

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, May 6, 1969

Senate called to order by the President.

Prayer by the Rev. Walter R. Brown of Randolph.

Reading of the Journal of yesterday.

Papers From the House
Non-concurrent Matter

Bill, "An Act Exempting Sales to Certain Institutions from Sales Tax." (S. P. 240) (L. D. 715)

In the Senate April 30, 1969, the Minority Ought Not to Pass Report Read and Accepted.

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

Mr. Katz of Kennebec moved that the Senate Insist.

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

Mr. MARTIN of Piscataquis: Mr. President and Members of the Senate: I would like to make a few statements on that motion. Again I would like to bring to the attention of this body the precedent that would be set if this bill is passed exempting these institutions from sales tax. Again I would like to mention that this is a \$10,000 package yearly and that we should give this a great deal of thought.

I would like a division on the motion to insist.

The PRESIDENT: Is the Senate ready for the question? The pending question is the motion of the Senator from Kennebec, Senator Katz, that the Senate Insist where the Minority Ought Not to Pass Report was Read and Accepted on Bill, "An Act Exempting Sales to Certain Institutions from Sales Tax" (S. P. 240) (L. D. 715). A division had been requested. As many as are in favor of the motion to insist will rise and remain standing until counted. Those opposed will rise and remain standing until counted.

A division was had. Seventeen Senators having voted in the affirmative, and six Senators hav-

ing voted in the negative, the motion to Insist prevailed.

Non-concurrent Matter

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

In the Senate April 24, 1969, Passed to be Engrossed.

Comes from the House, Passed to be Engrossed as Amended by House Amendment "A" (H-273) in non-concurrence.

(On motion by Mr. Berry of Cumberland, tabled until later in today's session.)

Non-concurrent Matter

Bill, "An Act Relating to Age Requirement for Kindergartens." (H. P. 458) (L. D. 595)

In the House April 29, 1969, Passed to be Engrossed As Amended by Committee Amendment "A" (H-246).

In the Senate May 1, 1969, Indefinitely Postponed, in non-concurrence.

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

(On motion by Mr. Stuart of Cumberland, the Senate voted to Insist and join in a Committee of Conference.

Joint Order

WHEREAS, Sam McCall has unselfishly dedicated nearly a half-century of his life to the development of the youth of his community and State; and

WHEREAS, after forty-two years of such faithful service with the Young Men's Christian Association at Augusta he will continue to serve as its Director of Development; and

WHEREAS, the people of Maine may justly take pride in the exceptional accomplishments of Sam McCall for he has achieved the highest statute in the field of recreation and physical fitness and fair play; and

WHEREAS, Sam is a person who has never sought recognition for his long and untiring efforts; and

WHEREAS, Sam McCall has rendered a great public service to both his area and his State, worthy

of recognition; now, therefore, be it

ORDERED, the Senate concurring, that the Members of the 104th Maine Legislature publicly acknowledge and thank Sam McCall, on behalf of the people of the Augusta area and the State of Maine, for his long and distinguished service and further express their best wishes and Godspeed in his new office; and be it further

ORDERED, that a duly authenticated copy of this Joint Order be immediately transmitted to Sam McCall in honor of his day.

(H. P. 1169)

Comes from the House, Read and Passed.

Which was Read and Passed in concurrence.

House Papers

Bill, "An Act Relating to the Borrowing Capacity of School Administrative District No. 64." (H. P. 1164) (L. D. 1490)

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

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

Order

On motion by Mr. Quirion of Penobscot,

WHEREAS, Tuesday, May 6th marks the 100th anniversary of the organization of the Bangor Humane Society, and at this very hour, in Bangor, the Society is holding its 100th annual meeting; and

WHEREAS, the Society is the oldest humane organization in the State of Maine, and in its modern shelter gives care and placement of 14,000 animals each year; and

WHEREAS, the Bangor Humane Society is the most active, and by any yardstick has the best shelter facilities to be found in the State of Maine; now, therefore, be it.

ORDERED, that the Members of the Senate of the 104th Maine Legislature at this special time express to the Bangor Humane Society its sincere appreciation of the Society's accomplishments in its first one hundred years of humane work in Eastern Maine,

and wishes them good fortune in their next one hundred years; and be it further.

ORDERED, that a duly authenticated copy of this Order be immediately transmitted to Robert N. Haskell, the Society's President, in honor of this occasion.

Which was Read.

The PRESIDENT: The Chair recognizes the same Senator.

Mr. QUINN of Penobscot: Mr. President and Members of the Senate: As the order indicates, today, May 6th, marks the 100th anniversary of the organization of the Bangor Humane Society. This is the oldest humane society in Maine and the most active by any yardstick. It has the best shelter facilities in the whole State of Maine.

At this time the annual meetings are being held in Bangor. This society cared for and placed 14,000 animals a year. It has a permanent building facility which cost about \$125,000 and in all of its work and in this building the funds were raised by voluntary subscription. There was no United Fund and no tax dollars in the building. Thank you.

The PRESIDENT: Is it now the pleasure of the Senate that this order receive Passage?

Thereupon, the order received Passage.

Joint Order

On motion by Mr. Beliveau of Oxford,

WHEREAS, spelling is a skill which if properly developed and integrated into life's activities deeply enriches and makes living more adequate; and

WHEREAS, Peter Parisi, 14 year old son of Mr. and Mrs. Peter J. Parisi of Rumford, possesses this skill and has earned the title of Maine spelling champion for 1969; and

WHEREAS, he will represent the State of Maine at the national spelling bee at Washington, D. C., during the first week of June; now, therefore, be it

ORDERED, the House concurring, that the members of the 104th Legislature of the State of Maine extend congratulations to Peter Parisi for this outstanding achievement and best wishes for

his future success and happiness; and be it further

ORDERED, that a duly authenticated copy of this Joint Order be transmitted forthwith to the new champion and his proud parents.

(S. P. 452)

Which was Read and Passed.
Sent down for concurrence.

Committee Reports

House

Ought Not to Pass

The Committee on Judiciary on Bill, "An Act Relating to Powers of Sale in Mortgages." (H. P. 453) (L. D. 590)

Reported that the same Ought Not to Pass.

The Committee on Judiciary on Bill, "An Act Relating to Building Liens." (H. P. 475) (L. D. 629)

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 Transportation on Bill, "An Act Repealing the Motor Vehicle Dealer Registration Board" (H. P. 881) (L. D. 1124)

Reported that the same Ought to Pass.

Comes from the House, Recommended to the Committee on Transportation.

Which report was Read.

Thereupon, the Bill was Recommended to the Committee on Transportation in Concurrence.

Divided Report

The Majority of the Committee on Election Laws on Bill, "An Act Providing for a Presidential Preference Primary." (H. P. 516) (L. D. 687)

Reported that the same Ought Not to Pass.

Signed:

Senators:

KATZ of Kennebec

ANDERSON of Hancock

LETOURNEAU of York

Representatives:

BOUDREAU of Portland

GIROUX of Waterville

CARTER of Winslow

The Minority of the same Committee on the same subject matter

reported that the same Ought to Pass in New Draft under title of "An Act Providing for Presidential Preferences in Primary Election." (H. P. 1151) (L. D. 1473)

Signed:

Representatives:

VINCENT of Portland

HENLEY of Norway

PORTER of Lincoln

MacPHAIL of Owl's Head

Comes from the House, the Minority Ought to Pass In New Draft Report Read and Accepted and the Bill, in New Draft, Passed to be Engrossed.

