

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 24, 1969

Senate called to order by the President.

Prayer by Brigadier Alfred C. Davey of Augusta.

Reading of the Journal of yesterday.

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

Bill, "An Act Relating to Hunting and Fishing Licenses for Certain Maine Residents in Armed Forces." (H. P. 947) (L. D. 1125)

In the Senate April 9, 1969, Passed to be Engrossed in New Draft, in non - concurrence.

Comes from the House, Passed to be Engrossed in New Draft, as Amended by House Amendment "A" (H-195), in non - concurrence.

On motion by Mr. Hoffses of Knox, the Senate voted to Recede and Concur.

Non-concurrent Matter

Joint Order - S. P. 436 - Relative to Department of Banks reporting Bill re: Federal Consumer Credit Protection Act.

In the Senate April 17, 1969, Read and Passed.

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

On motion by Mr. Logan of York, the Senate voted to Recede and Concur.

Non-concurrent Matter

Bill, "An Act to Provide for Forfeiture of Vehicles Used to Transport Narcotics." (H. P. 734) (L. D. 952)

In the House April 4, 1969, Passed to be Engrossed.

In the Senate April 17, 1969, Indefinitely Postponed in non - concurrence.

Comes from the House, that Body having Insisted and Asked for a Committee of Conference.

On motion by Mr. Katz of Kennebec, the Senate voted to Insist and Join in a Committee of Conference.

Non-concurrent Matter

Bill "An Act Adding Services to Alcoholics and Drug Addicts to the Responsibilities of the Bureau of

Mental Health." (H. P. 629) (L. D. 817)

In the House April 15, 1969, Passed to be Engrossed as Amended by Committee Amendment "A" (H-152) as Amended by House Amendment "A" (H-182) thereto.

In the Senate April 16, 1969, Minority Ought Not to Pass Report Read and Accepted, in non - concurrence.

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

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

Mr. MINKOWSKY of Androscoggin: Mr. President and Members of the Senate: Without elaborating again in reference to L. D. 817, where alcoholic services will become the responsibility of Mental Health and Corrections, and the Senate having accepted the Minority Ought Not to Pass Report, I now move the Senate adhere.

The PRESIDENT: The Senator from Androscoggin, Senator Minkowsky, moves that the Senate now adhere to its former action. Is this the pleasure of the Senate.

The motion prevailed.

(See action later in today's session)

House Papers

Bill, "An Act to Authorize Bond Issues in the Amount of \$22,000,000 to Provide Funds for Foundation Program School Subsidies for the Period Beginning January 1, 1970 and Ending June 30, 1970 under the Revised Statutes, Title 20, Sections 3721 to 3724." (H. P. 1143) (L. D. 1467)

Comes from the House, referred to the Committee on Appropriations and Financial Affairs and Ordered Printed.

Which was referred to the Committee on Appropriations and Financial Affairs and Ordered Printed in concurrence.

Resolve Authorizing Payment of Personal Injury Claim of Mrs. Thomas Spillane from Prison Industries Account. (H. P. 1145) (L. D. 1469)

Comes from the House, referred to the Committee on Claims and Ordered Printed.

Which was referred to the Committee on Claims and Ordered Printed in concurrence.

Bill, "An Act to Change the Time of Apportionment of Educational Subsidies to Administrative Units." (H. P. 1144) (L. D. 1468)

Comes from the House, referred to the Committee on Education and Ordered Printed.

Which was referred to the Committee on Education and Ordered Printed in concurrence.

Communications

Maine State Commission on the Arts and the Humanities
146 State Street
Augusta, Maine

April 23, 1969

To the Honorable Senate and House of Representatives of the 104th Legislature

Transmitted herewith is the second biennial report of the Maine State Commission on the Arts and the Humanities. This report is submitted pursuant to Chapter 15, Title 27 of the Revised Statutes. It covers fiscal years 1968 and 1969 with projection through June 30, 1969.

The document is more than a report to the government of the state. In effect, it is a summary of the status of the arts and humanities in Maine. Other states are deeply interested in what Maine is doing in the field and the report was prepared in a format suitable for national distribution. We hope it will indicate by its content and its very appearance that the arts and humanities are an integral part of life in the State of Maine.

Respectfully submitted:
s LEONARD M. NELSON,
Chairman
s RICHARD D. COLLINS,
Executive Director
Maine State Commission on the Arts and the Humanities
(S. P. 442)

Which was Read and Ordered Placed on File.

Sent down for concurrence.

Committee Reports

House

Leave to Withdraw

The Committee on Sea and Shore Fisheries on Bill, "An Act Limiting Number of Lobster Traps Per Person." (H. P. 350) (L. D. 457)

Reported that the same be granted Leave to Withdraw.

The Committee on Sea and Shore Fisheries on Bill, "An Act Exempting Wholesale Dealers in Certain Instances from Possession of Illegal Length Lobsters." (H. P. 442) (L. D. 566)

Reported that the same be granted Leave to Withdraw.

Come from the House, the reports Read and Accepted.

Which reports were Read and Accepted in concurrence.

Ought Not to Pass

The Committee on Towns and Counties on Bill, "An Act to Place Full - time Deputy Sheriffs Under the Personnel Law." (H. P. 530) (L. D. 701)

Reported that the same Ought Not to Pass.

The Committee on Claims on Resolve, to Reimburse Calvin Clark of Jefferson for Well Damage by Highway Maintenance, (H. P. 594) (L. D. 775)

Reported that the same Ought Not to Pass.

The Committee on Legal Affairs on Bill, "An Act Relating to Sales of Beverages in Nonreturnable Bottles." (H. P. 1039) (L. D. 1364)

Reported that the same Ought Not to Pass.

Come from the House, the reports Read and Accepted.

Which reports were Read and Accepted in concurrence.

Ought to Pass

The Committee on State Government on Bill, "An Act Relating to Legislative Finance Office as Secretariat for Commission on Intergovernmental Relations." (H. P. 354) (L. D. 462)

Reported that the same Ought to Pass.

The Committee on Claims on Resolve, to Reimburse John P.

Kennedy of Vassalboro for Loss of Sika Deer by Dogs. (H. P. 801) (L. D. 1040)

Reported that the same Ought to Pass.

The Committee on Education on Bill, "An Act Relating to Closing of Private or Parochial Schools." (H. P. 804) (L. D. 1043)

Reported that the same Ought to Pass.

The Committee on Legal Affairs on Bill, "An Act to Amend the Charter of the City of Ellsworth." (H. P. 941) (L. D. 1202)

Reported that the same Ought to Pass.

The Committee on Legal Affairs on Bill, "An Act Relating to Elections in City of Biddeford." (H. P. 988) (L. D. 1272)

Reported that the same Ought to Pass.

The Committee on Legal Affairs on Bill, "An Act Relating to Fiscal Year for City of Biddeford." (H. P. 997) (L. D. 1299)

Reported that the same Ought to Pass.

The Committee on State Government on Bill, "An Act to Allow Interstate Commerce of Rifles and Shotguns Between Contiguous States." (H. P. 1006) (L. D. 1308)

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.

The Committee on Agriculture on Bill, "An Act Relating to Length of Time in Boarding Stray and Abandoned Dogs." (H. P. 205) (L. D. 255)

Reported that the same Ought to Pass.

Comes from the House, the report Read and Accepted and the Bill Passed to be Engrossed as Amended by House Amendment "A" (H-228).

The Committee on State Government on Bill, "An Act Relating to Reorganization and Revision of Public Rehabilitation Services." (H. P. 711) (L. D. 925)

Reported that the same Ought to Pass.

Comes from the House, the report Read and Accepted and the Bill Passed to be Engrossed as Amended by House Amendment "A" (H-236).

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

The Committee on Retirements and Pensions on Bill, "An Act Relating to Retirement Benefits for Call Firemen Under State Retirement System." (H. P. 834) (L. D. 1072)

Reported that the same Ought to Pass.

Comes from the House, the report Read and Accepted and the Bill Indefinitely Postponed.

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

Ought to Pass - As Amended

The Committee on Veterans and Military Affairs on Bill, "An Act Relating to Renewals of Certain Occupational Licenses by Veterans." (H. P. 250) (L. D. 305)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-222).

The Committee on Business Legislation on Bill, "An Act Revising the Savings and Loan Laws." (H. P. 314) (L. D. 401)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-217).

The Committee on Education on Bill, "An Act Relating to the Education of Blind Children." (H. P. 321) (L. D. 408)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-219).

The Committee on Claims on Resolve, to Reimburse George Burns of Cambridge for Well Damage by Highway Maintenance. (H. P. 544) (L. D. 723)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-218).

The Committee on Education on Bill, "An Act Relating to Military Leave of Absence of Teachers." (H. P. 626) (L. D. 814)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-220).

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

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

The Committee on Veterans and Military Affairs on Bill, "An Act Relating to Burial of Honorably Discharged Veterans." (H. P. 501) (L. D. 655)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-221).

Comes from the House, the report Read and Accepted and the Bill Passed to be Engrossed as Amended by Committee Amendment "A" (H-221) and House Amendment "A" (H-232).

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

Ought to Pass In New Draft

The Committee on Business Legislation on Bill, "An Act Relating to Maine National Life Insurance Company." (H. P. 851) (L. D. 1093)

Reported that the same Ought to Pass In New Draft. (H. P. 1139) (L. D. 1462).

