

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 29, 1969

Senate called to order by the President.

Prayer by the Rev. William R. Booth of Augusta.

Reading of the Journal of yesterday.

**Papers From the House
Joint Order**

WHEREAS, the Town of Fort Kent, situated at the confluence of the Fish and St. John Rivers, was the second of five great Aroostook County communities to be incorporated by legislative act of 1869; and

WHEREAS, this historic town played a permanent part in the tense Aroostook War and international boundary dispute which gave rise to a fortified outpost named in honor of Governor Edward Kent; and

WHEREAS, the inhabitants of this progressive border town hail February 23, 1969 as the hundredth anniversary of said incorporation and are enthusiastically observing appropriate festivities; and

WHEREAS, a centennial committee has firmly joined hands with the citizens of Fort Kent during the year 1969 to pay tribute, not only to a rich past, but to a bright and challenging future; now, therefore, be it

ORDERED, the Senate concurring, that the members of the 104th Legislature of the State of Maine extend congratulations and best wishes to the citizens of Fort Kent as they observe their hundredth year of incorporation; and be it further

ORDERED, that as a token of future support and encouragement that the Secretary of the Senate be directed to transmit forthwith to the people of Fort Kent, through its Town Manager, Claude Dumond, Council Chairman, Randall Pinkham and Chairman of the 1969 Fort Kent Centennial Committee, Reynold Soucy, duly authenticated copies of this Joint Order. (H. P. 1157)

Comes from the House, Read and Passed.

Which was Read and Passed in concurrence.

Communications

State of Maine

House of Representatives

Office of the Clerk

Augusta, Maine

April 25, 1969

Hon. Jerrold B. Speers

Secretary of the Senate

104th Legislature

Sir:

The Speaker today appointed the following Committee of Conference on the disagreeing action of the two branches of the Legislature on:

Joint Order relative to University of Maine at Portland - Study re Preservation of Building (S.P. 423)
Messrs. RICHARDSON

of Stonington

PORTER of Lincoln

WAXMAN of Portland

Respectfully,

s BERTHA W. JOHNSON

Clerk of the House

Which was Read and Ordered
Placed on File.

State of Maine

House of Representatives

Office of the Clerk

Augusta, Maine

April 25, 1969

Hon. Jerrold B. Speers

Secretary of the Senate

104th Legislature

Sir:

The Speaker today appointed the following Committee of Conference on the disagreeing action of the two branches of the Legislature on:

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

HASKELL of Houlton

McTEAGUE of Brunswick

Respectfully,

s BERTHA W. JOHNSON

Clerk of the House

Which was Read and Ordered
Placed on File.

State of Maine

House of Representatives

Office of the Clerk

Augusta, Maine

April 25, 1969

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

The Speaker today appointed the following Committee of Conference on the disagreeing action of the two branches of the Legislature on: Bill, "An Act to Amend the Eating Place Licensing Law" (S. P. 220) (L. D. 668)

Messrs. SOULAS of Bangor
DANTON of
Old Orchard Beach
BENSON of
Southwest Harbor
Respectfully,
s BERTHA W. JOHNSON
Clerk of the House
Which was Read and Ordered
Placed on File.

**Committee Reports
House**

**Leave to Withdraw -
Covered by Other Legislation**

The Committee on Appropriations and Financial Affairs on Bill, "An Act Appropriating Funds for Division of Eye Care and Special Services, Department of Health and Welfare." (H. P. 883) (L. D. 1142)

Reported that the same be granted Leave to Withdraw as covered by Other Legislation.

Comes from the House, the report Read and Accepted.

Which report was Read and Accepted in concurrence.

Leave to Withdraw

The Committee on State Government on Bill, "An Act Relating to Issuance of Certificates Permitting the Carrying of Weapons." (H. P. 298) (L. D. 374)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the report Read and Accepted.

Which report was Read and Accepted in concurrence.

**Ought Not to Pass -
Covered by Other Legislation**

The Committee on Inland Fisheries and Game on Bill, "An Act Prohibiting Hunting from Snow Traveling Vehicles." (H. P. 143) (L. D. 169)

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

The Committee on Inland Fisheries and Game on Bill, "An Act Prohibiting Firearms in Snowmobiles in York County During Hunting Season." (H. P. 731) (L. D. 949)

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

Come from the House, the reports Read and Accepted.

Which reports were Read and Accepted in concurrence.

Ought Not to Pass

The Committee on State Government on Resolve, Proposing an Amendment to the Constitution Increasing Number of Executive Councilors from Seven to Eight. (H. P. 76) (L. D. 76)

Reported that the same Ought Not to Pass.

The Committee on State Government on Resolve, Proposing an Amendment to the Constitution Providing for Appointment and Membership of the Council. (H. P. 416) (L. D. 527)

Reported that the same Ought Not to Pass.

The Committee on State Government on Bill, "An Act Relating to Accrued Sick Leave of State Employees." (H. P. 1012) (L. D. 1320)

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.

The Committee on Inland Fisheries and Game on Bill, "An Act Providing for Adequate Fishways in Dams and Other Obstructions." (H. P. 857) (L. D. 1099)

Reported that the same Ought Not to Pass.

Comes from the House, the Report and Bill Indefinitely Postponed.

Which report was Read.

