

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fourth
Legislature*

OF THE

STATE OF MAINE

Volume II

May 9, 1969 to June 17, 1969

**KENNEBEC JOURNAL
AUGUSTA, MAINE**

SENATE

Thursday, May 15, 1969
Senate called to order by the President.

Prayer by the Rev. Malcolm Galbraith of Hallowell.

Reading of the Journal of yesterday.

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

Bill, "An Act Relating to Legislative Ethics." (H. P. 909) (L. D. 1170)

In the House May 6, 1969, Passed to be Engrossed.

In the Senate May 13, 1969, Indefinitely Postponed, in non-concurrence.

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

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

House Papers

Bill, "An Act to Make Allocations from Bond Issue for Construction and Equipment of Pollution Abatement Facilities." (H. P. 1187) (L. D. 1511)

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

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

Bill, "An Act Relating to Liquor Bought from the State Liquor Commission for Use on Commercial Airlines." (H. P. 1186) (L. D. 1510)

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

Which was Referred to the Committee on Liquor Control and Ordered Printed in concurrence.

Communications

State of Maine
Senate Chamber
President's Office
Augusta, Maine

May 14, 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 23, 1969.

Respectfully yours,
S KENNETH P. MACLEOD,
Chairman Committee on
Reference of Bills

Which was Read and Ordered Placed on File.

**Committee Reports
House****Leave to Withdraw -****Covered by Other Legislation**

The Committee on State Government on Bill, "An Act Increasing Salary of County Attorney of Hancock County". (Emergency) (H. P. 483) (L. D. 637)

Reported that the same be granted Leave to Withdraw - Covered by Other Legislation.

The Committee on State Government on Bill, "An Act Increasing Salaries of County Attorney and Assistant County Attorneys of Cumberland County." (Emergency) (H. P. 487) (L. D. 641)

Reported that the same be granted Leave to Withdraw - Covered by Other Legislation.

Come from the House, the reports Read and Accepted.

Which reports were Read and Accepted in concurrence.

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

The Committee on Retirements and Pensions on Bill, "An Act Relating to Service Retirement of Law Enforcement Officers in Department of Sea and Shore Fisheries." (H. P. 347) (L. D. 454)

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

The Committee on Retirements and Pensions on Bill, "An Act Relating to Service Retirement of Inland Fisheries and Game Wardens." (H. P. 348) (L. D. 455)

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

Come from the House, the reports Read and Accepted.

Which reports were Read and Accepted in concurrence.

Ought Not to Pass

The Committee on State Government on Bill, "An Act to Provide a Uniform Fiscal Year for Municipalities." (H. P. 98) (L. D. 106)

Reported that the same Ought Not to Pass.

Comes from the House, the report Read and Accepted.

Which report was Read.

Mr. Katz of Kennebec moved that the Bill be Substituted for the Report.

The PRESIDENT: The Senator from Kennebec, Senator Katz, moves that the bill be substituted for the report.

The Chair recognizes the same Senator.

Mr. KATZ: Mr. President and Members of the Senate: Every time I have turned around in recent Legislative sessions, I run into the fact that it is an intolerable, confusing burden for towns and cities to maintain a year other than a fiscal year coinciding with the State. For the community which has a calendar year, and most communities pursue a calendar year, you are familiar with what happens with the school budget, and it is absolutely chaotic. When you make a change in the budget you get a percentage included in the first year and then some kind of fractional percentage in the second year. You have observed here this session the tremendous confusion throughout the State with school subsidies, with town meetings, with district meetings of SAD's. The problem will be solved just as simply as can be if we can ever go through the painful process of having our political subdivisions on the same fiscal year as we have, and for purposes of federal programs it makes all kinds of sense. As a matter of fact, even from the viewpoint of snow removal costs, if you think about a calendar year starting January 1, as opposed to a fiscal year starting in July, we can get the whole picture of snow

removal costs within a single fiscal year.

I know it has been a difficult bill, and perhaps the bill is not in proper form at the moment, I notice the lead time is very, very short, but I certainly hope that this legislature can come forward with legislation that does put our political subdivisions in the same kind of a year as the State.

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

Thereupon, on motion by Mr. Wyman of Washington, tabled and specially assigned for May 20, 1969, pending the motion by Mr. Katz of Kennebec to substitute the Bill for the Report.

The Committee on State Government on Bill, "An Act Relating to Salary of Commissioner of Education." (H. P. 244) (L. D. 299)

Reported that the same Ought Not to Pass.

The Committee on Appropriations and Financial Affairs on Bill, "An Act Providing for a Bond Issue in the Amount of Seven Hundred and Fifty Thousand Dollars for Terminal and Parking on Portland Waterfront for Casco Bay Islands." (H. P. 918) (L. D. 1179)

Reported that the same Ought Not to Pass.

Come from the House, the reports Read and Accepted.

Which reports were Read and Accepted in concurrence.

The Committee on State Government on Bill, "An Act Authorizing the Legislative Bodies of Municipalities to Reapportion Council Districts." (H. P. 838) (L. D. 1076)

Reported that the same Ought Not to Pass.

Comes from the House, the Bill Substituted for the Report and the Bill subsequently Recommended to the Committee on State Government.

Which report was Read.

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

The Committee on Education on Bill, "An Act Relating to

Secondary Education in the Town of Islesboro." (H. P. 509) (L. D. 680)

Reported that the same Ought Not to Pass.

Comes from the House, the Bill Substituted for the Report and the Bill subsequently Passed to be Engrossed as Amended by House Amendment "A" (H-312).

Which report was Read.

On motion by Mr. Katz of Kennebec, the Bill was Substituted for the Report in concurrence, and the Bill Read Once. House Amendment "A" was Read and Adopted in concurrence and the Bill, as Amended, tomorrow assigned for Second Reading.

The Committee on Towns and Counties on Bill, "An Act Relating to Fees of Local Sealers of Weights and Measures." (H. P. 879) (L. D. 1122)

Reported that the same Ought Not to Pass.

Comes from the House, the Bill Substituted for the Report and the Bill subsequently Passed to be Engrossed as Amended by House Amendment "A" (H-315).

Which report was Read.

On motion by Mr. Martin of Piscataquis, the Bill was Substituted for the Report in concurrence, and the Bill Read Once. House Amendment "A" was Read and Adopted in concurrence and the Bill, as Amended, tomorrow assigned for Second Reading.

Ought to Pass

The Committee on Education on Bill, "An Act to Reconstitute School Administrative Districts Numbers 60, 65, 66, 67, 68, 69, 70, 71 and 72." (H. P. 514) (L. D. 685)

Reported that the same Ought to Pass.

Comes from the House, the report Read and Accepted and the Bill Passed to be Engrossed as Amended by House Amendment "A" (H-314).

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

tomorrow assigned for Second Reading.

Ought to Pass - As Amended

Bill, "An Act to Expand the Territory of the Portland Water District." (H. P. 832) (L. D. 1070)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-309).

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

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

Ought to Pass in New Draft

The Committee on State Government on Bill, "An Act Relating to Hunting, Fishing and Trapping by Indians." (H. P. 446) (L. D. 570)

Reported that the same Ought to Pass in New Draft under Same Title. (H. P. 1155) (L. D. 1477)

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. Hoffses of Knox, tabled and specially assigned for May 20, 1969, pending Acceptance of the Committee Report.

Divided Report

The Majority of the Committee on Retirements and Pensions on Bill, "An Act Relating to Retirement Benefits for Rangers in the Department of Forestry and Baxter State Park Under State Retirement System." (H. P. 23) (L. D. 26)

Reported that the same Ought Not to Pass.

Signed:

Senators:

HANSON of Kennebec

DUQUETTE of York

CIANCHETTE

of Somerset

Representatives:

MEISNER
of Dover-Foxcroft
BARNES of Alton
MARQUIS of Lewiston
SHELTRA of Biddeford
PRATT of Parsonsfield
LINCOLN of Bethel

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

Signed:

Representative:

TEMPLE of Portland

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

Which reports were Read.

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

Divided Report

The Majority of the Committee on Judiciary on Bill, "An Act Relating to Defenses of Family Relationships in Civil Actions." (H. P. 168) (L. D. 207)

Reported that the same Ought to Pass.

Signed:

Senators:

MILLS of Franklin
VIOLETTE of Aroostook
QUINN of Penobscot

Representatives:

FOSTER of
Mechanic Falls
DANTON of
Old Orchard Beach
HESELTON of Gardiner
BERMAN of Houlton
BRENNAN of Portland
MORESHEAD of Augusta

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

Signed:

Representative:

HEWES of Cape Elizabeth
Comes from the House, the Majority Ought to Pass Report Read and Accepted and the Bill Indefinitely Postponed.

Which reports were Read and the Majority Ought to Pass Report of the Committee Accepted in concurrence.

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

Mr. BERRY of Cumberland: Mr. President, I would like to address an inquiry to any member of the Judiciary: Under the terms of this bill, would it be possible in the case of an automobile accident for a wife to sue her husband?

The PRESIDENT: The Senator from Cumberland, Senator Berry, has posed a question through the Chair, which any Senator on the Judiciary Committee may answer or not, as he so desires.

The Chair recognizes the same Senator.

Mr. BERRY: Mr President, I move this bill be indefinitely postponed.

The PRESIDENT: The Senator from Cumberland, Senator Berry, now moves that Bill, "An Act Relating to Defenses of Family Relationships in Civil Actions" (H. P. 168) (L. D. 207), be indefinitely postponed. Is this the pleasure of the Senate?

The Chair recognizes the Senator from Aroostook, Senator Violette.

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

Divided Report

The Majority of the Committee on Labor on Bill, "An Act Revising the Minimum Wage Law." (H. P. 864) (L. D 1106)

Reported that the same Ought to Pass in New Draft under Same Title. (H. P. 1166) (L. D. 1487)

Signed:

Senators:

TANOUS of Penobscot
PEABODY of Aroostook
BELIVEAU of Oxford

Representatives:

GOOD of Westfield
BEDARD of Saco
CASEY of Baileyville
McTEAGUE of Brunswick

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

Signed:

Representatives:

DURGIN of Raymond
HASKELL of Houlton
HUBER of Rockland

Comes from the House, the
Minority Ought Not to Pass report
Read and Accepted.

Which reports were Read.

On motion by Mr. Beliveau of
Oxford, tabled and tomorrow
assigned, pending Acceptance of
Either Report.

Divided Report

The Majority of the Committee
on Retirements and Pensions on
Bill, "An Act Relating to Benefits
for Widows of State Police
Officers." (H. P. 196) (L. D. 243)

Reported that the same Ought
Not to Pass.

Signed:

Senators:

HANSON of Kennebec
CIANCHETTE
of Somerset
DUQUETTE of York

Representatives:

PRATT of Parsonsfield
TEMPLE of Portland
LINCOLN of Bethel
MEISNER

of Dover-Foxcroft
BARNES of Alton

The Minority of the same Com-
mittee on the same subject matter
reported that the same Ought to
Pass.

Signed:

Representatives:

MARQUIS of Lewiston
SHELTRA of Biddeford

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

Which reports were Read.

Thereupon, the Majority Ought
Not to Pass Report of the Com-
mittee was Accepted in Con-
currence.

Divided Report

Five members of the Committee
on State Government on Bill, "An
Act Relating to Harness and
Running Horse Races on Sunday."
(H. P. 1069) (L. D. 1398)

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

Signed:

Senator:

BELIVEAU of Oxford

Representatives:

WATSON of Bath
DENNETT of Kittery
RIDEOUT of Manchester
D'ALFONSO of Portland.

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

Signed:

Senators:

WYMAN of Washington
LETOURNEAU of York

Representatives:

MARSTALLER
of Freeport
STARBIRD of Kingman
DONAGHY of Lubec

Comes from the House, Report
"A" Ought to Pass Read and
Accepted and the Bill Indefinitely
Postponed.

Which reports were Read.

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

Senate

Leave to Withdraw -

Covered by Other Legislation

Mr. Tanous for the Committee
on Legal Affairs on Bill, "An Act
Designating Monday for the
Celebration of Certain Holidays."
(S. P. 401) (L. D. 1293)

Reported that the same be
granted Leave to Withdraw -
Covered by Other Legislation.