Which reports were Read.

On motion by Mr. Anderson of Hancock, the Majority Ought Not to Pass Report of the Committee was Accepted in non - concurrence.

Sent down for concurrence.

Senate

Ought Not to Pass

Mr Anderson for the Committee on Inland Fisheries and Game on Bill, "An Act Providing Complimentary Hunting Licenses to Maine Residents over 70 years of Age." (S. P. 135) (L. D. 419)

Reported that the same Ought Not to Pass.

Which report was Read and Accepted.

Sent down for concurrence.

Ought to Pass - As Amended

Mr. Hoffses for the Committee on Inland Fisheries and Game on Bill, "An Act Relating to Use of Cable Traps to Trap Bear." (S. P. 165) (L. D. 537)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-120).

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. Violette for the Committee on Judiciary on Bill, "An Act Relating to Discrimination on Account of Race or Religion." (S. P. 397) (L. D 1349) Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-121).

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

The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY of Cumberland: Mr. President, I have read this bill with considerable attention and I have read Committee Amendment "A", S-121, with attention. I can't correlate the title of the bill with the language in the bill. I was wondering if somebody on the committee might explain this.

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

Mr. MILLS of Franklin: Mr. President, I was busy perusing the calendar at the time when my brother, my fellow engineer, spoke. I would make him my brother if I could, if he would just leave me alone though — On item 6-7, and it pulls me to my feet rather unexpectedly, this is an Act Relating to Discrimination on Account of Race or Religion and, as I gathered his remarks, he can't understand the amendment which is S-121. We can all look at that together. I just wish he would come down to the committee and sit in with us and maybe we can straighten out some of these differences - 121, I don't seem to have it, it is just staring at me in the face here - Yes, well 121 was the thinking of the committee that these matters are local in nature, that this type of discrimination is a subject which is known to the local people much better than it is Statewide, and the committee felt that the several county attorneys, in the first instance, should have the jurisdiction to handle them. Of course, as we all know, there is legislation, and there is the power in the Attorney General's Office to supersede the County Attorney at any point in practically any type of case, so it doesn't do anything but place the primary responsibility in the locality of where the alleged discrimination may be taking place.

I hope that that is a satisfactory explanation to make to my good friend.

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

Mr. BERRY of Cumberland: Mr. President, I apologize to my brother, and I can use the word "brother" now because the good Senator from Waldo, Senator Greeley, has told me that my pending application for membership in the Maine State Grange would qualify me to call Brother Mills, "Brother."

I apologize to my brother for having raised a couple of points that perhaps he was not catching as he was perusing the calendar. I will restate them.

I do not understand the bill. I also did not understand the amendment in correlation to the bill. So I would appreciate it very much if he would explain the purpose of the bill and the discrepancy between the language in the body of the bill and the title of the bill.

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

Mr. MILLS: Mr. President, the bill is LD 1349, and I can speak to it from memory without reference to the text. The concept of the bill is to state once and for all that the policy of this State is that those who hold out their services generally, the social services generally, to the public - at - large without designating themselves as having an ethnic character, or having a particular religion as the basis of their organization, shall not covertly and under cover quietly practice any type of discrimination against people because of their religion, their race, or their ethnic origin.

Now, the concept of it - I thought it was new - to use the licensing power of the State and the franchise power of the State in regard to corporations, but I find that it is not, that it has been used in other places, this would mean that if you are running a club, a social club and holding out your services generally, and your membership generally, to people of all types, that the State of Maine says that if you are going to have licenses to operate, food licenses, liquor

licenses, or corporate franchise, that you must treat all of the citizens on an equal basis. If you don't wish to do that, then you should organize on the grounds upon which you wish to practice your organizations, such as the Sons of Italy, Knights of Columbus, Masons, or any one of any number of other organizations that are organized specifically for a particular purpose and to encourage a particular culture. But if you are going to occupy a fine building on one of the main streets of one of our prominent cities, and you are going to tacitly bar people of the Jewish Race, or a different color than yourself, then you can't ask for the privileges of the State of Maine to do it.

This bill doesn't have a criminal penalty attached to it. It says that if you are going to do these things that you can't have our help, and if you are going to serve the people of the State you must do so on a fair and honest basis.

I welcome this opportunity to mention the purpose of this bill. Those of you who have read the accounts in the newspaper, and perhaps of the hearing that was had in regard to the bill, will know that discrimination of this type does take place in this State. Members of some of the organizations involved have come forward and said so. We had a very fine lady, the wife of a prominent lobbyist in this Legislature, testify before the committee. She said she came to this State twenty-six years ago, and at that time there was quite a bit of discrimination in many areas. She said that the only improvement that there has been in this twenty-six years is that now Catholics are not barred from some of these social clubs; that Catholics are now admitted, but the discrimination takes place in regard to the Jewish people and in regard to Negroes as well.

There wasn't any opposition at the hearing to this measure. The point hadn't been reached in these proceedings here in the Senate when I extended an open invitation to Senator Berry to come to the hearings, and to come even into our executive sessions, so I can't

criticize him for not having been there, but I wish he had. This bill is aimed, very frankly, at organizations in his area where admittedly discrimination takes place, and under this bill, if this bill is passed, I would hope that without any further ado those things would be corrected, those things which some of us watched with some concern for a quite a period of years. I will tell you how this came to my attention. Quite a number of years ago, about sixteen, I had business in the area, and one of the first things that I was called on to do, as United States Attorney in Portland, was to help people which we would now call "Wasps" prevent any one of the Jewish faith from buying property on Prout's Neck. I thought that was a pretty strange thing to ask a governmental official to do, and it didn't happen. Over the years I became aware that in Senator Berry's bailiwick other types of discrimination quite flagrantly existed in regard to people of the Jewish faith and in regard to people who have happened to be colored. A year or so ago I was invited to go down there to speak at a law enforcement meeting, and I made reference to the fact that many years before this type of discrimination existed but of course it didn't exist any longer, and after the meeting -

The PRESIDENT: For what purpose does the Senator rise.

Mr. BERRY: A parliamentary inquiry: the Senator mentioned that "in Senator Berry's bailiwick racial discrimination existed." I would like to have that either explored or expunged from the record.

Mr. MILLS: Mr. President, if I may speak to that, if this didn't occur in Senator Berry's bailiwick then I would stand corrected, but I would certainly not want my remarks to be expunged from the record because they are made in good faith.

The PRESIDENT: The Chair would ask the Senator from Franklin, Senator Mills, to restrain himself in his remarks as it applies to other Senators.

Mr. MILLS: Yes, sir. At the point where I was interrupted, and I don't criticize the Senator for interrupting me - that is perfectly all right - but following this meeting, which was a very well-attended meeting, I was informed by quite a number of people that there was at that time, a year ago, the same type of discrimination that had existed over the years in that area. Now, on the way home that day, I wondered if there was some way that the State of Maine could do something to correct a situation of this kind, and I thought that the licensing power could perhaps be used in regard to the corporate franchise and also in regard to the other licenses that the State issues. I thought it was an original idea, but it wasn't. It has been used effectively, as I understand it, in other jurisdictions. I make this personal reference in regard to the origin of this bill to assure the Senators that this was not prompted by any outside organization or by any other influence, other than what I think is an honest attempt to do something that needs to be done. I say that because I received mail, you know, asking how much money I was paid for doing a thing of this kind, which is an absurd reference. I say it because I know that very strong prejudice and discrimination does still exist in our State, and I think that it would be a good thing that if the State, as a matter of policy, passed legislation of this type, and I do believe that it would have the beneficial effect of correcting the situation which I have mentioned.

