

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

Tuesday, April 15, 1969

Senate called to order by the President.

Prayer by Rev. Howard O. Hough of Falmouth.

Reading of the Journal of yesterday.

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

Joint Order relative to restoration of building at the University of Maine campus in Portland. (S. P. 423)

In the Senate April 9, 1969, Read and Passed.

Comes from the House, Indefinitely Postponed, in non-concurrence.

On motion by Mr. Kellam of Cumberland, tabled and specially assigned for April 17, 1969, pending consideration.

Non-concurrent Matter

Bill, "An Act Relating to Licensing of Ambulance Service, Vehicles and Personnel." (S. P. 263) (L. D. 867)

In the Senate March 20, 1969, Passed to be Engrossed as Amended by Committee Amendment "A".

Comes from the House, Recommended to the Committee on Health and Institutional Services in non-concurrence.

On motion by Mr. Stuart of Cumberland, the Senate voted to Recede and Concur.

Non-concurrent Matter

Bill, "An Act to Appropriate Moneys for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1970 and June 30, 1971. (Emergency) (S. P. 372) (L. D. 1232)

In the Senate March 14, 1969, Passed to be Engrossed.

Comes from the House, Passed to be Engrossed as Amended by House Amendment "A" (H-172), in non-concurrence.

On motion by Mr. Katz of Kennebec, the Senate voted to Recede and Concur.

Non-concurrent Matter

Resolve, Proposing an Amendment to the Constitution Repealing the Provisions Which Establish the Treasurer of State as a Constitutional Officer. (H. P. 14) (L. D. 14)

In the House March 25, 1969, Finally Passed.

In the Senate, April 9, 1969, Indefinitely Postponed, in non-concurrence.

Comes from the House, that Body Having Insisted.

On motion by Mr. Katz of Kennebec, the Senate voted to Adhere.

Non-concurrent Matter

Bill, "An Act Relating to Open Season on Partridge or Grouse and Pheasant." (H. P. 330) (L. D. 439)

In the House April 1, 1969, Passed to be Engrossed.

In the Senate April 8, 1969, Passed to be Engrossed as Amended by Senate Amendment "A", in non-concurrence.

Comes from the House, that Body Having Insisted.

On motion by Mr. Anderson of Hancock, the Senate voted to Insist and Request a Committee of Conference.

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

Senators:

ANDERSON of Hancock
MOORE of Cumberland
HOFFSES of Knox

Non-concurrent Matter

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

In the House March 28, 1969, Passed to be Enacted.

In the Senate April 10, 1969, Indefinitely Postponed in non-concurrence.

Comes from the House, that Body Having Insisted.

Mr. Quinn of Penobscot moved to Adhere.

On motion by Mr. Katz of Kennebec, tabled until later in today's session, pending the motion by Mr. Quinn of Penobscot to Adhere.

Communications

State of Maine
House of Representatives
Office of the Clerk
Augusta, Maine

April 11, 1969

Honorable Jerrold B. Speers
Secretary of the Senate
104th Legislature
Sir:

The Governor of the State having returned to the House:

"An Act Repealing Certain Procedure for Registration of Voters" (H. P. 628) (L. D. 816) with his objections to the same, the House proceeded to vote on the question

"Shall the Bill become a law notwithstanding the objections of the Governor?"

A yea and nay vote was taken; 80 members voted in the affirmative and 60 in the negative, and accordingly the Bill failed to become a law and the veto was sustained.

Respectfully,
s BERTHA W. JOHNSON
Clerk of the House

Which was Read and Ordered Placed on File.

**Committee Reports
House**

Leave to Withdraw

The Committee on Education on Bill, "An Act to Provide Relief for 'Municipal Overburden' in Educational Costs in Maine Municipalities." (H. P. 459) (L. D. 596)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the report Read and Accepted.

Which report was Read and Accepted in concurrence.

Ought Not to Pass

The Committee on Highways on Bill, "An Act Relating to Reimbursement of Fuel Tax for Miles Traveled on Maine Turnpike." (H. P. 371) (L. D. 511)

Reported that the same Ought Not to Pass.

On motion by Mr. Duquette of York, tabled and specially assigned for April 21, 1969, pending Acceptance of the Committee Report.

