

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

*One Hundred and Fourth
Legislature*

OF THE

STATE OF MAINE

1969

KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Friday, May 2, 1969

Senate called to order by the President.

Prayer by the Rev. David Dunn of Augusta.

Reading of the Journal of yesterday.

Joint Order

Out of Order and Under Suspension of the Rules:

On Motion by Mr. Hoffses of Knox,

ORDERED, the House concurring, that when the House and Senate adjourn, they adjourn to Tuesday, May 6 at 10 o'clock in the morning (S. P. 450)

Which was Read and Passed.

Sent down forthwith for concurrence.

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

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

In the Senate April 25, 1969, Passed to be Engrossed as Amended by Committee Amendment "A" (H-217), in concurrence.

Comes from the House, Passed to be Engrossed as Amended by Committee Amendment "A" as Amended by House Amendment "A" (H-272), thereto, in non-concurrence.

Thereupon, the Senate voted to Recede and Concur.

Non-concurrent Matter

Bill "An Act Relating to the Requirement for a Board of Registration." (H. P. 1103) (L. D. 1421)

In the Senate April 23, 1969, Passed to be Engrossed as Amended by House Amendment "A" (H-153), in concurrence.

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

Mr. Anderson of Hancock moved that the Senate Recede and Concur.

On motion by Mr. Katz of Kennebec, tabled until later in today's session, pending the motion by Mr. Anderson of Hancock that the Senate Recede and Concur.

House Papers

Bill, "An Act to Grant Adult Rights to Persons Twenty Years of Age." (H. P. 1162) (L. D. 1484)

Resolve, Authorizing Forest Commissioner to Exchange Land in T2 R6 (Big Squaw) BKP EKR, Piscataquis County. (H. P. 1163) (L. D. 1485)

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

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

STATE OF MAINE
SENATE CHAMBER
PRESIDENT'S OFFICE
AUGUSTA, MAINE

May 1, 1969

Honorable Jerrold B. Speers
Secretary of the Senate
Augusta, Maine

Dear Sir:

The Committee on Reference of Bills has met and decided to extend the date by which all bills must be reported out of committee.

All bills and resolves must be reported from all committees by 5:00 p.m. on May 14, 1969.

Respectfully yours,
(Signed) KENNETH P. MACLEOD
Chairman
Committee on Reference
of Bills

Which was Read and Ordered Placed on File.

**Senate Papers
Legal Affairs**

Mr. Berry of Cumberland presented Bill, "An Act to Clarify the Charter of the City of South Portland." (Emergency) (S. P. 451)

(Approved for appearance on the calendar pursuant to Joint Rule No. 10.

Signed: JERROLD B. SPEERS
Secretary of the Senate)

Which was referred to the Committee on Legal Affairs and Ordered Printed.

Sent down for concurrence.

**Committee Reports
House
Change of Reference**

The Committee on Health and Institutional Services on Resolve, Reimbursing Town of Orono for

Support of Nonsettled Cases. (H. P. 762) (L. D. 982)

Reported that the same be referred to the Committee on Claims.

Comes from the House, the report Read and Accepted.

Which report was Read and Accepted in concurrence.

The Committee on Towns and Counties on Bill, "An Act Increasing the Salary of the County Attorney for Washington County," (Emergency) (H. P. 300) (L. D. 376)

Reported that the same be referred to the Committee on Appropriations and Financial Affairs.

Comes from the House, the Bill substituted for the report and subsequently referred to the Committee on State Government.

Which report was Read.

On motion by Mr. Katz of Kennebec, the Bill was substituted for the Report and, on further motion by the same Senator, subsequently referred to the Committee on State Government in concurrence.

Leave to Withdraw

The Committee on Education on Bill, "An Act Relating to Tuition and Transportation of Regional Vocational - Technical Centers." (H. P. 627) (L. D. 815)

Reported that the same be granted Leave to Withdraw.

The Committee on Appropriations and Financial Affairs on Bill, "An Act Increasing Salaries of State Police Officers." (H. P. 796) (L. D. 1037)

Reported that the same be granted Leave to Withdraw.

The Committee on Public Utilities on Bill, "An Act Permitting Use of State Wharves in Portland Harbor." (H. P. 911) (L. D. 1172)

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 Education on Bill, "An Act Relating to Permitting Certain Programs on Educa-

tional Television." (H. P. 59) (L. D. 61)

Reported that the same Ought Not to Pass.

Comes from the House, the report Read and Accepted.

Which report was Read.

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

Mr. KATZ of Kennebec: Mr. President and Members of the Senate: In reporting the Bill out Ought Not to Pass, the Committee still had the feeling that we must take some steps on ETV. You will remember the controversy of a little earlier as to whether or not a Governor's press conference could or could not be shown on ETV. The situation is complicated enough so we felt that we would like to defer action until a special session of this Legislature.

The PRESIDENT: Is it the pleasure of the Senate to accept the Ought Not to Pass Report of the Committee?

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

The Committee on Public Utilities on Bill, "An Act Relating to a Change in the Exemptions Allowed in the Plumbing Laws." (H. P. 707) (L. D. 921)

Reported that the same Ought Not to Pass.

The Committee on Education on Bill, "An Act Relating to the Pownal School Administrative District." (HP 1094) (LD 1411)

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 Natural Resources on Bill "An Act Relating to Classifying Certain Waters of the St. John River Basin." (HP 639) (LD 827)

Reported that the same Ought to Pass.

The Committee on Towns and Counties on Bill, "An Act Relating to Municipal Park and Conserva-

tion Commission." (HP 749) (LD 967)

Reported that the same Ought to Pass.

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

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

Ought to Pass—As Amended

The Committee on Legal Affairs on Bill, "An Act to Grant a Council-Manager Charter to the Town of Gray." (H. P. 170) (L. D. 209)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-261).