The Committee on Education on Bill, "An Act Permitting the Maine School Building Authority Member from the Education Committee of the Legislature to Continue in Office until Replaced by a Qualified Successor." (H. P. 987) (L. D. 1271)

Reported that the same Ought to Pass In New Draft and With

New Title: "An Act Pertaining to the Maine School Building Authority." (H. P. 1140) (L. D. 1463)

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

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

Divided Report

The Majority of the Committee on Taxation on 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)

Reported that the same Ought to Pass in New Draft with New Title: Bill, "An Act Increasing the Sales Tax and the Cigarette Tax, removing the Sales Tax Exemption on Trade - in Credit for Vehicles and Providing for a Tax on Soft Drinks." (H. P. 1138) (L. D. 1458)

Signed:

Senators:

WYMAN of Washington

HANSON of Kennebec

Representatives:

FORTIER of Rumford

ROSS of Bath

SUSI of Pittsfield

WHITE of Guilford

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

Signed:

Senator:

MARTIN of Piscataquis

Representatives:

DRIGOTAS of Auburn

COTTRELL of Portland

HARRIMAN of Hollis

Comes from the House the Majority Ought to Pass in New Draft Report Read and Accepted, and the Bill in New Draft Passed to be Engrossed as Amended by House Amendment "A" (H-225).

Which reports were Read.

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

Mr. KATZ of Kennebec: Mr. President, I move acceptance of the Majority Ought to Pass Report of the Committee, and I would speak to my motion.

The PRESIDENT: The Senator from Kennebec, Senator Katz, moves the Senate accept the Majority Ought to Pass in New Draft Report of the Committee.

The Senator may proceed.

Mr. KATZ: Mr. President and Members of the Senate: I want to express my disappointment that this tax measure does not include any funding for the school subsidy bill which has been sitting here on the Appropriations Table for some weeks. I want to express my disappointment and my feeling that this is not the most responsible way that we could have met our needs as expressed by the cities and towns. Their town meetings are long since over, their district meetings are long since over, there was a challenge facing us and, by and large, we have not measured up to the challenge. However, Mr. President, I am delighted to see that we are going to finance apparently the current services and, therefore, I move the pending question.

The PRESIDENT: Is it now the pleasure of the Senate to accept the Majority Ought to Pass in New Draft Report of the Committee?

The Chair recognizes the Senator from Piscataquis, Senator Martin.

Mr. MARTIN of Piscataquis: Mr. President, I would request a division on that motion. I would like to express my opinion that I feel we should know what the Part II Budget is going to be before appropriating any funds for it. I request a division.

The PRESIDENT: The question before the Senate is the motion of the Senator from Kennebec, Senator Katz, that the Senate accept the Majority Ought to Pass in New Draft Report of the Committee.

The Chair recognizes the Senator from Sagadahoc, Senator Reed.

Mr. REED of Sagadahoc: Mr. President and Members of the Senate: I will be voting at this time for the passage of this tax. I hate

to disagree with my good seatmate here, the Senator from Piscataquis, Senator Martin, but I do feel on his comment - I will merely say that the bill will be given its first reading today, I would hope, and its second reading tomorrow, and over the week - end it could be passed to be engrossed and, therefore, it would be up possibly for enactment in the House on Tuesday. I would also assume from the way things look right now that we would know pretty much what the total package would be before this bill would be enacted. Therefore, I shall support the bill at this time.

The PRESIDENT: Is the Senate ready for the question? As many as are in favor of the motion of the Senator from Kennebec, Senator Katz, that the Senate accept the Majority Ought to Pass in New Draft Report of the Committee will rise and remain standing until counted. Those opposed will rise and remain standing until counted.

A division was had. Twenty - two Senators having voted in the affirmative, and seven Senators having voted in the negative, the motion prevailed and the Bill, in New Draft, was Read Once.

House Amendment "A", Filing No. H-225, was Read and Adopted in concurrence and the Bill, as Amended, tomorrow assigned for Second Reading.

Divided Report

The Majority of the Committee on State Government on Bill, "An Act Relating to Membership and Salary of State Liquor Commissioner." (H. P. 782) (L. D. 1015)

Reported that the same Ought Not to Pass.

Signed:

Senators:

WYMAN of Washington
LETOURNEAU of York

Representatives:

DONAGHY of Lubec
MARSTALLER of Freeport
STARBIRD, JR.

of Kingman Twsp.

DENNETT of Kittery

The Minority of the same Committee on the same subject matter

reported that the same Ought to Pass.

Signed:
Senator:

BELIVEAU of Oxford
Representatives:
RIDEOUT, Jr. of Manchester
D'ALFONSO of Portland
WATSON of Bath

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

Which reports were Read.

On motion by Mr. Wyman of Washington, the Majority Ought Not to Pass Report of the Committee was Accepted in concurrence.

Divided Report

The Majority of the Committee on Claims on Resolve, In Favor of Town of Harrington for Medical Care of an Indigent. (H. P. 543) (L. D. 722)

Reported that the same Ought to Pass.

Signed:
Senator:

LOGAN of York
Representatives:
SHELTRA of Biddeford
CURTIS of Bowdoinham
LINCOLN of Bethel
QUIMBY of Cambridge
MORGAN of South Portland

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

Signed:
Senators:

GORDON of Cumberland
QUINN of Penobscot
Representatives:
CROTEAU of Brunswick
MARQUIS of Lewiston

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

Which reports were Read.

Mr. Quinn of Penobscot moved Acceptance of the Minority Ought Not to Pass Report of the Committee.

Thereupon, on motion by Mr. Logan of York, tabled and tomorrow assigned, pending the motion by Mr. Quinn of Penobscot to

Accept the Minority Ought not to Pass Report of the Committee.

Divided Report

The Majority of the Committee on Education on Bill, "An Act Relating to Location of Schools and Size of School Projects." (H. P. 683) (L. D. 882)

Reported that the same Ought to Pass.

Signed:
Senators:

KATZ of Kennebec
KELLAM of Cumberland
Representatives:
RICHARDSON of Stonington
ALLEN of Caribou
WAXMAN of Portland
MILLETT of Dixmont
KILROY of Portland

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

Signed:
Senator:

STUART of Cumberland
Representatives:
CHICK of Monmouth
CUMMINGS of Newport

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

(See action later in today's session)

Divided Report

Five Members of the Committee on Education on Bill, "An Act Repealing Provision for Student Tuition in Coordination of Public Higher Education." (H. P. 408) (L. D. 519)

Reported in Report "A" that the same Ought to Pass.

Signed:
Senator:

KELLAM of Cumberland
Representatives:
CUMMINGS of Newport
WAXMAN of Portland
CHICK of Monmouth

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

Signed: Senators:

STUART of Cumberland

KATZ of Kennebec

Representatives:

KILROY of Portland

RICHARDSON of Stonington

ALLEN of Caribou

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

Which reports were Read, the Ought to Pass Report "A" of the Committee Accepted in concurrence, the Bill Read Once and tomorrow assigned for Second Reading.

Divided Report

The Majority of the Committee on Education on Bill, "An Act Permitting Bilingual Education," (H. P. 427) (L. D. 551)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-223).

Signed:

Senators:

STUART of Cumberland

KATZ of Kennebec

KELLAM of Cumberland

Representatives:

WAXMAN of Portland

KILROY of Portland

CUMMINGS of Newport

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

Signed:

Representatives:

RICHARDSON of Stonington

ALLEN of Caribou

MILLET of Dixmont

CHICK of Monmouth

Comes from the House, the Majority Ought to Pass as Amended Report Read and Accepted and the Bill Passed to be Engrossed as Amended by Committee Amendment "A" (H-223).

Which reports were Read.

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

Mr. BERRY of Cumberland: Mr. President and Members of the Sen-

ate: It is with considerable reluctance that I get up on this particular item. I number amongst my very good friends in the Legislature a great many of the people that we call Franco - Americans, and I do hope that my remarks will be taken in the spirit of friendship which I enjoy with them. I am going to move acceptance of the Ought Not to Pass Report, and I would like to give you my reasons:

Basically my concern is on the problem that we see to the north of us in the Province of Quebec, and this is really my only concern. I think it is a significant problem, it is a problem that we do not have in the State of Maine, and may the Lord forbid that we ever do have it. This may look like an innocent bill and perhaps it is, and I am sure it was introduced with good intentions, but anything of any nature that introduces devisive problems in our country and in our state, in my opinion, should be stopped before they begin.

I am not going to tell you in detail, of course, the many problems that the Province of Quebec faces. Bilingualism is a real, ever-present cross that these people have to bear in Quebec. It has led there to many things that I am sure under no circumstances could come here, but my concern is that it never get started.

The bill as proposed would provide in the kindergarten and early elementary years the facility for teaching other than the English language. We haven't even got the bill out when the amendment changes it to the first and second grades and I think, Mr. President and Members of the Senate, this dramatically illustrates my concern, and that is a tendency to creep and develop this theory of devisiveness.

There is probably no one more qualified, because of my friendly relations with my French background friends that I referred to, to bring this matter up, and I know they will appreciate that I do this from my heart and from sincere concern for the State of Maine that we should nip right here in the

beginning this problem. Certainly with all the special classes we have now in our education field, if there is a problem, it is easy and there is money available to set up classes to help children who need this guidance. I am sure this is possible.

