

# 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**

Friday, May 16, 1969

Senate called to order by the President.

Prayer by The Honorable Carroll E. Minkowsky of Lewiston.

Reading of the Journal of yesterday.

**Joint Order**

Out of Order and Under Suspension of the Rules:

On motion by Mr. Hoffses of Knox,

ORDERED, the House concurring, that when the House and Senate adjourn, they adjourn to Monday, May 19, at 4 o'clock in the afternoon.

(S. P. 460)

Which was Read and Passed.

Sent down forthwith for concurrence.

**Papers From the House****Joint Order**

ORDERED, the Senate concurring, that the Maine Education Council established pursuant to Chapter 452 of the Public Laws of 1967 is authorized and directed to examine in detail existing law as it relates to a minimum number of school days to determine the desirability of extending legal requirements to possibly include a 210 - day school year, and also to determine to what extent it would be advisable to use preschool and inservice training in arriving at said minimum school year; and be it further

ORDERED, that the Maine Education Council submit a written report of its findings, together with any necessary recommendations and implementing legislation, at the next regular or special session of the Legislature.

(H. P. 1193)

Comes from the House, Read and Passed.

Which was Read.

On motion by Mr. Katz of Kennebec, tabled and tomorrow assigned, pending Passage.

**House Papers**

Bill, "An Act to Allow Corporations to Enter into Partnership or

Joint Venture Arrangements with Other Corporations." (H. P. 1191) (L. D. 1512)

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

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

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

The Committee on Appropriations and Financial Affairs on Bill, "An Act Increasing Mileage Allowance for State Employees on State Business." (H. P. 370) (L. D. 480)

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

The Committee on Legal Affairs on Bill, "An Act Relating to Bank Holidays." (Emergency) (H. P. 593) (L. D. 774)

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

The Committee on Legal Affairs on Bill, "An Act Relating to Registration of Snow Traveling Vehicles." (H. P. 913) (L. D. 1174)

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

The Committee on Legal Affairs on Bill, "An Act to Amend the Charter of the City of Saco." (H. P. 994) (L. D. 1278)

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.

**Leave to Withdraw**

The Committee on Public Utilities on Bill, "An Act Relating to Exception to Plumbers Law because of Municipal Requirements." (H. P. 1001) (L. D. 1303)

Reported that the same be granted Leave to Withdraw

Comes from the House the report Read and Accepted.

Which report was Read and Accepted in concurrence.

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

The Committee on Highways on Bill, "An Act Relating to Reimbursement to Towns for Construction of and Snow Removal from Highways." (H. P. 383) (L. D. 492)

Reported that the same Ought Not to Pass, covered by Other Legislation.

The Committee on Highways on Bill, "An Act Relating to Winter Maintenance of State Aid Highways by Municipalities." (H. P. 725) (L. D. 943)

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 Towns and Counties on Bill, "An Act Relating to Expenses of Chief Administrative Officer of County Commissioners of Aroostook County." (H. P. 493) (L. D. 647)

Reported that the same Ought Not to Pass.

Comes from the House, the report Read and Accepted.

Which report was Read and Accepted in Concurrence.

The Committee on Highways on Bill, "An Act to Provide Funding for Police Professional Liability Insurance for Maine State Police Officers." (H. P. 855) (L. D. 1097)

Reported that the same Ought Not to Pass.

Comes from the House, the report Read and Accepted.

Which was Read.

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

Mr. MILLS of Franklin: Mr. President and Members of the Senate: I noticed that the subject matter of this bill directly concerns the responsibility of the State to protect its State police officers in the performance of their duties when they would be sued possibly for negligent acts such as the act that we were discussing the other day.

The committee of which I am a member put out a bill, and I think the bill is on its way through now, in regard to the State standing behind the police officer when he was charged with the negligent shooting of a person he was trying to apprehend. This type of legislation, I would think, would fill the need that the good Senator from York, Senator Logan, was pointing out that exists. I wondered if the Highway Committee can quickly dispose of this by giving a satisfactory explanation as to why we shouldn't do this, or should it lie on the table, possibly, until we can develop it? But this looks like an area that ought to be filled if the State is going to offer protection to its police officers when they are sued. I would not make a motion at this point, hoping that there might be some explanation for the negative position in this regard.

The PRESIDENT: The Chair recognizes the Senator from Waldo, Senator Greeley.

Mr. GREELEY of Waldo: Mr. President and Members of the Senate: We had a bill in our committee that called for about \$9,000 of highway funds and around a little over \$3,000 from the General Fund Appropriations. We waited a month for information from the State Police, and last Wednesday we turned the bill out Ought Not to Pass. We intend to take care of the situation one way or another, but I would like to move this bill lie on the table until Tuesday.

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

Thereupon, on motion by Mr. Katz of Kennebec, tabled and specially assigned for May 20, 1969, pending Acceptance of the Committee Report.

The Committee on Legal Affairs on Bill, "An Act Relating to Exception in Filing to Perfect Security Interest Under Uniform Commercial Code." (H. P. 979) (L. D. 1263)

Reported that the same Ought Not to Pass.

Comes from the House, the report Read and Accepted.

Which report was Read and Accepted in concurrence.

#### Ought to Pass

The Committee on Industrial and Recreational Development on Bill, "An Act Amending the Municipal, Industrial and Recreational Obligations Act." (H. P. 599) (L. D. 780)

Reported that the same Ought to Pass.