The Committee on State Government on Bill, "An Act Relating to Police Officers of Indian Tribes." (H. P. 393) (L. D. 503)

Reported that the same Ought Not to Pass.

The Committee on State Government on Bill, "An Act Relating to Cutting of Brown Ash by Indians." (H. P. 644) (L. D. 832)

Reported that the same Ought Not to Pass.

The Committee on Labor on Bill, "An Act Revising the Employment Security Law Providing for an Executive Director." (H. P. 897) (L. D. 1158)

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 Legal Affairs on Bill, "An Act Amending the Liability of Landowners Law." (H. P. 735) (L. D. 953)

Reported that the same Ought to Pass.

The Committee on Highways on Bill, "An Act to Study Desirability of Extending Route 161 from St. Francis to Canada." (H. P. 928) (L. D. 1189)

Reported that the same Ought to Pass.

The Committee on Legal Affairs on Bill, "An Act Amending the Charter of Portland Relating to Title of Chairman of the City Council." (H. P. 998) (L. D. 1300)

Reported that the same Ought to Pass.

(On motion by Mr. Conley of Cumberland, tabled and specially assigned for April 23, 1969, pending Acceptance of the Committee Report.)

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

Which reports were Read and, except for the tabled matter, Accepted in concurrence, the Bills Read Once and tomorrow assigned for Second Reading.

Ought to Pass - As Amended

The Committee on Natural Resources on Bill, "An Act Relating

to Outdoor Advertising." (H. P. 670) (L. D. 861)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-156).

Which report was Read.

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

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: Speaking to the motion, I would like to say that there has been considerable activity in proposing amendments to this Bill. In the interest of Legislative progress, I would suggest that this bill be moved to the engrossing stage, at which time it could be tabled for full consideration and such amendments the Senate might offer.

Thereupon, the Ought to Pass Report of the Committee was Accepted in concurrence. Committee Amendment "A", Filing No. H-156, was Read and Adopted in concurrence and the Bill, as Amended, tomorrow assigned for Second Reading.

The Committee on Inland Fisheries and Game on Bill, "An Act Relating to the Camptrip Leader's Permit Under Fish and Game Laws." (H. P. 814) (L. D. 1053)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-160).

The Committee on Natural Resources on Bill, "An Act Establishing a Scenic Highway Board." (H. P. 837) (L. D. 1075)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-161).

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 Towns and Counties on Bill, "An Act Relating

to County Inventory of Property and Bids." (H. P. 650) (L. D. 838)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-157).

Comes from the House, the report Read and Accepted and the Bill Passed to be Engrossed as Amended by Committee Amendment "A" as Amended by House Amendment "A" (H-169) thereto.

Which report was Read and Accepted in concurrence and the Bill Read Once. Committee Amendment "A" was Read, and House Amendment "A" to Committee Amendment "A" was Read.

Thereupon, on motion by Mr. Beliveau of Oxford, tabled and tomorrow assigned, pending Adoption of House Amendment "A" to Committee Amendment "A".

The Committee on Natural Resources on Bill, "An Act to Prevent the Pollution of the Waters of China Lake." (H. P. 704) (L. D. 904)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-124).

Comes from the House, the report Read and Accepted and the Bill Recommended to the Committee on Natural Resources.

Which report was Read, and the Bill Recommended to the Committee on Natural Resources in concurrence.

Ought to Pass in New Draft

The Committee on Highways on Bill, "An Act Relating to Relocation Assistance in State Highway Projects." (H. P. 91) (L. D. 100)

Reported that the same Ought to Pass In New Draft. (H. P. 1118) (L. D. 1438)

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

Which report was Read.

The PRESIDENT: Is it the pleasure of the Senate to Accept the Ought to Pass Report of the Committee?

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr. President, I hadn't noticed this bill

before; it seems to be major legislation. I wonder if somebody on the Committee would explain it to the Senate.

The PRESIDENT: The Chair recognizes the Senator from Waldo, Senator Greeley.

Mr. GREELEY of Waldo: Mr. President, this bill just meets Federal requirements. If this is passed as an emergency measure, as I understand it, the Federal Government will pay all the extra cost from the time that the bill is passed to July 1, 1970. Then after that it comes out of the project. This pertains mostly to Interstate Highways.

Thereupon, the Ought to Pass Report of the Committee was Accepted in concurrence, the Bill in New Draft Read Once and tomorrow assigned for Second Reading.