The language in the bill would indicate that the Federal Government probably proposed such a facility to be set up in centers like New York City or Miami, Florida, where we have tremendous influxes of Spanish-speaking people, where the whole family can only speak their native tongue. This is not the situation in the State of Maine. I hope that you will support my motion.

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

Mr. STUART of Cumberland: Mr. President and Members of the Senate: I would like to just speak briefly and say that I think this is a good bill and tell you why. This bill is to enable a child to ease into speaking the English language, and we are talking about the first and second grade.

I can think back when I was in the second grade and, as I recall, it was a hard year, it was difficult. I don't know why, but it was. But what if I had never heard any English spoken in my family? That is really the problem. These children are coming to school, up in the northern part of our State particularly, never having heard a word of English spoken, and the teacher would like to be able, by using French, to ease them into speaking so they can learn to speak faster and better. I don't think we are in any danger of creating the kind of situation we have in Quebec, and I would hope that you would vote against the motion to accept the Minority Report.

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

Mr. VIOLLETTE of Aroostook: Mr. President and Members of the Senate: It is with a great deal of reluctance that I rise to speak on this matter, and yet I feel compelled to do so. I hope that I can

contain my emotions on the reasons given why this Legislature ought not to enact this bill.

I want to assure the members of the Senate that I come from an area that is predominantly of Franco-American descent, and I want to tell the members of the Senate here and now that there are no feelings of separatism and there are no feelings that are anti-American and are anti-State of Maine, or that are pro-separatist. It dismays me greatly, and again I feel so reluctant to have to tell the members of the Senate that I just cannot accept the reasons that were given here this morning as to why we should not enact this law.

I listen to the Canadian networks and I am familiar with all their problems, particularly the Province of Quebec, and I want to tell you here and now that whatever may be happening there has no relation to what is going on, at least here in the State of Maine, with regard to the Franco-American citizens of this State and of this Country.

I think this is a bill that has tremendous merit, and I ought to know because I can speak from experience. When I went to school about thirty years ago, I entered our schools and we started out only by speaking French in school. When I went to school I couldn't speak English. This was the practice then, and after we had been introduced into the schools and as we got up into the grades, then we learned the English language. The English language is the language of the United States, we all recognize it, and I certainly would not be part of saying that any part of our own country ought to have as their language or that the official language of our country ought to be anything but English. But we have come full circle, Mr. President and Members of the Senate, we have come full circle, and how best to integrate into our schools and to learn the English language and to learn to be educated, the processes of starting out children in school who do not have the basic ability to speak or

to understand English? I wish it were not so, and I make no apologies for my language and I cherish it very greatly. It may well be that I may even have an advantage over even a lot of our Franco-Americans today who have lost the ability to speak their own language. And we see so many of our English-speaking people spending large sums of money in order to be able to learn this language, or any other foreign language, because it enhances their cultural level.

But getting back to the problem more at point, we do have, still have today, a large number of our own children in my part of the State whose parents do not speak English and, consequently, the children do not speak English. We have had a constant immigration of families from the Canadian provinces, and these children also have not learned the English language. These children, when they get into school, simply are not educationally or culturally capable of beginning their education strictly in the English language, and it is a barrier that many are not able to overcome. So, we have come full circle, and what is the best system of starting out our children who do have these language barriers?

Thirty years ago they were starting us in the French language, and then on to English, and some of us didn't do too badly on this kind of a system. After a while it was felt that in order to further Americanize the Franco-American people in our own State and in our own schools, even our own people felt that we should drop the French entirely. But this has not been successful, because you simply cannot overcome this barrier that the children have in coming to kindergarten, coming into the first grade, from families who cannot speak English, and these children cannot be started out strictly on English. This has been recognized, Mr. President and Members of the Senate, in other parts of our country. In the areas of Texas and the western areas that have large populations of Mexican-Americans it has be-

come recognized, and in certain other parts of our country that in the last several years have had large influxes of Puerto Rican people. They have come to recognize that if you can mix up, start them out where they do not have this emotional barrier and this emotional strain of having to try to begin the educational process in a language that is alien and unfamiliar to them, it has been recognized that in starting them out with a mixture of their own language so they can understand and can communicate with the teachers and other students, that this is perhaps the best way of starting out. This is the reason, and the only reason, why this bill has been introduced.

I am familiar with this bill because I recognize the problems that we have in our own part of the State. I will say no more on this, Mr. President, but I do want to reassure the members of the Senate that as a Franco-American there is no element in our people today that says that any one of us are interested in a separatist movement or that we have such tendencies, or that this bill would even begin, would even begin, to even start such a trend.

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

Mr. KELLAM of Cumberland: Mr. President and Members of the Senate: I just wanted to point out one factor here which I think my brother from Cumberland might have misinterpreted in this amendment of the committee. This amendment and the bill itself is merely designed to allow a gradual change-over for those little youngsters who are starting in the first grade and have had predominantly a foreign language spoken in their surroundings prior to that time. So I would think that this body should allow these children to have a little more gradual learning process and permit them to learn as I am sure we want all our children to learn.

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

Mr. MILLS of Franklin: Mr. President and Members of the Senate: The only trouble, it seems to me, with this bill and the amendment is that it is too insular in character. I think that the more progress we make toward the studying of foreign languages in our schools, and whether it is in concentrated areas where another language than English is spoken or not, is all to the good. I think the great advantage that the European peoples have over us is that they are bilingual and speak several languages.

I have a little girl who just turned nine years old, and she came home the other day with a book on the studying of German, and she was very fascinated with picking up the German language, and it is so easy for them at that age. I think it is one of the things that we are missing in our school system in broadening our curriculum, that we are not getting the languages into the lower grades. I regret to see this amendment go on to restrict it. I wish that this act weren't restricted to these areas of high concentrations of children from non-English speaking families, because if there is any federal money that could in some way be used in the other areas of the State to promote foreign languages in the lower grades I think it would be greatly to our advantage. I can't think of anything that promotes international relations better, and in the end promotes world peace, any more than an acclimation in the language and the studies and cultures of our neighbors all over the world. It is becoming so important, as people travel so much for their education and for business, that we do concentrate in that area. I certainly hope that this bill, even as amended, will be adopted.

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

Mr. BARNES of Aroostook: Mr. President and Members of the Senate: I did not intend to rise and speak on this. Back in 1960 I had the privilege and the opportunity to spend eleven days behind the

iron curtain in the U.S.S.R.. One of the interesting things that I noted as we traveled along the streets in the cities of Russia, and we met some of the youngsters, eight, ten and twelve years old, they could all speak almost perfect English. I found, after investigation, that the teaching of English in their schools in Russia was compulsory. These children made us feel at home over there. They were the ones who were our greatest hosts. So, I think that this bill has a lot of merit on the basis of what I experienced there.

I also come from the northern part of the State and I am well aware of the situation up there in the St. John River Valley area, and I wholly concur with the thoughts expressed by my good friend and colleague, Senator Violette. So, I am in favor of this bill and I am opposed to the motion.

The PRESIDENT: Is the Senate ready for the question? The pending question before the Senate is the motion of the Senator from Cumberland, Senator Berry, that the Senate accept the Minority Ought Not to Pass Report on Bill, "An Act Permitting Bilingual Education." As many as are in favor of accepting the Minority Ought Not to Pass Report of the Committee will say "Yes"; those opposed, "No."

A viva voce vote being taken, the motion did not prevail.

Thereupon, the Majority Ought to Pass Report of the Committee was Accepted in concurrence and the Bill Read Once.

Committee Amendment "A", Filing No. H-223, was Read and Adopted in concurrence and the Bill, as Amended, tomorrow assigned for Second Reading.

Senate Ought Not to Pass

Mr. Tanous for the Committee on Legal Affairs on Bill, "An Act Requiring the Registration of Real Estate Subdivisions." (S. P. 313) (L. D. 1140)

Reported that the same Ought Not to Pass.

Which report was Read and Accepted.

Sent down for concurrence.

Ought to Pass

Mr. Mills for the Committee on Judiciary on Bill, "An Act to Provide that nine Jurors May Return a Verdict in Civil Suits." (S. P. 88) (L. D. 278)

Reported that the same Ought to Pass.

Mr. Tanous for the Committee on Legal Affairs on Bill, "An Act Relating to Maine Babe Ruth Baseball, Inc." (S. P. 426) (L. D. 1426)

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. Hanson for the Committee on Sea and Shore Fisheries on Bill, "An Act to Correct Errors and Inconsistencies in the Public Laws Relative to Sea and Shore Fisheries." (S. P. 71) (L. D. 193)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-94).

Mr. Quinn for the Committee on Judiciary on Bill, "An Act Relating to Pecuniary Damages in Actions for Injuries Causing Death of a Minor." (S. P. 86) (L. D. 249)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-96).

Mr. Quinn for the Committee on Bill, "An Act Relating to Cost of Replacement Motor Vehicles as Damages in Civil Actions." (S. P. 87) (L. D. 250)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-97).

Mr. Kellam for the Committee on Education on Bill, "An Act Relating to Construction or Acquisition of School Buildings for Mentally Retarded Children." (S. P. 133) (L. D. 417)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-92).