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

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

#### Ought to Pass in New Draft

The Committee on Liquor Control on Bill, "An Act to Provide Controlled Sale of Alcoholic Beverages by Catering at Events and Gatherings Beyond the Capacity of Area Licensee Facilities." (H. P. 772) (L. D. 1005)

Reported that the same Ought to Pass in New Draft Under New Title: "An Act to Provide Controlled Sale of Alcoholic Beverages by Catering at Events and Gatherings." (H. P. 1189) (L. D. 1508)

The Committee on Health and Institutional Services on Bill, "An Act Revising the Laws Relating to Physicians and Surgeons." (H. P. 811) (L. D. 1050)

Reported that the same Ought to Pass in New Draft Under Same Title. (H. P. 1188) (L. D. 1507)

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

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

#### Divided Report

The Majority of the Committee on Judiciary on Bill, "An Act Relating to Termination of Human Pregnancy by Therapeutic Abortion." (H. P. 602) (L. D. 783)

Reported that the same Ought Not to Pass.

Signed:

Senators:

QUINN of Penobscot  
VIOLETTE of Aroostook

Representatives:

BERMAN of Houlton  
HESELTON of Gardiner  
MORESHEAD of Augusta  
HEWES of Cape Elizabeth  
BRENNAN of Portland  
DANTON of

Old Orchard Beach

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

Signed:

Senator:

MILLS of Franklin

Representative:

FOSTER of

Mechanic Falls

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

Which reports were Read.

On motion by Mr. Quinn of Penobscot, tabled and specially assigned for May 22, 1969, pending Acceptance of Either Report.

#### Senate

##### Ought Not to Pass

Mr. Levine for the Committee on Business Legislation on Bill, "An Act Relating to Dealers in Antiques." (S. P. 393) (L. D. 1317)

Reported that the same Ought Not to Pass.

Mr. Dunn for the Committee on Appropriations and Financial Affairs on Bill, "An Act Appropriating Funds for Overtime and Sunday Work and Establishing a Work Day of 7 Hours and a Work Week of 35 Hours for State Employees." (S. P. 159) (L. D. 533)

Reported that the same Ought Not to Pass.

Which reports were Read and Accepted.

Sent down for concurrence.

##### Ought to Pass

Mr. Wyman for the Committee on State Government on Bill, "An Act Creating an Administrative Assistant to the Chief Justice of the Supreme Judicial Court." (S. P. 369) (L. D. 1282)

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. Minkowsky for the Committee on Health and Institutional Services on Bill, "An Act Licensing Administrators of Medical Care Facilities Other Than Hospitals." (S. P. 311) (L. D. 1026)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-156).

Which report was Read.

On motion by Mr. Martin of Piscataquis, tabled and specially assigned for May 21, 1969, pending Acceptance of the Committee Report.

Mr. Stuart for the Committee on Education on Bill, "An Act Appropriating Funds to Aid in Constructing a School Building in Danforth." (S. P. 310) (L. D. 1025)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-157).

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

#### Ought to Pass in New Draft

Mr. Violette for the Committee on Judiciary on Bill, "An Act Relating to Retirement of Justices of the Supreme Judicial and Superior Courts and Judges of the District Court." (S. P. 155) (L. D. 532)

Reported that the same Ought to Pass in New Draft Under Same Title. (S. P. 461) (L. D. 1515)

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

#### Conference Committee Report

The Committee of Conference on the disagreeing action of the two branches of the Legislature on, Bill, "An Act Requiring Placarding and Bills of Lading on Motor Vehicles Transporting Explosives and Other Dangerous Articles." (H. P. 1131) (L. D. 1453) ask

leave to report: that the House Recede from Indefinite Postponement and pass the Bill to be Enacted.

On the part of the Senate:

BARNES of Aroostook

REED of Sagadahoc

GORDON of Cumberland

On the part of the House:

FINEMORE of

Bridgewater

LEWIN of Augusta

Which report was Read and Accepted.

Sent down for concurrence.

#### Conference Committee Report House

The Committee of Conference on the disagreeing action of the two branches of the Legislature on, Bill, "An Act Concerning the Riding of Bicycles." (H. P. 789) (L. D. 1022) ask leave to report: that that are unable to agree.

On the part of the House:

CAREY of Waterville

IMMONEN of West Paris

LEBEL of Van Buren

On the part of the Senate:

STUART of Cumberland

GORDON of Cumberland

BARNES of Aroostook

Comes from the House, the report Read and Accepted.

Which report was Read and Accepted in Concurrence.

#### Final Reports

The Committee on Public Utilities submitted its Final Report.

The Committee on Transportation submitted its Final Report.

Which were Read and Accepted. Sent down for concurrence.

#### Second Readers

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

##### House

Bill, "An Act Relating to Harness and Running Horse Races on Sunday." (H. P. 1069) (L. D. 1398)

Which was Read a Second Time.

Mr. Barnes of Aroostook moved to Indefinitely Postpone the Bill.

Thereupon, on motion by Mr. Conley of Cumberland, tabled and specially assigned for May 21, 1969, pending the motion by Mr. Barnes

of Aroostook to Indefinitely Postpone the Bill.

#### House - As Amended

Bill, "An Act Relating to Secondary Education in the Town of Islesboro." (H. P. 509) (L. D. 680)

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

Bill, "An Act Creating the Maine Meat Inspection Act." (H. P. 306) (L. D. 493)

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)

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

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

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

#### Senate

Bill, "An Act Permitting Acceptance of Personal Recognizance of Allagash Wilderness Waterway Rangers." (S. P. 68) (L. D. 191)

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

Sent down for concurrence.