On motion by Mr. Bernard of Androscoggin, tabled and specially assigned for May 1, 1969, pending Acceptance of the Committee Report.

Ought to Pass

The Committee on Judiciary on Bill, "An Act to Authorize Attorneys - at - law to Take Acknowledgements on Deeds and Other Written Instruments." (H. P. 559) (L. D. 740)

Reported that the same Ought to Pass.

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

The Committee on Judiciary on Bill, "An Act Increasing the Number of Superior Court Justices." (H. P. 955) (L. D. 1236)

Reported that the same Ought to Pass.

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

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

The Committee on Sea and Shore Fisheries on Bill, "An Act Relating to Use of Scallop Drags in Gouldsboro Bay." (H. P. 611) (L. D. 799)

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-248).

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

Ought to Pass - As Amended

The Committee on Sea and Shore Fisheries on Bill, "An Act Relating to Taking of Alewives in Georges River." (Emergency) (H. P. 1093) (L. D. 1410)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-240).

Comes from the House, the report Read and Accepted and the Bill Passed to be Engrossed as Amended by Committee Amendment "A" (H-240).

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

Adopted in concurrence and the Bill, as Amended, tomorrow assigned for Second Reading.

Ought to Pass in New Draft

The Committee on Sea and Shore Fisheries on Bill, "An Act Relating to Type of Dredge to Dig Clams in Waters Between Cape Elizabeth and Pemaquid Point." (H. P. 527) (L. D. 698)

Reported that the same Ought to Pass in New Draft. (H. P. 1150) (L. D. 1472)

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

The Committee on Education on Bill, "An Act Relating to Tuition Charges for Students from State Institutions." (H. P. 925) (L. D. 1186)

Reported that the same Ought to Pass in New Draft (H. P. 1149) (L. D. 1471).

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

The Committee on Appropriations and Financial Affairs on Resolve, Providing Moneys for Cerebral Palsy Clinics for Home Care Programs. (H. P. 977) (L. D. 1261)

Reported that the same Ought to Pass in New Draft Under Title of "Resolve Providing Moneys for Cerebral Palsy Centers for Home Care and Other Purposes." (H. P. 1148) (L. D. 1470).

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

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

Divided Report

Five members of the Committee on State Government on Resolve, Proposing an Amendment to the Constitution to Reduce the Voting Age to Nineteen Years. (H. P. 77) (L. D 77)

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

Signed:

Senator:

BELIVEAU of Oxford

Representatives:

WATSON of Bath

MARSTALLER of

Freeport

STARBIRD of Kingman

RIDEOUT of Manchester

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

Signed:

Senators:

WYMAN of Washington

LETOURNEAU of York

Representatives:

D'ALFONSO of Portland

DONAGHY of Lubec

DENNETT of Kittery

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

Which reports were Read.

Mr. Beliveau of Oxford moved acceptance of the Ought to Pass Report "A" of the Committee.

Thereupon, on motion by Mr. Katz of Kennebec, tabled until later in today's session.

Senate

Ought Not to Pass

Mr. Mills for the Committee on Judiciary on Bill, "An Act Relating to Admission of Treatises and Books in Malpractice Actions." (S. P. 43) (L. D. 126)

Reported that the same Ought Not to Pass.

Which report was Read and Accepted.

Sent down for concurrence.

Ought to Pass - As Amended

Mr. Mills for the Committee on Judiciary on Bill, "An Act Relating to the Guardianship of Mentally Retarded Persons." (S. P. 109) (L. D. 315)

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

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

Second Readers

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

House

Bill, "An Act Creating the Maine Milk Dealers' Bonding Law." (H. P. 715) (L. D. 933)

Bill, "An Act Defining the Term Just Value for Purposes of Property Assessment." (H. P. 877) (L. D. 1120)

Bill, "An Act Relating to Amount of Food Sold by Class A Restaurants Under Liquor Law." (H. P. 1146) (L. D. 1465)

Bill, "An Act Relating to Hours of Sale of Liquor in Class A Restaurants, Hotels and Clubs." (H. P. 1147) (L. D. 1466)

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

House - As Amended

Bill, "An Act Relating to Compensation for Full-time Deputy Sheriffs and Chief Deputies." (H. P. 494) (L. D. 648)

On motion by Mr. Minkowsky of Androscoggin, temporarily set aside.)

Bill, "An Act Relating to Expending York County Funds for Waban Project, Inc." (H. P. 652) (L. D. 842)

Bill, "An Act Relating to Licensing of Guides Under Fish and Game Laws." (H. P. 1123) (L. D. 1444)

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

The PRESIDENT: On the matter previously set aside at the request of Mr. Minkowsky of Androscoggin, Bill, "An Act Relating to Compensation for Full-time Deputy Sheriffs and Chief Deputies" (H. P. 494) (L. D. 648), the Chair recognizes the same Senator.

Mr. MINKOWSKY of Androscoggin: Mr. President and Members of the Senate: The Chief Deputy and Members of his staff appeared at the public hearing regarding this L.D. and were of the opinion that Androscoggin

County would be included in this particular Bill. It had the approval of the County Commissioners as well, and it also has been included in the County Budget.

I have spoken to the Senate Chairman of the Towns and Counties Committee and he has no objection if I offer Senate Amendment "A" under Filing No. S-110. This would put Androscoggin in the same classification as Cumberland and York Counties. Mr. President, I now offer Senate Amendment "A," and move its adoption.