Mr. Hanson for the Committee on Sea and Shore Fisheries on Bill, "An Act Relating to Operation of

Purse Seines Within Territorial Waters in Washington County." (S. P. 302) (L. D. 995)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-95).

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

Committee of Conference

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill, "An Act Relating to Open Season on Partridge or Grouse and Pheasant." (H. P. 330) (L. D. 439)

Ask leave to report that the House Recede and Concur with the Senate in passing the Bill to be Engrossed as Amended by Senate Amendment "A".

On the part of the Senate:

ANDERSON of Hancock

MOORE of Cumberland

HOFFSES of Knox

On the part of the House:

LEWIN of Augusta

KELLEY of Southport

MARSTALLER of Freeport

Which report was Read and Accepted.

Sent down for concurrence.

Second Readers

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

House

Bill, "An Act Creating the Harrison Water District." (Emergency) (H. P. 867) (L. D. 1109)

Bill, "An Act Increasing Certain Fees for the Secretary of State's Office." (H. P. 910) (L. D. 1171)

Resolve, Changing the Name of Mud Pond in Oxford County to Twilight Pond. (H. P. 968) (L. D. 1250)

Bill, "An Act Setting off a Portion of the Town of Perry to the State of Maine for the Pleasant Point Reservation." (H. P. 1058) (L. D. 1389)

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

House - As Amended

Bill, "An Act Relating to the Wearing of Fluorescent Clothing When Hunting." (H. P. 61) (L. D. 63)

Bill, "An Act Increasing Borrowing Capacity of Waldoboro Sewer District." (Emergency) (H. P. 535) (L. D. 706)

Bill, "An Act Relating to Guarantees by Corporations." (H. P. 592) (L. D. 773)

Bill, "An Act to Give the Commission of Veterans Services Power to Acquire Land by Eminent Domain." (Emergency) (H. P. 634) (L. D. 822)

Bill, "An Act to Expand the Purposes of the Portland Water District to Authorize it to Engage in Treatment and Disposal of Sewage." (H. P. 705) (L. D. 919)

Bill, "An Act to Reappropriate Balance of Appropriation for Vocational Building at the Mens Correctional Center." (Emergency) (H. P. 795) (L. D. 1036)

Bill, "An Act Providing for State Contribution to the Cooperative Soil Survey." (H. P. 904) (L. D. 1165)

Bill, "An Act Relating to School Attendance of Pupils Over Sixteen Years of Age." (H. P. 985) (L. D. 1269)

Which were Read a Second Time and passed to be Engrossed, as Amended, in concurrence.

Senate

Bill, "An Act Relating to Distribution of Malt Liquor." (S. P. 441) (L. D. 1464)

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

Sent down for concurrence.

Senate - As Amended

Bill, "An Act Repealing Right of Appeal from Decisions of Administrative Hearing Commissioner to the State Liquor Commission." (S. P. 149) (L. D. 430)

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 Death Benefits before Retirement Under State Retirement System. (S. P. 175) (L. D. 576)

(On motion by Mr. Katz of Kennebec, tabled and specially assigned for April 30, 1969, pending Enactment.)

An Act Relating to the Certification of Operators of Water Treatment Plants and Water Distribution Systems. (S. P. 317) (L. D. 1031)

An Act Relating to Retirement Allowance for Participating Local District Employees and Prior Service Credit for Municipal Employees. (S. P. 382) (L. D. 1296)

An Act Relating to Fees of Disclosure Commissioners. (H. P. 823) (L. D. 1062)

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

An Act Relating to Restoration to Service Under State Retirement Law. (H. P. 966) (L. D. 1249)

An Act Relating to Approval or Disapproval of Mergers Under the Banking Laws. (H. P. 1121) (L. D. 1442)

An Act Relating to Fall Trapping by Indians. (H. P. 1124) (L. D. 1445)

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

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

Mr. MILLS of Franklin: Mr. President and Members of the Senate: On Bill, "An Act Relating to Fees of Disclosure Commissioners," (H. P. 823) (L. D. 1062), I should perhaps apologize to the Senate for being a latter day recruit to the crusade of the good Senator from Penobscot, Senator Quinn, to hold the line on the increase in fees, but I am constrained to note that this bill contains an alarming increase of 100 per cent in the fees due to disclosure commissioners, from five dollars to ten dollars, in the hearing of disclosures. This money comes right out of the hides of

the poor of this State, as you may know, those of you who have been involved in disclosure proceedings. I am sure that in noting it to the good Senator he will realize that we together ought to hold the line in this area and defeat this bill.

So, I am going to move for indefinite postponement, and since this may be somewhat of a surprise, of course, I don't object to anybody holding it for a few days to think it over. But I would expect the Senate would join with Senator Quinn and me in holding the line in this area. I mean, we have held the line on the hairdressers, and we have held the line on every other one that the good Senator has brought up and asked us to hold the line on, and I am asking him to be with me today and hold the line here, since the people involved and the money involved comes right out of the poor people of this state.

There is an awful lot to be said on this disclosure commissioner business and the poor debtors, and I will say it at some other time when another bill comes before you to abolish imprisonment for debt, but this disclosure commissioner is right at the heart of the thing, and for us today to increase his fees from five dollars to ten dollars would be very inappropriate, I feel, and certainly would be out of line with the policy enunciated by my good friend and colleague on the Judiciary Committee. So, I move for indefinite postponement of the bill and all its accompanying papers, Mr. President.

The PRESIDENT: The Senator from Franklin, Senator Mills, moves that Bill, An Act Relating to Fees of Disclosure Commissioners, be indefinitely postponed.

The Chair recognizes the Senator from Penobscot, Senator Quinn.

Mr. QUINN of Penobscot: Mr. President, I move that this item be tabled and assigned for Friday, May 2nd.

The PRESIDENT: The Senator from Penobscot, Senator Quinn, moves that Item 8-4, Legislative Document 1062, be tabled until Friday, May 2nd.

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr. President addressing my remarks completely to the timing of the tabling motion, the bill is such a simple bill that I would pose a question through the Chair to the Senator from Penobscot whether an earlier date might be agreeable?

The PRESIDENT: The Senator from Kennebec, Senator Katz, poses a question through the Chair to the Senator from Penobscot, Senator Quinn, who may answer if he so chooses.

The Chair recognizes the Senator from Penobscot, Senator Quinn.

Mr. QUINN of Penobscot: Mr. President and Members of the Senate: As my good friend and associate in many matters, the good Senator from Franklin County, Senator Mills, has stated, there are matters to be heard —

The PRESIDENT: The Chair would inform the Senator that the only thing that can be debated is the time of the tabling.

Mr. QUINN: Well, I put the time forward rather than to have it on the table every day because of matters pending.

Thereupon, on motion by Mr. Quinn of Penobscot, tabled and specially assigned for May 2, 1969 pending the motion by Mr. Mills of Franklin that the Bill and accompanying papers be indefinitely postponed.

Resolve, to Reimburse Ernest J. Powers of Kennebunkport for Well Damage by Highway Construction. (H. P. 137) (L. D. 159)

(On motion by Mr. Greeley of Waldo, placed on the Special Highway Appropriations Table.)

Resolve, Regulating Ice Fishing on Certain Lakes in Penobscot and Piscataquis Counties. (H. P. 192) (L. D. 232)

Which was finally Passed and, having been signed by the President, was by the Secretary presented to the Governor for his approval.

Resolve, to Reimburse Mr. and Mrs. Laurie E. Mann of Augusta

for Property Taken by State. (H. P. 803) (L. D. 1042)

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

Emergency

An Act Relating to Relocation Assistance in State Highway Projects. (H. P. 1118) (L. D. 1438)

This being an emergency measure and having received the affirmative votes of 30 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 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. (S. P. 372) (L. D. 1232)

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

Orders of the Day

Mr. Barnes of Aroostook was granted unanimous consent to address the Senate.

Mr. BARNES: Mr. President and Members of the Senate: Undoubtedly many of you gentlemen here yesterday noted the absence of one of our good colleagues from his desk. I refer to the Senator from Aroostook County, my colleague, Senator Peabody. I know Senator Peabody is not going to appreciate the few remarks that I have to make this morning about him. Knowing Senator Peabody, he is very humble and very sincere. Nevertheless, I feel compelled to do so.

For your information, Senator Peabody was summoned back to his home town yesterday to receive the highest honor his fellow citizens of Houlton could bestow upon him. Yesterday the Houlton Chamber of Commerce had a luncheon, a large crowd, and they presented Senator Peabody with Houlton's Outstanding Citizen's Award.

Having known this gentleman for many years, you can believe me

when I say that he is well - deserving of this high honor. Let me read to you, if you will permit me to do so, the criterion for nomination as set forth by the Houlton Chamber. "Nomination of an individual who has performed in an outstanding manner to promote the betterment of our community, not necessarily to have been outstanding in the current year, but who in the past has worked without public recognition. Select one who has been active in civic and charitable organizations, taken part in community projects, supported the Chamber of Commerce, participated or supported local government, worked for better schools, and always thought in terms of improving his community."

Time does not permit me to present all the activities and accomplishments of this gentleman. I have here on my desk a very comprehensive list of all the activities that this gentleman has participated in over the years, but I am not going to take the time to read them, and I know he wouldn't want me to.