#### Senate - As Amended

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

(On motion by Mr. Berry of Cumberland, tabled and specially assigned for May 20, 1969, pending Passage to be Engrossed.)

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

Bill, "An Act Providing for Area Directional Signs of Maine Turnpike for Washington County Area." (S. P. 375) (L. D. 1285)

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

Bill, "An Act to Create the Mountain Resorts Airport Authority." (S. P. 368) (L. D. 1281)

(On motion by Mr. Katz of Kennebec, tabled and specially assigned for May 20, 1969, pending Passage to be Engrossed.)

Which were Read a Second Time and, except for the tabled matters, Passed to be Engrossed, a s Amended.

Sent down for concurrence.

#### Enactors

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

An Act to Clarify the Right to Know Law. (S. P. 215) (L. D. 796)

An Act Providing Funds for Construction of Garage and Storage Facility for Aroostook Association for Retarded Children. (S. P. 287) (L. D. 929)

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

An Act Relating to Suspension of Motor Vehicle Operator's License for Nonappearance in Court. (S. P. 398) (L. D. 1350)

(On motion by Mr. Berry of Cumberland, temporarily set aside.)

An Act Relating to Adoptions. (S. P. 399) (L. D. 1353)

An Act Relating to Publication of Foreclosure Notices. (S. P. 348) (L. D. 1214)

An Act to Empower County Commissioners to Contract for Dumps in the Unorganized Territory. (S. P. 395) (L. D. 1348)

An Act Relating to Expenditures from Aeronautical Fund. (H. P. 72) (L. D. 72)

(On motion by Mr. Katz of Kennebec, tabled and specially assigned for May 21, 1969 pending Enactment.)

An Act Increasing Amount of State Grants for Community Mental Health Service. (H. P. 325) (L. D. 412)

An Act Permitting Employment of State Prison and Reformatory Inmates on County and Municipal Public Works Projects. (H. P. 497) (L. D. 651)

An Act to Amend the Charter of the Auburn Sewerage District. (H. P. 610) (L. D. 798)

An Act Relating to Unfair and Coercive Insurance Requirements. (H. P. 886) (L. D. 1145)

An Act Broadening the Scope of the Uniform Arbitration Act. (H. P. 937) (L. D. 1198)

An Act Relating to Powers and Duties of the Public Safety Commission of the Town of Old Orchard Beach. (H. P. 995) (L. D. 1279)

An Act Classifying Marsh Stream, Waldo County. (H. P. 1044) (L. D. 1367)

An Act to Prevent the Pollution of the Waters of China Lake. (H. P. 1153) (L. D. 1475)

An Act Relating to Tuition Charges for Special Education Classes. (H. P. 1154) (L. D. 1476)  
(On motion by Mr. Katz of Kennebec, temporarily set aside.)

An act Relating to Bag Limit on and Registration of Bears. (H. P. 1170) (L. D. 1492)

An Act To Revise the Laws Relating to Real Estate Brokers and Salesmen. (H. P. 1176) (L. D. 1497)

(On motion by Mr. Beliveau of Oxford, tabled and specially assigned for May 21, 1969, pending Enactment.)

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

The President laid before the Senate the matter set aside, at the request of Mr. Berry of Cumberland, An Act Relating to Suspension of Motor Vehicle Operator's License for Nonappearance in Court (S. P. 398) (L. D. 1350).

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

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: with reference to Item 8-3, L. D. 1350, entitled, An Act Relating to Suspension of Motor Vehicle Operator's License for Nonappearance in Court, I have read this very, very, short L.D., which consists of some six lines, and it seems to me it takes rather drastic action. I would be very happy to have some member of the

Judiciary Committee explain Senator Mills's bill.

As I interpret the bill, from reading it, if you are stopped by a policeman and you are handed a summons to appear in court the next day, and you are on a trip, or you become ill or if, for some legitimate reason, you can't find counsel and your case comes up in court the next day, you automatically lose your license. Of course, you are in trouble anyway in the court because you didn't appear. You are going to be fined, you are going to be in contempt, you are going to be searched for, you are going to pay the penalty for not having appeared in court, but for mandatory and compulsory suspension of your driver's license, it seems to me that we have got rather a drastic treatment here. Sooner or later you are going to get hauled into court for the violation, you will have your trial and if you are found guilty you will lose your license, if that should be the end result after the trial. It seems to me to be a little unfair to take your license away before you have had a trial.

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

Mr. MILLS of Franklin: Mr. President and Members of the Senate: I have no personal or strong feeling here, but I do submit that in this matter the State certainly needs to have a control over the licensing of people to drive automobiles, especially when they have been given a summons to respond to a charge against them. It seems to me fair that if they fail to respond to that summons, ignore the summons, then the State in its licensing power has the right to say "sorry, you are losing your license; you haven't responded to a hearing which pertained to your operation of motor vehicles on our highways." As I say, I put this bill in, although I didn't denominate it as such and, as I say, I have no personal or strong feelings in regard to it, but I passed on it when I was asked to do it; it did seem to me to be fair.



