additional amount over 1968 for those units which would suffer a decline, that built - in addition would be facing us for the second year of the biennium. Certainly, if it is difficult to get a community to drop a little bit, it is going to be much more difficult to get them to drop a great deal.

My proposal would protect all of the communities in the State. They would all get at least 1969 aid. They would all get at least ninety percent of the 1968 aid. I believe it is a worth - while piece of legislation, a piece that doesn't hamper further consideration of the subsidy law. If we adopt the other report we are going to be digging a hole for ourselves, and which we can't look at anybody, and it may be a hole that we may not be able to climb out of for the second year of the biennium. I thank you very much for the opportunity to discuss this measure of difference between the two reports.

The Adjournment Orders having been returned from the House,

Read and Passed in concurrence, March 25, 1969, at 10 o'clock in  
on motion by Mr. Katz of Kenne- the morning.  
bec, adjourned until T u e s d a y ,