The Committee on Education on Bill, "An Act Relating to Duties of School Committees Concerning Salaries of Persons Employed by Them Who are Absent." (H. P. 270) (L. D. 346)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-257).

The Committee on Highways on Bill, "An Act Relating to Short Term Permits for Trucks to Haul Loads." (H. P. 631) (L. D. 819)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-191).

(On motion by Mr. Bernard of Androscoggin, tabled and specially assigned for May 7, 1969, pending Acceptance of the Committee Report.)

The Committee on Legal Affairs on Bill, "An Act Relating to Referendum Provision Under Charter of City of Waterville." (H. P. 959) (L. D. 1240)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-258).

The Committee on Legal Affairs on Bill, "An Act Relating to Bond Issues Under Waterville City Charter." (H. P. 960) (L. D. 1241)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-259).

The Committee on Legal Affairs on Bill, "An Act to Eliminate Public Debt Amortization Fund Under Waterville City Charter." (H. P. 961) (L. D. 1242)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-260)

The Committee on Legal Affairs on Bill, "An Act Relating to Powers and Duties of the Civil Service Commission of the Town of Old Orchard Beach." (H. P. 995) (L. D. 1279)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-262).

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

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

The Committee on Business Legislation on Bill, "An Act Relating to Installation of Sprinkler Systems in Hotels." (H. P. 260) (L. D. 336)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-186).

Comes from the House, the report Read and Accepted and the Bill Passed to be Engrossed as Amended by Committee Amendment "A" and House Amendment "A" (H-214) and House Amendment "B" (H-235).

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

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

The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: I am going to move for the indefinite postponement of both House Amendment "A" and House Amendment "B".

House Amendment "A" changes the words "sleeping accommodations" to "rooms." We feel in the Business Legislation Committee

that the important criterion for regulating hotels, motels and so forth for sprinkler purposes is sleeping accommodations. Other rooms could be used to make a count and require sprinkling in places that are too small, however, if we stick to the words "sleeping accommodations" we are being not too strict, but giving them reasonable criteria to go by.

I move the indefinite postponement of House Amendment "A".

The PRESIDENT: The Senator from Cumberland, Senator Berry, moves that House Amendment "A" be indefinitely postponed. Is this the pleasure of the Senate?

The motion prevailed.

House Amendment "B" was then Read.

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

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: House Amendment "B" completely emasculates the bill by putting the effective date ahead six years. This bill as prepared by your committee says that all accommodations built after next January shall conform with the statute.

I move the indefinite postponement of House Amendment "B".

The PRESIDENT: The Senator from Cumberland, Senator Berry, moves that House Amendment "B" be indefinitely postponed.

The Chair recognizes the Senator from Kennebec, Senator Katz.

Thereupon, on motion by Mr. Katz of Kennebec, tabled until later in today's session, pending the motion by Mr. Berry of Cumberland that House Amendment "B" be indefinitely postponed.

The Committee on Natural Resources on Bill, "An Act Relating to Approval of Refuse Disposal Areas." (H. P. 739) (L. D. 957)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-208).

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

Which report was Read.

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

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: I would move the acceptance of the Committee Report and briefly state that this L. D. attempts to handle a very serious problem we have in the State, a problem getting more serious daily, of the control of dump areas. The object of the bill is laudable, a great deal of study has been put into this by competent people, but we seem to have a real problem on the matter of covering on a daily basis with earth fill the day's accumulation of refuse. I would hope that we could work out a solution to the problem and make some progress in this field for the next two-year period. I would hope then that the Senate would go along until we get this to the amendment stage to see if something can be done.

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

Mr. MOORE of Cumberland: Mr. President, I move this lie on the table until May 6th.

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

Mr. BERRY of Cumberland: Mr. President, with reference to the timing of the tabling motion, I do assure the good Senator from Cumberland, Senator Moore, that we can make progress, and it seems to me that we would be moving the whole legislative matter along if we were to let this thing go and table it perhaps when it gets to a subsequent stage.

The PRESIDENT: Is it the pleasure of the Senate that this matter be tabled until May 6th?

The motion prevailed, and the Bill was tabled and specially assigned for May 6, 1969, pending Acceptance of the Committee Report.

Ought to Pass—In New Draft

The Committee on Legal Affairs on Bill, "An Act Deleting the Population Requirement from the Revenue Producing Municipal Facilities." (H. P. 737) (L. D. 955)

Reported that the same Ought to Pass in New Draft Under New Title: "An Act Reducing the Population Requirement from the Rev-

enue Producing Municipal Facilities." (H. P. 1159) (L. D. 1480).

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

Which report was Read.

On motion by Mr. Katz of Kennebec, tabled and tomorrow assigned, pending Acceptance of the Committee Report.

The Committee on Agriculture on Bill, "An Act to Tax Licensed Marine Worm Dealers." (H. P. 946) (L. D. 1207)

Reported that the same Ought to Pass in New Draft Under New Title: "An Act to Tax Licensed Marine Worm Dealers." (H. P. 1158) (L. D. 1479).

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

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

Divided Report

The Majority of the Committee on Education on Bill, An Act Relating to Membership on the Board of School Directors." (H. P. 981) (L. D. 1265)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-193).

Signed:

Senators:

KATZ of Kennebec
STUART of Cumberland
KELLAM of Cumberland

Representatives:

KILROY of Portland
MILLETT of Dixmont
WAXMAN of Portland
ALLEN of Caribou

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

Signed:

Representatives:

RICHARDSON
of Stonington
CUMMINGS of Newport
CHICK of Monmouth

Comes from the House, the Majority Ought to Pass as Amended Report Read and Ac-

cepted and the Bill Passed to be Engrossed as Amended by House Amendment "A" (H-202) as Amended by House Amendment "A" (H-256) thereto.

Which reports were read.