I don't have any prejudices in favor of those who enforce the laws on the highway. I think I have shown that by being rather defense-minded in some of my statements here. I have tried to be impartial in it, but I do think the State has got a right to expect that its summonses, issued in the name of the State of Maine, be honored. When they are not honored, the person shouldn't be free to go away and ignore the demand the State of Maine makes upon them to appear in court to answer to charges.

Now, of course, the officer, when he makes an apprehension on the highway for a violation in his presence, does have the option to put that man under immediate arrest and to make him provide bail to have his liberty to go on, but out of courtesy to the public, to the traveling public, and out of a recognition that these offenses on the highway are not generally of such an aggravated nature as to require taking a person into custody and depriving him of his liberty, the restrictions that are imposed - not the restrictions - but the general directions that are given to our police on the highways, whether they be the state police, or deputy sheriffs, or constables, are that when they observe a traffic offense they are to extend the courtesy to the person of giving him merely a summons, rather than exercising the undoubted authority they have of placing a person under arrest. I think you know, from your observations and general public information, that the only time a real arrest takes place is when it is a drunken driving case, or when the person is in such condition that he should immediately be stopped from further driving the car.

I recall, just along this line, one awful mistake that was made by a police officer in this area. It was about a week before a man was appointed to be judge of the municipal court in Portland, quite a few years ago, one of the learned gentlemen of the bar of this State was arrested by a police officer, as I understand it, and taken to the police station for passing a stop sign. He had perfect

right to make that arrest, but it was a considerable error in judgment because a week later that lawyer, that distinguished gentleman of the bar, became the judge of that court. It is easy to understand why for some years after that there was a dim view taken of some of the actions of the police officers in that area.

I think this is a fair thing, and I think it is an appropriate thing for the State to clothe its officers with, this power to call in to question and to hold up the license of those who ignore a summons of the State.

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

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: I am glad that Senator Mills said that perhaps this isn't the most important bill, and that there are two sides of the question, from what he said. I do feel that we are penalizing a person twice here. We are making absolutely mandatory, without any attention to extenuating circumstances that the man's license must be revoked. This is my quarrel with the bill.

If somebody does not appear in court, and he doesn't for no reason that is of his own choosing, he should not automatically have his license lifted. If he does not appear in court because he doesn't want to go to court, the court has plenty of recourse, and they can grab him and do anything they want to with him. I think this bill goes a little bit too far. I would move it be indefinitely postponed.

The PRESIDENT: The Senator from Cumberland, Senator Berry, now moves that An Act Relating to Suspension of Motor Vehicle Operator's License for Non-appearance in Court be indefinitely postponed.

The Chair recognizes the Senator from Aroostook, Senator Violette.

Mr. VIOLETTE of Aroostook: Mr. President and Members of the Senate: I think on this bill, if you had the whole statute in front of you it probably would make it somewhat clearer. I think Senator Mills has pointed out that in the case of an arrest, and of course

the person arrested has submitted to bail, and if he doesn't appear on that day that he is supposed to appear in court, well of course, then the Secretary of State has the right to suspend his license. It does not mention the case of when a man is summoned into court, or is given a summons to appear by the police officer, and this is undoubtedly ninety per cent of the cases in motor vehicle traffic violations.

This was looked on by our committee as more in the nature of plugging a loophole in the law because, as the practice now is, and this is acknowledged and admitted by the representative of the Secretary of State who appeared before the committee on the hearing on this bill, he felt that the bill had great merit and that it did plug or give legal support to what the Secretary of State has actually been doing as a matter of form in cases where the man is given a summons, and ignored the summons and doesn't appear in court. This happens particularly with regards to non-residents when motoring through Maine and who commit a traffic violation, are given a summons, and ignore that summons and don't appear. Now, although it does not appear in the statute, I guess the Secretary of State has interpreted the law as having it within his power that, if a motorist is stopped and given a summons and then does not appear in the court, the Secretary of State does have the privilege of lifting his license. I wouldn't say arbitrarily, but I guess they have assumed that this is in his power. What normally happens in the court is that if a motorist is summoned and doesn't appear, normally the court will do one of two things: the court will continue the case to another day, to allow further time for the motorist to appear or will default the case and notify the Secretary of State. Then the Secretary of State can notify the motorist that because of his failure to appear his right to operate and his right to the registration of his motor vehicle, it is suspended until such a time as he does comply with

the law. Normally what happens, a guy wakes up and he does either appear in court, or gets a lawyer to appear for him, takes care of the case, and the Secretary of State very rapidly, and always, as a matter of form, removes the suspension or revocation.

I really in all sincerity feel that Senator Berry is taking an unduly harsh look at the effect of this. This is actually what is being done in practice now, and has been done by the Secretary of State for many, many years. It was felt that by putting in this provision that this did give him the legal support for what he has actually been doing, and which, I think, has a lot of merit. I know that I have been a municipal court judge and I also represented a lot of people in traffic violations, and the Secretary of State is always extremely cooperative or receptive to the idea that if a man has inadvertently forgotten to appear in court, or for other reasons, that he is never really subjected formally to the suspension of his license. He is given the opportunity to appear, and if he does again ignore it, well, then it is suspended. But there is actually no legal provision today for the Secretary of State to really suspend his license in the event that he willfully ignores the summons to appear in court. Now, this is the reason for this provision, it does plug a loophole in the law, which was felt by the committee and actually, was felt by—I forgot the name of the gentleman—the Chief Hearing Officer of the Secretary of State, that this was a good move.