Senate
Ought Not to Pass
Covered by Other Legislation

Mr. Hoffses for the Committee on Inland Fisheries and Game on Bill, "An Act Relating to Open Season on Muskrat in Somerset County." (S. P. 81) (L. D. 237)

Reported that the same Ought Not to Pass, Covered by Other Legislation.

Which report was Read and Accepted.

Sent down for concurrence.

Ought Not to Pass

Mr. Duquette for the Committee on Retirements and Pensions on Bill, "An Act Including Teacher Assistants and Aides Under State Retirement System." (S. P. 252) (L. D. 792)

Reported that the same Ought Not to Pass.

Mr. Hoffses for the Committee on Inland Fisheries and Game on Bill, "An Act Relating to Qualifications for Appointment as Commissioner of Inland Fisheries and Game." (S. P. 388) (L. D. 1292)

Reported that the same Ought Not to Pass.

Which reports were Read and Accepted.

Sent down for concurrence.

Ought to Pass

Mr. Cianchette for the Committee on Retirements and Pensions on Bill, "An Act Relating to Death Benefits before Retirement Under State Retirement System." (S. P. 175) (L. D. 576)

Reported that the same Ought to Pass.

Mr. Anderson for the Committee on Sea and Shore Fisheries on Bill, "An Act to Authorize the Commissioner of Sea and Shore Fisheries and the Commissioner of Inland Fisheries and Game to Manage Alewife Fishing Where No Rights Have Been Granted to Others or Where Municipalities Fail to Act." (S. P. 277) (L. D. 872)

Reported that the same Ought to Pass.

Mr. Anderson for the Committee on Sea and Shore Fisheries on Bill, "An Act Relating to Closed Season and Minimum Size of Atlantic Salmon." (S. P. 278) (L. D. 873)

Reported that the same Ought to Pass.

Mr. Hanson for the Committee on Retirements and Pensions on Bill, "An Act Relating to Retirement Allowance for Participating Local District Employees and Prior Service Credit for Municipal Employees." (S. P. 382) (L. D. 1296)

Reported that the same Ought to Pass.

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

Ought to Pass - As Amended

Mr. Martin for the Committee on Inland Fisheries and Game on Resolve Permitting Ice Fishing on Second Chase Lake, Aroostook County. (S. P. 296) (L. D. 1001)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-76).

Which report was Read and Accepted and the Bill Read Once. Committee Amendment "A" was Read and Adopted and the Bill, as Amended, tomorrow assigned for Second Reading.

**Ought to Pass
In New Draft**

Mr. Hoffses for the Committee on Inland Fisheries and Game on Bill, "An Act Pertaining to Live Bait Dealers." (S. P. 332) (L. D. 1131)

Reported that the same Ought to Pass in New Draft Under Same Title. (S. P. 432) (L. D. 1441)

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

Divided Report

The Majority of the Committee on Inland Fisheries and Game on Bill, "An Act Regulating Sunday Hunting." (S. P. 347) (L. D. 1213)

Reported that the same Ought Not to Pass.

Signed:

Senators:

ANDERSON of Hancock
HOFFSES of Knox

Representatives:

LEWIN of Augusta
THOMPSON of Belfast
PORTER of Lincoln
KELLEY of Southport
ROCHELEAU of Auburn

The Minority of the same Committee on the same subject matter reported that the same Ought to Pass.

Signed:

Senator:

MARTIN of Piscataquis

Representative:

BOURGAIN of Fort Kent

Which reports were Read.

On motion by Mr. Hoffses of Knox, the Majority Ought Not to Pass Report of the Committee was Accepted.

Sent down for concurrence.

Second Readers

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

House

Bill, "An Act Relating to Sick Leave Under Lewiston City Charter." (H. P. 1116) (L. D. 1435)

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

Bill, "An Act to Revise Ballot Inspection and Recount Procedures

Under the Maine Election Laws" (H. P. 1114) (L. D. 1433).

Which was Read a Second Time.

The PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Beliveau.