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

Committee Amendment "A" was Read and Adopted in non-concurrence, and House Amendment "A" and House Amendment "A" thereto were Read. House Amendment "A" to House Amendment "A" was then Indefinitely Postponed in non-concurrence, and subsequently House Amendment "A" was indefinitely postponed in non-concurrence and the Bill, as Amended, tomorrow assigned for Second Reading.

Divided Report

Five members of the Committee on State Government on Bill, "An Act Relating to Executive Reorganization." (HP 444) (LD 568)

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

Signed:

Senators:

LETOURNEAU of York
BELIVEAU of Oxford

Representatives:

WATSON of Bath
STARBIRD of Kingman
D'ALFONSO of Portland

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

Signed:

Senator:

WYMAN of Washington

Representatives:

MARSTALLER of Freeport
DONAGHY of Lubec
RIDEOUT of Manchester
DENNETT of Kittery

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

Which reports were Read.

Mr. Beliveau of Oxford moved that the Senate Accept the Ought to Pass Report "A" of the Committee.

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

Mr. KATZ of Kennebec: Mr. President and Members of the Senate: It has been such a leisurely quiet morning this morning that I have taken the liberty to look into Legislative Document 568, and it really is remarkable. It does some awfully good things. It solves many of the Legislature's problems by turning the entire organization of State Government over to the Governor, it lets him abolish any or all parts of a function of a bureau or division, it lets him make transfer of personnel, transfer of appropriations, and it is a remarkable document. There is no question that it has a potential for really, really streamlining our government and makes it more effective. But in the process it emasculates the power of the Legislature and turns over to the Governor an incredible number of powers that I think may be excessive.

The thing that disturbs me is that the Executive of the State of Maine has said that he finds it very difficult to administer government with his present powers. This would let him really dig into the organization of government. But the Executive presently has very substantial powers. For example, he has unlimited powers to make recommendations to this Legislature. He has unlimited powers in the appropriations document for current services to make very specific recommendations for doing away with functions, programs and positions. My opinion was that he didn't find any programs that needed doing away with. He didn't find any positions that needed cutting. He didn't find anything at all in the current operation of the government to make any recommendation about to this Legislature. But this document says that perhaps if we give him this power he can take steps after we go home.

Now, I don't like this. I would oppose the motion to accept Committee Report "A", and I would ask for a division.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from Oxford, Senator Beliveau.

Mr. BELIVEAU of Oxford: Mr. President, I request 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 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 pending question before the Senate is the motion of the Senator from Oxford, Senator Beliveau, that the Senate accept Report "A", Ought to Pass, on Bill, "An Act Relating to Executive Reorganization." 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, Boisvert, Cianchette, Conley, Duquette, Kellam, Letourneau, Levine, Martin, Minkowsky, and Reed.

NAYS: Senators Anderson, Berry, Dunn, Greeley, Hoffses, Katz, Mills, Moore, Peabody, Sewell, Stuart, and President MacLeod.

ABSENT: Senators Barnes, Gordon, Hanson, Logan, Quinn, Tanous, Violette, and Wyman.

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

Mr. Katz of Kennebec then moved that the Senate accept the Ought Not to Pass Report "B" of the Committee, and subsequently moved to table until later in today's session, pending the motion to Accept Report "B".

On motion by Mr. Beliveau of Oxford, a division was had on the tabling motion. Eleven Senators having voted in the affirmative, and thirteen Senators having voted in the negative, the motion did not prevail.

Thereupon, on motion by Mr. Katz of Kennebec, tabled and tomorrow assigned, pending the motion by that same Senator to accept the Ought Not to Pass Report "B" of the Committee.

Leave to Withdraw

Mr. Quinn for the Committee on Judiciary on Bill, "An Act Increasing Number of Justices of the Superior Court." (S. P. 138) (L. D. 473)

Reported that the same be granted Leave to Withdraw.

Mr. Mills for the Committee on Judiciary on Resolve, Authorizing W. H. Hinman, Inc., to Bring Civil Action Against the State of Maine. (S. P. 208) (L. D. 617)

Reported that the same be granted Leave to Withdraw.

Which reports were Read and Accepted.

Sent down for concurrence.

Ought Not to Pass -

Covered by Other Legislation

Mr. Peabody for the Committee on Labor on Bill, "An Act Revising the Minimum Wage Law." (S. P. 91) (L. D. 282)

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

Which report was Read.

On motion by Mr. Peabody of Aroostook, tabled and specially assigned for May 6, 1969, pending Acceptance of the Committee Report.

Ought Not to Pass

Mr. Mills for the Committee on Judiciary on Bill, "An Act Relating to Time for Claims for and Extension of Liens." (S. P. 40) (L. D. 123)

Reported that the same Ought Not to Pass.

Mr. Mills for the Committee on Judiciary on Bill, "An Act Relating to Approval of Court Term Bills." (S. P. 140) (L. D. 422)

Reported that the same Ought Not to Pass.

Which reports were 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 Parole Eligibility Hearing in Life Imprisonment and Other Long Term Cases." (S. P. 167) (L. D. 541)

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

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

Mr. Minkowsky for the Committee on Health and Institutional Services on Bill, "An Act to Provide for the Registration of Professional Social Workers." (S. P. 346) (L. D. 1212)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-118).

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

Thereupon, on motion by Mr. Conley of Cumberland, tabled and tomorrow assigned, pending Acceptance of Committee Amendment "A".

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-118).

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

Thereupon, on motion by Mr. Conley of Cumberland, tabled and tomorrow assigned, pending Acceptance of Committee Amendment "A".

Divided Report

The Majority of the Committee on Judiciary on Resolve, Authorizing the Estate of David L. Hilton, Formerly of Wells, Maine, to Sue the State of Maine. (S. P. 209) (L. D. 618)

Reported that the same Ought Not to Pass.