Which report was Read and
Accepted.

Sent down for concurrence.

Ought Not to Pass

Mr. Kellam for the Committee
on Legal Affairs on Bill, "An Act
Creating a Council-Manager Form
of Government for the City of
Saco." (S. P. 248) (L. D. 790)

Reported that the same Ought
Not to Pass.

Which report was Read and
Accepted.

Sent down for concurrence.

Ought to Pass

Mr. Violette for the Committee
on Judiciary on Bill, "An Act Per-
mitting Acceptance of Personal

Recognizances by Allagash Wilderness Waterway Rangers." (S. P. 68) (L. D. 191)

Reported that the same Ought to Pass.

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

Ought to Pass - As Amended

Mr. Greeley for the Committee on Highways on Bill, "An Act Providing for Area Directional Signs on Maine Turnpike for Washington County Area." (S. P. 375) (L. D. 1285)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-152).

Mr. Cianchette for the Committee on Highways on Bill, "An Act Relating to Bids for Construction of State Highways." (S. P. 428) (L. D. 1427)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-151).

Mr. Violette for the Committee on Judiciary on Bill, "An Act Relating to the Statute of Limitations for the Malpractice of Physicians." (S. P. 85) (L. D. 279)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-153).

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

Divided Report

Five members of the Committee on Legal Affairs on Bill, "An Act Relating to Assessments on Interment Space of Cemeteries." (S. P. 173) (L. D. 574)

Reported in Report "A" that the same Ought Not to Pass.

Signed:

Senator:

KELLAM of Cumberland
Representatives:

COTE of Lewiston
NORRIS of Brewer
SHAW of Chelsea
COX of Bangor

Five members of the same Committee on the same subject matter

reported in Report "B" that the same Ought to Pass in New Draft Under Same Title. (S. P. 459) (L. D. 1315)

Signed:

Senators:

TANOUS of Penobscot
CONLEY of Cumberland

Representatives:

BAKER of Orrington
CUSHING of Bucksport
WHEELER of Portland

Which reports were Read.

Mr. Tanous of Penobscot moved that the Senate Accept the Ought to Pass Report "B" of the Committee.

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

Mr. KELLAM of Cumberland: Mr. President and Members of the Senate: I obviously oppose the motion of Senator Tanous to accept the Ought to Pass Report of the Committee, and I would hope that the members of the Senate would look at this bill and see what the ramifications of it are before they would ever accept such a proposal.

What this bill proposes to do is to allow cemetery owners or corporations to assess empty graves that may appear in the cemetery. It is very difficult for me to read it without thinking about the ghouls that you see in the movies, touring the moors and that sort of thing, and robbing the graves. This doesn't rob the occupant of the grave, I don't say that, but it robs the grave away from the potential occupant. It seems to be that if you don't take it upon yourself to lay down and die, and occupy the empty space, the cemetery who sold you the space will want to take it back. Now, it just seems to me untenable for us to take the position that we should allow this to happen.

The owners of graves or cemeteries are free to sell the lots at a price that they wish to sell them for, and sell them in any quantity they want to and I suppose, within reason, to anybody. What has happened, apparently, is there have been sold lots of graves to various people who possibly have moved out of state and are not occupying all the empty graves

within the lot. I think the present system is more to try to sell individual graves to people and encourage them just to buy enough for their own occupancy. But it seems to me that if a person were to buy a lot of half a dozen graves, say, and maybe bury his father, grandfather, and mother and so forth, in three or four of them, and possibly not have a child or dear relative to place in the sixth grave in that lot, and he prefers to leave it empty, he has paid for it and I see no reason why he shouldn't be allowed to do so. Now the cemeteries give them a deed to the lot, and I think most people assume that they do have some ownership rights in it.

You will notice in the bill that there is a redraft of the committee which you would presume makes some changes in the bill to make it a little more palatable to the opponents. I have been talked to by various people, the superintendent of the cemetery in Portland, who wants to take back some land that was sold fifty, seventy - five, years ago, and they led me to believe that they were going to try to change this in some way so as to help them with their perpetual maintenance of the cemetery, and yet not take away individual graves from people.

I read through L. D. 1513 fairly quickly, but the only difference I can find in this redraft, which is supposed to make it a little easier to live with, is that they have raised the fee from two dollars to five dollars a year. What this does is allow the cemetery to place an assessment of five dollars on any empty grave and then, if you don't pay the five dollars, they take the title of the grave back. Now, this seems to me a very unfortunate position that we should have legislation like this, and I really question whether you can take away property rights in this manner. I doubt the effectiveness of it. So, I would hope we would not accept the Ought to Pass Report and consequently, of course, accept Report "A", the Ought Not to Pass Report.

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

Mr. CONLEY of Cumberland: Mr. President and Members of the Senate: I would have to agree with my very close friend from Portland, the Senator from Cumberland, Senator Kellam, that upon first looking at this bill, I think many members of the committee thought it was sort of a low blow to start going into the cemeteries and robbing the graves. However, after hearing some of the representatives from various cemeteries around the State, and also the sponsor, we became aware of the fact that many years ago when people applied for grave lots, or cemetery lots, they used to buy generally an eight - lot tract, or enough at least to bury eight members of the family.

Now, the transportation media of today has made it so that today's children do not necessarily stay in the State nor in the home town; many of them pack up and go West as Horace Greeley once said to them, or advised them, so we are talking mainly about these graves that have been sold back many years ago. Today if you go to a cemetery and you ask to buy, or you would like to buy a lot, you are generally advised to buy one or two, generally to take care of yourself and your wife, and in an event that a tragedy occurs, and we hope that nothing of this sort happens—but in the event, you could always buy an additional one within that lot.

This is good legislation in this sense now in that there are many graves all around the State, in fact, all around the country, that are vacant and will be vacant — we are primarily concerned with Maine — but they will never be able to take advantage of these empty graves until some sort of legislation is passed.

I am not a lawyer, but it is my understanding that one does not own the deed in the sense of you buying property, like for your home or to build on. You have a deed that allows you to have a member of your family placed in his grave at the time of death.

What this is all about today is that they wouldn't take this grave, or they wouldn't take this land, or these vacant graves, until every person has been checked out, that is, existing relatives have been checked out. It would be only in the case they knew for sure that the graves would not be used. This is my understanding. It is a fact of making the land more available to the use it was set aside for.

I agree with the Senator from Cumberland, Senator Kellam, it did look like a land grab at first, but I think that it is a serious problem, and I think that years from now we are going to look upon it as being even far more serious if we don't do something about it.

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

Mr. GORDON of Cumberland: Mr. President and Members of the Senate: This legislation was requested by the Maine State Cemetery Association, and this legislation is on the books of many states in similar and almost verbatim form. The cemeteries here in Maine really have a tough row to hoe to maintain an attractive appearance and to even make ends meet, and most cemeteries are subsidized by the municipalities or the towns in which they happen to lay.

As a former trustee of our cemeteries in the City of Westbrook, I readily agree that there is a definite problem here.

As the good Senator from Cumberland, Senator Conley, has pointed out, it used to be the policy to buy large tracts or obtain large tracts for family plots without perpetual care. This trend persisted up to and shortly after the turn of the century. Since that period lots have been sold with perpetual care. Therefore, many of our larger cemeteries do have large spaces that had been sold out without perpetual care. They have been unable to find the existing heirs, if there are any. They can remain in an uncared-for, unattended condition, or they can be provided with perpetual care at a cost to the cemetery. This act merely grants them the right to assess for proper maintenance, if

proper maintenance is not provided by the heirs. It would also permit them, after a ten-year search period, to resell the unused lots, only the unused lots.

I really think that this is reasonable legislation, and legislation that the Cemetery Association should have. This redraft was studied thoroughly in the Attorney General's office, and there were no problems present during this study pertaining to the constitutionality of it. Therefore, I move the acceptance of Report "B". Thank you.

The PRESIDENT: The Chair would inform the Senator that the pending motion before the Senate is the motion by the Senator from Penobscot, Senator Tanous, to accept the Ought to Pass Report "B" of the Committee. Is the Senate ready for the question?

The Chair recognizes the Senator from Cumberland, Senator Kellam.

Mr. KELLAM of Cumberland: I want to thank the President for his tender of assistance, but I will have to admit that the question is on the Ought Not to Pass Report of the Committee.

In reply to my brethren from Portland, this seems to have narrowed down to a Portland bill — I can't believe that there aren't any other cemeteries in the State that would be interested in this particular question — but the basic problem seems to be here that the cemeteries would like to have more space which they can sell. Unfortunately, the space that they wish to sell they have already sold to somebody else. They want the Legislature to give them the right to take it back, the theory being that you have got to protect your interest by squatting on the premises.

Now, this bill allows them to levy a five dollar fine every year. What irks me about it quite a bit is that Mr. Cofran from the Portland Cemetery talked to me several times and I understand his problem; I am not questioning that. They have some difficulty with the fact that if he isn't able to take back these lots he is going to have to move the fence further back at the rear and grade up some

more ground. That is a problem, I suppose. But it doesn't seem to me that is as much of a problem as a person who has bought a lot in good faith, has placed his relatives there, and maybe has bought an extra grave around next to his father, prefers to leave it empty. I just don't believe that the State should authorize these cemeteries to go out and sell that empty space to somebody else.

Now, this bill has been in committee for quite a while, and they discussed the fact that they would rewrite it and try to narrow it down, and so forth, but if you look through the redraft, all I have done with the committee is lost ground: I have gone from two dollars a year to five dollars a year. So, if they redraft it again I suppose they will come up with ten. The fact of the matter is that there is no need for the bill. The land is there, it is empty land and, true enough, there is nobody buried under these particular grassy spots, and they have to mow the grass, and there is nobody under there and they feel it is a waste of time. But I don't think that is a great hardship for the community or the cemetery owners. I feel they sold it and if they want to take the property back when it is unoccupied they can write that in their deeds.

I have had some experience with the cemeteries in my work in buying lots, and I assure you they do give the people a deed to the property, and they feel that they own it. If a burial is to be performed, they require a person, an heir or the record-owner, to sign for the burial.

Now, it just happens that I have — not to put the thing on a personal basis necessarily — but my father, grandfather, and great-grandfather, and an uncle are buried in a grave in Forest City Cemetery, which I and my brothers maintain to a considerable extent, I mean what extent it is maintained and we have put in the stone and so forth, and we are willing to keep on doing that. But it just happens that most of my family live out - of - state now, it is the situation that they talk

about. It is quite possible if I pass on, and the wife, we might want to have a lot together somewhere else, but I personally prefer to let my grandfather, father, and great-grandfather lie there with a little empty space around them. I don't want the lot to be sold to somebody else, or the grave sold to somebody else. I feel that they got paid for it once and if they don't feel that they got enough money the first time around, well, that is just too bad.

They set the price on it: we didn't. The lot belongs to the people who paid for it. In fact, I would say, in the interest of expedience, I would move that the bill and its accompanying papers be indefinitely postponed, and be done with it once and for all.

The PRESIDENT: The Senator from Cumberland, Senator Kellam, now moves that Bill, "An Act Relating to Assessments on Interment Space of Cemeteries" (S. P. 173) (L. D. 574), be indefinitely postponed.

The Chair recognizes the Senator from Cumberland, Senator Stuart.

Mr. STUART of Cumberland: Mr. President, I would just like to say that I agree with Senator Kellam. I think that the man who bought the cemetery lot with six or eight graves, he bought it hoping that his children and grandchildren would be buried there. I don't think that this should now be sold off with one or two empty graves there.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from Cumberland, Senator Gordon.

Mr. GORDON of Cumberland: Mr. President and Members of the Senate: I really hate to belabor this, but there is one point I think we should consider. We do not sell cemetery lots, as such, we lease the right for interment. These leases were implemented many decades ago without perpetual care. The only thing that the cemeteries are asking in this bill is that someone buy perpetual care for them or care for them themselves.

Now, if a person had a lot in Forest City Cemetery, the perpetual care is most reasonable, as I understand, under a hundred dollars, or a person may maintain it himself, and there is absolutely no problem. If there is any burials on this lot there is no problem. Therefore, I hope the motion does not prevail to indefinitely postpone.