I don't understand that there is any motion pending, I didn't hear any motion, so I understand it is before the Senate to accept this majority report, this unanimous report.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY of Cumberland: Mr. President, my inquiry and concern on the bill itself is that the bill is entitled "An Act Relating to Discrimination on Account of Race or Religion." The last line of the

first paragraph excepts from the provisions of the bill any organization which is oriented to a particular religion, or which is ethnic in character. Now, in my humble opinion, this is setting up just the works needed for focal points of racial and ethnic problems. This is doing just the opposite of what Senator Mills wants to do. I agree 100 per cent with his aims; I disagree a great deal with some of his statements, but this is my concern with the bill, that if you do want to form an organization which is prejudiced and devoted to furthering a particular religion, or a particular race, then you are exempt from his law. This I feel is wrong.

I am perfectly willing to let this bill move along, but I do hope that the Senate will consider this. There are far more broader implications involved here, but I am very concerned that we are saying "We will bless you if you do this." This isn't what we are after in the State of Maine.

The PRESIDENT: The Senator from Franklin, Senator Mills, requests permission to speak a fourth time.

Mr. MILLS: Mr. President, this provision which the good Senator mentioned in this bill, in this legislation, you have to take into account that Congregationalists or the Methodists have a right to organize to promote their own faith. The Sons of Italy have a right to organize to develop the cultures of their homeland and to perpetuate them, and to that extent you might say that they are discriminatory. No one could legislate or should attempt to legislate, of course, to open the doors of any avowedly ethnic group to another group, but the thing is the frankness of it. If you are going to have a group which is dedicated to the development of one particular thinking, or one racial culture, then say so, but this bill would prevent you from having a wide open type organization and then let in part of the public, and then on racial grounds or ethnic grounds, or because of a man's color, cut him out.

I want to say that this part of the bill was given a great deal

of study. I was in consultation with people who are authorities in this area and this language, which the good Senator refers to, has been well thought out and people who are expert in this area feel that it would accomplish what the hopes and desires are in regard to it.

(Off Record Remarks)

The PRESIDENT: Is it now the pleasure to accept the Ought to Pass Report of the Committee?

Thereupon, the Ought to Pass Report of the Committee was Accepted and the Bill Read Once. Committee Amendment "A", Filing No. S-121, 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 Relating to Classifying Certain Waters of the St. John River Basin." (H. P. 639) (L. D. 827)

Bill, "An Act Relating to Municipal Park and Conservation Commissions." (H. P. 749) (L. D. 967)

Bill, "An Act to Tax Licensed Marine Worm Dealers." (H. P. 1158) (L. D. 1479)

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

Bill, "An Act Relating to Refund for Malt Liquor Excise Taxes." (H. P. 785) (L. D. 1018)

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

Sent down for concurrence.

House - As Amended

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)

Bill, "An Act to Grant a Council - Manager Charter to the Town of Gray." (H. P. 470) (L. D. 209)

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)

(On motion by Mr. Beliveau of Oxford, temporarily set aside.)

Bill, "An Act Relating to Referendum Provisions Under Charter of City of Waterville." (H. P. 959) (L. D. 1240)

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

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

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)

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

On the matter previously set aside at the request of Mr. Beliveau of Oxford, 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), the same Senator then presented Senate Amendment "A" to House Amendment "A" and moved its adoption.

The PRESIDENT: The Senator from Oxford, Senator Beliveau, moves that the Senate reconsider its action whereby it adopted House Amendment "A". Is this the pleasure of the Senate?

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr. President, the reason for reconsidering apparently will be to amend this proposed Constitutional Amendment to attempt 18-year old voting again. Mr. President, might I ask the Senator from Oxford through the Chair whether or not we have not already based the record with a roll call vote on this very question.

The PRESIDENT: The Senator from Kennebec, Senator Katz, poses a question through the Chair which the Senator from Oxford may answer if he so desires.

The Chair recognizes the Senator from Oxford, Senator Beliveau.

Mr. BELIVEAU of Oxford: Mr. President, as I recall, we discussed several bills regarding reducing the voting age, and the argument that was presented in every instance was that there will be an additional bill before us and we can debate this at length at that time. I don't believe that the Senate has ever been placed on record on a roll call vote either in support or against the 18-year old vote. I think that, again, the people in this State, the voters of this State, particularly those between 18 and 21, are entitled to know exactly how and where we stand on this position. In answer to the good Senator's question, I do not believe that a roll call vote was taken on this particular issue and his argument as to the reasons for reconsidering our action is correct.

The PRESIDENT: Is it now the pleasure of the Senate to reconsider its action whereby it adopted House Amendment "A" to Item 7-7, Legislative Document 802.

The motion prevailed.

The PRESIDENT: The Chair now understands that the Senator from Oxford, Senator Beliveau, offers Senate Amendment "A" to House Amendment "A" and moves its adoption. The Secretary will read the Amendment.

Senate Amendment "A" to House Amendment "A", Filing No. S-123, was Read.

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

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr. President, I oppose the motion and I will request a roll call, being in an extremely cooperative mood.

Mr. President, regardless of individual preferences as to whether or not we reduce the voting age to 18, 19, 20 or, as a couple have suggested, we compromise at 22, I think that the time is now upon

us for those of us who would like to reduce the voting age, and I number myself among these, to try to decide what is politically possible this session. I hope that those of us, and I speak only as a Senator from Kennebec, those of us who do favor some kind of an adjustment in the voting age, would pool our forces. I don't think they can be pooled successfully on this at 18, or at 19, and any indication that I have seen here indicates that if indeed we do adjust the voting age to 20, this is the best we can hope to accomplish.

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

Mr. WYMAN of Washington: May I inquire the number of the House Amendment?

The SECRETARY: House - 264.

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

Mr. BELIVEAU of Oxford: Mr. President and Members of the Senate: Very briefly, I think it is important to point out to the members of the Senate that the provision reducing the voting age to 18 can be found in both platforms of both political parties. It has been in the Democratic Platform over a decade, and I understand that the Republicans recently agreed with the Democrats and adopted a similar plank.

I think that if both parties have considered this to the extent that it is contained and included in their platform, then the members of the Senate from both parties are under an obligation to enact this resolve. It is only for this reason, Mr. President and Members of the Senate, that I am pursuing this matter a little further, so that we will all know exactly where members of the various parties stand on this very crucial issue.

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

Mr. REED of Sagadahoc: Mr. President and Members of the Senate: This amendment that we have before us, although I am not the sponsor, is partially my responsibility in that I did feel, and I may be wrong in this, but, although we

had an 18-year old bill before us at that time, I was thinking it was amended to 19, and I am one Senator who more or less committed myself to the 18-year old vote. And I never consider myself one of the great flaming liberals, but through the years I have convinced myself that this is good legislation, that it is needed, and that we as individual Senators should make the record clear whether we are for it or against it.