Senate Amendment "A", Filing No. S-110, was Read and Adopted and the Bill, as Amended, Passed to be Engrossed in non-concurrence.

Sent down for concurrence.

Senate - As Amended

Bill, "An Act Prohibiting the Expenditure of Public Funds to Promote or Oppose Measures to be Voted on at Elections." (S. P. 412) (L. D. 1368)

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 Conferring Degrees by Husson College. (S. P. 417) (L. D. 1392)

An Act Increasing the State Contingent Account. (S. P. 435) (L. D. 1454)

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

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

An Act Relating to Sunday Sale of Liquor if January 1st Falls on Sunday or Monday. (H. P. 775) (L. D. 1008)

An Act Relating to Taking Lobsters by Use of Otter or Beam Trawls. (H. P. 908) (L. D. 1169)

An Act Relating to the Jet Fuel Tax. (H. P. 1136) (L. D. 1456)

Which, except for the tabled matter, were Passed to be Enacted and, having been signed by the

President, were by the Secretary presented to the Governor for his approval.

Resolve, Authorizing a Study of the Operational Aspects of the Superior and Supreme Courts. (H. P. 404) (L. D. 515)

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

Resolve, Relating to Fishing in First Chase Lake, Aroostook County. (H. P. 892) (L. D. 1151)

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

Orders of the Day

The President laid before the Senate the first 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 24, 1969 by Senator Letourneau of York.

Pending — Motion by Senator Martin of Piscataquis to Accept the Minority Ought Not to Pass Report.

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

Mr. LETOURNEAU of York: Mr. President, I tabled this in the absence of Senator Wyman. I note his absence this morning, so I would ask that somebody else table it.

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

Thereupon, on motion by Mr. Bernard of Androscoggin, retabled and tomorrow assigned, 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 second 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 24, 1969 by Senator Minkowsky of Androscoggin.

Pending — Motion by Senator Beliveau of Oxford to Indefinitely Postpone Bill and Report.

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

Mr. HANSON of Kennebec: Mr. President and Members of the Senate: I am just back and I guess I am not too well caught up on this legislation that is now before us. I would like to explain, if I may, Legislative Document 848.

When this bill was originally written, it had a minimum of 1900 hours over not less than a 12-months period of time. I was asked if I would be willing to go along with this bill which would cut out the apprenticeship that we now have in the present law; six months of apprenticeship, a minimum of 1000 hours in not less than six months, plus six months schooling of six months and not less than 1000 hours. Now, the confusing part of our present barber laws is that we have three ways of training: One is a straight apprenticeship of 18 months and I believe 2500 hours minimum. Then we have six months schooling and six months of apprenticeship, and with the schooling it must be a minimum of 1000 hours. We also have the present law of 1500 hours in not less than a nine - months period of time. With any one of these three ways of training you can become eligible to take a state examination for the master barber's license.

Some of the members of the Board and some of the barbers as well felt that if we could have 1900 hours minimum in not less than a 12 - months period of time that we could expand the curriculum to the extent of where we could be covering hair coloring, hair straightening, tinting, in other

words, dying, we could have the razor cutting, hair styling, glow waving, the fitting of hair pieces, and cover all the subjects which pertain to the profession of barbering.

After checking over the laws in our surrounding states and a great number of the states within the eastern part of the United States, I found that we were having in the sister State of New Hampshire six months of schooling and six months apprenticeship. I would say that if this went through for a straight 12 - months of schooling it is my belief that there would be no barber school in the State of Maine within a very short time, because the students would absolutely not continue on to school for the additional three months which would be required for this training, plus the extra cost of living and the extra tuition that would have to be paid. In the other New England States they have six months schooling and they also have a year and a half up to two or two and a half years of apprenticeship.

Now, for those of you who possibly do not understand the apprenticeship program, after you have attended school for the six months you have covered all of the subjects, or you are supposed to have covered all of the subjects, the State laws, rules and regulations, sanitation, sterilization, the several systems of the body, blood supply, nerve supply, etc., that goes with this, and then you are supposed to go out and work in a shop with a master barber who is supposed to continue to train you. The actual training you receive as an apprentice in a shop is from the actual work of waiting upon the patrons.

The amendment to L.D. 848 would cut this bill back in the number of hours to the maximum of the present law, which is in Title 32, Section 301, if you want to check this in the State Statutes. This bill, with this amendment on it, would leave the training hours at 1500 hours, exactly the same as the present law, which is the shortest period of time in which you can become eligible to take

an examination for your master's license.

This bill also covers more in the curriculum to the extent that it does allow hair coloring, it would allow the razor cutting, the hair straightening, and many of these products are not safe for anybody to be fooling around with and do require supervision. But, as an apprentice, I would question the amount of supervision that you would obtain in a shop.