Mr. BELIVEAU of Oxford: Mr. President and Members of the Senate: I have examined this document for the first time this morning, L. D. 1433. Apparently this revises our election laws regarding or relating to ballot inspection and also increases the fees the candidate or losing candidate must pay in the event that he requests a recount. I am particularly concerned with the language in Section 1, which states that, "Such inspection must be of a reasonable duration and may not be used for harassment, assessment of ballot splitting, or other purpose not relating to determination of whether the ballots were counted in a proper and lawful manner." My concern is who is going to make this determination? Who will exercise, who will have the right to make a judgment as to whether or not a particular candidate is requesting a ballot inspection for harassment or doing it solely for the purpose of harassing his opponent or others? I would like some member of the committee to explain the need and reason for this language, please.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr. President, this bill was presented because of the concern of a couple of legislators through personal experience. The committee wrestled with it and there wasn't any debate in view of the unanimity of opinion. There was some feeling that by using the word "harassment" it could discourage the individual, the losing candidate, from fighting a cause that apparently was lost. The raising the fees is along the same line. It is not a monumental bill but I think there was a question more of good faith in this than anything else.

Thereupon, on motion by Mr. Beliveau of Oxford, tabled and specially assigned for April 17, 1969, pending Passage to be Engrossed.

Senate

Bill, "An Act Relating to Expenses of State Liquor Commission." (S. P. 152) (L. D. 433)

Bill, "An Act Revising the Form of New Bonds and the Procedure for Cremation of Old Bonds." (S. P. 362) (L. D. 1226)

(On motion by Mr. Mills of Franklin, temporarily set aside).

Bill, "An Act Revising the State Purchasing Law." (S. P. 430) (L. D. 1440)

Which were Read a Second Time and, except for the matter set aside, Passed to be Engrossed.

Sent down for concurrence.

The PRESIDENT: On the matter previously set aside at the request of Senator Mills of Franklin, Bill, "An Act Revising the Form of New Bonds and the Procedure for Cremation of Old Bonds" (S. P. 362) (L. D. 1226), the Chair now recognizes that Senator.

Mr. MILLS of Franklin: Mr. President and Members of the Senate: I am a little disturbed by the terminology here. I know we have got a lot of respect for bonds and securities, but I thought that cremation pertained only to funeral services. I looked it up in the dictionary and do find it is appropriate, but I think it is a misnomer. I think it would be better to come right out and say "burning of the old bonds." It isn't the responsibility of the sponsor of the bill either, whom I respect very much, because I see it carries over in the old statutes. They have a ceremony that comes near to being a funeral, sort of, for these bonds, so I suppose that is where they picked up the language, because they have to get together several State officials, the Treasurer of the State, the Commissioner of Finance and Administration and the State Auditor, and they conduct a ceremony and burn the old bonds, but they cremate them. It is the first time I have known of

their using that expression except in connection with a funeral ceremony.

There have been a number of suggestions come to the Committee that I am on about the errors and omissions bill, and I won't try to hold this bill up now, but it might be appropriate if in that errors and omissions bill, which comes along at the very last of the session, we substitute the word "burn" for "cremation."

This reminds me of the great man from Washington County many years ago, Justice Pattingall, who said that any Maine man would take off his hat to a twenty dollar bill. This looks as though we would cremate a bond rather than burn it. I think we ought to use the plain language, and perhaps we will try putting it into the errors and omissions bill later on.

The PRESIDENT: Is it now the pleasure of the Senate that this bill be passed to be engrossed?

Thereupon, the Bill was Passed to be Engrossed.

Sent down for concurrence.

Enactors

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

An Act Relating to Turn Signals. (H. P. 1059) (L. D. 1390)

Which 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 to Appropriate Moneys for the Expenditure of State Government for the Fiscal Year Ending June 30, 1969. (S. P. 219) (L. D. 660)

(On motion by Mr. Sewall of Penobscot, placed on the Special Appropriations Table.)

House Papers

Out of Order and under suspension of the rules, the Senate voted to take up the following papers from the House:

Bill, "An Act to Extend the Sales Tax to Barber and Beauty Shop Services." (Emergency) (H. P. 1125) (L. D. 1446)

Bill, "An Act to Extend the Sales Tax to Laundry and Dry Cleaning Services." (Emergency) (H. P. 1126) (L. D. 1447)

Bill, "An Act Providing for a Tax on Soft Drinks." (Emergency) (H. P. 1126) (L. D. 1448)

Bill, "An Act Increasing the Sales Tax and the Cigarette Tax and Removing the Sales Tax Exemption on Trade - in Credit for Vehicles." (Emergency) (H. P. 1128) (L. D. 1449)

Come from the House referred to the Committee on Taxation and Ordered Printed.