As a colleague and a long - time friend of Senator Peabody, I want to salute him and pay tribute to him as one of the greatest athletes that the State of Maine has ever produced, and a truly dedicated public servant.

They say behind the success of every man is a good wife, and we have in the chambers this morning the very talented and very attractive wife of Senator Peabody. I am sure that all the Senators in this body join me in offering congratulations to both Senator Peabody and to his wife, Mrs. Peabody, and I would like them both to stand. Thank you very much. (Applause - members rising.)

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

Mr. MILLS: Mr. President, could I just say that the Colby College Class of 1934, of which I happened to have had the great honor of being a member with him, and of which he was the President, certainly extends its congratulations to him on this day of his life. I

also say that, as an occupant of the bench on the football team watching his exploits, I would say that I am sure the All-Maine Football Teams selected for the years 1932 and 1933, if they were present by any member, that they would certainly extend their congratulations to him today.

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

HOUSE REPORT — Ought Not to Pass from the Committee on Legal Affairs on Bill, "An Act to Annex Black and Megquier Islands in Thompson Lake to Town of Oxford." (H. P. 287) (L. D. 363)

Tabled — April 17, 1969 by Senator Dunn of Oxford.

Pending — Acceptance of Report.

Thereupon, the Ought Not to Pass Report of the Committee was Accepted in concurrence.

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

HOUSE REPORT — Ought to Pass as Amended by Committee Amendment "A" — Filing H-176 from the Committee on Inland Fisheries and Game on Bill, "An Act Relating to Safety Equipment on Boats Operated on Waters of the State." (H. P. 119) (L. D. 135)

Tabled — April 17, 1969 by Senator Cianchette of Somerset.

Pending — Acceptance of Report.

Thereupon, the Ought to Pass Report was Accepted in concurrence and the Bill Read Once. Committee Amendment "A", Filing No. H-176, was Read and Adopted in concurrence and the Bill, as Amended, tomorrow assigned for Second Reading.

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

SENATE REPORTS — from the Committee on Taxation on Bill, "An Act Exempting Sales to Certain Institutions from Sales Tax." (S. P. 240) (L. D. 715) Majority Report, Ought to Pass; Minority Report, Ought Not to Pass.

Tabled — April 17, 1969 by Senator Bernard of Androscoggin.

Pending — Motion by Senator Martin of Piscataquis to Accept

the Minority Ought Not to Pass Report.

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

Mr. WYMAN of Washington: Mr. President, may I have the report of the committee read?

The SECRETARY: Divided Report, the Majority of the Committee on Taxation reported that the Bill Ought to Pass, signed by Senators Wyman of Washington, Hanson of Kennebec; Representatives Susi of Pittsfield, Drigotas of Auburn, White of Guilford, Cottrell of Portland, Fortier of Rumford, Ross of Bath. Minority Report, Ought Not to Pass, signed by Senator Martin of Piscataquis and Representative Harriman of Hollis.

The PRESIDENT: The Chair recognizes the same Senator.

Mr. WYMAN: Mr. President and Members of the Senate: This came out of committee with an eight to two Ought to Pass Report. It certainly isn't a major matter. There is only some \$3,000 involved per year, and I share the thinking of the good Senator from Piscataquis, Senator Martin, relative to exemptions. But on the other hand, these childrens homes, schools, and charitable institutions are doing a lot in performing services that if the State were to perform them would cost a great deal more. It just seems to me that we ought to extend this helping hand to them, and I hope the Senate will oppose the motion of Senator Martin.

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

Mr. MARTIN of Piscataquis: Mr. President and Members of the Senate: I beg to differ with my good friend, Senator Wyman from Washington. The loss to the State would be roughly about \$10,000 a year if on this Bill the Ought to Pass Report is accepted. I also sympathize with children's homes, charitable, and benevolent organizations, but I also feel that the need of money by the State is such that exemptions such as this should be abolished or eliminated. I would, therefore, hope that this Ought Not to Pass Report is accepted.

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

Mr. WYMAN of Washington: Mr. President, I don't know what information Senator Martin has, but the bill has a price tag on it of \$3,000. I don't know where it came from but, in order that I may get some more information, I would appreciate it if somebody would table it for one more day.

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

Mr. BERNARD of Androscoggin: Mr. President and Members of the Senate: This little gem happens to be one of my bills. In answer to Senator Wyman, the \$3,000 price tag came about when I was asked to sponsor this bill by an institution in Auburn which operates a home that takes care of approximately forty-two children on an endowment, which means, in this particular case, some \$300,000 in the bank, and the interest helps to support this institution. Now back over the past seven or eight years, due to possibly the lack of good management, the institution has had to draw from the principal in order to make ends meet. And it was only a matter of time then that the principal would be used up and the school would have to close.

Several years ago one of the very early occupants of the school found himself in the position of becoming Director. Being the type of man he was, plus he was brought up in this institution, he took this to heart, and last year the institution was run on a very tight budget and they were in the black with a figure of about \$129. During the process of that year the Health and Welfare Department came over and inspected the home, as it does many of these institutions, and found that the swimming pool in the door yard, which had been constructed some fifteen or twenty years, didn't have any filter system, and this of course was a health hazard. So the Health and Welfare simply said, "Either you put a filter system in or you lose your license," as one of the things. The other parts of the report were

minor and were actually taken care of immediately.

I went over and asked the Director how come he paid sales tax and he said, "Well, we simply don't have an exempt permit", and I looked into it, and his financial report indicated to me that they would save approximately \$500 a year. This would be the highest figure that we could come about. There are a total of three institutions in the State who are not tax exempt. All the other institutions are either under the wing of a church, or have medical aid in such a way that they can claim exempt, so, in other words, we are down to about three institutions. One of them is up in Bangor and, checking the other two, we found that the figure should actually be \$1500. But at the time I wrote the Bill I was unaware of this so I doubled that to \$3000. That's where the \$3000. figure came from.

Now, if you want to go one step further, this institution is struggling for existence. It provides a home for forty-two children, and I think it is doing a good job. I wouldn't want to throw any daggers around, but the thing came to mind that in the City of Lewiston we have two public outdoor swimming pools operated by the City, and yet they do not have a filter system. The question was put to Health and Welfare at the time of why are the city children allowed to swim in a cesspool down in the city park, yet this small institution has to go to the expense of \$1500 to put in a filter system? This is why I submitted the bill. I sponsored the bill, and I am proud of it. I would simply hope that one of my colleagues would table this a little further. We have before us a similar bill, there is a committee of conference, and I tabled this last week pending the outcome of this particular conference. I'm still interested in what the outcome will be. The two bills are very similar.

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

Thereupon, on motion by Mr. Letourneau of York, retabled and specially assigned for April 29, 1969, pending the motion by Mr.

Martin of Piscataquis to Accept the Minority Ought Not to Pass Report of the Committee.

The President laid before the Senate the fourth 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 18, 1969 by Senator Hoffses of Knox.

Pending Acceptance of Report.

The PRESIDENT: The Chair recognizes the Senator from Knox, Senator Hoffses.

Mr. HOFFSES of Knox: Mr. President, I would move that we substitute the Bill for the Report and I would like to speak briefly to my motion.

The PRESIDENT: The Senator from Knox, Senator Hoffses, moves the Senate substitute the Bill for the Report.

The Chair recognizes the same Senator.

Mr. HOFFSES: Mr. President and Members of the Senate: This is one of those very controversial Fish and Game Bills. The Committee, at the time we reported out this bill Ought Not to Pass, there was some information that we were not fully aware of which since has come to light, and I have prepared an amendment which I think will make the bill acceptable. For that reason, I move we substitute the Bill for the Report, and when the Bill is before us I will in due time offer an amendment for your consideration.

The PRESIDENT: Is it now the pleasure of the Senate to substitute the Bill for the Report on Bill, "An Act Relating to Lengthening the open Season on Beaver by the Commissioner of Inland Fisheries and Game"?

The motion prevailed.

Thereupon the Bill was Read Once and tomorrow assigned for Second Reading.

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

Bill, "An Act Pertaining to Live Bait Dealers." (S. P. 432) (L. D. 1441)

Tabled—April 18, 1969 by Senator Hoffses of Knox.

Pending — Passage to be Engrossed.

Mr. Hoffses of Knox presented Senate Amendment "A" and moved its Adoption.

Senate Amendment "A", Filing No. S-99, was Read and Adopted and the Bill, as Amended, Passed to be Engrossed.

Sent down for concurrence.

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

SENATE REPORTS—from the Committee on Education on Bill, "An Act Relating to Minimum School Year." (S. P. 344) (L. D. 1210) Majority Report, Ought Not to Pass as Covered by Other Legislation; Minority Report, Ought to Pass.

Tabled—April 22, 1969 by Senator Kellam of Cumberland.

Pending — Motion by Senator Katz of Kennebec to Accept the Majority Ought Not to Pass Report.

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

Mr. KELLAM of Cumberland: Mr. President and Members of the Senate: I am sure that all of us in this body are certainly aware of the need for as much education as a youngster can receive in our school system. This bill would lengthen the number of pupil days from 175 to 180. In other words, it would set a minimum standard that all the public schools in the State would have to give 180 classroom days for students.