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

Mr. MARTIN of Piscataquis: Mr. President and Members of the Senate: I just want to relate my own experience here that might bear on the subject. I bought a lot twenty - five years ago for a baby child who died, and in my own family, when my father and mother died, I buried them in that lot. The lot is large enough for myself and my wife, and this is up in Fort Kent. I hate to feel that I have to hurry up and die to fill my lot so that I can hold onto it. Possibly, after yesterday, I might feel that that is the best thing that I can do, but anyway I am fully in concurrence with Senator Kellam on this bill.

The PRESIDENT: Is the Senate ready for the question? The pending question before the Senate is the motion of the Senator from Cumberland, Senator Kellam, that the bill and all accompanying papers be indefinitely postponed.

As many Senators as are in favor of indefinite postponement will rise and remain standing until counted. Those opposed will rise and remain standing until counted.

A division was had. Eighteen Senators having voted in the affirmative, and nine Senators having voted in the negative, the motion to Indefinitely Postpone prevailed."

Sent down for concurrence.

(Off Record Remarks)

Divided Report

The Majority of the Committee on Highways on Bill, "An Act Providing for a Bond Issue in the Amount of Thirty Million Dollars to Reconstruct Route 6" (S. P. 358) (L. D. 1222)

Reported that the same Ought not to Pass.

Signed:

Senators:

GREELEY of Waldo

Representatives:

CIANCHETTE

of Somerset

PEABODY of Aroostook

Representatives:

BURNHAM of Naples

LEE of Albion

McNALLY of Ellsworth

HALL of Windham

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

Signed:

Representatives:

WOOD of Brooks

NADEAU of Biddeford

DUDLEY of Enfield

Which reports were Read.

On motion by Mr. Tanous of Penobscot, tabled and specially assigned for May 22, 1968, pending Acceptance of Either Report.

Second Readers

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

House

Bill, "An Act Relating to Appointment of Town Clerk of Jay." (H. P. 363) (L. D. 471)

Bill, "An Act Relating to Orders of Care Pending Hearing in Child Custody Cases." (H. P. 554) (L. D. 735)

Bill, "An Act Creating Waldo County Commissioner Districts." (H. P. 586) (L. D. 771)

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

House - As Amended

Bill, "An Act Relating to Vacating of Street Locations on Plans." (H. P. 495) (L. D. 649)

Bill, "An Act to Reconstitute School Administrative Districts Numbers 31, 32, 40, 41 and 54." (H. P. 513) (L. D. 684)

(On motion by Mr. Katz of Kennebec, tabled pending Passage to be Engrossed.)

Bill, "An Act Granting a Council - Manager Charter for the Town of Bucksport." (Emergency) (H. P. 605) (L. D. 786)

Bill, "An Act Revising Probate Fees." (H. P. 1083) (L. D. 1404)

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

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

Senate

Bill, "An Act Increasing Salaries and Duties of Liquor Commissioners Other Than the Chairman." (S. P. 151) (L. D. 432)

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

Sent down for concurrence.

Senate - As Amended

Bill, "An Act to Establish a Police Training Facility." (Emergency) (S. P. 3) (L. D. 17)

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

Bill, "An Act Relating to Homestead Exemption." (S. P. 407) (L. D. 1369)

Which were 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 Create a Hearing Aid Dealer Board and Provide for Licensing of Hearing Aid Dealers and Fitters. (H. P. 1168) (L. D. 1489)

(On motion by Mr. Sewall of Penobscot, temporarily set aside.)

An Act Amending Funeral Directors' Law. (H. P. 761) (L. D. 981)

(On motion by Mr. Beliveau of Oxford, tabled and tomorrow assigned, pending Passage to be Engrossed.)

An Act Relating to Bills Submitted by Charitable Organizations for State Aid. (H. P. 1026) (L. D. 1335)

An Act Relating to the Treatment of Venereal Disease in Minors Without Parental Consent. (H. P. 1066) (L. D. 1395)

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

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.

On motion by Mr. Sewall of Penobscot, and under suspension of the rules, the Senate voted to reconsider its action whereby An Act to Create a Hearing Aid Dealer Board and Provide for Licensing of Hearing Aid Dealers and Fitters (H. P. 1168) (L. D. 1489), was Passed to be Engrossed.

The same Senator then presented Senate Amendment "A" and moved its Adoption.

Senate Amendment "A", Filing No. S-135, was Read and Adopted, and the Bill, as Amended, Passed to be Engrossed in non-concurrence.

Sent down for concurrence.

Resolve, to Authorize the Grant of Flowage Rights to the Auburn Water District. (H. P. 839) (L. D. 1077)

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

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

Emergency

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

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

Mr. Berry of Cumberland was granted unanimous consent to address the Senate:

Mr. BERRY: Mr. President and Members of the Senate: Yesterday, the Governor appointed Steve Hughes of Auburn to the Board of Trustees of the University of Maine. I think this is a courageous act, first. I think it is an excellent step, and I think that the Governor deserves every commendation and congratulations for having made this move. I know Steve personally. He is President of the General Student Senate of the University of Maine at Orono, and I think the significance of adding somebody in his elected position, and of his stature in the student body, to the governing body of the University of Maine is a tremendous step forward in the right direction. This is the sort of action that is necessary to bring together the youth of today with the leaders of our college. I think that the Governor deserves a great deal of credit for this move.

Mr. Katz of Kennebec was granted unanimous consent to address the Senate:

Mr. KATZ: Mr. President and Members of the Senate: At the time the Governor originally appointed the first trustees of the University I was absolutely confident that he was going to, and indeed he did, appoint some outstanding people to the Board of Trustees. I publicly stated my delight at his appointments at that time, and I would like to add to the remarks of the Senator from Cumberland this morning that I think this appointment which has been announced is in the tradition he established when he first made his original appointment.

This is a young man. I haven't met him, but I understand he is a fine young man. I hope that the trustees of the University will go one step further. I hope that the trustees of the University will set it up within the College and University structure so that members of the student body, selected by the student body, meet regularly with the trustees. I think I sense that the flow of information back and forth is not yet adequate, but if the trustees now go one step further, and meet regularly with elect-

ed representatives on a formal basis, perhaps not at the ultimate policy level, but at the level that precedes the establishment of policy, I think this would be an excellent second step in the Governor's direction of involving the youth of the College.

Orders of the Day

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

Bill, "An Act Declaring Procedures for Acquiring and Protecting Antiquities on State Lands." (S. P. 389) (L. D. 1314)

Tabled — May 8, 1969 by Senator Minkowsky of Androscoggin.

Pending — Passage to be Engrossed.

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

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

Bill, "An Act to Provide for Registration of Snowmobile Trailer Dealers." (S. P. 185) (L. D. 587)

Tabled — May 8, 1969 by Senator Barnes of Aroostook.

Pending — Passage to be Engrossed.

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

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

Bill, "An Act to Extend Coverage of the Minimum Wage on Construction Projects Act." (S. P. 24) (L. D. 754)

Tabled — May 9, 1969 by Senator Reed of Sagadahoc.

Pending — Motion by Senator Conley of Cumberland to Reconsider Action Whereby Senate Insisted.

On motion by Mr. Tanous of Penobscot, retabled and specially assigned for May 22, 1969, pending the motion by Mr. Conley of Cumberland that the Senate reconsider its action whereby it Insisted.

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

Bill, "An Act Providing Free Tuition at State Colleges for Students from Low Income Families." (S. P. 34) (L. D. 1211)

Tabled—May 12, 1969 by Senator Katz of Kennebec.

Pending—Motion by Senator Levine of Kennebec to Recede and Concur.

The PRESIDENT: Is it now the pleasure of the Senate that the Senate recede and concur with the House?

The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY of Cumberland: Would the Chair please tell us the status and what the result of the motion would be?

The SECRETARY: In the Senate, April 22, 1969, passed to be engrossed as amended by Committee Amendment "A". Comes from the House, passed to be engrossed as amended by Committee Amendment "A" and House Amendment "A" in non-concurrence.

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

Mr. BERRY of Cumberland: Mr. President, I think somebody should explain to the Senate the results of our action if we recede and concur with the House.

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

Mr. KATZ of Kennebec: Mr. President, I request some guidance from the Chair. It is my impression that if we get the bill before us, at that time I subsequently can make my motion for indefinite postponement?

The PRESIDENT: The Chair would inform the Senator that if the motion to recede and concur prevails the bill will have been passed to be engrossed, and we would be in concurrence then with the House. It would then be up for enactment.

Mr. KATZ: At that time, Mr. President, I presume I may reconsider the passage to be engrossed?

The PRESIDENT: The Senator is correct.

Mr. KATZ: At that time I presume that I would then move to reconsider our action whereby it was passed to be engrossed in concurrence, and make my motion for indefinite postponement at that time?

The PRESIDENT: The Senator would be correct in that presumption.

Is it now the pleasure of the Senate to recede and concur with the House?

The motion prevailed.

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

Mr. KATZ: Mr. President, I now move that the Senate reconsider its action whereby we have just passed this bill to be engrossed in concurrence with the House.

The PRESIDENT: The Senator from Kennebec, Senator Katz, now moves that the Senate reconsider its action whereby this bill was passed to be engrossed.

The Chair recognizes the Senator from Kennebec, Senator Levine.

Mr. LEVINE of Kennebec: Mr. President and Members of the Senate: I feel that we should pass this bill, and vote against the motion of my good friend, Senator Katz. We have an opportunity now to do something for our low income families.

This bill will help cut down welfare costs in time. I think we are better off to spend a modest amount to try to help the low income people get a good education or learn a good trade than to keep them on welfare. For one thing, it is going to cost us less and, secondly, it is better for society.

Let us look back at what happened in Russia before the Communists took over. What caused Communism to be established in Russia? As you all know, and maybe you know it better than I do because you all went to school and maybe had a better education than I had, in Russia at that time, under the Czar, there were only a few families that could get a higher education, obtain a high rank in the army, or be in business or any profession. By doing so, they

brought on themselves Communism.

We don't want this country to be the same as Europe is now, or China, or some other Asiatic country. We want to try to bring up the standards of the low income family. They should not have to be on welfare, and by passing this bill, I think, we are going in the right direction. I would ask for a roll call vote.

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

Mr. STUART of Cumberland: Mr. President and Members of the Senate: I would like to speak briefly about this bill, because I have talked at length with several people at Bowdoin College about it and I have talked with people in the Department of Education. I insist this is not a bad bill. It is a grant of \$100 if they stay in the State of Maine. If they leave the State, as I read it, they have to pay the money back. But this bill, if anything, it doesn't do enough; it doesn't go far enough.

I want to remind you that other states have scholarship grants for students that go out of state. Approximately \$100,000 is coming into private colleges in Maine—\$50,000 to Bowdoin College alone—in the form of grants coming from other states to low income students coming to college in Maine. Now, we are saying the students should go to college in Maine, and I see no reason to limit it that way.

So, the people I talked to at Bowdoin, to be frank, are not very excited about this bill. They think it would be better to put \$50,000 or \$60,000 in the scholarship program. When I use the word "scholarship" I am talking about grants, not loans. We already have a scholarship program that doesn't have any money in it now. Back in '67-'68 about \$50,000 or \$60,000 was given to low income students. The average grant was about \$300 or \$400. So, really, the best thing to do would be to put \$50,000 or \$60,000 in that program and, as they see it, and as I see it, there is no real need for this bill because it is the same thing.

But it is an encouragement, and I am going to vote for the bill. I

refuse to say that it is a bad bill. It can't be bad if you are encouraging students from low income families to go on to college.

There is danger here, I would like to point out, of giving too many loans to these students. Conceivably, a boy and girl, with five or six thousand dollars in loans to pay off, they get married and start raising a family, that is a real hardship to pay off these loans. So, we should get into more grants. I know the State can't afford to make large grants. We can't afford it as other states are doing, but this is just distributing \$50,000, and the State of Maine can afford that. So, that is the bill, as I understand it, and I don't think we will do wrong to support this bill.

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

Mr. KELLAM of Cumberland: Mr. President and Members of the Senate: I oppose the motion to indefinitely postpone this bill. It seems to me it certainly has a very worthy tenet behind it and it certainly strikes out at some of our problems today. It does or can give encouragement to people in low income positions that their children may someday go to college.