Which were referred to the Committee on Taxation and Ordered Printed in concurrence.

Orders of the Day

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

SENATE REPORT — Ought Not to Pass from the Committee on Inland Fisheries and Game on Bill, "An Act Relating to Lengthening the Open Season on Beaver by the Commissioner of Inland Fisheries and Game." (S. P. 79) (L. D. 239)

Tabled — April 10, 1969 by Senator Moore of Cumberland.

Pending — Acceptance of Report.

On motion by Mr. Hoffses of Knox, retabled and specially assigned for April 18, 1969, pending Acceptance of the Committee Report.

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

HOUSE REPORTS — from the 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) Report "A" Ought to Pass in New Draft Under Same Title (H. P. 1086) (L. D. 1331); Report "B", Ought Not to Pass.

Tabled — April 10, 1969 by Senator Wyman of Washington.

Pending — Motion by Senator Barnes of Aroostook to Accept the Report "B" Ought Not to Pass.

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

Mr. BARNES of Aroostook: Mr. President, I move the pending question.

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

Mr. WYMAN of Washington: Mr. President and Members of the Senate: I oppose the motion of the good Senator from Aroostook, Senator Barnes, because I feel that this redrafted bill does have merit.

The opponents of the bill say that the allocation of racing funds is complicated, and with this I agree. They also say that under the present law the raceways have prospered and are in the best condition in years, and with this I agree. However, we will all agree that the State is in desperate financial straits. We face an increase in the sales tax to five per cent. We face an elimination of the exemption allowed from the sales tax for automobile trade-ins. We face an increase in the cigarette tax, as well as other tax increases or new taxes.

Admittedly, the raceways will pay the increase in the sales tax on their purchases. I question if the proposed cigarette tax increase will affect them. I also question if the proposed elimination of the automobile trade-in tax would affect them to any great extent. Now, horse racing is a sport, a recreation and an amusement for those who attend, therefore, isn't it reasonable that this sport should contribute a bit more to the State in these difficult financial times?

It is estimated that this measure will return an additional \$150,000 to the State. It is my belief that we in the State need tax money badly enough to finance our schools, our mentally retarded, our handicapped, our elderly, and for other worthy purposes, so that the raceways, the most of which admittedly are prospering, should not object to helping out these worthy causes of State Government to this small extent. I hope the Senate will oppose the motion of the good Senator from Aroostook, and I ask for a division when the vote is taken.

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

Mr. BARNES of Aroostook: Mr. President and Members of the Senate: I am very reluctant to op-

pose the position taken by the good Senator from Washington, Senator Wyman.

I must say that as far as I am concerned, this Legislative Document 1331 is confusing and a little bit misleading. This bill, if passed, would repeal the purse supplement law which was passed back in 1961. The reason that bill was passed at that time was to encourage and to subsidize racing in the State of Maine, for the Legislature and others felt at that time that we were driving good quality race horses away from the State of Maine. Now, this bill was passed to help subsidize racing in the State of Maine, which has directly resulted in increased revenue to the State of Maine through our pari-mutuel betting. This bill in 1961, when it was passed, was supported not only by race organizations, but also by our small fairs by the Fair Association.

So this bill, if passed, may well result in a loss of revenue to the State. That is why it is misleading. Before the bill was passed in the year 1960 Maine received a total of \$380,000 as revenue from racing. Last year, in 1968, the State received in total revenues in excess of \$900,000, at no expense to the State taxpayers; nearly a 250 per cent increase. So, what looks like a saving may well result in a loss of revenue to the State.