I don't know that this is earth-shaking legislation. They said when women had the right to vote they were going to solve all the problems. I don't know if the 18-year olds have the right to vote whether all the problems will be solved or not. If you listen to some of them, they feel as though they will go a long way on this. But I do feel as my youngsters get older that I would like to have a chance to talk politics somewhat on an equal basis with them. I can remember talking, and telling one of my youngsters that I very seldom voted a straight ticket, and she asked me whether I voted a crooked one or not. I think that communication between parent and youngster in regards to politics and their outlook on what should be the course of government on this equal basis will be very helpful. And also, we talk too much about registration and justices of the peace and this type of thing, again, I feel that if we could get them while they, generally speaking, were in High School, or on shortly graduating thereafter, and most youngsters do today, that this would be an excellent way of getting our young people registered. I feel that once you go past that 21, when you get to be 24, 25 or 26, a lot of people do not register. I think the reason they do not do this is because they become embarrassed when they become old to admit the fact that they are not registered and they use the excuse, "Why? It doesn't make any difference anyway." And also I feel as if the colleges, which we have in many instances turned into political forums, and one of the things that seems upsetting to me, and I guess all candidates use it,

is the fact of the method in which they get crowds together, bringing them in with buses and so on and so forth, that seems to me to be awful phony as far as politics is concerned, and certainly we almost have a natural thing made for us, as far as our educational institutions are concerned, on the college level.

I know all these reasons have been talked about many times before. I also feel as if the general population is becoming much older now. In other words, people live to an older age, and I see nothing wrong with lowering the spectrum so that some youngsters have the right to vote. I think they are much more idealistic, I think they set a higher standard in goals than we do as older citizens. Again, I think that this voice on an equal basis should be heard.

As I said before, I originally, when I first started here, didn't support the concept of the 18-year old youngsters voting. I now do, and I have for the last couple of sessions. I feel that it is a step forward, and I think it would be a landmark in this Legislature if we could do this at this time and, therefore, I would support the amendment that has been offered.

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

Mr. STUART of Cumberland: Mr. President and Members of the Senate: I would just like to say that I have a daughter that is 18 and one that is 19. There is no doubt in my mind that they are ready to vote. I am going to support this and I hope that many of you will too.

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 the Senate adopt Senate Amendment "A" to House Amendment "A" on 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. 1240). A roll call has been requested. Under the Constitution, in order for the Chair to order a roll call, it requires the affirma-

tive vote of at least one - fifth of the Senators present and voting. All those in favor of a roll call will please 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, to adopt Senate Amendment "A" to House Amendment "A" on 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.

The Secretary will call the roll.

Roll Call

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

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

ABSENT: Senator Hanson.

A roll call was had. Sixteen Senators having voted in the affirmative and fifteen Senators having voted in the negative, with one Senator absent, the motion prevailed.

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

The Chair recognizes the Senator from Kennebec, Senator Katz,

Mr. KATZ of Kennebec: Mr. President, the vote this morning is no great surprise. I think that the record indicates that the members freely voted their conscience rather than on party lines. But I would hope that all of us realize that a Constitutional Amendment requires a two - thirds vote, and that the proponents of this amendment stand ready and responsibly willing and eager, in the face of its ultimate inability to get a two - thirds vote, to move to reconsider and kill this amendment so that we can salvage something this ses-

sion in the form of reduction in the voting age.

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

Thereupon, on motion by Mr. Beliveau of Oxford, tabled until later in today's session, pending Adoption of House Amendment "A" as amended by Senate Amendment "A" thereto.

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

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

Sent down for concurrence.

Senate

Resolve, providing Funds for Dental Education. (S. P. 201) (L. D. 610)

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)

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

Sent down for concurrence.

Senate - As Amended

Bill, "An Act Relating to Parole Eligibility Hearing in Life Imprisonment and Other Long Term Cases" (S. P. 167) (L. D. 541)

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 to Correct Errors and Inconsistencies in the Public Laws Relative to Sea and Shore Fisheries. (S. P. 71) (L. D. 193)

(On motion by Mr. Moore of Cumberland, tabled and specially assigned for May 8, 1969, pending Enactment.)

An Act Relating to the Open Season on Beaver. (S. P. 79) (L. D. 239)

An Act Relating to Construction or Acquisition of School Buildings for Mentally Retarded Children. (S. P. 133) (L. D. 417)

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

An Act Relating to Operation of Purse Seines Within Territorial Waters of Washington County. (S. P. 302) (L. D. 995)

An Act to Authorize the Portland Water District to Engage in Sewer Collection and Treatment to Protect the Purity of Sebago Lake. (S. P. 324) (L. D. 1086)

An Act Relating to Maine Babe Ruth Baseball, Inc. (S. P. 426) (L. D. 1426)

An Act Relating to Use of Scallop Drags in Gouldsboro Bay and Fishing in Narraguagus River. (H. P. 611) (L. D. 799)

An Act Increasing the Number of Superior Court Justices. (H. P. 955) (L. D. 1236)

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

An Act Relating to Open Season on Muskrat and Mink. (H. P. 1122) (L. D. 1443)

An Act Relating to Tuition Charges for Students from State Institutions. (H. P. 1149) (L. D. 1471)

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

An Act Relating to Type of Dredge to Dig Clams in Waters Between Cape Elizabeth and Pemaquid Point. (H. P. 1150) (L. D. 1472)

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

Resolve, Providing Moneys for Cerebral Palsy Centers for Home Care and Other Purposes. (H. P. 1148) (L. D. 1470)

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

Emergency

An Act Relating to Taking of Alewives in Georges River. (H. P. 1093) (L. D. 1410)

This being an emergency measure and having received the affirmative votes of 30 members of the Senate, was Passed to be Enacted and, having been signed by the President, was by the Secretary presented to the Governor for his approval.

Orders of the Day

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

HOUSE REPORT — Ought Not to Pass from the Committee on Towns and Counties on Bill, "An Act Relating to Approval of Appointment of Assistant County Attorney for Washington County." (H. P. 299) (L. D. 375)

Tabled — May 1, 1969 by Senator Logan of York.

Pending — Acceptance of Report.

On motion by Mr. Wyman of Washington, retabled and tomorrow assigned, pending Acceptance of the Committee Report.

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

HOUSE REPORTS — From the Committee on Taxation on Bill, "An Act Granting Veterans a Property Tax Credit in Lieu of an Exemption." (H. P. 743) (L. D. 961) Majority Report, Ought Not to Pass; Minority Report, Ought to Pass.

Tabled — May 1, 1969 by Senator Quinn of Penobscot.

Pending — Acceptance of Either Report.

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

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

Mr. MARTIN of Piscataquis: Mr. President and Members of the Senate: I was one of the members of the committee that signed the Ought to Pass Report, and it was for the simple reason of the inequity that is happening in our exemptions to veterans. As you all know, we already have a \$3,500 assessed value exemption which in some towns reflects a different actual tax dollar exemption over and above other towns.

I have here a list of the rates of all the towns in the State, and this \$3,500 exemption actually means a \$51 tax credit, whereby with the highest ratio rate in another town it means a \$742 tax credit for that particular year.

I know that this is a very unpopular action on my part. I am not against the veterans' exemption; the only thing I am against is the inequity in the existing program. I would hope that this body will see fit to act according to equalizing these exemptions over the way they have been administered in the past.

Another thing to consider is the fact that the veteran who would be entitled to an exemption and who happens to be renting is actually in truth not getting any exemption whatsoever.

I will not contest the motion of the good Senator from Penobscot, Senator Quinn, but this is the reason I signed the Minority Report on this Bill.

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

The motion prevailed and the Ought Not to Pass Report of the Committee was Accepted.