I am sure that you are aware that in many of these education bills that when minimums are prescribed they somehow become maximum when minimum costs are prescribed by the statute they fall very, very short of what the actual costs are. I feel that with the tremendous expense of education in the State of Maine we should derive as much benefit from the system as is possible, and I believe that we should have at least 180 classroom days for all of our students.

I believe that you will find that the 180-day figure is the median figure across the country and the median figure in the other New England States. I do know that insofar as the other New England States are concerned that Connecticut does have 180 minimum days; New Hampshire has 180 minimum days; and Vermont, I believe, has 175 days; and I am quite sure that Rhode Island and Massachusetts have 180 pupil days also.

I have a quotation from the National Education Association's '65 publication. It is just a note, I won't say it is an exact quote, stating that the median working days for teaching is 185 days. This is country wide. And that 7.3% have 175 or fewer pupil days, and that the median is 180 days. In other words, the State of Maine is with the 7.3% minority in this country with 175 days, and that the other 92.7% have more pupil days.

I believe that probably many of us are aware that there are other days in the school year that are counted as school days which are in fact not days in which pupils receive instruction. I believe we have three in-service training days—I think that is the case in the City of Portland—and two days of the teaching convention time which is counted as school days. In that way we reach 180. But what this bill concerns itself with is with the classroom days, the days that instruction is received. Now I think we all agreed that it is important that teachers receive the in-service instruction, and this does not reflect on that in any regard. It merely provides that, regardless of the number of other days that may be necessary for preparation of the teachers and so forth, the in-service training days, that there should be 180 classroom days. Now, I know, and I am sure you all know, pupils aren't learning on these other days; that the teaching convention days do not help, at least not directly, the instruction of pupils. So I would urge very much that we do not accept the Majority Report so that we can accept the Minority Report, keep this matter

alive, and do as much as we possibly can to improve the educational system in this State.

Our pupils have got to go on to higher education, and many times in other states have to compete with the pupils in other states, and we certainly know that the wealth of knowledge to be learned is greater now than it was twenty, thirty or more years ago when the rest of us were in school, and that they should have these few extra days in order to gather this knowledge and be able to better prepare themselves for their future.

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

Mr. KATZ of Kennebec: Mr. President and Members of the Senate. The Committee obviously did not feel that these extra days would permit Maine youngsters to compete well enough to get into Harvard, Yale, Dartmouth, and Princeton in great numbers. We also rejected many of the figures, the quotations of statistics that you have heard, because states count their days differently, they identify their days differently. As a matter of fact, presently our youngsters go to school almost immediately after Labor Day. They don't get out of school until well into June. Shortening our vacations, rather than helping them to go to college, in many respects would reduce their chances to earn money during vacation.

The committee felt that there was an alternative path open to us and we are pursuing that alternate course in errors and inconsistencies. Some holidays presently are counted as school days and some aren't. The feeling of the majority of the committee was to make absolutely certain that vacations from school, like Armistice Day or others, which presently may be counted as a school day are not counted as a school day. So very effectively we will extend the school year by a few days in any event even if this bill is passed. The majority of the committee felt that this would put us into a substantially longer school year than present conditions call for.

The PRESIDENT: Is the Senate ready for the question? The pending motion before the Senate is the motion of the Senator from Kennebec, Senator Katz, to accept the Majority Ought Not to Pass Report of the Committee.

The Chair recognizes the Senator from Cumberland, Senator Kellam.

Mr. KELLAM of Cumberland: Mr. President and Members of the Senate: I certainly don't feel we should create errors and inconsistencies where none exist. It is a perfectly simple solution to count the number of days that the students attend classes. This is something, I think, that all of us could handle very well. The fact that they now call classroom time, or they consider school days or times when school is in session the various holidays, I think, is inappropriate. I don't feel that we should do any less to prepare our students than have at least the number of classroom days that is somewhat the standard across the country.

I believe that insofar as the time for letting school out in June, or for starting in the Fall, I believe that we do have a situation which might require some adjustment. Even this year when, I believe, there is something like four, at least four, extra snow days that were taken as days off because of the inclement weather, we are still going to get through school in good season in June. I believe that the school systems in Maine do have more time during the year when class is not taught than is somewhat the standard across the country. We could easily possibly combine the two Spring vacations or something of that nature if that was terribly important. I think that the Senate should go on record as favoring a minimum standard of education.

The PRESIDENT: As many as are in favor of the motion of the Senator from Kennebec, Senator Katz, that the Senate accept the Majority Ought Not to Pass Report of the Committee on Bill, "An Act Relating to Minimum School Year," will say "Yes"; those opposed, "No."

A *voa voce* vote being taken, the motion prevailed and the

Ought Not to Pass Report of the Committee was Accepted.

Sent down for concurrence.

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

HOUSE REPORT — Ought to Pass as Amended by Committee Amendment "A" Filing H-205 from the Committee on Education on Bill, "An Act Concerning the Training of Barbers." (H. P. 661) (L. D. 848)

Tabled — April 23, 1969 by Senator Beliveau of Oxford.

Pending — Acceptance of Report.

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

Mr. BELIVEAU of Oxford: Mr. President and Members of the Senate: This document apparently is another educational document which would apply minimum standards in the field of barber training. I just happened to run across this the other day by chance. If you will note the original document would extend the number of hours of study required by the State Board of Barber Examiners from one thousand hours to nineteen hundred hours, distributed over a term of twelve months as compared to six months. The amendment reduces this from nineteen hundred hours to fifteen hundred hours and from twelve months to nine months.

Last week I happened to be in another community in the southern part of the State and met an individual who is a teacher in one of our barber schools. I happened to mention to him that there was a bill in the Legislature which would increase the number of hours from a thousand to fifteen hundred hours and from nine months to twelve months of training. I asked him whether in his opinion this was needed. This individual has been a teacher in our largest school of barbering for several years, and his statement was that they are having some difficulty filling a complete curriculum to comply with the six months requirement and the thousand hour requirement in our present statute. It was his opinion this was not needed, and that this was legislation which

would benefit a very limited interest group, that they do not have the curriculum, nor could they offer additional courses and programs to adequately fulfill the additional five hundred hours and additional three months of training which would be required by the bill and amendment.

I have no particular interest in this area, but again this is apparently an attempt to improve our educational standards, and I am just wondering at this point whether there is a need for it. I have concluded, after conferring with this individual and inquiring elsewhere that there is no need to increase the standards for our barbers.

If you review the areas and courses that must be covered in this school, which hasn't been changed, incidentally—you will notice they are listed here in LD 848, histology of the hair, skin, face and neck, diseases of the skin, hair, glands, nails and so forth — and I inquired whether there had been a breakthrough in this area, whether there were new scientific areas that could be pursued now which were not available when this bill was drawn up. The answer which I received was in the negative, that they were continuing to use the same approach, the same courses, the same methods. Therefore, Mr. President, I move that this document and the amendment be indefinitely postponed.

The PRESIDENT: The Senator from Oxford, Senator Beliveau, moves that Legislative Document 848, Bill, "An Act Concerning the Training of Barbers," be indefinitely postponed.

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr. President and Members of the Senate: The amendment on the bill was offered to the committee by the good Senator from Kennebec, Senator Hanson, who had the feeling — I think that he agreed with the comments which were just made by the previous speaker — that the bill was put entirely too broad, that it did need restricting. The committee therefore followed the recommendation and curtail-

ed the expansion of the requirements very, very sharply.

I am afraid that I am not qualified to go into some of the deeper questions raised by the Senator from Oxford, Senator Beliveau. I notice the absence of the Senator from Kennebec, Senator Hanson, and under the circumstances, and realizing full well the temper of the Senate today, I nevertheless suggest that this might be an occasion when a bill might be tabled until Tuesday.

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

Thereupon, on motion by Mr. Minkowsky of Androscoggin, retabled and specially assigned for April 29, 1969, pending the motion by Mr. Beliveau of Oxford to Indefinitely Postpone the Bill.

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

HOUSE REPORT — from the Committee on State Government on Bill, "An Act Relating to Approval of Appointment of Assistant County Attorney for Hancock County." (H. P. 197) (L. D. 244) Ought to Pass in New Draft with New Title. (H. P. 1137) (L. D. 1459) Bill, "An Act Relating to Approval of Appointment of Assistant County Attorneys for Hancock and Washington Counties."

Tabled — April 23, 1969 by Senator Anderson of Hancock.

Pending — Acceptance of Report.

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

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

Bill, "An Act Providing for the Observance of Certain Legal Holidays on Monday." (H. P. 1117) (L. D. 1436)

Tabled — April 23, 1969 by Senator Logan of York.

Pending — Passage to be Engrossed.

Mr. Logan of York moved that the Bill and all accompanying papers be indefinitely postponed.

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

Mr. TANOUS of Penobscot: Mr. President and Members of the Senate: I would hope that the members of this body would oppose the motion made by my good friend, Senator Logan. We discussed this quite at length in the Legal Affairs Committee. Certainly, I feel, if we are to survive in our economy we must adopt this legislation, and it is a case of having to conform more than having our own personal desires carried out. Every state in the United States will have adopted similar legislation by 1970 in order to conform with the Federal Government, and I dare say that the economy of many of our enterprises would be hurt if we failed to enact this legislation. Thank you.