It has been our experience, going back to the six months of schooling and the six months apprenticeship, it has been our experience to find that the very few students who take the six months schooling with the minimum of 1000 hours, and then go out and work as an apprentice are those students who are actually, in at least 95 per cent of the cases, incapable of continuing on with the theory, but yet they can still go out and go into the field as an apprentice for six months. This barber that they go to work for is supposed to be teaching them, and so forth, so that they can continue on and can pass the State examination. Now, my experience with two students fairly recently has been that they were unable to pass the school tests over the six months period of time and, therefore, their training was interrupted. In one case in particular we, as taxpayers in the State, bought the tools for him because this student in particular was training under the State Rehabilitation Program. Yet this student failed in his six months of schooling and continued, and is now going to continue on as an apprentice for six months. We as taxpayers have paid for this tuition, we as taxpayers have paid for the tools, and yet this one student in particular, whose course was interrupted two weeks ago, I believe, is actually an expense to the State. Personally, I do not believe in this six months of schooling and six months apprenticeship.

I have no particular feeling on this bill; it means not one penny to me one way or the other. It means absolutely not one hour

more for the student to train, but it does broaden the curriculum to the point where we, as instructors, can teach more to those students that are able and capable of learning of the hair coloring, tinting, hair straightening, razor cutting, glow waving, the styling of the hair and setting of hair pieces. You or nobody else can convince me, after the many years that I have been in the business, that any student who has had six months of schooling is able and capable of going out and performing these services to the public. And I think you will find that the barbers are probably charging the same fees as they would for a professional workman who holds a master's license.

It so happens that I have one of the new textbooks before me which covers advanced barbering, men's hair styling and so forth. Now, my instructors and myself have taken three different courses, we have attended many shows, and I feel that we are qualified to teach much more in our schools during the nine - months period of time than what we are now allowed to teach because, as I understand it, if a student under the direct supervision of an instructor should be coloring a patron's hair, whether it is another student, or whether it is a friend of his or not, if a member of the Board or even the Inspector should happen to walk in, he can claim that it is absolutely not in our curriculum and he can remove our school license from the wall. I feel that if they are paying the tuition for the services that we should be allowed to teach these services. I think that our hands are tied at the present time—I don't think they are: I know that they are, and you won't find an instructor in the State of Maine but will tell you the same thing.

Of course, I think possibly that some of the barbers have one point in particular: they feel that a barber must have a master's license before he can continue into the advanced training of coloring. Now, I am running a special course on coloring the 12th of this month. On the 19th of the month they are giving the State exams in our

school in Lewiston, and I would be most happy to extend to any of you an invitation to visit during that exam and see how it is conducted and so forth. On the 25th and 26th of this month we are running a special course on razor cutting, hair styling, glow waving, and the fitting of hair pieces. Now, these can be taught only to barbers who have a master's license, and some of these people who will be taking this course have twenty to twenty-five years of experience as well.

I certainly hope that you will give consideration to this bill and, if you still want to leave in this six-months schooling, a minimum of 1000 hours in six months of apprenticeship, possibly the bill could be amended, but I would like to see the curriculum broadened to the extent of where we can teach more and the student can receive more for his money. I hope that the motion to indefinitely postpone does not prevail, and when the vote is taken I ask for a division.

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

Mr. BELIVEAU of Oxford: Mr. President and Members of the Senate: I think many of the members of this body can certainly appreciate the generous offer of the Senator from Kennebec County, particularly as it related to hair pieces, razor cutting and hair styling, Mr. President. But to divert for a second, there is no doubt as to the benefits that we all realized from the efforts of individuals like Mr. Hanson, his teachers and the product of his school. Some people suggest that some of us don't use their services frequently enough, and others too often.

But to get back to the merits of the bill, I am not going to repeat the arguments that I presented last week. I would like to bring to the Senate's attention a letter from the Vice President of the Maine State Barber's Association that was distributed, and should be on your desks now, in which they oppose the bill as amended. The State Barber Board also opposes the bill as amended.

I want to just clarify one area here, and I have reviewed the statute, Title 32, on barbers and barbershops. It appears that our existing law is sufficient. The existing law says, under training and qualifications of a person as a barber, it says that: "If a person has satisfactorily completed a course of instruction of 1500 hours, and not less than nine months in a school of barbering approved by said Board." That is the law today. Now, the section of Title 32 that is being amended applies only to approval of barber schools. What we are doing, in effect, is placing a requirement upon all the students in the State, whether they want to or not, to go to school, when maybe they prefer, or there is a situation financially or otherwise which would require that they receive their training through an apprenticeship.

Now, as I say, the people who are familiar with this document, the members of the Maine State Barbers' Association and the Maine State Barber's Board, are opposed to this. I fail to see where this legislation which amends the barber law would accomplish anything. The existing statute gives them sufficient time. It permits them to complete a course of 1500 hours in not less than nine months, which is exactly the amendment that you have before you. There is no need for this amendment and there is no need for the bill, so I press my motion, Mr. President, and I urge that you will support me on this. Thank you.

The PRESIDENT: Is the Senate ready for the question? The pending question before the Senate is the motion of the Senator from Oxford, Senator Beliveau, that Legislative Document 848, Bill, "An Act Concerning the Training of Barbers," be indefinitely postponed. A division has been requested.

As many as are in favor of the motion of the Senator from Oxford, Senator Beliveau, to indefinitely postpone the Bill and Report will rise and remain standing until counted. Those opposed will rise and remain standing until counted.

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

Thereupon, the Ought to Pass as Amended Report of the Committee was Accepted in concurrence and the Bill Read Once. Committee Amendment "A", Filing No. H-205, was Read and Adopted in concurrence and the Bill, as Amended, tomorrow assigned for Second Reading.