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

HOUSE REPORT — from the Committee on Judiciary on Bill, "An Act to Create Traffic Violations Bureaus in the District Courts." (H. P. 768) (L. D. 988) Majority Report, Ought to Pass;

Minority Report, Ought Not to Pass.

Tabled — May 1, 1969 by Senator Quinn of Penobscot.

Pending — Motion by Senator Mills of Franklin to Accept the Majority Ought to Pass Report.

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

Mr. QUINN of Penobscot: Mr. President and Members of the Senate: As a member of this Committee, I signed the Ought Not to Pass Report. The reason for doing it was that I thought if we passed this bill it would be deducting from the decorum of the District Court. We are setting up a cash register justice whereby people can come in and pay the clerk and get a receipt and so forth. I think that the procedure should remain as it is now. They come to court and they take care of their case, and it adds more to the decorum of the court than to turn this justice into a cash register justice.

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

Mr. MILLS of Franklin: Mr. President and Members of the Senate: I am sure that some Senators from down in the southern part of the State can relax to see that two sides of the Judiciary Committee are battling each other this morning — perhaps "battling" isn't the word, because I am sure that this is a friendly difference of opinion.

I appreciate the remarks of my good friend, Senator Quinn, and of course they do have a good deal of substance to them but, as I see it, this bill would give the laymen — you know that is what the educators call the people who don't have a degree in teaching, and that is what lawyers call people who aren't lawyers — that would give the common, everyday run of people, who don't have a license to go into the courts to practice as a lawyer, the right to pay off these trivial fines for these trivial offenses without having to hire us to do it for them. A good many of us in the profession have felt it is kind of too bad, it is kind of an imposition on our cli-

ents and the general public to have to hire us when somebody has passed a stop sign and they live in a distant part of the State and can't get there to go to court. It just doesn't make sense that they ought to have to pay \$25. I think that is what the fee calls for for us to go up there and pay a \$10 passing a stop sign fine.

I suppose this breaks down the law a little bit and allows a layman to do some of these things that heretofore only a lawyer could do, but we do think it is in the public interest.

I spoke on this the other day, and after giving what I thought was kind of an exhaustive explanation of it my good friend put it on the table, and I don't flatter myself in that you will remember everything I said then. I won't say it all over again anyway. However, that is the gist of it, that in these trivial offenses, passing a stop sign, speeding not more than 15 miles an hour over the speed limit, maybe having an inadequate muffler, or a few of these things that don't purport any real criminality to you if you are charged with them, like having a few days over on your inspection sticker — I found out recently that if a State Trooper sees you driving out of the driveway, and you just happen to be over a few days, he can give you a pass to get to the nearest inspection station rather than a ticket, if you happen to be a day or two over the inspection date — well, a thing like that, being a few days over on your inspection, it doesn't seem as though you ought to have to go and get legal advice and go get a lawyer to go in there for you to be your mouthpiece in District Court to pay off a fine of that kind.

That is all this bill would do. It does have the backing of the District Court System. The District Court Administration, I think, sponsored this. I think actually they could put it into effect now, but this would make it plain that they could do so. It is in the interest of the general public to enact this law, I think.

The PRESIDENT: Is the Senate ready for the question? The pending question before the Sen-

ate is the motion of the Senator from Franklin, Senator Mills, that the Senate accept the Majority Ought to Pass Report of the Committee on Bill, "An Act to Create Traffic Violations Bureaus in the District Court." As many as are in favor of accepting the Majority Ought to Pass Report of the Committee will say "Yes"; those opposed, "No."

A viva voce vote being taken, the motion prevailed and 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 fourth tabled and specially assigned matter:

Bill, "An Act Relating to Retirement of Chief Liquor Inspector." (H. P. 943) (L. D. 1204)

Tabled—May 1, 1969 by Senator Mills of Franklin.

Pending — Motion by Senator Minkowsky of Androscoggin to Indefinitely Postpone Bill.

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

Mr. MINKOWSKY of Androscoggin: Mr. President and Honorable Members of the Senate: Without reiterating to any extent my previous remarks regarding our present Chief Liquor Inspector, other than the fact that he is not indispensable, I suggest to the Senate that you consider my motion of indefinite postponement. If we don't take the necessary action this morning we will be setting an extremely dangerous precedent in State Government.

Because our Chief Liquor Inspector has created his own lot in life with his diversified activities in his work, why should we grant a special privilege under law to extend this time period for him? Even if this man didn't have such a malevolent background, I still would not consider extending this time in State service.

Members of the Senate, we do have a few irascible and debilitating people in State service as in any business. Let's not glorify these positions by giving one man special consideration. If any mem-

ber of the Senate feels strongly towards this L. D. he should amend it to include all State employes who are reaching retirement age.

To quote a saying by writer Edward Carpenter, "If a pebble in a boot torments us we expel it. We take off the boot and shake it out." Once the matter is fairly understood, it is easy to see and easy to understand that this particular matter is intruding and obnoxious. Thank you, Mr. President.

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

Mr. BARNES of Aroostook: Mr. President, I request a division on this motion.

The PRESIDENT: A division has been requested.

The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY of Cumberland: Mr. President, I feel it incumbent to tell the members of the Senate that during the hearings we had before the Liquor Control Commission there was one point of unanimity between the wets and the drys, without any question and from the heart, and that was the fact that the Chief Enforcement Officer of the Liquor Commission was doing an excellent job. I think that is the point at issue here today. I would certainly under other circumstances with other people who are doing an equally good job vote for an exception too. I would not vote for a blanket exception.

The Liquor Commission in its enforcement procedure has been above reproach and this, to my mind, is the issue today.

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

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

The PRESIDENT: A roll call has been requested.

The Chair recognizes the Senator from Hancock, Senator Anderson.

Mr. ANDERSON of Hancock: Mr. President and Members of the Senate: I think we would be doing the public an injustice if we discarded this man. I certainly

hope that the motion to indefinitely postpone does not prevail.

The PRESIDENT: Is the Senate ready for the question? 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 recognizes the Senator from York, Senator Logan.

Mr. LOGAN of York: Mr. President and Members of the Senate: I would like to speak for the record on this matter. Once again, I don't think there is any question about the integrity and the ability of Inspector Murphy. He is a man who has done the job with honor and is a credit to all of us. However, it is a matter of principle. I think that this man should follow the retirement rules as the rest of our State employes do. Thank you.

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

Mr. QUINN of Penobscot: Mr. President and Members of the Senate: I desire to support the good Senator Berry from Cumberland County in his statement. This man is of value to the State of Maine, and I think that is the important thing that we should be considering, not his age, that he is able physically and mentally and is capable of giving us further service. It has been such good service, let's continue it for the benefit of the State.

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

Mr. CIANCHETTE of Somerset: Mr. President and Members of the Senate: As a signer of the Majority Report of the Committee, I feel perhaps it is my duty to clarify my position.

There were several items that came before the Committee in relation to this bill. One in particular was what I felt was a gross inconsistency, in that the person

whom this bill directly affects stood before the Committee about two weeks previously and stated to us that the liquor enforcement officers should have their terms expire or their retirement at fifty years of age rather than the present law at fifty-five. It seemed at that time very inconsistent to me, and still does, that a man can come in with the same type of position and speak before the Committee saying that fifty-five years of age is too old to practice law enforcement in the Liquor Division. Yet two weeks later a bill is heard before us where the same man has asked for a five-year extension from sixty-five to seventy. If this is not inconsistent, I don't know what is.