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

Mr. LOGAN of York: Mr. President and Members of the Senate: I rise on this matter as a matter of principle. Once again we find ourselves being lead by the Federal Government into an area in which I think the Federal Government has no business being. I resent this, and I resent it very deeply. I personally would much prefer to keep my individuality, and I feel that this bill is an attack on it. Once again we are being asked to succumb to the great God, efficiency. Efficiency is very well in the money markets, but I don't necessarily buy it in every aspect of my personal life and I don't necessarily buy it in every aspect of our community life. There is something to be said for a little variety, a little unorthodoxy, and certainly the variety that is provided by our holidays provides some of this.

It bothers me to see these traditional holidays swept away in the name of commerce, or in the name of efficiency, or in the name of the Federal Government. I would like to see the people in the State

of Maine once again retain individuality a little longer and not to succumb to the California style of uniformity. I must admit that I am one who tends to resist the homogenized society. Thank you, Mr. President.

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

Mr. MILLS of Franklin: Mr. President and Members of the Senate: Having in mind that I am going before the good Senator this afternoon with five bills, I should be a little hesitant probably about opposing him at this point, but I know his good nature and his good judgment will not be affected by this.

I am reminded that I have a bill in that is practically the same as this bill, and I would like to see this one go in place of my own. I am reminded that another gentleman from York County, a member of the House, many years ago proposed this same thing and he was beaten in the Senate that time. His bill wasn't something from California, but was pretty much his own idea, and I think he adopted it from the English. He was a very tremendous person and a very great friend of many of us who were here at that time. I was here as a committee clerk in 1937, and this fine gentleman, Joey Dow, Jr., from Kennebunkport, had this idea, and in those anti-diluvian days of 1937 it was regarded as rather a bizarre proposition that anybody would think of celebrating holidays wherever they fell on Monday. It really was regarded that way, I think, seriously by most of both branches of the Legislature, but he was so popular in the House of Representatives that pretty much as a tribute to him that bill, which wasn't regarded by many people as having much of a chance of passage, did go through the House. Then I so well remember the speech that killed it in the Senate. The late Senator, and later on Judge, Cony of Augusta, who was himself truly a son of the Civil War, son of a veteran of the Civil War, gave a very tremendous piece of oratory in the Senate, pointing out the

great travesty that it would be if anyone would think of celebrating Memorial Day on any other day of the year except the 30th of May. It was very persuasive and the bill went down to ignominious defeat on that argument. But I remember sitting here as a young man and a committee clerk and trying to figure out the logic in that argument, and I couldn't put it together. I couldn't see why it had to be offensive to anyone to switch the 30th of May around to the 28th or 29th if it happened to be on Monday just because of the association over the years.

I think the argument of my good friend, the Senator from York, is today to the effect that we are falling in with the Federal Government and that this is anti-traditional, that our traditions are such that we shouldn't violate them by doing this. I think if we look at the English, no one observes tradition any more than the English. They carry them on for centuries and they are to be respected for it, but they switched these holidays around for the convenience of their great working public. I think that is what this bill would do if it is adopted.

The PRESIDENT: Is the Senate ready for the question? The pending question before the Senate is the motion of the Senator from York, Senator Logan, that Bill "An Act Providing for the Observance of Certain Legal Holidays on Monday," be indefinitely postponed. As many as are in favor of the motion to indefinitely postpone this bill will say "Yes"; those opposed, "No."

A viva voce vote being taken, the motion did not prevail.

Thereupon the Bill, as Amended, was Passed to be Engrossed in non-concurrence.

Sent down for concurrence.

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

Bill, "An Act Relating to Safety Devices for Railroad Utilities." (H. P. 440) (L. D. 564)

Tabled—April 23, 1969 by Senator Gordon of Cumberland.

Pending—Enactment.

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

Mr. GORDON of Cumberland: Mr. President, I move that the rules be suspended to reconsider our action whereby this bill was passed to be engrossed.

The PRESIDENT: The Senator from Cumberland, Senator Gordon, moves that the rules be suspended and the Senate reconsider its action whereby this bill was passed to be engrossed. Is this the pleasure of the Senate?

The Chair recognizes the Senator from Cumberland, Senator Moore.

Mr. MOORE of Cumberland: Mr. President and Members of the Senate: I object to reconsideration to go back to before engrossment. I don't know if that is the proper motion but I am opposed to this motion to reconsider as this bill is up for enactment, and I will tell you why I am objecting to it.

This is not my bill. It is a bill from a house member, but if this bill had gone through the Senate without any hesitation and a person could have missed it, I certainly wouldn't object. But this bill was tabled here in the Senate on February 27th by Senator Bernard. He kept it on the table until April 9th, and then Senator Katz tabled it until April 16th. Then it was tabled by Senator Gordon, and then it was passed to be engrossed. Now he comes back and he wants to reconsider so that he can amend it. I feel that there has been ample time to amend this bill and no amendments were offered to the bill at that time. That is why I oppose the motion to reconsider.

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

Mr. GORDON of Cumberland: Mr. President and Members of the Senate: I am really not happy with this legislation and I think that this august body perhaps will appreciate that. This will call for stop signs on railroad crossings. Perhaps this is all right, perhaps they will not be abused, however, it also deviates from the normal practice pertaining to railroad

crossing signal devices. I would hope that I might reconsider this action that was taken the other day to present an amendment, present an amendment to perhaps provide these stop signs, but in the normal manner of normal warning devices.

This legislation would require municipalities to provide the warning device or the stop sign, and I think that, if they are to be had, they should be provided in the normal manner, and that the railroad should provide the device.

I have talked with the railroad people and they are not particularly happy with an amendment that I would present, but on questioning them I said, "Well, can you live with it?" And they didn't tell me they could not. They would prefer to have it the way it is. I would hope that we could present both sides of the question, but I just think that the system of providing the warnings we have always conducted should be conducted in the same manner.

Now, if stop signs are to be had, and hopefully not used, so be it. And if they can save a life I certainly wouldn't want to tamper with such legislation. But I do think that warning devices should be provided in the normal manner that we have normally been providing them, and not have the Highway Commission or the municipalities providing these stop signs and warning devices. Therefore, I respectfully request that my motion to reconsider would prevail.

The PRESIDENT: The Senator from Cumberland, Senator Gordon, moves the Senate suspend the rules in order to reconsider its action whereby this bill was passed to be engrossed.

The Chair recognizes the Senator from Knox, Senator Hoffses.

Mr. HOFFSES of Knox: Mr. President, I would pose a question through the Chair to the Chairman of the Highway Committee. That is: does this document impose any additional costs or responsibility on the Highway Department for the implementation of this piece of legislation.

The PRESIDENT: The Senator from Knox, Senator Hoffses, has posed a question through the Chair

to the Senator from Waldo, who may answer if he so wishes.

The Chair recognizes the Senator from Waldo, Senator Greeley.

Mr. GREELEY of Waldo: Mr. President and Members of the Senate: The way I understand it, the municipality has to furnish the stop sign and do the work of putting the sign up. This is on town roads, I believe, and on state aid roads or state aid highways the Highway Department automatically furnishes the warning sign.

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

Mr. MARTIN of Piscataquis: Mr. President and Members of the Senate: In support of Senator Gordon's motion, I just would like to mention that this morning I was greatly disturbed when I heard from the office of the treasurer that the excise tax paid by the railroads throughout the State of Maine for 1968 was \$10,000. I maintain that the railroads should support their own burden; if they should have any signs to put up they should put them up at their own expense rather than pass it on to public and municipal corporations like a town.

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

Mr. MOORE of Cumberland: Mr. President and Members of the Senate: I had the legislative finance officer check this out, and the Highway Department told him the cost would be so small and inconsequential that they didn't even consider it an expense at all. An engineer from the Highway Department was there the day that we had the hearing on the bill and he offered no opposition to it whatsoever. I can assure you the cost is very minute; so small that the Highway Department didn't even consider it.

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

Mr. MARTIN of Piscataquis: Mr. President and Members of the Senate: In reference to Senator Moore's remarks, I don't care how small the costs are; if they belong to the railroad they should be paid by the railroad.

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

Mr. TANOUS of Penobscot: Mr. President, am I in order for a motion of indefinite postponement of this bill?

The PRESIDENT: The Chair would inform the Senator that the matter before us is for enactment and that the motion to indefinitely postpone is in order.

Mr. TANOUS: I so move, and may I speak to my motion?

The PRESIDENT: The Senator from Penobscot, Senator Tanous, moves that L. D. 564, Bill, "An Act Relating to Safety Devices for Railroad Utilities", be indefinitely postponed.

Mr. TANOUS: Mr. President and Members of the Senate: This little gem which the railroad has put before us has caused many of us great concern. Now, it has been on the table for a couple of months, we have talked about this, we have kicked it around and, frankly, I feel that the trend has changed in the area of traveling today. Years ago the railroad was given preference because they were the chief mode of transportation. Today the motor vehicle has taken over in this field, and the cars should be given the preference of transportation. Railroads transport materials, supplies and freight mostly and I feel that enactment of this particular legislation would greatly inconvenience the greater mode of traveling.

Now, can you picture stop signs at every railroad crossing you come into on every back road that you cross or traverse? A stop sign will probably show up in that area. I know in my community of Millinocket there are five places right in the center of town where we could have these signs placed, right off the main traveled portion of the main street. I am sure if you look over your own communities you would find as many areas where you would find signs coming up over night, and forcing the traveling public, the motor vehicle operators, into the burden of coming to a stop.