(See action later in today's session.)

The President laid before the Senate the third tabled and specially assigned 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)

Tabled — April 24, 1969 by Senator Reed of Sagadahoc.

Pending — Motion by Senator Violette of Aroostook to Reconsider.

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

Mr. MINKOWSKY of Androscoggin: Mr. President and Members of the Senate: I have spoken to Senator Violette regarding this L. D., and he had no objection at all to letting it go through this morning.

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

Mr. REED of Sagadahoc: Mr. President and Members of the Senate: I have no real strong feelings on this particular piece of legislation and I do not believe that the Senator from Aroostook, Senator Violette, does either. The motion now is to reconsider whereby the Senate adhered. Now, there were some in the other branch who wished that we had insisted and asked for a committee of conference, which didn't seem to me to be an unreasonable request.

As I say, I have no strong feelings and I probably will vote along with the motion made by the Senator from Aroostook, Senator Violette, but this would merely

mean that we would insist and ask for a committee of conference instead of taking the action of adhering.

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

Mr. KATZ of Kennebec: Mr. President and Members of the Senate: With reference to the remarks of the Senator from Sagadahoc, Senator Reed, a committee of conference serves a very useful purpose, but in this case it is a case of whether we move a division of a department from one department to another. It is almost a black and white irreconcilable position, so I would oppose the motion for reconsideration.

The PRESIDENT: The pending question is the motion of the Senator from Aroostook, Senator Violette, that the Senate reconsider its action of adhering.

The Chair recognizes the Senator from Androscoggin, Senator Minkowsky.

Mr. MINKOWSKY of Androscoggin: Mr. President, I move for a division on the reconsideration motion.

The PRESIDENT: Is the Senate ready for the question? The pending question is the motion of the Senator from Aroostook, Senator Violette, that the Senate reconsider its action whereby it adhered to its former action of accepting the Minority Ought Not to Pass Report of the Committee. As many as are in favor of the motion to reconsider will rise and remain standing until counted. All those opposed will rise and remain standing until counted.

A division was had. Four Senators having voted in the affirmative, and twenty-three Senators having voted in the negative, the motion to reconsider did not prevail.

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

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

Tabled—April 25, 1969 by Senator Reed of Sagadahoc.

Pending—Motion by Senator Conley of Cumberland to Reconsider Passage to be Engrossed.

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

Mr. CONLEY of Cumberland: Mr. President and Members of the Senate: I feel a little strange here trying to defend this bill this morning, but since it has appeared on the calendar I had a talk with the good Senator from Aroostook, Senator Barnes, who has explained to me that the committee in its deliberations on this bill spent a great deal of time on it. Many of them were sympathetic in the same way that I am. I would like to see the demise of this bill, however, I am afraid that is not going to solve the problem.

I didn't have the number of the amendment when the good Senator from Sagadahoc tabled the bill, but I understand it has been amended now to remove the seven days and increase it to ten days.

It seems strange to me that we in this State are very conscious of protecting our wild life, that is, we try to protect the caribou from disappearing from the face of Maine, we regulate our hunting of birds and deer, we regulate our fishing in the wintertime and again in the summertime, and yet the animal, the dog, which is supposed to be man's best friend, is allowed to be picked up by veterinarians, or turned over to veterinarians, and in a period of time — it used to be 14 days, and the bill called for seven, but now I understand it was increased to ten — that they would either be given away or they would be exterminated. Being a dog owner, I have come to love dogs, I have come to appreciate them very much, and I have heard from a lot of people relative to this item. But the good Senator from Aroostook explains to me that many of these veterinarians, or these other places where they are holding these dogs, they just hold them for the period of 14 days; they don't make any effort to get rid of them, and they are somehow or another getting a fee from the State — I think it is something

like a dollar and a half a day for each day that they hold a dog — and then they are doing away with it.

I am sort of caught in a bind here. I would like to move for indefinite postponement but I am afraid I wouldn't succeed anyway. But I would just like to call it to the attention of the members of the Senate this morning that this bill is before us, and I would hope that in the next session the bill doesn't come back to reduce the time again from ten days down to five. So, I will withdraw my motion for reconsideration.

The PRESIDENT: The Senator from Cumberland, Senator Conley, withdraws his motion for reconsideration.

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

JOINT ORDER — Relative to Legislative Research Committee to Study L. D. 1208—Bill, "An Act Establishing the Quality Rating of Gasoline." (S. P. 445)

Tabled—April 25, 1969 by Senator Katz of Kennebec.

Pending—Passage.

Mr. Katz of Kennebec moved the pending question.

Thereupon, the Joint Order received Passage.

Sent down for concurrence.

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

HOUSE REPORT — Ought to Pass in New Draft Under Same title (H. P. 1106) (L. D. 1423) from the Committee on Public Utilities on Bill, "An Act to Regulate Sewer Utilities." (H. P. 481) (L. D. 635)

Tabled—April 25, 1969 by Senator Violette of Aroostook.

Pending—Acceptance of Report.

Mr. Barnes of Aroostook moved that the Bill be indefinitely postponed.

Thereupon, on motion by Mr. Moore of Cumberland, retabled and specially assigned for May 1, 1969, pending the motion by Mr. Barnes of Aroostook that the Bill be Indefinitely Postponed.