Signed:

Senators:

QUINN of Penobscot
VIOLETTE of Aroostook
MILLS of Franklin

Representatives:

FOSTER
of Mechanic Falls
BERMAN of Houlton
HEWES of Cape Elizabeth
MORESHEAD of Augusta

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

Signed:

Representatives:

HESELTON of Gardiner
BRENNAN of Portland
DANTON
of Old Orchard Beach

Which reports were Read.

The PRESIDENT: The Chair recognizes the Senator from Hancock, Senator Anderson.

Mr. ANDERSON of Hancock: Mr. President, this is Senator Logan's bill, and I note his absence. It would please me if one of my colleagues would table this until the next legislative day.

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

Thereupon, on motion by Mr. Mills of Franklin, tabled and tomorrow assigned, pending Acceptance of Either Report.

Divided Report

The Majority of the Committee on Education on Resolve, Providing Funds for Dental Education. (S. P. 201) (L. D. 610)

Reported that the same Ought Not to Pass.

Signed:

Senator: KELLAM of Cumberland Representatives:

KILROY of Cumberland
WAXMAN of Cumberland
CHICK of Monmouth
RICHARDSON

of Stonington

MILLETT of Dixmont

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

Signed:

Senators:

KATZ of Kennebec
STUART of Cumberland

Representatives:

CUMMINGS of Newport
ALLEN of Caribou

Which reports were Read.

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

Mr. STUART of Cumberland: Mr. President and Members of the Senate: For approximately four months now I have been trying to get out the message that there is a shortage of dentists in Maine. There are a great many aching teeth and very few of us to take care of them.

This bill would pay \$25,000 toward the tuition of Maine students to go to Tufts Dental School. It would reserve five places a year and would assure those places would

be available to Maine students. Experience has shown that a student tends to come back to his State.

I think the reason this bill doesn't have a unanimous committee report is that it is felt the State just couldn't afford this. Perhaps I didn't push it as hard as I should have.

There is a similar arrangement that the State has with the University of Vermont for students to go there and study medicine. I think it is a good bill. I think we need something. We either need fluoridation or more dentists, and I hoped we could have both. So, I move acceptance of the Minority Ought to Pass Report.

The PRESIDENT: The Senator from Cumberland, Senator Stuart, moves that the Senate accept the Minority Ought to Pass Report of the Committee.

The Chair recognizes the Senator from Franklin, Senator Mills.

Mr. MILLS of Franklin: Mr. President and Members of the Senate: If there is anything that makes it dramatic, I think, the need for something like this, it is to sit in your office year in and year out and see children coming in with rotting teeth from the rural areas of the State, and just wishing that there was some way that the State could step in, or somebody could step in, and cure this situation which is so obviously detrimental to health. If we can do it, Mr. President, in the area of general medical care, it certainly seems to me that we owe it to the children that are growing up in this next generation to do it in this area. If we can find dedicated people who are willing to spend their lives in this public service, working in your mouth and my mouth day after day, and we can get some of them to do it, and pay their tuition and have them come back to the State of Maine and practice, then I think it is a great move in the right direction.

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

Mr. KELLAM of Cumberland: Mr. President and Members of the Senate: I would like to explain my vote in opposition to this particular

bill. I don't feel that an adequate case was made out by the proponents as to why the State of Maine should subsidize some people's dental education. It seems to me quite obvious that there are going to be more people who would like to go to dental school than this bill would provide for and, of course, it is going to spend \$25,000 a year to help some people go to dental school.

I don't feel there was any case made out to show that these people would come back to the State of Maine to practice their dentistry. If you have got the kind of teeth I have, where these things become a little bit important, I don't think there was any case made out that they were going to treat the public any better through the fees they charge after they got back here than the ones who were not subsidized. So, I just didn't feel that the case was properly made out for the State to spend \$25,000 a year to help these five people go to school. For that reason I was opposed to the bill. I don't think we should go off on these tangents as to a great need existing in some particular area and spend considerable funds for a small return in the hope that these people are not going to graduate from Tufts and take off for California or someplace, and that they will come back here to work. It seems to me that if that was the case, if they were going to come back and help Pete up there in the woods, then we ought to have something written into the bill to that effect, but that is not what the bill says.

The PRESIDENT: The Chair recognizes the Senator from Somerset, Senator Cianchette.

Mr. CIANCHETTE of Somerset: Mr. President, I would like to pose a question to the sponsor here as to what provisions there are for selecting these five persons, and as to whether there is any provision that a need must be shown for the money?

The PRESIDENT: The Senator from Somerset, Senator Cianchette, has posed a question through the Chair, which the Senator may answer if he wishes.

The Chair recognizes the Senator from Cumberland, Senator Stuart.

Mr. STUART of Cumberland: Mr. President and Members of the Senate: I presume that a student would file an application through Dr. Garcelon, who is the head of the Dental Division of Health and Welfare. This is a Department of Education fund, so I am sure it would be coordinated with them.

As to need, it is the intention to show preference to students from low-middle income families. As you can see, the tuition is very high in dental school and very few can afford to go. Very few want to go. This is the problem, that we just can't get boys to go study dentistry these days.

I am very sorry I can't be more specific on the filing of the application, but I think I am right there.

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

Mr. MARTIN of Piscataquis: Mr. President, I would like to pose a question through the Chair: If these scholarships were awarded, if this bill goes through, if these funds would be reimbursed to the State of Maine after graduation or during the service of these dentists?

The PRESIDENT: The Senator from Piscataquis, Senator Martin, has posed a question through the Chair, which any Senator may answer if he so chooses.

The Chair recognizes the Senator from Cumberland, Senator Stuart.

Mr. STUART of Cumberland: Mr. President, they would not be. It is my understanding that they would not be. This would be a grant; not a loan.