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

**Mr. BERRY of Cumberland:** I agree one hundred per cent, Mr. President and Members of the Senate, with the thought that Senator Violette has expressed, that the courts can and do exercise judgment when there are extenuating circumstances, and it is only this objection that I have to the bill. The bill says that if a person fails to appear in court on the day specified, the Secretary of State shall immediately lift his license. This

is my objection. What if the man has a heart attack and he is in the hospital after he leaves the interview with the police officer on the road? I would withdraw my motion if there is some possibility of putting his bill in the condition where there is discretion allowed to somebody, be it the judge, be it the Secretary of State, but I maintain that it is transparently unfair to say that the Secretary of State shall immediately lift the license without any chance for using discretion.

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

Mr. LOGAN of York: Mr. President and Members of the Senate: I have watched this bill go with considerable nervousness. This one has bothered me, and it does seem to be pretty tough. We have, of course, a lot of people down in York County who have got arrested from time to time for violations—not including myself, I might add—and this bill really does worry me. I would feel a lot happier about this if it were permissive rather than mandatory.

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

Mr. VIOLETTE of Aroostook: Mr. President and Members of the Senate: It is not my intention to get involved in another duly prolonged debate here with members of the Judiciary Committee in regards to members of the Senate. I suppose that it is not going to make a great deal of difference to me what this Senate does, I can assure you of this. Perhaps Senator Mills feels differently. I suppose that maybe we can have another look at it and see if perhaps the terminology may not be correct.

I think the bill does have merit, and I think that if you came right down and contested the question, that perhaps the Secretary of State would not have the authority under the present law to suspend a man's license in the event that he willfully ignored the summons. This is the real object of the bill it may well be that the terminology could be further cleared up. Let

me say this: I just put out to you what was the thinking of the committee. We felt that it had merit and, as far as I am concerned, the Senate is free to do what it wants with it.

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

Mr. MILLS of Franklin: Mr. President and Members of the Senate: I agree, on further deliberation, that in the third line of the bill the word "shall" could appropriately be made "may," then certainly no Secretary of State would feel compelled to act when obviously he shouldn't act in many circumstances. I think that would give the discretion which the good Senator Berry and good Senator Logan have mentioned as being important in this area. So, if either of the good Senators or anyone else cares to table this for an appropriate interval, I would prepare such an amendment.

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

Thereupon, on motion by Mr. Barnes of Aroostook, tabled and specially assigned for May 20, 1969, pending the motion by Mr. Berry of Cumberland to Indefinitely Postpone the Bill.

The President laid before the Senate the matter previously set aside at the request of Mr. Katz of Kennebec, An Act Relating to Tuition Charges for Special Education Classes. (H. P. 1154) (L. D. 1476)

Thereupon, on motion by Mr. Katz of Kennebec, and under suspension of the rules, the Senate voted to reconsider its action whereby the Bill was Passed to be Engrossed and, on subsequent motion by the same Senator, reconsidered its action whereby Senate Amendment "A" was adopted.

On further motion by the same Senator, Senate Amendment "A" was Indefinitely Postponed; and the same Senator then presented Senate Amendment "B" and moved its adoption.

Senate Amendment "B", Filing No. S-136 was Read and Adopted and the Bill, as Amended, Passed

to be Engrossed in non-concurrence.

Sent down for concurrence.

#### Emergency

An Act Relating to Contracts Between University of Maine and Town of Orono for Sewer Charges. (H. P. 1134) (L. D. 1460)

This being an emergency measure and having received the affirmative votes of 23 members of the Senate, was Passed to be Enacted and, having been signed by the President, was by the Secretary presented to the Governor for his approval.

#### Constitutional Amendment

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

On motion by Mr. Katz of Kennebec, tabled and specially assigned for May 21, 1969, pending Final Passage.

#### Orders of the Day

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

Bill, "An Act Relating to Truth in Packaging." (H. P. 951) (L. D. 1230)

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

Pending—Enactment.

On motion by Mr. Hanson of Kennebec, retabled and specially assigned for May 22, 1969, pending Enactment.

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

RESOLVE, Proposing an Amendment to the Constitution to Provide for Temporary Assignments of Justices of the Superior Court to the Supreme Judicial Court." (S. P. 171) (L. D. 545)

Tabled—May 14, 1969 by Senator Beliveau of Oxford.

Pending—Consideration.

On motion by Mr. Beliveau of Oxford, the Senate voted to Insist.

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

HOUSE REPORTS — from the Committee on Towns and Counties on Bill, "An Act Creating Aroostook County Commissioner Districts." (H. P. 49) (L. D. 50) Majority Report, Ought to Pass; Minority Report, Ought Not to Pass.

Tabled—May 14, 1969 by Senator Violette of Aroostook.

Pending — Motion by Senator Peabody of Aroostook to Accept the Majority Ought to Pass Report.

On motion by Mr. Reed of Sagadahoc, retabled and specially assigned for May 20, 1969, pending the Motion by Mr. Peabody of Aroostook to Accept the Majority Ought to Pass Report of the Committee.

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

HOUSE REPORT — Ought to Pass as Amended by Committee Amendment "A" Filing H-275 from the Committee on Towns and Counties on Bill, "An Act Providing for Androscoggin County Funds for Child and Family Services." (H. P. 1084) (L. D. 1405)

Tabled—May 14, 1969 by Senator Bernard of Androscoggin.

Pending—Acceptance of Report.