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

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

Tabled—April 25, 1969 by Senator Katz of Kennebec.

Pending—Passage to be Engrossed.

Mr. Berry of Cumberland presented Senate Amendment "B" and moved its adoption.

Senate Amendment "B", Filing No. S-111, was Read.

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

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: In moving the adoption of Senate Amendment "B", I would just like to explain to the Senate very briefly that this represents some minor changes in the bill which are very definitely in the nature of a compromise along lines that appear not to hinder the legislation in its basic purpose to regulate outdoor advertising, and that it has the full approval of the Assistant Attorney General in the State Highway Commission, who is responsible and has been following this legislation.

The PRESIDENT: Is it now the pleasure of the Senate to adopt Senate Amendment "B"?

Senate Amendment "B" was adopted and the Bill, as Amended, Passed to be Engrossed in non-concurrence.

Sent down for concurrence.

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

HOUSE REPORTS — from the Committee on Education on Bill, "An Act Relating to Location of Schools and Size of School Projects." (H. P. 683) (L. D. 882) Majority Report, Ought to Pass; Minority Report, Ought Not to Pass.

Tabled—April 25, 1969 by Senator Katz of Kennebec.

Pending — Acceptance of Either Report.

On motion by Mr. Gordon of Cumberland, the Majority Ought to Pass Report of the Committee was

accepted in concurrence, the Bill Read Once and tomorrow assigned for Second Reading.

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

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

Tabled—April 25, 1969 by Senator Katz of Kennebec.

Pending — Motion by Senator Cianchette of Somerset to Reconsider Indefinite Postponement.

Thereupon, a viva voce vote being taken, the motion to Reconsider Indefinite Postponement did not prevail.

Sent down for concurrence.

The President laid before the Senate the matter tabled earlier in today's session on motion by Mr. Katz of Kennebec, Resolve, Proposing an Amendment to the Constitution to Reduce the Voting Age to Nineteen Years, (H. P. 77) (L. D. 77), pending the motion by Mr. Beliveau of Oxford to Accept the Ought to Pass Report "A" of the Committee.

Mr. Katz of Kennebec requested a division.

Thereupon, Mr. Beliveau of Oxford requested a roll call.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr. President and Members of the Senate: I would like to point out again that State Government has a final voting age package within the Committee. There has been a multitude of these bills. It is not possible for the Senate to act on all of them, and I ask your cooperation in addressing our attention to the bill presently with the Committee on State Government, and I ask you to vote against the motion to accept the Ought to Pass Report.

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

Mr. BELIVEAU of Oxford: Mr. President and Members of the Senate: I think it is important that we all be on record either in support of reducing the voting age to nineteen or opposed to it, and that is

the primary reason I have asked for a roll call. We defeated the eighteen-year old vote here on the use of the same argument that there was another vehicle pending. Now the same argument is being offered to us in opposition to this bill. I think that the citizens of the State, particularly those between eighteen and twenty years of age are entitled to know exactly what our position is on this document, and that is why I am asking for a roll call.

The PRESIDENT: A roll call has been requested. In order for the Chair to order a roll call, under the Constitution, it requires the affirmative vote of at least one-fifth of those Senators present and voting. As many as are in favor of ordering a roll call will rise and remain standing until counted.

Obviously more than one-fifth having arisen, a roll call is ordered. The Chair will state the question once more. The pending question before the Senate is the motion of the Senator from Oxford, Senator Beliveau, that the Senate accept the Ought to Pass Report "A" of the Committee on Resolve, Proposing an Amendment to the Constitution to Reduce the Voting Age to Nineteen Years. A "Yes" vote will be in favor of accepting Report "A". A "No" vote will be opposed.

The Secretary will call the roll.

Roll Call

YEAS: Senators Beliveau, Bernard, Berry, Boisvert, Cianchette, Conley, Gordon, Kellam, Mills, Reed, Stuart, and Tanous.

NAYS: Senators Anderson, Barnes, Dunn, Duquette, Greeley, Hanson, Hoffses, Katz, Letourneau, Logan, Martin, Minkowsky, Moore, Peabody, Quinn, Sewall, and President MacLeod.

ABSENT: Senators Levine, Violette, and Wyman.

A roll call was had. Twelve Senators having voted in the affirmative and seventeen Senators having voted in the negative, with three Senators absent, the motion did not prevail.

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

The PRESIDENT: The Senate is proceeding under Orders of the Day.

The Chair recognizes the Senator from Kennebec, Senator Ktaz.

Mr. KATZ of Kennebec: Mr. President, does the Senate presently have in its possession Resolve, in Favor of Town of Harrington for Medical Care of an Indigent, House Paper 543, Legislative Document 722?

The PRESIDENT: The Chair will reply in the affirmative, the Resolve having been held at the request of the Senator from Kennebec, Senator Katz.

The Chair recognizes the same Senator.

Mr. KATZ: Mr. President and Members of the Senate: This came up last Friday, and I want to apologize to the proponents of a particular point of view for my attempt to table this on Friday. I found when I got home I had a high temperature and I claim completely no responsibility for anything I might have said at the time, if I did say anything indeed.

I have a feeling, where this Resolve came out of committee with a divided report, that perhaps there is some basis for further committee work. Therefore, I would move that the Senate reconsider and, if the Senate is agreeable to this, I would then move for recommitment of the Resolve to the Committee on Claims for further consideration.