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

Mr. LEVINE of Kennebec: Mr. President, I would like to ask a question through the Chair of Senator Stuart. The question would be: how come he is so inconsistent in his thinking? He voted against the bill that would stimulate education in low income fam-

ilies, and now he comes out for this one here. When anybody is all through college, it is easier for them to borrow money than to go on to school. I am not speaking against this bill. The only thing I would like to find out is where does the line stand? I mean, you vote against the chance for 500 children to have a college education, and then you fight for a bill that would help five. Those five could get loans quicker, because once you are in school and you prove that you are able to go farther, it is easier for you to borrow money from a bank or any place. For the one that is starting school, and hasn't proved himself yet, it is harder for him. I would like to have an answer from Senator Stuart.

The PRESIDENT: The Senator from Kennebec, Senator Levine, has posed a question through the Chair, which the Senator may or may not answer, as he desires.

The Chair recognizes the Senator from Cumberland, Senator Stuart.

Mr. STUART: Mr. President, the only thing I can do is repeat what I said. This is a very peculiar situation, where we just can't get people to go into dentistry. There are only 365 of us in the State of Maine, and with me here there are 364. So, this is the best solution that they could come up with to try to get more dentists in Maine. That is my answer.

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

Mr. MILLS of Franklin: Mr. President and Members of the Senate: For the last few minutes I have been trying to develop the cost figure that the training of lawyers is to the State of Maine. I haven't been able to do it, but \$25,000 for the training of dentists, I believe it would be a very, very small part of what the taxpayers are spending each year to help train lawyers in the University of Maine Law School in Portland, which of course I don't argue against. I think it is a fine thing in the public service to support a law school in the State.

This training of five people in the area of dentistry is certainly

not designed as a benefit to them, but it is designed as a benefit to the population of the State, and I think particularly the coming generation. It seems to me that if it isn't sufficiently clear that these people would be coming back to the State, perhaps it could be arranged so there would be some provision, although, of course we trust our lawyers to benefit the State after they have had a subsidized education at the University of Maine Law School. We don't say that "You have got to go back to Farmington or New Sharon or someplace to practice law if you are going to go to the University of Maine Law School." I don't know as we say that to the doctors who get subsidized in their earlier education by the State. But if you feel that we should do it in regard to these dentists, it perhaps could be arranged.

But this is a public spirited profession. These dentists can see the danger signals. They know that when their numbers are diminished to what they are that it is in the public interest to do something to encourage an increase in those numbers. This seems to me to be a very rational thing to propose.

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

Mr. HOFFSES of Knox: Mr. President and Members of the Senate: I hesitate to rise in opposition to this bill of the good Senator from Cumberland, but just glancing at the bill it seems to me that it would be somewhat discriminatory by its very language of saying "five dental students." It might be that we are in need of more medical doctors, it might be that we are in need of more chiropractors, chemists, engineers, or any other highly technical profession. I am afraid that I would have to vote in opposition to this bill where it is, in my humble opinion, so discriminatory in its language.

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

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: Some of us, like Senator

Kellam from Portland, perhaps Senator Hoffses from Camden, and myself, living close to the greater Portland area, have ready access to dentists. In traveling around the State, particularly in the smaller communities, we have a real serious dental problem. We seem to be able, under Blue Cross and Blue Shield, to take care of the people in the smaller communities who work for what is considered to be the lower wages in the State, but I notice in this regard there is a lack of adequate dental treatment. The all too frequent drinking of sodapop and candy seems to be, in my opinion, more prevalent in our smaller communities, and the teeth condition in our smaller communities, from my own personal knowledge, is far inferior to that in our communities where we do have dental facilities.

Now, we do have with our other New England States several interstate compacts in the field of what we would call professional education. It is advantageous for a Maine student to go to the University of Vermont for a medical education. It is advantageous for people in New England to come to Maine to study our agriculture, our forestry, and our pulp and paper courses at the University. This is done in an attempt to obviate the necessity for small states like Maine to have specialized schools.

Now, as the good Senator from Franklin, Senator Mills, pointed out, we do have a specialized school for lawyers here in the State, and this costs some money. In order to not have a big investment for dentists, we do have this arrangement where our students can go out of the State. If the figure of "5" seems to be a stumbling block, this could be removed and the \$25,000 to the maximum of its availability for the maximum number of students. A repayment provision could certainly be included if this is necessary. But I do know that the people particularly in the rural areas of the State do have need of becoming far more aware of dental problems than they are.

The PRESIDENT: Is the Senate ready for the question? The

pending question before the Senate is the motion of the Senator from Cumberland, Senator Stuart, that the Senate accept the Minority Ought to Pass Report of the Committee on Resolve, Providing Funds for Dental Education.

The Chair recognizes the Senator from Franklin, Senator Mills.

Mr. MILLS of Franklin: Mr. President, I ask for a division.

The PRESIDENT: A division has been requested. As many Senators as are in favor of accepting the Minority Ought to Pass Report of the Committee will rise and remain standing until counted. Those opposed will rise and remain standing until counted.

A division was had. Fourteen Senators having voted in the affirmative, and ten Senators having voted in the negative, the motion prevailed and the Minority Ought to Pass Report of the Committee was Accepted.

Thereupon, the Resolve was Read Once and tomorrow assigned for Second Reading

Divided Report

The Majority of the Committee on Education on Resolve, Proposing an Amendment to the Constitution Pledging Credit of State and Providing for the Issuance of Bonds Not Exceeding, at Any One Time Issued and Outstanding, Twenty-Five Million Dollars for Loans to Private Colleges for Construction and Expansion of Facilities. (S. P. 261) (L. D. 865)

Reported that the same Ought to Pass.

Signed:

Senators:

KATZ of Kennebec
KELLAM of Cumberland
STUART of Cumberland

Representatives:

CHICK of Monmouth
ALLEN of Caribou
WAXMAN of Portland
CUMMINGS of Newport
MILLETT of Dixmont

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

Signed:
Representatives:

RICHARDSON of Stonington
KILROY of Portland

Which reports were Read.

On motion by Mr. Stuart of Cumberland, the Majority Ought to Pass Report of the Committee was Accepted, the Resolve Read Once and tomorrow assigned for Second Reading.