Now, from these funds the fairs receive a considerable amount of money. In 1968, last year, the Fair Improvement Fund received \$100,000, and the Stipend Fund received over \$75,000. Now, these funds are used to help subsidize our small county fairs. This \$75,000 was part of a total of \$260,000 which the fairs paid in premiums to our 4-H boys and girls, to our Future Farmers, and to cattle exhibitors, sheep exhibitors, and so forth. If we repeal this law which was passed in '61, which this present bill attempts to do, we could jeopardize the position and the very existence of some of our small fairs. And I would like to remind some of the Senators here, the good Senator Reed, that we have two fairs in his area, Windsor and Union, both small fairs, and

it could very well legislate those little fairs out of existence. I would remind Senator Beliveau that we have the Oxford County Fair and Fryeburg. I would remind the good Senators from the Lewiston area that we have the Lewiston Fair; Senator Mills, the Farmington Fair; Senator Cianchette, we have the Skowhegan Fair; in my own area we have the Northern Maine Fair. These fairs all receive part of this money as stipend to help reimburse these 4-H Club kids, the Future Farmers and exhibitors. So, I say, that I think we ought to keep the status quo and keep these funds and this revenue coming to the State. Thank you very much.

The PRESIDENT: Is the Senate ready for the question? The question before the Senate is the motion of the Senator from Aroostook, Senator Barnes, that the Senate accept the Minority Ought Not to Pass Report of the Committee. A division has been requested.

As many as are in favor of accepting the Minority Ought Not to Pass Report of the Committee will rise and remain standing until counted.

A division was had. Twenty - two Senators having voted in the affirmative, and nine Senators having voted in the negative, the motion prevailed and the Minority Ought Not to Pass Report of the Committee was Accepted in concurrence.

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

HOUSE REPORT — Ought to Pass as Amended by Committee Amendment "A" Filing H-109 from the Committee on Business Legislation on Bill, "An Act Relating to Compensation of Electricians Examining Board and Membership and Compensation of Oil Burner Men's Licensing Board." (H. P. 505) (L. D. 676)

Tabled — April 10, 1969 by Senator Logan of York.

Pending — Acceptance of Report.

On motion by Mr. Logan of York, the Ought to Pass as Amended Report of the Committee was accepted in concurrence and the

Bill Read Once. Committee Amendment "A", Filing No. H-109, was Read and Adopted in concurrence and the Bill, as Amended, tomorrow assigned for Second Reading.

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

Bill, "An Act Relating to Secondary School Tuition." H. P. 373) (L. D. 482)

Tabled — April 11, 1969 by Senator Katz of Kennebec.

Pending — Passage to be Engrossed.

On motion by Mr. Katz of Kennebec, and under suspension of the rules, the Senate voted to reconsider its action whereby Committee Amendment "A" was adopted.

The same Senator then moved that Committee Amendment "A" be Indefinitely Postponed.

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

Mr. MILLS of Franklin: Mr. President, I have got a lot of faith in our good Republican Floor Leader, but I wish he would tell us what we are doing though.

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

Mr. KATZ of Kennebec: Mr. President, this has been on the table a couple of times and the proponents have not been completely satisfied with the phrasing of the Committee Amendment. The proponents who originally were responsible for Committee Amendment "A" now have Senate Amendment "A" ready for presentation, which accomplishes essentially that which they intended to do in the first place.

The PRESIDENT: Is it now the pleasure of the Senate to indefinitely postpone Committee Amendment "A"?

The motion prevailed

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

Mr. KATZ of Kennebec: Mr. President, I present Senate Amendment "A" and move its adoption. Unfortunately, this has

not had time to be reproduced, so I would hope somebody might table it pending reproduction.

The PRESIDENT: The Senator from Kennebec, Senator Katz, offers Senate Amendment "A" and moves its adoption.

The Chair recognizes the Senator from Knox, Senator Hoffses.

Thereupon, on motion by Mr. Hoffses of Knox, tabled and tomorrow assigned, pending Passage to be Engrossed.

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

HOUSE REPORT — Ought to Pass as Amended by Committee Amendment "A" Filing H-120 from the Committee on Transportation on Bill, "An Act Relating to Length of Certain Motor Vehicles." (H. P. 398) (L. D. 508)

Tabled — April 11, 1969 by Senator Levine of Kennebec.

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

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

Mr. LOGAN of York: Mr. President and Members of the Senate: Over the years I understand that this Legislature has been extremely friendly toward our very important trucking industry and we have given them concessions. I also understand that in the same period of time there has not been any really significant reduction in rates or other benefits to the shipping or motoring public that have accrued from this action.

I don't know the ins and outs of the competitive situation that everybody keeps telling me about, but I do know that as an individual motorist I find this legislation abhorrent. I don't feel that it is in the best interests of the State of Maine, and I don't feel that it is in the best interests of the motoring public. I would, therefore, move that reconsideration be indefinitely postponed.