The PRESIDENT: The Senator from Kennebec, Senator Katz, moves that the Senate reconsider its action whereby it accepted the Minority Ought Not to Pass Report of the Committee.

The Chair recognizes the Senator from Piscataquis, Senator Martin.

Mr. MARTIN of Piscataquis: Mr. President and Members of the Senate: I would like a division on that motion and I would like to say a few words on this bill, if I may.

I have very strong feelings against this bill in that it is unfair and the people of Maine would be paying a bill that belongs to the Town of Harrington. This is favoring one town over other municipalities, and it is not correct, it is not right. We have our settlement

laws which take good care of the responsibility of the towns regarding payments for pauper supplies and pauper expenditures. In this case if the Legislature passes this bill the State would pay for the Town of Harrington the sum of \$1529. Other towns are paying their own bills and I don't see why Harrington shouldn't do the same with theirs. I am opposed to the motion and I would hope that this bill would be indefinitely postponed.

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

Mr. LOGAN of York: Mr. President and Members of the Senate: Neither the Committee on Claims or the Committee on Business Legislation has yet had one of its decisions overturned by the Legislature, and I would hope that the Senate would give us opportunity for further study on this measure.

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

Mr. QUINN of Penobscot: Mr. President and Members of the Senate: I stand in opposition to the motion of the good Senator from Kennebec. I served on this Claims Committee and I heard all the facts and all the details of the case, and I think it is a bill that shouldn't be passed. We are opening a door that we should not open, we have our settlement laws which were well-founded over the years, and this matter should be taken care of entirely under that category. We are going out of that category when we ask the State to assume this obligation. I move that when the vote is taken it be by the "Yeas" and "Nays".

The PRESIDENT: The pending question before the Senate is the motion of the Senator from Kennebec, Senator Katz, that the Senate reconsider its action whereby on Resolve, in Favor of Town of Harrington for Medical Care of an Indigent, the Senate accepted the Minority Ought Not to Pass Report of the Committee.

A roll call has been requested. In order for the Chair to order a roll call, under the Constitution, it requires the affirmative vote of one-fifth of the Senators present

and voting. As many Senators as are in favor of ordering a roll call will rise and remain standing until counted.

Obviously more than one-fifth having arisen, a roll call is ordered.

The Chair recognizes the Senator from Hancock, Senator Anderson.

Mr. ANDERSON of Hancock: Mr. President, will you put the question again, please?

The PRESIDENT: The Chair will put the question again. The question before the Senate is the motion of the Senator from Kennebec, Senator Katz, that the Senate reconsider its action whereby on Resolve, in Favor of Town of Harrington for Medical Care of an Indigent, Legislative Document 722, House Paper 543, the Senate accepted the Minority Ought Not to Pass Report of the Committee. The motion before the Senate is the motion to reconsider this action. A "Yes" vote will be in favor of reconsideration; a "No" vote will be opposed.

The Chair recognizes the Senator from Franklin, Senator Mills.

Mr. MILLS of Franklin: Mr. President, a parliamentary inquiry: Would you give me the record on the vote the other day. Was it a record vote or a viva voce vote?

The PRESIDENT: The Chair would inform the Senator that it was a roll call vote. The Chair is not in possession of the vote. A "Yes" vote is in favor of the motion for reconsideration; a "No" vote is opposed.

The Secretary will call the roll.

Roll Call

YEAS: Senators Hoffses, Katz, Logan, Mills, Minkowsky, Moore, Stuart, Tanous, and President MacLeod.

NAYS: Senators Anderson, Barnes, Beliveau, Bernard, Berry, Boisvert, Cianchette, Conley, Dunn, Duquette, Gordon, Greeley, Hanson, Kellam, Letourneau, Martin, Peabody, Quinn, Reed, and Sewall.

ABSENT: Senators Levine, Violette, and Wyman.

A roll call was had. Nine Senators having voted in the affirmative and twenty Senators having voted in the negative, with three

Senators absent, the motion did not prevail.

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

Mr. HANSON of Kennebec: Mr. President, I would like to move that we reconsider our action on L. D. 848, Item 2, Page 7. It had its first reading.

The PRESIDENT: The Senator from Kennebec, Senator Hanson moves the Senate reconsider its action whereby Bill, "An Act Concerning the Training of Barbers" (HP 661) (LD 848), was tomorrow assigned for second reading.

The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY of Cumberland: Mr. President, the Senator from Kennebec, Senator Hanson, just made a statement that this bill had its first reading, and I question whether that is the action?

The PRESIDENT: The Chair would inform the Senate that the Bill was given its first reading, Committee Amendment "A" was adopted, and it was assigned for second reading tomorrow.

Is it now the pleasure of the Senate to reconsider its action whereby this Committee Report was accepted, the Bill was given its first reading, Committee Amendment "A" was adopted, and the Bill assigned for tomorrow?

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr. President, a parliamentary inquiry: it having been assigned to a specific time, can it now be reconsidered without suspending the rules?

The PRESIDENT: The Chair would inform the Senator that the Bill was assigned for second reading tomorrow. The Senate would be reconsidering its action whereby it did assign the Bill for second reading tomorrow. Is the Senate ready for the question?