Second Readers

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

House

Bill, "An Act Amending the Post Conviction Statute." (H. P. 560) (L. D. 741)

Bill, "An Act to Regulate Sewer Utilities." (H. P. 1106) L. D. 1423)

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

House—As Amended

Bill, "An Act Relating to Lack of Privity as a Defense in Action Against Manufacturer or Seller of Goods Under the Uniform Commercial Code." (H. P. 167) (L. D. 206)

Bill, "An Act Providing Funds for Indian Affairs." (Emergency) (H. P. 209) (L. D. 259)

Bill, "An Act Permitting Approval of Early Childhood Education Programs." (H. P. 378) L. D. 487)

Bill, "An Act Amending the Marriage Laws." (H. P. 1034) (L. D. 1344)

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

Senate

Bill, "An Act Relating to Sharing Costs in a School Administrative District." (S. P. 122) (L. D. 384)

Bill, "An Act Relating to Barber Technicians." (S. P. 360) (L. D. 1224)

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

Sent down for concurrence.

Bill, "An Act Making Supplemental Appropriations for the Expen-

ditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1970 and June 30, 1971." (Emergency) (S. P. 449) (L. D. 1483)

Which was Read a Second Time.

Mr. Dunn of Oxford presented Senate Amendment "A" and moved its adoption.

Senate Amendment "A", Filing No. S-119, was Read.

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

Mr. SEWALL of Penobscot: Mr. President and Members of the Senate: I very reluctantly rise to oppose the adoption of this amendment to the Part II Budget. Senator Dunn and I worked all winter long together with the other members of the committee. I appreciate his frank disclosure to me yesterday, and previous to yesterday, of his plans to propose this amendment. However, I feel that if it were adopted the State would be left woefully short of funds on many of these services that the budget encompasses. For instance, I should say in starting, the total difference between the Part II committee recommendation and this amendment is some fifteen million dollars. In other words, the Part II as now proposed totals approximately 34 million. This amendment would include about 20 million.

Very briefly, I will run down the major cut in State services this proposed amendment would accomplish. It does not include at the present time, at least, any general purpose subsidies for education to the towns. There are no funds in the amendment for the ADC item, the 18 per cent item that the towns are now required to carry on relief cases. The Maritime Academy has been cut substantially. Nearly a million and a half has been cut from the Department of Mental Health and Corrections. This department, of course, is a very sensitive and important department, and many of the programs have federal funding, so this would hurt in this area. The Public Utilities Commission has been cut from the recommended Part II. This organization which we discussed

yesterday has been very modest in its requests over the years, and it is vital to have added personnel to regulate the ever-increasing work load in the Public Utilities area. Sea and Shore Fisheries have been cut or removed completely. This has to do with wetlands control and vital research in our fisheries programs. There is no pay raise for State employees. This, in my opinion, would be a highly irresponsible thing to do.

Approximately three and a half millions were cut from an already extremely closely pared University of Maine budget. This would be disastrous, in my opinion. A hundred thousand dollars cut from the Water and Air Environmental Improvement Commission. This agency which is so vital to natural resources, and in control of pollution is woefully short of help and needs the money, in my opinion, that we allotted it. The Department of Education has been cut substantially. The Department of Health and Welfare was cut approximately two and a half million dollars in this amendment. This would seriously affect the flow of federal funds into the State.

I hope, Members of the Senate, that my motion to indefinitely postpone this amendment will prevail, and when the vote is taken I request it be taken by the "Yeas" and "Nays."

The PRESIDENT: The Senator from Penobscot, Senator Sewall, now moves that Senate Amendment "A" be indefinitely postponed. A roll call has been requested.

The Chair recognizes the Senator from Oxford, Senator Dunn.

Mr. DUNN of Oxford: Mr. President and Members of the Senate: I would like to thank the Chairman of our Committee for being rather kind to me. We have worked together very well this year, but there was a difference of opinion in this particular area. I would ask you first to remember that this is a supplemental budget; that the services that are now being carried on are well taken care of in the current services budget and the State will

still survive if we didn't pass another nickel.

If we go back a little bit, in the 100th Legislature \$119 million was the budget. In the 103rd it was \$238 million. That is just double in three legislatures. Now, the current services budget is \$277 million and, if we pass the supplemental as requested, that is \$34.5 million, and we come up to about \$312 million. Then, if you project that, the next one will probably be \$400 million or very close to it. I believe a real effort has to be made to keep the cost of government under as much control as we possibly can. One way to help this built-in increase is to hold down the number of positions that we make and that we authorize each session. Now, in this amendment there are 139 regular positions authorized for the first year, and of those 139, 79 of them are of the State Hospital to conform with the 40 hour week. This has to be done. 28 more are with the Adjutant General's Department for work at Dow Field, and those are federally funded. We have to fund them but the money, or most of it, is returned. Now, in the supplemental budget they have asked for 270 positions. This is 163 if we take out these State Hospital and Dow Field employees; that is an increase of 163. The Committee worked hard, each and every member, to delete and to reduce the positions wherever we could in the current services budget. A position that wasn't filled was deleted if it hadn't been filled for some little time. Now it seems to me to take out 35 or 40 in one place, and then put back almost 200 in another place, is not in the right direction. Now this, in itself, accounts for a great deal of the difference in these two documents. This amendment that has just been passed out totals just over \$14 million. It does not include money for any school subsidy for the second year. The Committee on Education will be reporting out a bill and that can be taken care of. There is no money for state employees. We have a bill in front of our committee that there is an opportunity to put amendments on.

If those two were put on the levels that are suggested in our regular supplemental budget, it brings us to a total of almost \$24 or \$25 million. This seemed to me to be a reasonable figure, and its one that I had hoped we could hold to.