As has been mentioned here before, if we have people, and we have had many people in many branches of State service who have been forced into retirement at sixty-five years of age who were well capable of serving, as possibly this man is, however, I don't feel that this Legislature or any Legislature should legislate for a person. If we are going to have laws on the books that other people must live by, it should be across the board.

The PRESIDENT: Is the Senate ready for the question? The pending question is the motion of the Senator from Androscoggin, Senator Minkowsky, that Bill, "An Act Relating to Retirement of Chief Liquor Inspector," be indefinitely postponed. A "Yes" vote will be in favor of the motion for indefinite postponement; a "No" vote will be opposed.

The Secretary will call the roll.

Roll Call

YEAS: Senators Beliveau, Bernard, Berry, Boisvert, Cianchette, Conley, Duquette, Gordon, Kellam, Letourneau, Logan, Martin, Minkowsky, Reed, Stuart, Tanous, Violette, and President MacLeod.

NAYS: Senators Anderson, Barnes, Dunn, Greeley, Hoffses, Katz, Mills, Moore, Peabody, Quinn, Sewall, and Wyman.

ABSENT: Senators Hanson and Levine.

A roll call was had. Eighteen Senators having voted in the af-

firmative and twelve Senators having voted in the negative, with two Senators absent, the motion prevailed and the Bill was Indefinitely Postponed in non-concurrence.

Sent down for concurrence.

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

HOUSE REPORT — Ought Not to Pass from 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)

Tabled — May 1, 1969 by Senator Levine of Kennebec.

Pending—Acceptance of Report.

Mr. Bernard of Androscoggin moved the pending question.

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

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

HOUSE REPORT — Ought to Pass as Amended by Committee Amendment "A" Filing H-208 from the Committee on Natural Resources on Bill, "An Act Relating to Approval of Refuse Disposal Areas." (H. P. 739) (L. D. 957)

Tabled—May 2, 1969 by Senator Moore of Cumberland.

Pending — Motion by Senator Berry of Cumberland to Accept the Ought to Pass Report.

Mr. Berry of Cumberland was granted leave to withdraw his motion.

Thereupon, on motion by the same Senator, Recommended to the Committee on Natural Resources in non-concurrence.

Sent down for concurrence.

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

HOUSE REPORT — from the Committee on Legal Affairs on Bill, "An Act Deleting the Population Requirement from the Revenue Producing Municipal Facilities"; Ought to Pass in New Draft under New Title (H. P. 1159) (L. D. 1480) Bill, "An Act Reducing the Population Requirement from

the Revenue Producing Municipal Facilities." (H. P. 737) (L. D. 955)

Tabled — May 2, 1969 by Senator Katz of Kennebec.

Pending—Acceptance of Report.

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

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

HOUSE REPORTS — from the Committee on State Government on Bill, "An Act Relating to Executive Reorganization." (H. P. 444) (L. D. 568) Report "A" Ought to Pass; Report "B" Ought Not to Pass.

Tabled — May 2, 1969 by Senator Katz of Kennebec.

Pending — Motion by Senator Katz of Kennebec to Accept Report "B" Ought Not to Pass.

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

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

SENATE REPORT — Ought Not to Pass as Covered by Other Legislation from the Committee on Labor on Bill, "An Act Revising the Minimum Wage Law." (S. P. 91) (L. D. 282)

Tabled — May 2, 1969 by Senator Peabody of Aroostook.

Pending—Acceptance of Report.

Thereupon, the Ought Not to Pass as Covered by other Legislation Report of the Committee was Accepted.

Sent down for concurrence.

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

Bill, "An Act to Provide for the Registration of Professional Social Workers." (S. P. 346) (L. D. 1212)

Tabled — May 2, 1969 by Senator Conley of Cumberland.

Pending — Adoption of Committee Amendment "A" Filing S-118.

Thereupon, Committee Amendment "A" was Adopted and the Bill, as Amended, tomorrow assigned for Second Reading.

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

SENATE REPORTS — from 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) Majority Report, Ought Not to Pass; Minority Report, Ought to Pass.

Tabled — May 2, 1969 by Senator Mills of Franklin.

Pending — Acceptance of Either Report.

On motion by Mr. Barnes of Aroostook, retabled and specially assigned for May 8, 1969, pending Acceptance of Either Report.

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

Bill, "An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1970 and June 30, 1971." (S. P. 449) (L. D. 1483)

Tabled — May 2, 1969 by Senator Katz of Kennebec.

Pending — Motion by Senator Sewall of Penobscot to Indefinitely Postpone Senate Amendment "A" Filing S-119.

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

Mr. KATZ of Kennebec: Mr. President and Members of the Senate: In Greek mythology it seems to me there was a passage that had to do with a ship sailing between Siller and Cambda, which has come to mean making a choice between two extremes on the left and the right. The proposed amendment before us this morning would strip a substantial amount of money from a supplemental budget which many people feel is too small in the first place. I have a feeling that the unanimous report of the Committee on Appropriations expressed a desire to walk a middle road. I think that, were this amendment facing us this morning to be adopted we would find ourselves in an intolerable position of having sought a simplistic answer to a very complicated problem.

I hope that those of you who are leaning toward supporting the motion to adopt Senate Amendment "A", which substantially reduces the amount in the supplemental budget, will weigh well the consequences. The consequences are very clear. The consequences will involve reduction in very, very vital State services. One part that is very close to my heart is in the field of Rehabilitation. It will emasculate our potential to make progress in Rehabilitation this session.

I notice in the rear of the chamber some fine young people from the University of Maine who are concerned with the present size of the University budget. It would further reduce the size of the University budget beyond a point, I feel, that it should not be reduced.

I hope that all of us join together in defeating the motion to accept Senate Amendment "A" and, Mr. President, I move the pending question, which is to indefinitely postpone Senate Amendment "A", and I ask for a roll call vote.

The PRESIDENT: A roll call has already been requested, the Chair would inform the Senator.

The Chair recognizes the Senator from Oxford, Senator Dunn.

Mr. DUNN of Oxford: Mr. President and Members of the Senate: I think a good part of what needed to be said was said last Friday. We are all aware of what has been going on with our current services in our State budgets for the last three or four sessions. If we pass this current services, which adds \$39 million to the budget, plus another \$35 million here, it means an increase of \$75 million, and that is about a thirty-one per cent increase, which is a big amount for any two-year period. Even with the amendment I have suggested, it is still a twenty-five per cent increase and to me, that is as much as we should go.

Now, as to the amendment itself and to the departments that have been mentioned last Friday and this morning, for Health and Welfare the 103rd appropriated \$30 million, or just over \$30 million. The 104th in current services has \$35 million, which is a seven-

teen per cent increase. With the \$3.6 million in Amendment "A", it gives them a 25.8 per cent increase over what they are operating on at the present time. I won't deny that some federal funds are affected, but not as much as anyone might think.

Now, Mental Health and Corrections, the 103rd was \$32.8 million. The 104th current services is \$38.5, or a 17.6 per cent increase. With the amendment, it gives them a twenty per cent increase. That, I believe, is quite reasonable. That is made up of increased personnel and increased salaries to a great extent.

The Maine Maritime Academy, which was mentioned Friday, the 103rd appropriated \$733,000 for the Maine Maritime. We have in the 104th current services \$1,093,000, which is a fifty per cent raise. With the \$200,000 allotted in the amendment, it gives them a seventy-six per cent raise over what they are currently operating under from State support.