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

Mr. MINKOWSKY of Androscoggin: Mr. President and Honorable Members of the Senate: I am not particularly satisfied with the oral agreement between our Androscoggin County Commissioners and the members of the Child and Family Services regarding L. D. 1405, insofar as a member of the Commission will serve on their board; 2, that Child and Family Services disclose all their income to our Commissioners; and that the Androscoggin County Commission set the allocation or donation to Child and Family Services.

I have received a communication from the County Commissioners stating that they have accepted

this oral proposal, but I still maintain that it should be part of this bill, or that the County Commissioners have a separate renewable contract every biennium with Child and Family Services. I will not take action at the present time, and will allow the acceptance of the Ought to Pass Report, Mr. President.

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

Thereupon, on motion by Mr. Martin of Piscataquis, retabled and specially assigned for May 21, 1969, pending Acceptance of the Committee Report.

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

HOUSE REPORT — Ought to Pass in New Draft Under Same Title (H. P. 1175) (L. D. 1496) from the Committee on Health and Institutional Services on Bill, "An Act to Revise the Pharmacy Laws." (H. P. 809) (L. D. 1048)

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

Pending — Acceptance of Report.

Mr. Stuart of Cumberland moved the pending question.

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

Mr. LOGAN of York: Mr. President, I have been receiving a great deal of mail from retired people who are concerned that they will no longer be able to buy drugs on a discount basis. I believe a bill that would put an end to this practice was indeed filed by a member of the other body.

I would inquire of my distinguished colleague, Senator Stuart, if, under the bill we are considering now, these retired people would be able to continue to buy drugs at a discount?

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

Mr. STUART of Cumberland: Mr. President, I would reply to Senator Logan that the section he is referring to has been deleted from the new draft, and that the elderly people who were buying

discount drugs from this particular pharmacy will still be able to.

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

The Chair recognizes the Senator from Franklin, Senator Mills.

Mr. MILLS of Franklin: Mr. President, could we inquire further of the good Senator? It appears from the record he has made here that elderly people in this State have been able to take advantage, perhaps through some oversight of the drug industry, they have a chance to get drugs at discount, and that now some committee of this legislature of which he is a member is participating in the elimination of that? Furthermore, if there is anyone able to buy drugs in this State at a discount, perhaps we could have some information about it. Could you elucidate on this, Senator Stuart?

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

Mr. STUART of Cumberland: Mr. President and Members of the Senate: I think I am accurate on this — there is one pharmacy in the State of Maine, run by a former Senator of the State, and he does sell drugs at a lower price and he caters to people on Medicaid. There was a section in the original L. D. that prohibited the hiring of anyone to type labels and count out pills. This is what Senator Logan is referring to. He was just trying to bring the cost down by hiring other people to do things like put pills in bottles, as one does not have to be a registered pharmacist to do that. That section was taken out but he is still going to be able to do this, as I understand it.

We have redrafted this bill so that this particular pharmacist is happy. As I recall, with that section in there, the Board of Pharmacy was going to take away his license; they put a lot of pressure on him.

I don't know whether I have made it more confusing or cleared it up, but this particular pharmacist is happy with the new draft, and I think he is still going to be able to continue to sell drugs at a

lower cost. There has been no objection to the redraft.

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

Mr. MILLS of Franklin: Mr. President, I am certainly pleased that the pharmacist is happy, and I am sure that many of the older people in the State, and some who aren't so old, would be happy also if they knew where this pharmacy is. Could you tell us that, Senator?

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

Mr. LOGAN of York: Mr. President, I would be delighted to answer this question, because the gentleman is a man whom many of you know as former Senator Ralph Lovell of Sanford. He has been doing a signal service to these people, to the elderly and retired people. I don't know how he is managing it, but he certainly is helping them out. I have had people in my district who have contacted me, who were unable to get help from the State, who were on limited incomes and were pretty much at the end of their rope, and I have felt perfectly free to refer them to Senator Lovell.

I would like this credit to him on the record. Thank you, Mr. President.

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

Mr. MILLS of Franklin: Do we understand from the record that is made here, Senator Stuart, that the Board of Pharmacy frowns on this process, what is going on? If so, perhaps we should look into this matter. Your committee perhaps could look into this during the remaining part of the session. If we have got a state board of this State that is working against the interests of the poor people and the older people of this State in regard to the sale of drugs, perhaps it should be looked into. Has your committee considered that, Senator Stuart?

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

The Chair recognizes the Senator from Cumberland, Senator Stuart.

Mr. STUART of Cumberland: Mr. President, we were a little displeased with the action of the Board of Pharmacy. I think perhaps you have a good point, Senator Mills, and perhaps this should be looked into, but the committee has not taken any action.

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

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

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

SENATE REPORT — Ought to Pass in New Draft Under Same Title (S. P. 455) (L. D. 1501) from the Committee on Transportation on Bill, "An Act Regulating Snow-mobilies." (S. P. 184) (L. D. 586)

Tabled—May 14, 1969 by Senator Anderson of Hancock.

Pending—Acceptance of Report.

On motion by Mr. Tanous of Penobscot, retabled and specially assigned for May 21, 1969, pending Acceptance of the Committee Report.

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

HOUSE REPORT—Ought Not to Pass from 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)

Tabled—May 15, 1969 by Senator Wyman of Washington.

Pending—Acceptance of Report.

On motion by Mr. Logan of York, retabled and specially assigned for May 20, 1969, pending Acceptance of the Committee Report.