I know that a lot of us here don't come from a family that has always had a tradition of college, at least I don't, and I think it is a great thing to give to some people who are making small money. They may be working hard and doing the best they can, and just can't earn very much money, but if you hold out to them the thought that their child may be able to get a grant to go to college, even though it is not much, it is something to get them started, get them over the hump and get them going. I believe that most people, once they start going to college, they somehow manage to stay there if they have the ability. Now, this bill only applies to those who are otherwise eligible by their scholarship and it would help them get into some of our State institutions.

I would say that I don't believe a state like the State of Maine can gear its higher education program based solely on what is desirable

for Bowdoin College. I didn't go to Bowdoin, and I am sure there are a great many other people in the State that didn't and still feel that their college education was very helpful to them and a worthy facility. So, I would hope that we could pass this bill and certainly, if it comes at the end of the session that there isn't enough money there to fund it, that may be one thing, but not kick it out on its basic principles. It merely is intended to help get some of these people into the schools and give them that hope in their younger years that they can go, and maybe they will be that much better citizens for it. They certainly won't be any worse. I think if you will look at your campus disorders today, that the great bulk of all the problems engaged in in the schools are conducted by those who are well-to-do. I don't think you will find too many people who are really participating in a lot of the things we do dislike about the college programs, at least the ones that I have seen, who aren't people who are fairly well off.

This here is not the biggest bill going, but it certainly is a right step, and I think that we should pass it and hope the money will become available later on to fund the bill.

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

Mr. KATZ of Kennebec: Mr. President and Members of the Senate: It is not easy to stand and oppose a bill which is going to protect us from the onslaught of Communism, which is going to solve our social welfare problems and prevent riots on the campus, but I feel that I must do that this morning.

In the first place I don't like the title of this bill; it is not a scholarship program. It is a loan program. It is a loan program that has a forgiveness feature if you can blackmail the youngster into staying in the State of Maine by giving him back \$100.

Mr. President, it is not easy for a Chairman of Education to stand up and oppose educational appropriations, but I am convinced that if we don't become selective in our educational appropriations that the

people of this State are going to give us more troubles than we can handle. This bill is not necessary. In speaking to a representative from the USEF, which administers the State of Maine program, and indeed the loan programs of many states in the United States, I will quote him as exactly as I can: "This program which was passed by the last legislature is as fine a program as there is in the United States." Maine isn't 32nd or 48th or 50th, but in this program of supporting our young people in their desires to go to college, there is no state in the nation that has a finer program than we have.

Presently we have loaned to our people ten millions of dollars to further their education. I have been in close touch with the banking people around the State, and I can assure you that the need for these loans, although it is also with middle income people, is substantially with low income people. And I have a feeling of pride within the City of Augusta that I have seen this loan program make it possible for factory worker's people, shop worker's people, who never, never would have been oriented in the direction of higher education. Today they have the opportunity. We don't have to wait until they are in high school to tell them. We are distributing thousands of leaflets to the high schools, to the intermediate schools, and to the grammar schools, so when a youngster is in the fourth grade he can take home a pamphlet and we can say to him, in effect, "If you want to go to college when you finish your high school training, you can, and the State of Maine is making it possible for you."

The only virtue of this bill, as I see it, in its attempt to do away with social welfare is the creation of new State jobs to administer it, and I think this is an awfully high price to pay. I call to your attention that it is a \$50,000 program that creates more employment and costs in the State office building to administer a program that really we have no need for, a program that is small in concept and also equally small in results.

There is an emotional attitude here this morning, but I want to

direct your attention away from the bright young pennies that the Senator from Kennebec, Senator Levine, would direct your attention to. I want to ask this Senate right here, in any sense of priorities, how can we justify giving the magnificent sum of \$4,000 to the poor Cerebral Palsy Center in the State, and then come here and cry and bleed to give \$50,000 more to those who God has favored with bright minds and sound bodies? I think somewhere along the line, as Chairman of Education, I have a feeling that we have a system of priorities that we ought to pursue. I don't think that we are pursuing it here this morning.

Mr. President, education is in trouble in the State of Maine today, and one reason we are in trouble in the State of Maine today is that we keep saying more, more, more, give me more money and we will solve your educational problems for you. I say to you this morning that it is not a question of asking for more, more all the time, but that there is a responsibility here to act in a fashion that gives some sense of priorities to how we spend the limited resources of the State. I don't think this is a sensible spending of the State's limited resources.

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

Mr. LEVINE of Kennebec: Mr. President and Members of the Senate: I disagree with Senator Katz about the availability of loans to low income families. I called the bank this morning — I am connected with the bank — and I got straight information. They tell me that most low income families can't get any loans, and that a lot of people are getting loans now that can afford to send their children. If somebody comes into the bank, and he is a good customer of the bank, he will definitely get a loan quicker than somebody from a poor family.

As far as what the Senator from Kennebec said about there being higher priorities to spend the money on, I think that this bill here, that would help to send approximately 350 children from low income families to college, is more

important than the State paying a share on building swimming pools in some of the high schools. The Senator from Kennebec might not agree with me, but that is my thinking. We spend some State money to build swimming pools in some of the high schools, and I don't say there is anything wrong with it, but I think to send children from low income families to get a college education should have a higher priority.

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

Mr. STUART of Cumberland: Mr. President and Members of the Senate: I don't always agree with Senator Levine, but I would just like to say that I agree very much with the statement he just made about the low income families finding it difficult to get loans at some of these banks. This is very true.

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

Mr. KELLAM of Cumberland: Mr. President and Members of the Senate: My attention was directed to the discussion a little while ago as to the sense of priorities in State education and where the money should be spent so as to do the most good, and I would only say that I think this type of language might be well repeated when all bills come up, and not just a few that are selected. It seems to me that if this body thinks about it, they could certainly feel it is more desirable, or at least as desirable, to allow 350 poor children to get started in college for a cost of \$50,000 than it is to spend \$25,000 to send five college graduates down to Tufts Dental School. That bill didn't seem to have too much of a problem here a couple weeks ago, and it didn't arouse any great qualms in the minds of some of the people who are opposed to this particular bill.

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

Mr. KATZ of Kennebec: Mr. President and Members of the Senate: With respect to the Tufts Dental School Bill, the motivation behind the bill is not the individual

student, but to serve the Maine public. I think the Senator from Cumberland can, and perhaps will, tell you that two counties in Maine have the highest ratio of people to dentists of any counties in the United States, and that the public has a desperate need for this kind of service. I have no concern for the students we are sending to Tufts Dental School, but I do have a deep concern for the dental needs of the people of this State.

Senator Levine mentioned swimming pools and the fact that under our present school construction law the State of Maine helps pay for the swimming pools in certain schools. I am dissatisfied with this, and we have been working within our committee all session to take a look at the State's participation in school construction as it now exists on the books.

I am concerned about how we are spending our money, and on what basis or priorities we are spending our money. This is an emotional area, but do you really believe, do you really, honestly and truly believe that \$100 is going to make the difference between the kind of life one sees in Soviet Russia and the kind of life one would like to see here?

It has been said by two Senators here this morning that low income people find difficulty getting loans. I have circularized every single bank in the State, every single lending institution, including credit unions, savings banks, commercial banks, trust companies, with a questionnaire, which I have gotten back, and I think I have as clear a picture as is possible today to have as to just what the effectiveness of our student loan program is. I do not know what bank the gentleman from Kennebec is associated with, or the bank the gentleman from Cumberland is associated with, but by and large, according to the evaluation of everyone who has looked at the picture state-wide, this program has started out just absolutely beautifully, that low income kids are getting help by walking in. The main problem that we have had so far is the program has not yet been visible to every councilor and every vocational guidance person in the State. The fact is that

some banks are not participating, and some banks are participating in a minor way. I say to you that if any of you have any constituents who have trouble getting student loans, I wish you would call it to my attention, and I am sure that I can aid them and get the loan that they need so badly.

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

Mr. GORDON of Cumberland: Mr. President and Members of the Senate: I am inclined to disagree with the good Senator from Kennebec, Senator Katz. I think that problems have arisen in the past pertaining to student loans. I know that insufficient seed money was allocated in the past, and students had applied for loans only to discover that banks were reluctant or could not, or would not, implement these loans, possibly because they had granted too much money to the newcomers and didn't leave enough available for the following youngsters.

I very definitely feel that there is a need, and I have encountered and observed problems of the young people of my community, and the people that I run across in my work in my community, who have had problems in providing funds for higher education. So, I strongly urge the passage of this bill. I certainly don't think it is going to bankrupt the State. I feel that the best investment that we in Maine can make is that of providing the best possible education for our young people. I would hope that this bill does pass. Thank you.

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

Mr. CONLEY of Cumberland: Mr. President and Members of the Senate: I was surprised to hear the words of the Majority Floor Leader, the Senator from Kennebec, Senator Katz, in reference to whether or not \$100 would make really the big difference. Back home we have the Portland Boys Club Alumni Association, and every year they have an annual awards night. At that time they present some youngster with a \$25 scholar-

ship to aid in going to college. I really never gave \$25 much thought. I used to think, well, what benefit can it be to them. One evening a few years ago we had Professor John Jacques, who is associated with the University of Maine in Portland, and he was featured as the guest speaker that evening. He started off and just very lightly touched, so to speak, the \$25. And then he really bore down on it, and he told us that we could be well proud of the fact that the alumni association did put \$25 aside from its dues to help some child along. His feelings were that the \$25 in a lot of cases meant the difference in whether or not some kid was going to get into college.

Now, the only thing I don't like about this particular bill is the fact that it says "low income people" on it, or that it is relative to low income families because, again, it stigmatizes or sets up a class. Of course, this is what we are aiming at, and this is the idea and intent of the bill, to help people who can't afford to send their children to college and, if there ever was a piece of legislation that should be passed, it is the item that we are debating right now.

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

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: I was quite shocked to hear the previous speaker refer to the only person who has spoken against this bill and to the person who has given us, in my opinion, a very fair background, as "the Majority Floor Leader." Is this a political bill? Did this come from the Governor's office with orders to pass it, call for a roll call and embarrass the Republicans?

Also, the previous speaker put his finger right on one of the real problems in the bill, and this is the stigma attached to the bill. "Get down on your knees, reveal your federal income tax, and we will give you \$100 a semester."

In passing, I note with considerable interest that the poverty

level established in this bill is not the federal poverty level of \$4,500, but it is \$7,000. How much more can we do with \$50,000 than to put it into the loan fund, not the grant fund, and have this resolved, or have this be seed money, if this is necessary. Such a measure could be wholeheartedly supported, I am sure, by everybody.

I am afraid this thing now is out of the context of the laudable aim for which it was intended. If we have loans, fine. If we can remove the stigma, fine. I think this bill is going to accentuate this problem of sending people in low income families to college. As Senator Katz has pointed out, and this is borne out, that every motivated student who wants to go on to higher education can do so at present in the State of Maine. I support Senator Katz's stand.

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

Mr. LEVINE of Kennebec: Mr. President and Members of the Senate: I would like to answer the distinguished Senator from Cumberland County, that the Governor didn't have anything to do with this bill. The Governor didn't know, or the Governor's office, that I was going to present this bill. I never talked about this bill with the Governor. I don't believe in making a party issue of it, and I feel hurt to think that the Republican are trying to make a party issue of it.

My second point is that when we are talking about the loans, there was an editorial in the Portland paper two weeks ago that said that low income families cannot get any loans. I believe that editorial from the Portland paper. It also said that the low income families are being punished, that they are paying taxes to send children to college from higher income families. I would like for everybody to support this bill.

(Off Record Remarks)

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

Mr. KATZ of Kennebec: Mr. President and Members of the Senate: I would request the Chair not to refer to this as a scholar-

ship program, but as a loan program. And I would say to the young people in the balcony, the other young people here, and to the press that I would like to say something, and I choose my words very carefully: That there is not a child in the State of Maine today who has the ability and the motivation who will be deprived of the opportunity of continuing his education after high school because of his family's income. There is not a single youngster in the State of Maine who can't continue after high school today with existing programs if he has got the ability and he has got the motivation. Without his motivation, I am not interested in financing his education. But both of these are necessary and I think they must both be present.