The University of Maine, \$34 million, and it goes to \$46 million under this amendment. If the other one is accepted, the regular \$6.8 million, it gives them almost a fifty per cent increase. This is a thirty-five per cent increase, and I believe it is as much as any one department has a right to expect in any one session of the Legislature.

Water and Air Environmental Commission has at the present time twenty positions authorized, and three of them they haven't been able to fill. From a meeting the other day, it isn't wholly a matter of price; it is the being unable to find the men to fill them. Now, in the amendment it would add three this first year and six the second, which would give them six more employees starting the first of July over what they are operating under now and nine for the second year.

I think that is about all I want to say here, except on the school subsidy, there will be a bill in front of us. The towns' share of ADC is a part of Bill 918, which we certainly will hear from. The University of Maine, this is the final point on that. But on pay

raises, we have bills in front of our Committee at this time.

This is mentioned as cuts. I would prefer to think of both the supplemental budget and the amendment as raises. One is less than the other, but they are both raises over what they have been operating under. My mail this morning was even. I split even on it. I got a fifty per cent batting average there. I don't know whether I will get that in the vote here, but I would hope so.

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

Mr. SEWALL of Penobscot: Mr. President and Members of the Senate: I can assure the Senate that I, as Chairman of Appropriations, am completely sympathetic with Senator Dunn's motives. He has done an outstanding job all winter on the Committee, but I would like to recall to the Senate that our recommended Part II Budget was a result of approximately eighteen weeks of, believe me, really long hours and sincere work on the part of everyone on the Committee.

Senator Dunn did sign the Ought to Pass Report. We attempted within the Committee to compromise our differences. We have, if you can categorize them, liberals on the Committee and we have very conservative people on the Committee. We felt that the figure of \$34 million was a figure which could in fact be funded through this Legislature.

Although I would be the first to admit and agree with Senator Dunn that the trend of State spending is alarming, I would reiterate what Senator Katz pointed out, that maybe it is the best of a tough situation, this \$34 million, but it does seem to carry out programs which were initiated in the 103rd and 102nd Legislature. I think we as a Legislature, as a Senate, would be remiss if we did not fund programs for which monies had been appropriated to build buildings, and in this way you inherently establish programs. Much of the money in Part II does carry out the mandate of previous Legislatures in that it does fund programs which must

be placed in buildings which were previously committed.

I think, frankly, to cut the Part II appropriation request would be irresponsible. I am sure many of us have read in the press over the weekend how seriously the Appropriations Committee has been taken to task for its stand on many of these issues. We realize that we have not been able to recommend all the money that many of these worthwhile institutions would like to see appropriated but, by the same token, we are trying to do the best we can by the taxpayer in the State of Maine, the silent middle, if you would. So, I strongly urge the Senate to back me in my motion to indefinitely postpone the suggested amendment. Thank you.

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

Mr. DUQUETTE of York: Mr. President and Members of the Senate: I would like to see a smaller budget for the sake of the taxpayers, however, as Senator Sewall has told you, this Committee has labored long and hard to find the solutions to meet the existing problems of our State.

I do not wish to be critical of those who would like to engage in new programs that would cost millions of dollars because no doubt these programs are desirable. I believe these people are sincere and I respect them but, at the same time, I believe the Committee on Appropriations should be respected. We are sincere and we are trying to do the best for the people of Maine. These programs that were not accepted in this Part II Budget are before the Legislature today in individual L. D.'s. They will be considered by this Legislature, but I believe that price tags will be attached to these programs so every member of the Legislature can see what he buys, what is needed, what we can afford. Therefore, the game is not over, and I believe that this criticism of the Appropriations Committee is not fair. Let them wait until we go home and then they can criticize us if we fail to provide the necessary needs for the people of the State of Maine now.

Let's take only a few items: School Subsidies—it is said that we are not helping the property owners on the local level. School subsidies are being increased substantially. In the Part II Budget, the second year, we provide \$6.4 million. You have on the Appropriations Table here \$4.9.

Taking what is in the current services budget on the Appropriations Table now, your total expenditures for school subsidies for the next biennium will be \$89,700,000—almost \$90 million. I believe that is a help to the taxpayers and property owners.

On ADC we have appropriated so the State can take over the towns' share of ADC now. That is a help to the property owners in the cities and towns. For drugs and dental programs we have appropriated here almost \$700,000. This would help out the communities and this would help again the property owners.

Those are only a few items that I wish to state but, as I said before, and as I say now, I would like to have a smaller budget, but I also wish to make this point: your Committee on Appropriations, and Financial Affairs does care, but we also care very much for those who pay these bills, those who go out and work and labor and save and pay for these services depicted here in this budget.

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

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: I want to congratulate the Senator from York, Senator Duquette, on his very fair and honorable explanation of the situation facing not only the Legislature but the State. My only regret is that other people in high places in his party have not displayed in the last few days such statesmanship.

The PRESIDENT: Is the Senate ready for the question? The pending question before the Senate is the motion of the Senator from Penobscot, Senator Sewall, that Senate Amendment "A", Filing No. S-119, be indefinitely postponed, that is, Senate Amendment "A" to

Bill, "An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1970 and June 30, 1971." A roll call has been requested.

Under the Constitution, in order for the Chair to order a roll call, it requires the affirmative vote of at least one-fifth of those 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 risen, 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 Penobscot, Senator Sewall, to indefinitely postpone Senate Amendment "A". A "Yes" vote will be in favor of indefinite postponement; a "No" vote will be opposed.

The Secretary will call the roll.

ROLL CALL

YEAS: Senators Barnes, Beliveau, Bernard, Berry, Boisvert, Cianchette, Conley, Duquette, Gordon, Hoffses, Katz, Kellam, Letourneau, Levine, Logan, Martin, Mills, Peabody, Quinn, Reed, Sewall, Stuart, Tanous, Violette, and President MacLeod.

NAYS — Senators Anderson, Dunn, Greeley, Minkowsky, Moore, and Wyman.

ABSENT — Senator Hanson.

A roll call was had. Twenty-five Senators having voted in the affirmative and six Senators having voted in the negative, with one Senator absent, the motion prevailed and Senate Amendment "A" was Indefinitely Postponed.

Thereupon, the Bill was Passed to be Engrossed.

Sent down for concurrence.

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

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

Tabled — May 2, 1969 by Senator Mills of Franklin.

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

Thereupon, the Bill was Indefinitely Postponed in non-concurrence.

Sent down for concurrence.

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

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

Tabled—May 2, 1969 by Senator Mills of Franklin.

Pending — Motion by Senator Berry of Cumberland to Indefinitely Postpone Bill.

On motion by Mr. Berry of Cumberland, retabled until later in today's session, pending the motion by that same Senator that the Bill be Indefinitely Postponed.

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

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

Tabled — May 2, 1969 by Senator Dunn of Oxford.

Pending — Enactment.

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

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

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

Tabled — May 2, 1969 by Senator Logan of York.

Pending — Motion by Senator Berry of Cumberland to Indefinitely Postpone House Amendment "B" Filing H-214.

On motion by Mr. Katz of Kennebec, retabled and tomorrow assigned, pending the motion, by Mr. Berry of Cumberland that House Amendment "B" be Indefinitely Postponed.