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

Bill, "An Act Relating to Defenses of Family Relationships in Civil Actions." (H. P. 168) (L. D. 207)

Tabled—May 15, 1969 by Senator Violette of Aroostook.

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

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

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

HOUSE REPORT -- from the Committee on Labor on Bill, "An Act Revising the Minimum Wage Law." (H. P. 864) (L. D. 1106) Majority Report, Ought to Pass in New Draft Under Same Title (H. P. 1166) (L. D. 1487) Minority Report, Ought Not to Pass.

Tabled—May 15, 1969 by Senator Beliveau of Oxford.

Pending—Acceptance of Either Report.

On motion by Mr. Berry of Cumberland, retabled and specially assigned for May 21, 1969, pending Acceptance of Either Report.

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

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

Tabled—May 15, 1969 by Senator Beliveau of Oxford.

Pending—Enactment.

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

The President laid before the Senate the eleventh 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 15, 1969 by Senator Beliveau of Oxford.

Pending—Passage to be Engrossed.

On motion by Mr. Bernard of Androscoggin, retabled and speci-

ally assigned for May 20, 1969, pending Passage to be Engrossed.

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

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

Tabled — May 15, 1969 by Senator Tanous of Penobscot.

Pending — Passage to be Engrossed.

On motion by Mr. Tanous of Penobscot, retabled and specially assigned for May 21, 1969, pending Passage to be Engrossed.

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

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

Tabled—May 15, 1969 by Senator Katz of Kennebec.

Pending—Enactment.

Mr. Sewall of Penobscot moved that the Bill be placed on the Special Appropriations Table.

On motion by Mr. Beliveau of Oxford, a division on the tabling motion was had. Sixteen Senators having voted in the affirmative, and twelve Senators having voted in the negative, the motion prevailed and the Bill placed on the Special Appropriations Table.

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

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

Tabled—May 15, 1969 by Senator Moore of Cumberland.

Pending — Motion by Senator Tanous of Penobscot to Indefinitely Postpone Bill.

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

Mr. MOORE of Cumberland: Mr. President, I was quite concerned yesterday as to how the statutes at the present time covered this. I checked it out yesterday afternoon, and I am satisfied, so I move the pending question.

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

On motion by Mr. Katz of Kennebec, and under suspension of the rules, the Senate voted to reconsider its former action whereby Bill, "An Act Relating to Licensing of Ambulance Service Vehicles and Personnel" (S. P. 263) (L. D. 867) was Passed to be Engrossed.

On further motion by the same Senator, the Senate voted to reconsider its action whereby Committee Amendment "A", Filing No. S-42, was Adopted.

The same Senator then moved that Committee Amendment "A" be Indefinitely Postponed.

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

Mr. BERRY of Cumberland: Mr. President, I wonder if we might ask the good Senator to explain the net effect of this action?

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

Thereupon, on motion by Mr. Katz of Kennebec, tabled until later in today's session, pending the motion by that same Senator to Indefinitely Postpone Committee Amendment "A".

Mr. Logan of York was granted unanimous consent to address the Senate.

Mr. LOGAN: Mr. President and Members of the Senate: I have felt from time to time constrained to speak on topics that were a matter of conscience, even recognizing the risks involved. There is a bill which I believe will be shortly enacted into law, or signed into law, I should say, which concerns the ability of minors to be treated for venereal disease without the notification or consent of the parents. This document has had massive support and, consequently, I didn't feel it was proper to oppose it, but I do not approve of this measure and I would like the record to show that I am unhappy with it. Thank you, Mr. President.

Mr. VIOLETTE: Mr. President granted unanimous consent to address the Senate.

Mr. VIOLETTE: Mr. President and Members of the Senate: I want to make reference—and really not to open up the subject again, as

far as I am concerned—to Item 13 today, "An Act for the Expunging of Certain Records of Arrest." The reason I wanted to address the Senate: I voted for enactment on this, and this is not in any way, shape or manner in defiance of the prerogatives of the Appropriations Committee in tabling bills that have money attached to them. I have several bills in Judiciary, and I have had some before Appropriations, and they have carried money tags, and I have had no objection to their going on the Appropriations Table.

My reason for voting for enactment is that really I have not been convinced that there was actually a financial tag attached to it. We had a bill that we have already enacted into law before the Appropriations Committee concerning the District Court, and this was what my good friend from Penobscot, Senator Quinn, indicated was a cash register type of court, where the District Court would become involved in taking fines from people without them having to go through the court process in certain minor traffic cases. This is going to require a substantial amount of work by the District Court, far in excess of the amount of work that is going to be involved in the bill that we were considering on expunging the records of arrest. This is going to require an accounting system, a separate accounting system, in providing for these fines and receipts and so forth, and it is going to require far more time for the District Court's personnel in administering this than the matter of expunging the records would involve, far more time. Yet, there was only about a \$580 price tag attached to that so-called cash register type of service to our people which, incidentally, I wholeheartedly endorsed. It went through the Senate, nobody said a word, and it has been enacted.

If I voted as, I think, the members of the Judiciary Committee voted, for enactment, it was because I know that before the committee the Chief Judge of the Court appeared, and there was no question of cost involved in this. It was only after the bill



came out that the matter of costs was raised. So I want to indicate to the Senate, and certainly to the Appropriations Committee, that it was not our intention, at least not mine, to pre-empt their prerogative in tabling the financial bills.