Mr. President, I think I made it patently clear when I said I was speaking with some torment as the Chairman of Education, and I am confident that the Senator from Cumberland used the phrase "Majority Floor Leader" just as identification rather than anything else.

I read editorials occasionally. These days I have a choice of reading that the Maine Legislature is either arrogant or spineless. I do not necessarily subscribe to their invulnerability to lack of knowledge. I will just keep you very, very briefly. I have been sitting all session next to Senator Levine. I am touched, for I think that he is purely and highly motivated as any man in the Senate. He wants this bill badly, and it is not easy for me to oppose him. I suspect he will get it whether I oppose it or not. But I want to tell you that my whole orientation in the legislative sessions I have been here cries out that this is not a wise piece of legislation, that it creates a program that is going to require additional administration across there, it creates a program that is going to be in the current services budget and swell it still further, and it creates a program which will grow, perhaps not in the number of youngsters it helps, but in the number of people who will administer it.

I call to the attention of the Senator from Cumberland, Senator

Conley, that youngsters can go to schools in the Portland area as commuters. They can go to an excellent program at Gorham State College for \$100 a year tuition. They can go to U.M.P., where there is an excellent liberal arts program, for \$400 a year. They can continue on at the University of Portland Law School. They have an extraordinarily fine opportunity at Southern Maine Vocational Technical Institute at a figure that is well within the reach of even the most indigent person from the most indigent family, if he is motivated and he has the ability.

I deny completely the premise that this is going to accomplish anything of any significance, except take some more of our piddling small State resources and stick it in an area where the problem that exists is not high on my list of priorities.

Mr. Levine of Kennebec was granted unanimous consent to speak a fourth time.

Mr. LEVINE: Mr. President and Members of the Senate: I will still quote the editorial that appeared two weeks ago in the Portland paper. The distinguished Senator from Kennebec, Senator Katz, I think, read the same editorial and, in fact, it said there that low income families are not getting a college education in Maine, and something has got to be done about it. I think this bill is in the right direction and I think it would be worthwhile to try it.

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

Mr. CONLEY of Cumberland. Mr. President and Members of the Senate: It is not my intent at all to get involved in a so-called party issue here, because I think it is very clear to every member of this Senate that this is not a party issue.

I think we are all aware of how hard Senator Levine fought for this bill when it first came into this hall and the Senate accepted, I believe, the minority report of the committee. However, I am touched, and I am touched by the fact too of some of the reports of income of many of the families throughout

the State. I believe it was something like 150,000 in this State made less than \$3,500 adjusted gross income. I think that the \$400 that the good Senator from Kennebec, Senator Katz, pointed out in the Portland area may be very well, and maybe the kids in that area of the State have the better opportunity or a greater opportunity of attending college. But I think there are other areas of the State, and the rural areas predominate—all you have to do is come up Highway 201 every morning, and it is noticeable, the poverty that exists within our State. I think that this bill is going to aid and it is going to help some of these families. I am certain that three miles outside of Portland this bill would help some families. I don't like to play ballgames or partisan politics when it comes to helping the children of our State to get an education, or to better themselves and improve their lot. So again, I hope that, at least, this bill gets to the Appropriations Table and that on the final day we will again be able to give it further consideration.

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

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: I am going to amplify my remarks on my accusation that the Governor motivated the bill. Governor Curtis came out with what I considered was probably a very laudatory program some time ago which would provide a free higher education to everybody in the State of Maine. Now, one of the previous speakers has just said that for \$100 a semester you can go to U.M. in Gorham. Now I consider this free education for everybody in the State of Maine and, therefore, I consider this an essential part of the Governor's program.

I think we should face the facts: we just can't afford this free education for everybody in the State of Maine beyond the high school level. Let's hope the day will come when we can do it. It is being done in other more wealthy states.

I do consider that the \$7,000 figure is not a poverty level; I understand it has been amended to \$5,000, and I don't consider that a poverty level. I think for the stigma effect, the fact that we will do more with loans, and the fact that the State cannot embark on a program of providing free tuition at our State institution above the high school level, I hope you will vote against the bill.

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 reconsider its action whereby Bill, "An Act Providing Free Tuition at State Colleges for Students from Low Income Families" was passed to be engrossed. A roll call has been requested. Under the Constitution, in order the Chair to order a roll call, it requires the affirmative vote of at least one-fifth of those Senators present and voting. Will all those Senators in favor of ordering a roll call rise and remain standing until counted?

Obviously more than one-fifth having arisen, a roll call is ordered. The Senator from Kennebec, Senator Katz, moves that the Senate reconsider its action whereby Bill, "An Act Providing Free Tuition at State Colleges for Students from Low Income Families" was passed to be engrossed. A "Yes" vote will be in favor of reconsideration; a "No" vote will be opposed.

The Secretary will call the roll.

ROLL CALL

Y E A S : Senators Anderson, Barnes, Berry, Dunn, Greeley, Hanson, Hoffses, Katz, Moore, Peabody, Sewall, Wyman and President MacLeod.

N A Y S : Senators Beliveau, Boisvert, Cianchette, Conley, Duquette, Gordon, Kellam, Letourneau, Levien, Martin, Mills, Minkowsky, Quinn, Reed, Stuart, Tanous and Violette.

A B S E N T : Senators Bernard and Logan.

A roll call was had. Thirteen Senators having voted in the affirmative, and seventeen Senators having voted in the negative, with

two Senators absent, the motion to reconsider did not prevail.

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

HOUSE REPORT — Ought to Pass as Amended by Committee Amendment "A", Filing H-279 from the Committee on Agriculture on Bill, "An Act Creating the Maine Meat Inspection Act." (H. P. 306) (L. D. 493)

Tabled — May 12, 1969 by Senator Cianchette of Somerset.

Pending — Acceptance of Report.

Thereupon, the Ought to Pass as Amended Report of the Committee was Accepted in concurrence and the Bill Read Once. Committee Amendment "A", Filing No. H-279, was Read and Adopted in concurrence and the Bill, as Amended, tomorrow assigned for Second Reading.

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

Bill, "An Act to Provide for the Expunging of Certain Records of Arrest." (S. P. 223) (L. D. 663)

Tabled — May 13, 1969 by Senator Katz of Kennebec.

Pending — Enactment.

On motion by Mr. Katz of Kennebec, retabled and tomorrow assigned, pending Enactment.

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

HOUSE REPORT — Ought Not to Pass from the Committee on Appropriations and Financial Affairs on Bill, "An Act to Provide for Modifications of State Owned Landing Terminals at Long Island and Chebeague Island and to Allow For Vehicle Ferry Service." (H. P. 1019) (L. D. 1327)

Tabled — May 14, 1969 by Senator Berry of Cumberland.

Pending—Acceptance of Report.

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

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

Bill, "An Act Relating to Molesting Game Animals by Snowmobiles." (H. P. 890) (L. D. 1149)

Tabled — May 14, 1969, by Senator Tanous of Penobscot.

Pending — Passage to be Enrolled.

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

Mr. TANOUS of Penobscot: Mr. President and Members of the Senate: On this matter yesterday, if you will recall, we as a group failed to enact the new draft or the committee amendment to this Bill 1149 which, in fact, was a new draft. Well, when we fail to enact a new draft I become concerned with the original bill itself, and this is why I requested this matter to be tabled until today, so that I would have an opportunity to look into the merits of the original bill.

I checked the statute on 1149, and I will read the bill to you, as it is very short, or I will read part of the bill to you: "It shall be unlawful to pursue, drive or molest deer or any other animal by snowmobile." There is the first part of the bill. It has been a philosophy that I have followed in Legal Affairs that if we have legislation on the books already covering something that it is foolish to clutter the books with added legislation which has already been enacted. This is presently illegal. Nobody can at this time pursue, drive or molest deer or any game or animal, whether by snowmobile or any other way. You can't molest them. You may pursue and drive a deer during hunting season, but not with the use of a vehicle of any type. So, this legislation is already on the books, and I fail to see the need for it.

I know yesterday the good Senator from Knox, Senator Hoffses, mentioned an incident which occurred in a deer yard. Now I am perhaps coming to the second part of the bill. It goes on to say "or to enter an area known to be a winter yard of such animal with snowmobile without the consent of, or in the presence of, a game warden or law enforcement officer." Now, the key to that sentence is "any area known to be a winter yard." I ask you, I am sure that many, many of you have been in

the woods, and perhaps some of you have been on snowmobiles, but do you know a winter yard? I mean, who is it known to? Do they have signs or posters or some sort of notice around a yard to tell you that it is a yarding area for deer? I have been in the woods, and I find myself on occasion in the middle of a yard, whether it is on snowshoe, skis or on a snowmobile. But certainly I had no intention of going in there to harm the deer or molest them. I am sure that every honest and respectable citizen would not do this. This second part of the law, I think, would be aimed directly at the honest, law-abiding citizen, who would have no knowledge of these yards. The result is, of course, if you are found there without the presence of a game warden, you would be in court. You can then plead all you want to that you didn't know it was their game yard, but the way that is written you would be, without any doubt, found guilty of this charge.

So, I submit to you that the first part of this legislation is already adequately covered on the books, and the second part certainly is not definitive enough to me so that an individual who was innocent of any ill motives would be found innocent by a court. It just couldn't be, because there is no willfulness necessary in this act, or knowledge, actually. As I say, known to who? To the individual, to the public, or to who?

I suspect that this is why the committee came out with a new draft, because I think they felt that this bill probably wasn't adequate enough to answer the questions which might be raised. So, I would request the support of this Senate to indefinitely postpone L. D. 1149, and I so move.

The PRESIDENT: The Senator from Penobscot, Senator Tanous, now moves that Legislative Document 1149, Bill, "An Act Relating to Molesting Game Animals by Snowmobiles," be indefinitely postponed.

The Chair recognizes the Senator from Franklin, Senator Mills.

Mr. MILLS of Franklin: Mr. President, may I ask a question through the Chair of the good Sen-

ator: If an amendment were prepared and inserted in here which made it unlawful to knowingly or willfully pursue, drive or molest deer or any game animal by snowmobile, or to willfully and knowingly enter any area known, so that the element of knowledge and willfulness was definitely present before you could convict of the crime, would he accept such an amendment and go along with the bill?

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

Mr. TANOUS of Penobscot: Mr. President, in answer to Senator Mills, really, on the first part of that bill, why enact legislation that is already law? If we are going to do this, we are wasting our time. This is already law, so why bother with the first part at all? This is illegal today under the present law. Now, the second part, in the area of willfulness in there, I am sure Senator Mills will agree with me that this is an area that is impossible to prove in court. It is just impossible to prove, and I think he will agree with me on that point.

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

Mr. BARNES of Aroostook: Mr. President and Members of the Senate: You will recall a couple of days ago I made the motion to substitute the bill for the report. At least I did that because I wasn't at all satisfied with the new draft, because I thought it was ridiculously restrictive, I think it was unreasonable, I don't think it could be enforced, therefore, I felt that the original bill, as prepared, would take care of the situation.

However, if, as the good Senator from Penobscot, Senator Tanous, points out, this situation is already provided for in the present statutes, I certainly would support his position for indefinite postponement, because I think it would be unnecessary legislation.

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

Mr. MOORE of Cumberland: Mr. President, I move this lay on the table until tomorrow.

The PRESIDENT: The Senator from Cumberland, Senator Moore, moves that Legislative Document 1149 be tabled and specially assigned for tomorrow.

The Chair recognizes the Senator from Penobscot, Senator Tanous.

Thereupon, on motion by Mr. Tanous of Penobscot, a division was had. Sixteen Senators having voted in the affirmative, and ten Senators having voted in the negative, the tabling motion prevailed.

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

SENATE REPORTS — from the Committee on State Government on Bill, "An Act to Create the Mountain Resorts Airport Authority" (S. P. 368) (L. D. 1281) Report "A", Ought to Pass as Amended by Committee Amendment "A", Filing S-129: Report "B", Ought Not to Pass.

Tabled—May 14, 1969, by Senator Wyman of Washington.

Pending — Motion to accept Report "A" Ought to Pass as Amended.