Now, as the Chairman said a minute ago, there is no money for the towns' 18 per cent share of the ADC; that has been eliminated. Frankly, I guess in all the years that I have been here, except for one, I have voted against taking it away from the towns even though they have no say in its spending. I have always felt that in most cases it was worth it to know where the money was going and who is getting what. Once you leave and let go of some of these things, you lose most of your contact and most of your knowledge in that area. Now, as has also been mentioned, the University of Maine has one of the large items cut in this. There is \$3 million dollars in this amendment for the University of Maine. The 103rd appropriated \$34 million for the combined University and the state schools that are now included under its shelter. In our current services we have about \$40 million. It lacks a couple hundred thousand of that. Other years the State Colleges had to turn back their tuition and other items that they take in, and that amounts to about three more. So, that means about \$43 million. With \$3 million in this amendment, that brings it up to \$46 million, which is a 35 per cent increase over what they have for the current years going on at this time. If you project that figure a little farther, with another 35 per cent next year, it means \$62 million, and another 35 per cent brings it up to \$84 million.

Somewhere there has to be a little bit of holding the line. This amendment is, I think, an honest effort to hold the combined budget totals to as near \$300 million as possible. I know this may not be popular in many areas, but I still think that somewhere along the line this has to be done.

I would hope that perhaps this could be tabled to give us time to compare this with some of the

other papers that we have. I have here the budget of the 103rd. The Department of Mental Health was mentioned, and what the Senator says is true: you can't eliminate \$10 million out of any budget without making a lot of changes, and I don't deny that some of them may hurt. But under the Department of Mental Health, the top figure here is for the Bangor State Hospital. In the 103rd there were 450 employees. If we go to our current services budget, it is 517. That is an increase of 67. In both the supplemental and this amendment they get 19 more, so this is up 80 odd new employees over the two-year period. I don't think they are really being hurt. I wish that this could be held up long enough for us to look it over and see if it is anything that we can accept.

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

Mr. DUQUETTE of York: Mr. President and Members of the Senate: The committee, as you know, has spent many long hours of hard work to arrive at some figures. You must recall that there was submitted to us a supplemental budget totaling \$83 million. And then realize to take a figure of \$83 million, which provided or which suggested many desirable services for the citizens of Maine, however, bring this figure down, after considering very seriously and carefully the request of all departments and agencies, we have submitted to you a budget totaling \$34 million.

In many areas I agree with my good friend from Oxford, Senator Dunn, and this took quite a bit of study on his part. As he suggests, it might be a good idea for all of us, and there are some people who are absent here today, to spend the week-end studying both documents submitted to this legislature, the document and this amendment. For that reason I would like someone to table this amendment and bill until the next legislative day.

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

Mr. KATZ of Kennebec: Mr. President and Members of the Senate: I am primarily concerned,

as is everyone else here, with moving the bill along. I hope that we do vote on it today. Yet, I share the misgivings of the Senator from York, Senator Duquette, to give us an opportunity to look at both. But I call the Senate's attention to the fact that nothing will be lost if we do move the bill today, because both the bill and the amendment will be in our possession on Tuesday when we come back together again, and if there is any strong, overwhelming desire to look more favorably upon the amendment, it can be done at that time by a simple majority vote. I would hope that we do keep it moving along and do not table it today, and take our vote today.

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

Mr. MARTIN of Piscataquis: Mr. President and Members of the Senate: I just can't conceive of how someone can expect an individual of this body to act on a package that involves \$15 million in fifteen minutes. I move that this item be tabled until next Wednesday.

The PRESIDENT: The Chair would have to rule that the Senator's motion is out of order. A tabling motion is not debatable.

The Chair recognizes the Senator from Franklin, Senator Mills.

Mr. MILLS of Franklin: Mr. President, I move that this matter be tabled until next Wednesday.

The PRESIDENT: The Senator from Franklin, Senator Mills, moves that Item 7-9, Legislative Document 1483, be tabled until Wednesday next, pending the motion of the Senator from Penobscot, Senator Sewall, that Senate Amendment "A" be indefinitely postponed.

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr. President, directing my attention to the timing of the tabling motion, I wonder if the Senator would review his request to table this until Wednesday?

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

Mr. MILLS of Franklin: Mr. President, I withdraw my motion and defer to the Senator from Kennebec, Senator Katz.

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

Thereupon, on motion by Mr. Katz of Kennebec, tabled and tomorrow assigned, pending the motion by Mr. Sewall of Penobscot to Indefinitely Postpone Senate Amendment "A".

Enactors

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

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

An Act Relating to Election of Clerks of the Judicial Courts. (S. P. 254) (L. D. 791)

An Act Relating to Solicitation of Eye Services and Appliances. (S. P. 265) (L. D. 869)

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

An Act Requiring Immunization of Dogs Against Rabies. (S. P. 433) (L. D. 1450)

An Act Relating to Safety Equipment on Boats Operated on Waters of the State. (H. P. 119) (L. D. 135)

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

An Act Relating to Biennial Elections of Penobscot Indians. (H. P. 415) (L. D. 526)

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

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

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

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

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

An Act Relating to Amount of Food Sold by Class A Restaurants

Under Liquor Law. (H. P. 1146) (L. D. 1465)

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.

Emergency

An Act Relating to Approval of Appointment of Assistant County Attorneys for Hancock and Washington Counties. (H. P. 1137) (L. D. 1459)

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

Orders of the Day

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

Bill, "An Act Relating to Sale of Liquor not to be Consumed on the Premises." (H. P. 826) (L. D. 1065)

Tabled—April 23, 1969 by Senator Quinn of Penobscot.

Pending — Adoption of Senate Amendment "A" Filing S-90.

On motion by Mr. Moore of Kennebec, retabled and specially assigned for May 7, 1969, pending Adoption of Senate Amendment "A".

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

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

Tabled — April 24, 1969 by Senator Quinn of Penobscot.

Pending — Motion by Senator Mills of Franklin to Indefinitely Postpone Bill.