Mr. Tanous of Penobscot moved that the Senate reconsider its action whereby Bill, "An Act Creating Somerset County Commissioner Districts" (S. P. 349) (L. D. 1033) was Passed to be Engrossed.

The PRESIDENT: The Chair recognizes the same Senator.

Mr. TANOUS of Penobscot: Mr. President and Members of the Senate: The discussion, debate and final vote yesterday on L. D. 1033, I am sure, caused many hard feelings among those in this body. I am sure, when the discussion or debate on this bill started out, I am sure, and I sincerely feel that there wasn't a member in this body that ever realized that it would have culminated as it did, I sincerely believe this. I think that all parties concerned, when their arguments were presented, they were sincere and their desires were only to better the aims and representations of their own people.

There has been in this body, I have found as a freshman Senator, a spirit of cooperation, call it a spirit of ecumenism, if you may, and I have found that when the interest of the people has been involved, I think that in the end justice has always prevailed.

As a freshman Senator, I must say that we do have our party differences and we vote with our party policies and our party platforms. This we are committed to, and I don't deny anybody this right. I have found also that when it comes to politicking many of us are misled perhaps in our aims. I sincerely believe that once we are elected to this office that our politicking ought to be reserved for the campaign trail, and the work of our State and the representation of our people should come first, regardless of party politics. This I felt, and this I campaigned on. I still feel the same way today.

Last night it wasn't accidental that I happened to have gone to church, because it was a feast day in my faith. It really does an individual good, I think, to perhaps sometimes attend church. I realize that the good Senator Minkowsky this morning delivered the prayer, and I don't want to be repetitious in the prayer, but you get thinking sometimes and you come up with words, and as I stood there—and I say I stood because the church was full and I had to stand—and you think a little bit, and you wonder, and you ask "Well, how are we doing, God? We have made our deals, we have given our reports, and we have made our great speech. Did you see us, God? But when we are hung up, God, help us to see beyond the chair ahead of us and help us to see beyond this chamber. In order that justice may prevail, help us leave the barrier of our party and, most of all, help us overcome the great urge to mediocrity. Help us hear those who cry for justice in the land with Mace in their eyes. Help us to make life better for all, and not just comfortable for a few. Whip us into shape, God, hound us until we do what needs to be done. Make our nights restless, our steaks tough, and our martinis sweet, until we care as much for others as we care for our political necks."

The PRESIDENT: Is it now the pleasure of the Senate that the Senate reconsider its action whereby Legislative Document 1033 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 and Members of the Senate: Very briefly, there are several members of both parties that were disturbed with the procedure followed here in amending another bill which, I assure you, was perfectly proper, and which we probably will see followed many times between now and the end of the session. However, I feel that there will be many subjects in front of us that are much more important, and we will have a chance to argue until our hearts

are content over those and have our differences, and since I have been allowed to put in a separate bill for Oxford County, which will probably appear on the calendar Monday, I will now, in the interest of harmony, move, Mr. President, that we reconsider our action whereby we adopted Senate Amendment "A".

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

The motion prevailed.

Thereupon, on further motion by the same Senator, Senate Amendment "A" was Indefinitely Postponed, and the Bill, as Amended, was 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 the following matters:

An Act Appropriating Moneys for Essential Needs at the University of Maine (S. P. 214) (L. D. 235).

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

An Act to Appropriate Moneys for the Expenditure of State Government for the Fiscal Year Ending June 30, 1969 (S. P. 219) (L. D. 660).

The PRESIDENT: The Chair recognizes the same Senator.

Mr. SEWALL: Mr. President and Members of the Senate: In order that you may be informed on these legislative documents, L. D. 235 appropriates monies to the chancellor's office at the University of Maine in the amount of \$75,000. These monies are vitally needed there in the operation of the new University.

L. D. 259 is a \$100,000 appropriation for the Department of Indian Affairs to make up for the serious deficit that they encountered during the past winter.

L. D. 660 is interest owed for bond issues in the amount of \$70,356. These monies are owed in June.

Thereupon, these Bills being emergency measures and having

received the affirmative vote of 30 members of the Senate, 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, the Senate voted to take from the Special Appropriations Table An Act to Authorize Bond Issue in the Amount of \$7,540,000 for the Construction and Renovation of Higher Education Facilities at the University of Maine (H. P. 319) (L. D. 406)

On further motion by the same Senator, and under suspension of the rules, the Senate voted to reconsider its action whereby the Bill was Passed to be Engrossed.

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

Senate Amendment "A", Filing No. S-159, was Read and Adopted and the Bill, as Amended, Passed to be Engrossed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Katz of Kennebec, the Senate voted to take from the table matter tabled previously in today's session by that Senator, Bill, "An Act Relating to Licensing of Ambulance Service Vehicles and Personnel" (S. P. 263) (L. D. 867)

The PRESIDENT: The Chair recognizes the same Senator.

Mr. KATZ of Kennebec: Mr. President, to clarify the situation, I understand this bill was before us previously with Senate Amendment "A". It was recommitted by both houses to the committee, and the committee reported it out with a new amendment, Committee Amendment "B", but in the process we hadn't killed Committee Amendment "A". It is my understanding this is the purpose of our procedure here this morning. The pending question is the indefinite postponement of Committee Amendment "A".

The PRESIDENT: Is it now the pleasure of the Senate that Committee Amendment "A" be indefinitely postponed?