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

Bill, "An Act Relating to Expert Witness Fees as Court Costs." (S. P. 103) (L. D. 312)

Tabled — May 2, 1969 by Senator Beliveau of Oxford.

Pending — Motion by Senator Tanous of Penobscot to Reconsider Indefinite Postponement.

The PRESIDENT: Is it now the pleasure of the Senate that the Senate reconsider its action whereby this bill was indefinitely postponed?

The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: I would urge you to vote against the motion for reconsideration and maintain the past action of this body.

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

Mr. TANOUS of Penobscot: Mr. President, I ask for a division.

The PRESIDENT: A division has been requested.

The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: I see we will debate the issue now. This is the bill, as the members of the Senate will recall, which removed the ceiling on witness fees, which is presently \$50 a day, and removes the jurisdiction of the presiding justice in allowing the expenses of all witnesses for the State from the bill. It had been my hope that our friends would be agreeable to the action of the Senate, but apparently they are not.

As I mentioned in debating this bill, this is a sequel to bills presented and successfully passed — for the first time successfully passed, certainly not the first time presented — in the 102nd Legislature, which were known as the Trial Lawyers' Bills. The record of the 102nd makes most interesting reading on this subject, and I would refer you to it.

The people involved, as far as members of the Legislature are concerned in deciding how to vote, are the people of the State of Maine who, through court action or the threat of court action, pay the bills. Increases in the cost of dispensing judgment are directly reflected in the amount of money that you and I pay for certain protection, particularly insurance. We have arrayed on one side of the courtroom, the Maine Trial Law-

yers' Association, and we have on the other side of the room the defendants, usually represented by their insurance company and the insurance company lawyers. Now, insurance companies are thought of as being bottomless sources of funds, which they are not, because the funds that they have are the monies that you and I have paid in to them in exchange for the coverage and the protection that we have. However, any increase in leniency, any attempts to get more out of the insurance companies than is absolutely necessary for the administration of the insurance procedure, and to pay court costs and awards, are unwarranted increases in the people of the State of Maine's expenses in these fields. This, Members of the Senate, is the issue here today.

Our friends in the Trial Lawyers' Association were unwilling to put a ceiling on it even when they changed the existing \$50 a day to a higher figure. This is old hat to me. I sat and ate humble pie in the 102nd when I had shoved down my mouth and those of some of my associates the bitter pill, the passage of things like the contingency fee bill, the attempts to remove governmental immunities so that you can sue the State and every city and municipality in it at will, the attempt to remove charitable immunity so that hospitals could be sued, and several other good bills. The comparative negligence bill was not the least of the scalps that were hung up on the wig-wam pole that session.

Now, I go into some of these details, Mr. President and Members of the Senate, because I think there is a big issue involved here. I don't want to make a party issue out of it because, in my opinion, the welfare of the State of Maine is far above party issues. If this matter has to be carried further I will be delighted to pick up the cudgels to meet the cudgels. I do hope that you would vote against reconsideration and maintain the very excellent position that this body took.

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

tion before the Senate is the motion of the Senator from Penobscot, Senator Tanous, that the Senate reconsider its action whereby Bill, "An Act Relating to Expert Witness Fees as Court Costs," was indefinitely postponed. A division has been requested. As many Senators as are in favor of the motion to reconsider will rise and remain standing until counted. Those opposed will rise and remain standing until counted.

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

The President laid before the Senate the first matter tabled earlier in today's session on motion by Mr. Berry of Cumberland, Bill, "An Act Relating to Distribution of Malt Liquor," (S. P. 441) (L. D. 1464), pending Consideration.

In the Senate April 24, 1969, Passed to be Engrossed.

Comes from the House, Passed to be Engrossed as Amended by House Amendment "A" (H-273) in non-concurrence.

Thereupon, the Senate voted to Recede and Concur.

The President laid before the Senate the second matter tabled earlier in today's session on motion by Mr. Katz of Kennebec, 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)

On motion by Mr. Beliveau of Oxford, the Senate voted to reconsider its action whereby Senate Amendment "A" to House Amendment "A" was Adopted and, on subsequent motion by the same Senator, Senate Amendment "A" to House Amendment "A" was Indefinitely Postponed.

Thereupon, House Amendment "A" was adopted and the Bill, as Amended Passed to be Engrossed in concurrence.

The President laid before the Senate the third matter tabled earlier in today's session on motion

by Mr. Berry of Cumberland, Bill, "An Act Relating to Trial Costs." (S. P 106) (L. D. 313)

Pending — Motion by Senator Berry of Cumberland to Indefinitely Postpone Bill

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

Mr. BERRY of Cumberland; Mr. President, L.D. 313 is a bill, to refresh the memories of the members of the Senate, that had three sections in it. I quarreled with the uncontrolled cost of Section 3, and expressed the thought that the bill would be a good bill if there was some control put on Section 3. At the time I made this statement the Senator from Franklin, Senator Mills, indicated he was not in favor of such an amendment and, accordingly, I moved to indefinitely postpone the bill. This is my current position and I would press the motion.

Thereupon, on motion by Mr. Violette of Aroostook, retabled and tomorrow assigned, pending the motion by Mr. Berry of Cumberland that the Bill be Indefinitely Postponed.

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

Mr. MOORE of Cumberland: Mr. President and Members of the Senate: Out of order and under suspension of the rules; I would like to present an order and move its passage. The reason I am presenting the order, and certainly hope that it will pass, is that bids are going to open tomorrow afternoon at 2:00 o'clock, so there isn't much time left. As it is, there is a lot of concern that a firm from out of the country will be the low bidder on it, and I am very much opposed to having any more State buildings built by contractors that just come in to build a building and then you never see or hear of them again. I would much prefer to have a contractor that we know, that lives here and is established here, build the building, so that if anything happens to the building in the near future he is right here and he is responsible to take care of that building.

I can refer back to the State of-

fice building, and that was awarded to a firm from Massachusetts, not a highly reputable firm at that time. They came down here and built that building and moved out, and ever since that time we have been appropriating money and repairing it. I remember when I was on the Executive Council we had to furnish funds to take the granite off and put it back on because it was found that there was some stays put in the granite to hold it and there was great danger of it killing somebody by dropping off, but Ruggo never came back, and we did it. In a case like this, I think, where this is State money building this building here, that it should be a State of Maine contractor.

The PRESIDENT: The Chair would inquire of the Senator from Cumberland, Senator Moore, if he would be willing to withdraw his Joint Resolution and present it as an order. A Joint Resolution requires the approval of the Reference of Bills Committee and this has not been done. I would ask the Senator if he would withdraw his resolution?

Mr. MOORE: Mr. President, I will withdraw it.

The PRESIDENT: The Senator withdraws his motion.

The Senate is proceeding under Orders of the Day.

On motion by Mr. Hoffses of Knox, the Senate voted to take from the table the eighth tabled and unassigned matter, House Reports — from the Committee on Liquor Control on Bill, "An Act Concerning the Liquor Laws," (H. P. 702) (L. D. 902) Majority Report, Ought to Pass; Minority Report, Ought Not to Pass.

Tabled—April 1, 1969 by Senator Hoffses of Knox.

Pending—Acceptance of Either Report.

On further motion by the same Senator, the Majority Ought to Pass Report of the Committee was Accepted in concurrence, the Bill Read Once and tomorrow assigned for Second Reading.

On motion by Mr. Hoffses of Knox, adjourned until 9 o'clock tomorrow morning.