On motion by Mr. Mills of Franklin, retabled and tomorrow assigned, pending the motion by Mr. Mills of Franklin to Indefinitely Postpone the Bill.

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

HOUSE REPORT — Ought Not to Pass from the Committee on Taxation on Bill, "An Act Relating to Refund for Malt Liquor Excise Taxes." (H. P. 785) (L. D. 1018)

Tabled—April 30, 1969 by Senator Conley of Cumberland.

Pending — Motion to Substitute Bill for the Report.

Thereupon, the Bill was substituted for the Report in non-concurrence, the Bill Read Once and tomorrow assigned for Second Reading.

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

RESOLVE, proposing an Amendment to the Constitution to Grant Adult Rights to Persons Twenty Years of Age and to Reduce the Voting Age to Twenty Years. (H. P. 614) (L. D. 802)

Tabled — May 1, 1969 by Senator Beliveau of Oxford.

Pending — Adoption of House Amendment "A" Filing H-264.

Thereupon, House Amendment "A", Filing No. H-264, was Adopted in concurrence, the Bill Read Once and tomorrow assigned for Second Reading.

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

An Act Relating to Settlement or Release of Claims in Personal Injury and Property Damage Actions. (S. P. 105) (L. D. 318)

Tabled — May 1, 1969 by Senator Berry of Cumberland.

Pending — Enactment.

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

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

Bill, "An Act Relating to Trial Costs." (S. P. 106) (L. D. 313)

Pending — Enactment.

Tabled—May 1, 1969 by Senator Berry of Cumberland.

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

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: This bill falls within the category which I found considerably troublesome yesterday, relative to cost to litigants and to the public.

The third section of the bill is the one that really concerns us.

The second section merely says that medical reports shall be part of the costs which shall be paid by the litigants. But the third one says that: "the cost of charts, diagrams, photographs, and other visual aids necessary for clear understanding of the case by the court or jury," and it includes these in court costs without any ceiling on them. The medical costs, I feel, are taken care of by the ethics of the profession, established rates, and what is usual in court in the field of jurisprudence and the medical aspects of the matters.

However, to permit litigants uncontrolled right to obtain these visual aids can be a real expensive item, an item which can be augmented unnecessarily when the attorneys involved know that there is going to be no control on them. For instance, if photographs are necessary in connection with a case, there could be no limit to the expense involved in obtaining photographs. It could involve an army of photographers going some place, it could involve board and room. There is just no control over the preparation of the visual aids. Now, I certainly do agree that such aids are necessary in the courtroom. I would be quite willing to see an amendment to this bill which would either eliminate section three or control it. In that form I think it would be in the public service. In this present form I think it is not in the public service.

I would hope that one of the members of the Judiciary Committee, the member of the Judiciary Committee present, if he agrees with me, would take care of this matter and table it. I move this bill be indefinitely postponed.

The PRESIDENT: The Senator from Cumberland, Senator Berry, now moves that the Senate Paper 106, Legislative Document 313, Bill, "An Act Relating to Trial Costs," be indefinitely postponed.

The Chair recognizes the Senator from Franklin, Senator Mills.

Thereupon, on motion by Mr. Mills of Franklin, tabled and tomorrow assigned, pending the motion by Mr. Berry of Cumberland to Indefinitely Postpone the Bill.

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

Bill, "An Act Increasing the Number of Official Court Reporters." (S. P. 137) (L. D. 434)

Tabled—May 1, 1969 by Senator Berry of Cumberland.

Pending—Enactment.

On motion by Mr. Dunn of Oxford, retabled and tomorrow assigned, pending Enactment.

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

Bill, "An Act Relating to Chiropractic Services for Injured Employees Under Workmen's Compensation Law." (H. P. 95) (L. D. 104)

Tabled—May 1, 1969 by Senator Berry of Cumberland.

Pending—Motion by Senator Logan of York to Reconsider Indefinite Postponement.

On motion by Mr. Minkowsky of Androscoggin, retabled and specially assigned for May 7, 1969, pending the motion by Mr. Logan of York to Reconsider Indefinite Postponement.

The President laid before the Senate the matter tabled earlier in today's session, at the request of Mr. Katz of Kennebec, Bill, "An Act Relating to the Requirement for a Board of Registration." (H. P. 1103) (L. D. 1421)

Mr. Katz of Kennebec then moved the pending question.

Thereupon, the Senate voted to Recede and Concur.

The President laid before the Senate the matter tabled earlier in today's session, at the request of Mr. Katz of Kennebec, Bill, "An Act Relating to Installation of Sprinkler Systems in Hotels." (H. P. 260) (L. D. 336)

Thereupon, on motion by Mr. Logan of York, tabled and tomorrow assigned, pending the motion by Mr. Berry of Cumberland to Indefinitely Postpone House Amendment "B."

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

Mr. TANOUS of Penobscot: Mr. President does the Chair have L. D. 312 in its possession?

The PRESIDENT: The Chair would answer in the affirmative, the bill having been held at the request of the Senator from Penobscot.

Mr. TANOUS: Mr. President, I move the Senate reconsider its action whereby said matter was indefinitely postponed.

The PRESIDENT: The Senator from Penobscot, Senator Tanous, now moves that the Senate reconsider its action whereby Bill, "An Act Relating to Expert Witness Fees as Court Costs," Senate

Paper 103, Legislative Document 312, was indefinitely postponed.

The Chair recognizes the Senator from Oxford, Senator Beliveau.

Thereupon, on motion by Mr. Beliveau of Oxford, tabled and tomorrow assigned, pending the motion by Mr. Tanous of Penobscot that the Senate reconsider its action whereby the Bill was Indefinitely Postponed.

The Adjournment Order having been returned from the House, Read and Passed in concurrence, on motion by Mr. Hoffses of Knox, adjourned until Tuesday, May 6, 1969, at 10 o'clock in the morning.