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

Mr. WYMAN of Washington: Mr. President and Members of the Senate: This bill bothered me yesterday and I didn't have time to review it, but there is one section in it, 7055, which says that "Revenue bonds issued under this chapter shall not be deemed to constitute a debt of the State of Maine nor a pledge of the credit of the State, but such bonds shall be payable solely from the funds provided therefore, and a statement to that effect shall be recited on the face of the bonds." Now, this apparently takes any responsibility of the State from the bill.

I can't see anything wrong with it. It just affects an area, if I understand it correctly, of Flagstaff, which is owned by the Flagstaff Corporation, and I hope the Senate will go along and accept the Ought to Pass Report of the Committee. In that event, I will offer Senate Amendment "A", which will reduce the figure of

the loan from \$20 million to \$5 million.

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

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: Yesterday at the conclusion of my comments Senator Wyman indicated that he needed time to study, and wanted to look into the several aspects of the bill. There are other aspects of the bill which concern us significantly other than the item to which Senator Wyman referred.

I spoke at what I consider was too great a length yesterday, and because I consider this a significant bill I am going to ask the indulgence of the Senate once again. This time I will call the items to your attention one by one which I consider detrimental to the welfare of the State.

I would point out, to begin my remarks, that by, I am sure, proper means, but to me in a manner I cannot understand, there was constructed recently and completed an asphalt paved airport, probably not more than eight air miles from the location contemplated by this bill. To say that there is no traffic on this airport would be a true statement. In my opinion, if the Aeronautics Commission has ever wasted the State's money, and it sure has, this is a glaring example of it. It would be interesting to explore why the airport was built. So, keep in mind that we do have a paved airport approximately eight miles from the area under consideration.

Now, by "Airport" the bill says, " 'Airport' shall mean" but not be limited to, "runways, hangars, administration buildings," and not be limited to, and this would include all these features in an airport that can be constructed, can be financed, by this Authority — this is some of the things it will do: "construct roads, sewage collection and treatment facilities, water collection and distribution facilities, power generation and distribution facilities, public facilities, shops and commercial centers, housing for employees and

others' — that is known as a broad statement — "dumps and incinerators, docks and ramps for water access, park and recreation areas, parking facilities," and if they haven't said enough already, "and any other facilities deemed necessary for the successful operation of such airport."

Now, let us analyze the construction of the Mountain Resorts Airport Authority. Let me interject into your thinking at the moment that this is a statewide bill, so why "Mountain"? What is the matter with the seashore? What is the matter with Aroostook County? What is the matter with Southwestern Maine? I think, as I read this more and more, we almost are talking about a Maine Airport Authority. Such a thing openly presented properly might have merit. The Mountain Resorts Airport Authority shall consist of the Director of the Maine Aeronautics Commission, Director of the Parks and Recreation Commission, Manager of the Maine Recreation Authority, and four members at large appointed by the Governor. Well, first, let me point out to you that we are lending official credence to this authority now by putting on ex-officio three State officials, and one of them is the chairman of a lending authority that will be considering in his other capacity, Members of the Senate, the application of this very group for financing. Then we have four members at large appointed by the Governor who, of course, outnumber the three public officials four to three. It is of interest that they are not appointed by the Governor and Council, but very carefully in the next sentence their removal is provided by the Governor and Council.

Now, let me read to you what this State Authority can do under the heading Issuing of Bonds, which appears on Page 3, Item 7. This is what it can do, and this is one of the main dangers: It can issue revenue bonds of the Authority for any of its corporate purposes. I related to you the many, many unlimited, uncontrolled purposes of this Authority:

residential housing, shopping centers, so it can issue bonds payable solely from the rentals and revenue, and to refund its bonds, and to secure any issue of such bonds by a trust agreement any place in the mountain area of the State.

Then we come down to Rentals and Charges. Here is a granting of authority by the legislature to this particular group which concerns us, and it gives them the authority to fix, alter, charge and collect rentals and other charges for use of airports, and associated facilities financed under this chapter, at rates to be determined by it. Well, you are taking every single regulatory body in the State of Maine and you are rolling them up into one and handing it to this one group. This is Public Utilities, this is Insurance, this is any licensing authority now being administered here from Augusta that would go right to this particular group, wherever they are operating.

Now, let us scan for a minute the interesting subject of eminent domain. I have expressed myself on other legislative matters as quite concerned about the problems presented today to people whose land is taken by eminent domain. These are the powers we will now give under this L. D. to this group: They may acquire in the name of the authority, by purchase or otherwise, on such terms and conditions and in such manner as it may deem proper by the exercise of the power of eminent domain, such lands or rights therein as may be necessary to carry out the purposes of this chapter. That is a free hand.

We step on a little bit to Item 13 on Page 4, entitled "Services of others; employees." This Authority may utilize the services of agencies and departments of the State whenever feasible.

I noted with interest that there is a proposal, I understand, to cut the \$20 million limit on bonds to \$5 million. I suggest to you, Mr. President and Members of the Senate, that proper presentation of such a significant piece of legislation would have certainly determined at the time of the sub-

mission of the bill whether we were in the ball park at \$20 million or whether we were in the ball park at \$5 million.

Then we gloss over the fact that the name of the State of Maine is going to be on these bonds when we say in here: "Revenue bonds issued under this chapter shall not be deemed to constitute a debt of the State of Maine." But what are they going to have printed on them? "Maine Mountain Resorts Airport Authority." When this is picked up, when this is bought and sold, and when you have three appointed officials of the State of Maine on this Authority, I maintain that you are pledging the moral credit of the State of Maine to these bonds.

Now, they have an interesting provision in here, which escapes me, but it is there, which says: "Inasmuch as no profit can inure to the benefit of any individual, firm or corporation as a member of the authority," when we have already stipulated that the seven members of the authority will be three appointed department heads, plus four public members, and then they refer to these members as "firms" or "corporations." I don't know. Then it goes on, in this same section, "the Mountain Resorts Airport Authority shall be considered a local development corporation within the requirements of Maine Industrial Building Authority Act and the Maine Recreation Authority Act and these agencies may insure the payment of its obligation equally."

We have another interesting provision in here, on Page 6, Sub-section 7060: "When the bonds issued under this chapter in connection with any project and the interest thereon shall have been paid or a sufficient amount for the payment of such bonds and the interest thereon to the maturity thereof shall have been set aside in trust, such project may be conveyed by the authority to an encompassing or adjoining governmental subdivision."

With further reference to the bonds, it is stipulated that the issuance of revenue or revenue refunding bonds under this chapter need not comply with the requirements of any other law applicable

to the issuance of bonds. Period, end of section.

"This chapter, being necessary for the welfare of the State and its inhabitants, shall be liberally construed to effect the purposes thereof." It would be impossible to more liberally construe anything.

Now, let's talk about taxes — and I am nearing the end of my oration here. "The authority shall not be required to pay any taxes or assessments upon any of its property or any project or any part thereof, or upon the income therefrom, and any bonds issued under this chapter, their transfer and the income therefrom, including any profit made on the sale thereof, shall at all times be free from taxation within the State."

The concluding section gives these people — and they don't need the other L. D. coming along to incorporate the Township of Flagstaff — "The authority shall have all the rights, powers and duties vested by law in a municipality, particularly as pertains to police powers," imagine that, "roads, streets and highways and other public works," and so forth. "Should any of its properties lie within a presently incorporated municipality, or a later incorporated municipality," which would be Flagstaff, "then such municipal rights shall cease and be vested in the municipality, except those rights actually pertaining to the construction and operation of the airport," which is the whole project.

I do hope you will vote against the motion of Senator Wyman.

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

Mr. WYMAN of Washington: Mr. President and Members of the Senate: Once more it looks as though I haven't done my work well enough. I don't want to apologize, but we have so many of these bills that I don't get through them as thoroughly as I should. The part that disturbed me about this at first was the State of Maine, whether they were involved in the lending. However, the good Senator from Cumberland, Senator Berry, while I don't agree with him on all of his points,

has made one point that really bothers me. That is the matter of the eminent domain, and that one alone is enough to change my mind. So, I will withdraw my motion to accept the Ought to Pass Report, and move that we accept the Ought Not to Pass Report of the Committee.

The PRESIDENT: The Senator from Washington, Senator Wyman, now moves that the Senate accept the Ought Not to Pass Report of the Committee.

The Chair recognizes the Senator from Somerset, Senator Cianchette.

Mr. CIANCHETTE of Somerset: Mr. President and Members of the Senate: I issued a long discourse here yesterday, and I certainly do not plan to repeat that. I say to you that the objects and aims of this legislation are in the best interest of the State of Maine, especially concerning and relating to the recreational ski areas.

I gather that our good Senator from Cumberland, Senator Berry, has some objections to this bill. He has mentioned an existing airport within approximately eight miles, which is a correct statement. There is a paved airport there — I don't know the exact length of the runway, but I believe it is in the area of 3,500 feet. It was originally a private landing strip of grass. The people in the area did get together and raised their monies and did get approval to get State and Federal money there to improve that airport. However, it will only service smaller planes, and it will only service them under particular circumstances. Many, many days that airport is out of commission, entirely because of prevailing winds and so forth.

This airport, when built, will service any aircraft at any time. It will allow the people who wish to come into this area, who will come into this area in large numbers, to come here and spend their weekends, or to come and build homes adjacent to this airport. This certainly is the thinking. The airport is the center of this whole area and it would service the whole area.

I submit to you that some of the objections that the good Senator

has raised may be correct. I submit again, however, that these are genuine objections, that at the proper time in the process of this legislation amendments may be offered to correct those. I will point out the eminent domain feature that the Senator from Washington just mentioned was amended within the committee. The Committee Amendment is Filing S-129, I believe, which corrects the deficiency in the eminent domain provisions in the printed bill.

It has been mentioned that on the bonds, when issued, the name "Maine Mountain Resorts Airport Authority" would be printed. I submit to you that this is not correct. The name of the Authority would be the "Mountain Resorts Authority." The name "Maine" does not come into the title in any manner.

I trust that you believe this is a bill that will develop a potential that we sorely need here in this State. I trust that you will go along with the motion to accept the Ought to Pass Report so that this bill may move along in a state that will allow amendments to be made, if necessary, to overcome objections to features of it.

The PRESIDENT: The motion before the Senate is the motion to accept the Ought Not to Pass Report of the Committee.

Mr. CIANCHETTE: I certainly hope that this motion does not prevail, and that we will allow this bill to move along.

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

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: I stand corrected by the good Senator Cianchette on my statement that the bonds would say "Maine Mountain Resorts Airport Authority." However, it will have on the face of the bonds the word "Maine." It is going to say "Flagstaff, Maine," or it is going to say something, but it is going to have "Maine" on the face of the bond.

The second thing I would like to point out is that the amendment does not in any way, shape, or manner improve the eminent domain feature. The first sentence just continues to say in the amendment "to acquire in the name of

the authority by purchase, exercise of the power of eminent domain, or otherwise, on such terms and conditions as it," the authority, "may deem proper." This still has got the bad feature of the eminent domain in it.

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

Mr. MILLS of Franklin: Mr. President and Members of the Senate: This is in my bailiwick, this is within the district that I represent, this proposed Mountain Resorts Authority, and I am somewhat torn by the representation this morning because of conflicting constituents. My good friend, the good Senator from Cape Elizabeth, is a constituent in a way. He has an obvious interest in this area. He reputedly owns a power company, or some of his family do, and the Saddleback Mountain corporation, I expect, he is connected with. I would think that this would bring him many more customers if this went in, but apparently he is speaking against his interests in this matter.

I have a telegram here, Mr. President. "Dear Senator: We hope that you will support the Mountain Resorts Airport Authority Bill this week. A facility of this nature will bring new customers to our region and will influence the expansion of the recreational industry in our State." It is signed by the Sugarloaf Mountain Corporation, the Saddleback Mountain Corporation, the Sugarloaf Area Association, the Stratton - Eustis Chamber of Commerce, and the Rangeley Lakes Chamber of Commerce.

The only opposition I have heard to it has been from the good Senator from Cape Elizabeth, Senator Berry. I am aware in his own bailiwick he is very much interested in the State doing some things for a Swedish Motor Line, or a Swedish ferry ship, sin ship, or something of the sort, as it has been called, I guess, to run from Portland—or the reconstruction of the Fall River Line, I guess, to run from Portland to Nova Scotia, and something like \$750,000 worth of the State's credit, I think, or bonds, or something to that effect. And this little place here is away up

in the woods, it doesn't ask for much, and it isn't asking for the State to extend its credit even. It isn't even asking for the good name of the State of Maine. It has relinquished that request, and is down to the Mountain Resorts Airport Authority Bill.