The Chair recognizes the Senator from Oxford, Senator Beliveau.

Mr. BELIVEAU of Oxford: In support of the motion to reconsider, Mr. President and Members of the Senate, I am going to press my argument a little further. We

have debated bills similar to this in other areas regarding qualifications for various occupations and professions. There always has been a need for it, there has always been a problem in our existing statute that required an amendment or further clarification. Now, no one has suggested to us today, and no one has presented an argument, as to exactly how this is going to benefit the consumers or the citizens of the State. If the members of the Senate would take the time and read Title 32, Section 402, which is the section concerned with the qualifications and examinations of barber students, and analyze this in conjunction with the argument that was raised that all this would do is to expand or extend the number of hours in the course of instruction from one thousand to fifteen hundred and from six months to nine months, I say to you people that it's here and now that Subsection 3, Section 402 of Title 32 provides for this. What the bill would do, it will change the requirement of a barber school to that extent, by increasing the minimum time before a school can be licensed—now it is my understanding we have two, one which was organized just recently—this would impose a burden on the students and require them to attend. It would be mandatory that they attend fifteen hundred hours or nine months of schooling, while today presently they are only required to do six months and one thousand hours. At least under our existing law the option is with the student of whether or not he believes he is financially able to continue the formal course or whether he wants to make up the difference through an apprenticeship program.

Now, again, the people who have been delegated the authority and responsibility of administering this law, the people who supposedly possess an expertise in this area, have concluded that the amendment is a bad amendment. The State Board of Barbers and the Barbers' Association are opposed to this. Who are we to intervene or impose upon them our expert judgment when it is quite apparent that there is no need for this

bill or the amendment. So, again, in support of the good Senator's motion to reconsider, I urge the members of the Senate—as a matter of fact, I am going to move that this be indefinitely postponed.

The PRESIDENT: The Chair would inform the Senator that the motion to indefinitely postpone does not take precedence over a motion to reconsider.

Mr. BELIVEAU: All right, I will support the pending motion.

The PRESIDENT: Is the Senate ready for the question? The question before the Senate is the motion of the Senator from Kennebec, Senator Hanson, that the Senate reconsider its action whereby this bill was assigned for its second reading tomorrow: Bill, "An Act Concerning the Training of Barbers." Is this the pleasure of the Senate?

The motion prevailed.

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

Mr. HANSON of Kennebec: I thank the members of the Senate who supported me in the passage of this measure, but I think that possibly the message may be across now whereby the members of the board will allow us to enlarge our curriculum to cover more training.

Therefore, I feel that there is absolutely no necessity for this bill at this time, and I move for indefinite postponement of this bill and all its accompanying papers.

The PRESIDENT: Is the Senate ready for the question? As many as are in favor of the motion of the Senator from Kennebec, Senator Hanson, that this bill be indefinitely postponed will say "Yes"; those opposed, "No."

A viva voce vote being taken, the motion prevailed and the Bill was Indefinitely Postponed in non-concurrence.

Sent down for concurrence.

Papers from the House

Out of order and under suspension of the rules, the Senate voted to take up the following paper from the House.

Bill, "An Act Authorizing Penobscot County to Raise Money to Purchase and Develop Premises Adjoining County Buildings"

(Emergency) (H. P. 1099) (L. D. 1419).

This being an emergency measure and having received the affirmative vote of 28 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.

On the disagreeing action of the two branches of the Legislature on Bill, "An Act Increasing Compensation of Members of Board of Hairdressers" (H. P. 227) (L. D. 283), the President appointed the following Conferees on the part of the Senate:

Senators: QUINN of Penobscot
GREELEY of Waldo
DUQUETTE of York

On the disagreeing action of the two branches of the Legislature on Bill, "An Act to Provide for Forfeiture of Vehicles Used to Transport Narcotics" (H. P. 734) (L. D. 952), the President appointed the following Conferees on the part of the Senate:

Senators: TANOUS of Penobscot
VIOLETTE of Aroostook
MINKOWSKY
of Androscoggin

On motion by Mr. Mills of Franklin, the Senate voted to take from the table the sixth tabled and unassigned matter:

Bill, "An Act Relating to Full-time State's Attorneys." (S. P. 243) (L. D. 1294)

Tabled—March 20, 1969 by Senator Mills of Franklin.

Pending—Consideration.

The PRESIDENT: The Chair recognizes the same Senator.

Mr. MILLS: My understanding is, Mr. President, that this matter is in non-concurrence, having been referred by the Senate to the Committee on Judiciary and having received non-concurrent action in regard to reference in the House. I move that the Senate insist, Mr. President.

The PRESIDENT: The Senator from Franklin, Senator Mills, moves that the Senate insist whereby this bill was referred to the Committee on Judiciary. Is this the pleasure of the Senate?

The motion prevailed.
Sent down for concurrence.

On motion by Mr. Quinn of Penobscot the Senate voted to take from the table the seventh tabled and unassigned matter:

Bill, "An Act to Provide for Full-time County Attorneys." (H. P. 1013) (L. D. 1321)

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

Pending—Reference.

On further motion by the same Senator, referred to the Committee on Judiciary in non-concurrence.

Sent down for concurrence.

(Off Record Remarks)

On motion by Mr. Hoffses of Knox, adjourned until 10 o'clock tomorrow morning.