The PRESIDENT: The Chair would inform the Senator that his motion is out of order. If the motion to reconsider fails then the bill is indefinitely postponed.

The Chair recognizes the Senator from Kennebec, Senator Levine.

Mr. LEVINE of Kennebec: Mr. President and Members of the Senate: After listening to my good friend, the Senator from York, Senator Logan, I have to disagree with him. This bill, if it passes, will help out the small business people in the State that are in the trucking industry. There is a fight now between two giants, the railroads and the trucking industry. The small man, the small businessman who runs his own business, or the small businessman that is in the trucking business in the State of Maine, would benefit greatly from this bill.

You have some commodities that are very light, and the gross weight now in the State of Maine is 73,000 pounds. If we accept this bill they will be able to haul some commodities that they can haul now because it is impossible for them. After they are loaded it would be 40,000 to 45,000 pounds—so it would be about 20,000 or 30,000 under the limit now.

As far as helping the State, it would definitely help the State of Maine because all the truckers, all the people in the State who own tractors and own trailers, they pay a very good tax to the State, they pay a good tax to the towns. We are all crying that we are short of money, and then when there is a chance for us to get additional revenue we are against it. I am not against the railroads and I am not against the trucking people. I feel that this bill would mainly help the small business people that do their own trucking and the small trucking companies that want to stay in business. Thank you.

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

Mr. LOGAN of York: Mr. President, I would request a division on the vote, please.

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

Mr. GORDON of Cumberland: Mr. President and Members of the Senate: The Transportation Committee labored hard and long on

this legislation and proposed an amendment for your consideration. It would appear to me that we should seriously consider this bill. The bill is reasonable, in my opinion. It would keep us abreast of our neighboring states. We could either extend the length of the trailer unit now to 60 feet, or we could provide the 55-foot length plus a 5-foot overhang. The Committee, as you recall, recommended that the length be extended to 60 feet, providing that the trailer box be no longer than 45. This would greatly assist the auto carriers.

I agree with the Senator from Oxford, Senator Beliveau, that trucks on the highway are a nuisance and annoying, and probably would prefer not to have them on our highways at all. In fact, I personally would prefer to have the highway all to myself, if possible. I don't think that we in Maine, with a fairly low per capita income, with a geographical location up in the corner of the nation with our cities and communities a great distance apart, with the economy of the State perhaps not all that we would like to have it, I don't think that we should apply too many restrictions to our trucking industry. I think that the trucking industry and the means by which we can bring our producers to and from a market would be in the best interests of the State and, therefore, I would hope that we would seriously consider this legislation. I would hope that we would reconsider and pass this. Thank you.

The PRESIDENT: Is the Senate ready for the question? As many as are in favor of the motion of the Senator from Oxford, Senator Beliveau that the Senate reconsider its action whereby Bill, "An Act Relating to Length of Certain Motor Vehicles," was indefinitely postponed will rise and remain standing until counted. All those opposed will rise and remain standing until counted.

A division was had. Fifteen Senators having voted in the affirmative, and sixteen Senators having voted in the negative, the motion to reconsider did not prevail.

On motion by Mr. Bernard of Androscoggin, the Senate voted to take from the table the ninth tabled and unassigned matter: Ought to Pass from the Committee on Election Laws on Bill, "An Act Relating to Political Committees and Political Advertising" (H. P. 684) (L. D. 883).

Tabled — March 20, 1969 by Senator Bernard of Androscoggin.

Pending — Acceptance of Report.

Thereupon, he Ought to Pass Report of the Committee was Accepted in concurrence, the Bill Read Once and tomorrow assigned for Second Reading.

The President laid before the Senate the matter tabled earlier in today's session by Mr. Katz of Kennebec, Bill, "An Act Relating to Compensation of the Panel of Mediators" (H. P. 691) (L. D. 891)

In the House March 28, 1969, Passed to be Enacted.

In the Senate April 10, 1969, Indefinitely Postponed in non-concurrence.

Comes from the House, that Body Having Insisted.

Thereupon, on motion by Mr. Katz of Kennebec, 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:

QUINN of Penobscot
HOFFSES of Knox
BELIVEAU of Oxford

On motion by Mr. Hoffses of Knox,

Adjourned until 10 o'clock tomorrow morning.