I think it would give his power company more customers and it would be for his benefit, so I think he is talking against his interest here in trying to kill this bill. It is a harmless little thing that doesn't cost the State anything. I know that those people up there, the walking voters, not the corporate ones, but the walking voters, the citizens, the people up there, want this very, very much. I have been asked to come to two or three of their meetings, and I haven't been able to due to the press of duties down here. I hope that my constituent, my rather corporate constituent, from Cape Elizabeth will forgive me for voting against him this morning.

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

Mr. KATZ of Kennebec: Mr. President and Members of the Senate: I would like to relate to the Senate this morning, speaking as the Senator from Kennebec, an experience that I had about four or five years ago. It impressed me then and it impresses me this morning, and this is why I will oppose the motion to accept the Ought Not to Pass Report.

I am not quite certain of how I found myself in this position, but one night I found myself in the executive offices of the then president of Northeast Airlines. He had a very interesting visitor who was there to meet with me and one or two other Maine people. The other gentleman with him was Ernest Henderson, the Chairman of the Board of the Sheraton Corporation. The thrust of the meeting was some imaginative recreational development of the State of Maine. It came out in the conversation that Maine's recreational development by and large has been a little motel here and a little inn here, but we have never really been able to attract big money into the

development of the State. The conversation went something like this: We have got a mighty fine jet airport at Presque Isle. And I am sure none of you have ever heard this before, because I have never told anybody about it. We have got a fine jet airport at Presque Isle. This is the northern terminus of the Florida to Maine run of Northeast Airlines. Why wouldn't it be sensible to establish up there at that jet airport, which primarily was being used for military purposes and was being phased out, a major Sheraton development? Why wouldn't it make some sense to establish some kind of a four-season development up there? Northeast could shuttle the secretaries and other people from the Manhattan area into the State of Maine at very low, desirable price on their aircraft, to the benefit of the State of Maine. Of course, investment capital is the key to the whole thing. I was intrigued by the fact that the Sheraton Corporation was indeed interested in the project. Well, for a number of reasons, the project never got pulled off.

But I have watched airport development in the State of Maine with something less than complete admiration, and I have seen the Carrabasset strip go in up there. This is not the only airport in the State of Maine that was built and is not being used. This is not the only mistake that the Maine Aeronautics Commission has built. Perhaps I am reassured by the fact that here is an opportunity to have some pretty hard-nosed private developers put up the capital to get a potential for major investment in the State of Maine. I like the idea. I am convinced that we are not going to make out trying to expand our society or our economy in the State of Maine by nickel and diming ourselves to death. This seems to be imaginative, and I am impressed with the fact that some \$600,000 of private money has already been invested in the project.

I have listened with interest to the comments of the Senator from Cumberland, Senator Berry, and he appears to be extremely

knowledgeable. He impresses me with some of those points. I understand one remark he made about a Section 7056 being amended out, and I would like, if I get the chance, to suggest another amendment or two. But we have sat all session and grappled with the fact that we have more needs than we have resources. I don't know whether this will result in an imaginative multi-million dollar investment, but I do know that the key is free and easy access from the parts of the country where the people are, and the money is, to the recreational areas of our State. My heart sings on this one. I might even buy \$100 worth of bonds myself.

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

Mr. HOFFSES of Knox: Mr. President and Members of the Senate: I hesitate somewhat to become involved in a discussion with these very learned gentlemen here this morning, but I do feel compelled to make a few brief remarks in my humble and limited knowledgeable way.

I have traveled a bit over the country and it seems to me that when I land at an airport in Cleveland, or in Indianapolis, or in New York, or in any other area of the country where we have these big jet airports, as has been mentioned, the distance from the metropolitan area is not a matter of two miles, or eight miles, as has been mentioned here, the distance from an existing facility to this location, but I find it is twenty or thirty miles, and it constitutes some half or three-quarters of an hour to get from the airport into the city and a like time to return. Now, if we are going to spend this kind of money to develop airports it would be, in my opinion, a suggestion that we develop the facilities which are at the present airport some eight or ten miles away, and I am sure, with the speed that the motor vehicles travel over the highways today, that they could get to the recreational area in less than a half-hour's time.

We are faced at the present time, in some of our areas of the

State of Northeast requesting the Federal Aeronautics for suspension of the services to Rockland and to Bar Harbor because of a lack of traffic, a lack of revenue, and I believe that they will probably be granted the right to suspend these services. Now, are we going to go to work and develop more of these airports around over the State, and are we going to continue to have Northeast curtail their services into the State? If we are, and if the amount of traffic which they have does not warrant continuing, why are we thinking of considering even private money to develop a facility of this nature when there is danger that it is not going to be used and, as has been pointed out by the good Senator from Cumberland, if this bill were passed, it would broaden its authority to eventually take in several other aspects of the business of the State in an area which I do not want any authority, whether it be called Resorts Airport Authority, or whatever, to enlarge their scope and to control other aspects of our state business.

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

Mr. SEWALL of Penobscot: Mr. President and Members of the Senate: I would like to make a few comments on this bill. I sincerely don't know whether this is the proper vehicle to use to encourage this kind of development. I would hope, along with Senator Cianchette, if there are serious objections, technical objections, that amendments could be offered to clean it up.

I would say that I have some knowledge in both aviation and in ski resorts. I have been rather intimately connected with Sugarloaf Mountain Corporation for about fifteen years. I have seen that start from a very humble beginning of eight or ten people who like to ski to a business today that during the past season sold approximately six hundred thousand dollars worth of uphill tickets on the ski lifts. This is an indication of the tremendous potential that we have here in this resort business.

The skier who comes to the State of Maine, and there are many more all the time—the ski industry is growing at the rate of approximately fifteen per cent a year. This is an extremely high rate of growth, as I am sure you would all recognize. Maine has a unique area over in this section of the country in the Flagstaff region. There are several other large mountains that as yet have not been developed. I think we are just scratching the surface of this type of recreational facility.

I know that there are airplanes, jet aircraft, now contemplated that will be flying anywhere from five hundred to seven hundred and fifty passengers in the reasonably near future, within, let's say, five years. It certainly is not inconceivable that skiers from Miami, and from the South, would get on a jet aircraft and fly into Flagstaff. I can assure that no plane of this size would be able to land on the Carrabasset Strip. It is limited because of the terrain around it; there are mountains pretty much all around it. It is a twenty-five hundred foot strip, and it is used quite considerably for a strip of its size and type. This area on the west end of the Flagstaff Lake would offer a fine place for a large airport, if this were a desirable thing. I believe it is because, I think, in this recreational business, in this ski business particularly, and in time we certainly hope we will make it a four-season recreational facility in that area, certainly you have got to have transportation into it. I think in ten years time the Sugarloaf-Flagstaff-Bigelow Region will be one of the most spectacular areas in the country, but I think in here, in the legislature, we should help to the degree that is fiscally responsible and that we can do. So, I would hope that the motion to accept the Ought Not to Pass Report is not accepted, and that this bill can be cleaned up and used for sound economic growth.

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

Mr. CIANCHETTE of Somerset: Mr. President, when the vote is taken I request a division.

The PRESIDENT: Is the Senate ready for the question? The pending question before the Senate is the motion of the Senator from Washington, Senator Wyman, that the Senate Accept Report "B", Ought Not to Pass, on Bill, "An Act to Create the Mountain Resorts Airport Authority" (S. P. 368) (L. D. 1281). A division has been requested.

As many Senators as are in favor of accepting the Ought Not to Pass Report "B" will rise and remain standing until counted. Those opposed will rise and remain standing until counted.

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

Thereupon, the Ought to Pass Report "A" of the Committee was Accepted and the Bill Read Once. Committee Amendment "A", Filing No. S-129, was Read and Adopted and the Bill, as Amended, tomorrow assigned for Second Reading.

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

Bill, "An Act Creating Somerset County Commissioner Districts." (S. P. 349) (L. D. 1033)

Tabled — May 14, 1969 by Senator Katz of Kennebec.

Pending — Motion by Senator Logan of York to Reconsider Passage to be Engrossed.

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

Mr. CIANCHETTE of Somerset: Mr. President and Members of the Senate: Although I suspect it may be for a different reason than the reconsideration motion was offered, I at this time will support the motion for reconsideration so that I may offer an amendment that was inadvertently left from the Bill in Committee.

The PRESIDENT: Is it now the pleasure of the Senate that the Senate reconsider its action whereby Bill, "An Act Creating Somerset County Commissioner Districts," was passed to be engrossed?

The motion prevailed.

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

Mr. DUNN of Oxford: Mr. President, I now move that we reconsider our action whereby we failed to adopt Senate Amendment "A".

The PRESIDENT: The Senator from Oxford, Senator Dunn, now moves the Senate reconsider its action whereby it failed to adopt Senate Amendment "A".

The Chair recognizes the Senator from Oxford, Senator Beliveau.

Mr. BELIVEAU of Oxford: Mr. President, I assume that Senate Amendment "A" was the amendment which would include Oxford County in this reapportionment bill establishing county commissioner districts. We debated this at some length two days ago, in which I outlined my objections and the reasons why I believed the amendment should not be adopted.

Again, to review the history of this document, you will recall that several weeks ago we defeated a bill which would have created county commissioner districts in each of our sixteen counties. Subsequent to that time there are two other bills which, I believe, would establish commissioner districts in Somerset and Aroostook Counties. Those bills have received the unanimous support of their respective legislative delegations. There is real division in Oxford County, there is substantial opposition to this bill, and I submit again that, if we are going to resort to legislative fair play, that this bill, or this amendment, should be given a separate and independent hearing, so that the residents of Oxford County can appear here in support or in opposition to the bill.

I strongly object and resent the device of resorting to an amendment to cast a substantive bill. Again, I believe that it is very unfair to the Somerset County delegation to burden them with an amendment which could endanger and jeopardize seriously the final passage of their bill. We discussed this at length the other day. The amendment was resoundly defeated, and I hope that you will

remain with me and be consistent in our actions here, out of fairness to the members of the Somerset County delegation and indirectly, of course, to the members of the Aroostook County delegation.

The Oxford County Delegation has not acted, nor have we met to discuss this particular amendment. Nor have the County Commissioners been given an opportunity to be heard on this. Now, this resembles strongly the tactics that were used and the custom that has been resorted to in the legislature in adopting county budgets. At that time I think we all understood the problem and, hopefully, we will be able to avoid a repetition of the method by which the county budgets were adopted. If we resort to the same procedure in adopting this amendment, we certainly have not benefited from our experience of several months ago. So, I strongly urge the members of this Senate to oppose the pending motion of the Senator from southern Oxford and northern York Counties.

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

Mr. MILLS of Franklin: Mr. President and Members of the Senate: Along this line, mention has been made of the county budgets—Here on this floor, in debate with Senator Beliveau, in opposition to Senator Beliveau, I stated what the position was of the Towns and Counties Committee in regard to the county budgets. I stated here, and I know it was the feeling of the whole of the committee, that we considered the delegations from the various counties as being subcommittees to make determinations as to those budgets. It was physically impossible for us to have individual hearings for each county, and to go over the voluminous material that came in from the various counties in regard to the items of the line budgeting, which is new this year. We took the position here that that was what we were going to stand on, that the county delegations were to be paramount in our decisions.

I want to speak by way of information to all Senators at this point, and in this regard, because

I fear that the Committee of which I am a member is about to take an inconsistent position in that regard, and that is in regard to the salaries of the county officials. The position which I fear as coming from the committee, the majority of the committee, is that salaries throughout the State of various county officials are going to be altered quite materially from what they were in the budgets that came in to the committee, and from what the delegations endorsed. I have taken the position and, although I haven't been able to be present too much because of my work on Judiciary Committee, I have made it known that I will sign the minority report, if it is only a minority report of one, backing the position of the delegations in this legislature in regard to county salaries. Now, there was some complaint made about some of the southern counties having salaries that are out of line and that it is up to our committee to straighten them out, but I think primarily its the duty of the county delegations, and that is the position that we have taken.