Now, we have lived without these stop signs for the last one hundred years, and I think we can live an-

other hundred. If the railroad is so interested in safety precautions why don't they have reflectors on the side of their cars so at night people can observe these cars from a distance? A little cost of a reflector on the side of a railroad car in many instances might have saved lives. The railroad doesn't think of us. They are cost-conscious, and again they want the right of way. Let's look out for the pedestrian, the people that drive motor vehicles, and let's put the greater weight of this particular bill where it should be, with the people and the motor vehicle operators of the State. Thank-you.

The PRESIDENT: Is the Senate ready for the question? The Chair recognizes the Senator from Cumberland, Senator Moore.

Mr. MOORE of Cumberland: Mr. President and Members of the Senate: I was very interested in what the good Senator from Penobscot said, but I always was under the assumption that it would be easier to stop a car than it would a railroad train. Of course if they want to test that out, they are welcome to. I request a division when the vote is taken.

The PRESIDENT: The pending question before the Senate is the motion of the Senator from Penobscot, Senator Tanous, that Legislative Document 564, Bill, "An Act Relating to Safety Devices for Railroad Utilities," be indefinitely postponed. A division has been requested. As many as are in favor of the motion to indefinitely postpone the bill will rise and remain standing until counted. All those opposed will rise and remain standing until counted.

A division was had. Seventeen Senators having voted in the affirmative, and eleven Senators having voted in the negative, the motion prevailed and the Bill was Indefinitely Postponed in non-concurrence.

Sent down for concurrence.

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

Bill, "An Act Relating to Outdoor Advertising." (H. P. 670) (L. D. 861)

Tabled — April 23, 1969 by Senator Berry of Cumberland.

Pending — Passage to be Engrossed.

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

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

Bill, "An Act Relating to Fees for Transcripts of Evidence Furnished by Official Court Reporters." (H. P. 603) (L. D. 784)

Tabled—April 23, 1969 by Senator Katz of Kennebec.

Pending—Enactment.

Which 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 thirteenth tabled and specially assigned matter:

Bill, "An Act requiring Immunization of Dogs Against Rabies." (S. P. 433) (L. D. 1450)

Tabled—April 23, 1969 by Senator Berry of Cumberland.

Pending—Motion by Senator Wyman of Washington to Reconsider Engrossing.

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

Mr. BERRY of Cumberland: Mr. President, with full knowledge that the good Senator from Washington is not present, I would assure the body that the Senator and I had a conversation yesterday and he assured me of his support for the bill. So, I would hope that you vote against this motion.

Thereupon, Mr. Wyman of Washington was granted leave to withdraw his motion to Reconsider Engrossing.

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

Bill, "An Act Relating to Mandatory Fines on Minors who Violate Certain Liquor Laws." (H. P. 1135) (L. D. 1455)

Tabled—April 23, 1969 by Senator Berry of Cumberland.

Pending—Motion by Senator Katz of Kennebec to Indefinitely

Postpone Senate Amendment "B" Filing S-93.

Mr. Katz of Kennebec was granted leave to withdraw his motion to Indefinitely Postpone Senate Amendment "B", and subsequently moved the adoption of Senate Amendment "B".

Thereupon, Senate Amendment "B" was Adopted.

Mr. Mills of Franklin then offered Senate Amendment "A" and moved its adoption.

Senate Amendment "A", Filing No. S-89, was Read and Adopted and the Bill, as Amended, Passed to be Engrossed in non-concurrence.

Sent down for concurrence.

Mr. Violette of Aroostook moved that the Senate reconsider its action of earlier in today's session on non-concurrent matter, Bill, "An Act Adding Services to Alcoholics and Drug Addicts to the Responsibilities of the Bureau of Mental Health" (H. P. 629) (L. D. 817), whereby the Senate voted to Adhere.

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

Mr. KATZ of Kennebec: Mr. President and Members of the Senate: As the Senator from Kennebec, I must rise to oppose the motion for reconsideration. This is a good bill and it attempts to do some good things, but from the viewpoint of its timing I think it couldn't be worse. For two years the Maine Commission on Rehabilitation Needs, a group of some hundreds of people who were involved have been studying the question of rehabilitation all over the State. I have been involved in some interim studies and have seen some devoted service by good people over the years, but I have never been involved with any group that has inspired me as much as the Maine Commission on Rehabilitation Needs. They have put together a very workable package of recommendations for the treatment of total rehabilitation needs of the State. Some of the bills have already come before you and you have voted to support them. There was another one on the calendar

today. And at the very time when we are seeking to consolidate so we can get a total rehabilitative picture as to exactly what it is the State needs, this bill, which has substantial merit, seeks to destroy that which we have been trying to accomplish over the last two years.

This morning we voted to adhere. I hope we retain our position and oppose the motion to reconsider.

The PRESIDENT: The Chair recognizes the Senator from Sagadahoc, Senator Reed.

Thereupon, on motion by Mr. Reed of Sagadahoc, tabled and specially assigned for April 29, 1969, pending the motion by Mr. Violette of Aroostook that the Senate reconsider its action whereby it voted to Adhere.

Mr. Gordon of Cumberland moved that the Senate reconsider its action of earlier in today's session on Divided Report, Bill, "An Act Relating to Location of Schools and Size of School Projects" (H. P. 683) (L. D. 882), whereby the Majority Ought to Pass Report of the Committee was Accepted.

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

Mr. KATZ of Kennebec: Mr. President, through the Chair, I wonder if I could ask the Senator from Cumberland, Senator Gordon, as to the purpose of the reconsideration motion?

The PRESIDENT: The Senator from Kennebec, Senator Katz, has posed a question through the chair, which the Senator from Cumberland may answer if he so wishes.

The Chair recognizes the Senator from Cumberland, Senator Gordon.

Mr. GORDON of Cumberland: Mr. President, to answer the distinguished Senator, I merely wanted to speak on this item and call to the attention of this august body perhaps some facts pertaining to it.

This is a local bill presented by my distinguished colleague on the other side of the hall, Representative Carrier of Westbrook, at the request of our municipal officers. It is an emer-

gency bill, and I felt that I wanted to call this to the attention of the Senate, and would speak briefly on it.

The PRESIDENT: Is the Senate ready for the question? The pending question before the Senate is the motion of the Senator from Cumberland, Senator Gordon, that the Senate reconsider its action whereby it accepted the Majority Ought to Pass Report of the Committee. Is this the pleasure of the Senate?

The motion prevailed.

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

Mr. GORDON of Cumberland: Mr. President and Members of the Senate: I think perhaps I would like to have the Minority Report accepted or have this item tabled. It is of no great concern to me, nor is it of great concern to my community now, but I think that this bill might have long - reaching implications that go far beyond its original initiative stage and, therefore, I wanted it called to our attention.

It appeared in my community, the City of Westbrook, that an elementary school was to be constructed at a cost of approximately three million dollars, and it was felt that fifty - two acres of land would be required. To obtain this much property in a community that is building up very rapidly was difficult for the school board and the school building committee. Therefore, they found a site that they felt was desirable and proceeded to purchase this property but did run into trouble. It took a large segment of a particular farm. This gentleman did not want to sell this much property. The law stated that the City of Westbrook could take by eminent domain up to twenty - five acres, but no more. I would also mention that this farm in an area that is building up quite rapidly perhaps would increase in value considerably in a decade or two and, therefore, the price that he might realize today might not be the price of his property in the future. So, this was of concern to the administrative officers in my community, and they studied it, and since the initiation of this

legislation they are seeking to establish another site, and I think, if anyone has followed the papers, that they probably will. They have virtually abandoned this site, so my community, in essence, may not and probably does not need this much property, nor will they need this particular site.

This bill would grant a school board or building committee, or municipal officers, to select the site and take whatever amount of land they need by eminent domain, which would give them more latitude. I do think the twenty-five acres perhaps is not sufficient. However, I am wondering whether we should render them the authority to take unlimited tracts of land, one, and two, whether this is of an emergency nature as such. Therefore, I would move that this item lay on the table until the next legislative day.

The PRESIDENT: The Senator from Cumberland, Senator Gordon, moves that Item 6-27, Bill, "An Act Relating to Location of Schools and Size of School Projects," be tabled until the next legislative day.

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Would you repeat the pending question, please, Mr. President? Would the Chair please repeat the pending question?

The PRESIDENT: The motion before the Senate is the motion of the Senator from Cumberland, Senator Gordon, that this Item 6-27 be tabled until tomorrow? Is this the pleasure of the Senate?

The motion prevailed and the matter was tabled and tomorrow assigned, pending Acceptance of Either Report.

(Off Record Remarks)

Mr. Violette of Aroostook was granted unanimous consent to address the Senate:

Mr. VIOLETTE: Mr. President and Members of the Senate: I was out of the Senate Chambers when my good friend, Senator Barnes, brought to the attention of the Senate the recognition of the honor accorded to another one of my good fellow Senators from Houlton, Senator Peabody, on the honor accorded to him in Houlton this week. I do want to say at this time that I wholeheartedly concur with the remarks made by Senator Barnes, and I join in the congratulations of the Senate to Senator Peabody.

(Off Record Remarks)

On motion by Mr. Hoffses of Knox,

Adjourned until 9:30 tomorrow morning.