Taking that position, and feeling that the county delegation should be paramount in this area, I think that that same principle applies to this bill. I would support any move that the good Senator, Senator Dunn, might make, through and with the co-operation of the leadership, to put a bill in, out of order, late, and all that sort of thing, to do this very thing, and let that bill stand on its own feet. But this tying an albatross around the neck of the Somerset County bill, I think, is not the right way to go about it and I hope the motion to put that amendment on will be defeated.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from Oxford, Senator Dunn.

Mr. DUNN of Oxford: Mr. President and Members of the Senate: Just a brief reply as to the so-called albatross, it seems to me that the majority of the Oxford County delegation is behind this, and I would think that in the other body in particular that, with the support of the majority of the delegation from Oxford County, added

to the support of the delegation from Somerset, that it certainly would not act as an albatross; that it would be, if anything, enhanced in its chance of passage. I hope you will go along with me on my motion.

The PRESIDENT: The pending question before the Senate is the motion of the Senator from Oxford, Senator Dunn, the Senate reconsider its action whereby it failed to Adopt Senate Amendment "A" to Bill, "An Act Creating Somerset County Commissioner Districts" (S. P. 349) (L. D. 1033).

The Chair recognizes the Senator from Oxford, Senator Beliveau.

Mr. BELIVEAU: I request a division.

The PRESIDENT: 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.

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ: I request a roll call.

The PRESIDENT: A roll call has been requested.

The Chair recognizes the Senator from Sagadahoc, Senator Reed.

Mr. REED of Sagadahoc: Mr. President and Members of the Senate: I feel that we have had accusations of politics going around here this morning and, as I have said yesterday, I am not opposed to playing the game partly, but I would assume that this Oxford County situation — and I haven't talked with anybody really on it — goes down pretty much party lines. I haven't talked with anyone beyond this body or the other body, but I would assume that if that is the case, there you are endangering very definitely the Somerset County bill on which there seems to be agreement from both political parties. I think we should be aware of that. I just feel as if this type of maneuvering will get us nowhere. I would just hope that this amendment will not be reconsidered.

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

Mr. Quinn of Penobscot then moved that the Bill be tabled and specially assigned for May 21, 1969, pending the motion by Mr. Dunn of Oxford for Reconsideration.

On motion by Mr. Katz of Kennebec, a division was had. One Senator having voted in the affirmative, and twenty-five Senators having voted in the negative, the tabling motion did not prevail.

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

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

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr. President and Members of the Senate: Amending a bill is a terrible device, if you are opposed to the content of the amendment; it is a legitimate device, if you are in favor of the content. The legislature from its earliest days has amended, and it has chosen not to amend; this is not a radical departure here today. I think the procedure to adopt this amendment is a perfectly legitimate procedure that has been supported by the majority of the people in this legislative delegation, and I hope you will support the motion to reconsider the act whereby the amendment failed of adoption.

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

Mr. BELIVEAU of Oxford: Mr. President and Members of the Senate: I would very reluctantly pursue this any further, but I think it is important, now that this item seems to be getting a great deal of exposure here, that I advise the members of the Senate that at no time has the Oxford County delegation ever met to pass on this issue. To suggest that the majority of the Oxford County

delegation has would be an erroneous and unfounded statement.

Only too often during the course of the session do we hear admonitions by the leadership of both sides of the necessity of focusing objectively and impartially on these various issues. If it would suit certain people to support a different position, then it should be non-partisan. I submit that the issue here is not whether or not one party or another party will benefit from creating commissioner districts in Oxford County, but the issue is whether or not this Senate will resort to the device of enacting a matter of great substance in the form of an amendment.

We received a great deal of criticism not too many months ago because of the method resorted to in adopting county budgets. I submit we are once again confronted with the same exact problem. The Oxford County delegation has not met on it and, if we are going to play this numbers game here, I will submit to you that I represent three-quarters of Oxford County. If we are going to present a make-weight argument, then I should have my position carry a great deal more weight, but I am not saying that it should. I represent three-quarters of the population of Oxford County, and I believe I have an obligation to this area.

The County Commissioners have never been conferred with or never been approached on this matter. There has never been a discussion on this matter since the last bill was defeated two years ago. I am just hoping that the Majority Party Leader does not intend to make a party issue out of an amendment, but I am afraid that he is. You know, we are so familiar with that Latin phrase, "Quid pro quo," and I would just like to remind the good Senator from Kennebec County that there is always a day of retribution.

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

Mr. KATZ of Kennebec: Mr. President and Members of the Senate: When I see the State

Chairman of the Minority Party waving to his troops to rise when he rises—and I noticed that every single Democrat in this chamber supports it—I have not made a party issue out of this, Mr. President.

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

Mr. DUNN of Oxford: Mr. President and Members of the Senate: I think, Mr. President, I should correct the statement just made by the Senator from Oxford, Senator Beliveau, in the fractional part of Oxford County that he represents. I believe it is two-thirds rather than three-quarters. I have half of one district from Oxford, and he has the other two-thirds.

As far as the Oxford County Delegation is concerned, this is no surprise, certainly. I introduced the bill two years ago, and the Oxford County delegation, the majority of it, assisted, and it went through both bodies and was vetoed by the Governor. I put in a Statewide bill this time, and it was no surprise to any official in Oxford County or in the delegation. I think that is a mistake to even bring that up, because certainly it is legitimate and has the backing of the majority of the delegation.

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

Mr. CIANCHETTE of Somerset: Mr. President and Members of the Senate: I hesitate to rise here again today on this issue. However, as I related earlier, I was the sponsor of this measure, with the complete agreement of the Somerset County Delegation. I will point out to you that in the bill relating to Somerset County, as the first thing, and you are going to get the partisan measure now, that the original bill will prohibit the only Democratic member of the present Somerset County Commission from running for the office again. I submit to you we are not wholly in agreement in Somerset County, we do have two parties, but we worked hard and long for the compromise measure that related to Somerset County. We had our bickering, we com-

promised, and we got a bill that is agreeable to all of the people of this delegation. It is not agreeable to the Democratic Commissioner in Somerset County.

I trust that you will play fair with me in this matter and not jeopardize the bill for Somerset County by making it a party issue.

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

Mr. KATZ of Kennebec: Mr. President and Members of the Senate: I would like to assure the Senator from Somerset, Senator Cianchette, that there is no desire to jeopardize the Somerset Bill, and I will pledge that I, under no circumstances, will be party to any attempt to jeopardize this bill. I think it is a proper bill. The only question is the amendment.

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

Mr. REED of Sagadahoc: Mr. President and Members of the Senate: With all due respect to the Senator from Kennebec, Senator Katz, I think we are playing games. I can only say and, as I have said before, I haven't talked to anyone, but I assume I can only speak as if I were in the front office, and I would assume the Governor would do the same thing — he would send this back before the ink was dry on the Senate President's name. I just feel that we are jeopardizing the Somerset County's Bill and we have got to realize it here. That is what we are really voting on.

I have nothing against it. Maybe this Oxford County one should be used, but it seems to me, from all indications from the two Senators that represent that county, that it is a political issue there in Oxford County. I think we have to realize that and, as I say, I am willing to play politics, but I think that we are jeopardizing something which is constructive and is agreed upon by one County. Therefore, I would hope that this amendment would be defeated. As I say, I am just speaking of what I would assume would take place; I have no knowledge of it and I have talked to no one.

The PRESIDENT: A roll call has been ordered. The pending question is the motion of the Senator from Oxford, Senator Dunn, that the Senate reconsider its action whereby it failed to enact Senate Amendment "A" to Bill, "An Act Creating Somerset County Commissioner Districts" (S. P. 349) (L. D. 1033). A "Yes" vote will be in favor of reconsideration; a "No" vote will be opposed.

The Secretary will call the roll.

Roll Call

YEAS: Senators Anderson, Barnes, Berry, Dunn, Greeley, Hanson, Hoffses, Katz, Logan, Moore, Quinn, Sewall, Stuart, Tanous, Wyman, and President MacLeod.

NAYS: Senators Beliveau, Boisvert, Cianchette, Conley, Duquette, Gordon, Kellam, Letourneau, Levine, Martin, Mills, Minkowsky, Peabody, Reed, and Violette.

ABSENT: Senator Bernard.

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 to reconsider prevailed.

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

The Chair recognizes the Senator from Oxford, Senator Beliveau.

Mr. BELIVEAU of Oxford: Mr. President, I request a division. Now that we have reconsidered this measure and we are going to be voting on the merits of the bill itself, the arguments that were raised before by myself and other opponents are just as valid now as they were two days ago. I trust those who voted against this amendment two days ago will retain their intellectual honesty, be consistent in their position, and vote in opposition to the adoption of this amendment.

The PRESIDENT: Is the Senate ready for the question? The pending question before the Senate is the adoption of Senate Amendment "A" to Bill, "An Act Creating Somerset County Commissioner Districts" (S. P. 349) (L. D. 1033). A division has been requested.

As many Senators as are in favor of adopting Senate Amendment "A" will rise and remain standing until counted. Those opposed will rise and remain standing until counted.

A division was had. Sixteen Senators having voted in the affirmative, and fifteen Senators having voted in the negative, the motion prevailed.

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

The Chair recognizes the Senator from Somerset, Senator Cianchette.

Mr. CIANCHETTE of Somerset: Mr. President, I offer Senate Amendment "B" and move its adoption.

The PRESIDENT: The Senator from Somerset, Senator Cianchette, offers Senate Amendment "B" and moves its adoption. The Secretary will read the Amendment.

Senate Amendment "B", Filing No. S-155, was Read and Adopted, and the Bill, as Amended, Passed to be Engrossed.

Sent down for concurrence.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table: An Act Amending the Application of the Occupational Safety Law and the Reporting Requirements (H. P. 337) (L. D. 446).

On further motion by the same Senator, 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.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table: An Act Creating the Maine Milk Dealers' Bonding Law (H. P. 715) (L. D. 933)

On further motion by the same Senator, 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.

(Off Record Remarks)

Mr. Reed of Sagadahoc was granted unanimous consent to address the Senate:

Mr. REED: Mr. President and Members of the Senate: I guess we all understand the game. I can only say that talk and words are pretty cheap. Basically it is deeds that count. Now, my only regards, as far as that particular piece of legislation, my only suggestion would be that the Oxford County Delegation meet, and if this amendment goes down party lines, I can only say that it would be my recommendation to the Governor of this State that it be vetoed, pure and simple. I don't think the onus should fall on him; let it fall on me, if that be where it is. That would be my recommendation to him if this goes down party lines as far as Oxford County is concerned. I think it is too bad to have a Senator's bill relating to a county go down the drain in this manner. I think that it is too bad, but if this be it, so be it.

Mr. Martin of Piscataquis was granted unanimous consent to address the Senate:

Mr. MARTIN: I just want to speak as a member of the Towns and Counties Committee, wherein we heard a bill relative to county commissioner districts throughout the State of Maine. As one member of that committee, I voted against that bill, feeling that each county had the prerogative to present a bill on their own, on their own merits. The County of Somerset presented a bill in this manner and I respect them for it. They arrived at their decision, they distributed their county according to the way they wanted it, and I voted in favor of that one.

This type of tactics that were used this morning make me sick to my stomach, I dare say. It just isn't right. The County of Oxford had the same prerogative to come in with the bill, the same way that the County of Somerset did, and they came in at a late date and asked for different treatment. I just don't uphold this type of measure, and I am really sick about it.

Mr. Conley of Cumberland was granted unanimous consent to briefly address the Senate:

Mr. CONLEY: Mr. President and Members of the Senate: I was touched by the words of the good Senator from Aroostook, Senator Barnes, and again by the words of the good Senator from Kennebec, Senator Katz. I think I was even more deeply touched by the words of the good Senator from Sagadahoc, Senator Reed.

Everyone here knows that I am competing always with my good friend, the Senator from Penobscot, Senator Tanous, in relationship to

the number of children we have, and sometimes when you want to correct a child you take candy away from him. As I look at the face of the good Senator from Oxford County, Senator Beliveau, it looks like he just had his candy taken away from him. But I would like to remind you all here today that Big Daddy is in the corner and he may very well take the candy away from everybody.

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