

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fourth
Legislature*

OF THE

STATE OF MAINE

Volume III

June 17, 1969 to July 2, 1969

Index

1st Special Session

January 6, 1970 to February 7, 1970

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KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Saturday, June 28, 1969

Senate called to order by the President.

Prayer by the Rev. David Dunn of Augusta.

Reading of the Journal of yesterday.

Papers from the House

Joint Order

WHEREAS, the use of marijuana and other drugs has increased considerably in our society; and

WHEREAS, this increased use has been evidenced particularly among our young; and

WHEREAS, this presents the State of Maine with a grave social problem; and

WHEREAS, education offers a means of making our young people aware of the dangers and hazards of drug use; now, therefore, be it

ORDERED, the Senate concurring, that the Legislative Research Committee is directed to study the extent and nature of drug education programs currently being offered in Maine public schools to determine the desirability of a required curriculum in drug education; and be it further

ORDERED, that the Legislative Research Committee report its findings and recommendations at the next special or regular session of the Legislature. (H. P. 1297)

Comes from the House, Read and Passed.

Which was Read.

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

Mr. KATZ of Kennebec: Mr. President and Members of the Senate: Apparently this joint order expresses deep concern about the proliferation of drugs, particularly with our young people, and I subscribe to this completely. I am very pleased to report to the Senate that on the Legislative Appropriations Table L. D. 383, An Act Appropriating Funds for Health Education, sponsored by Senator Stuart, is going to accomplish just exactly this factor. Therefore, I move for the indefinite postponement of this joint order.

The PRESIDENT: The Senator from Kennebec, Senator Katz, moves that Joint Order, House Paper 1297, be indefinitely postponed. Is this the pleasure of the Senate?

Thereupon, the Joint Order was Indefinitely Postponed in non-concurrence.

Sent down for concurrence.

Joint Order

ORDERED, the Senate concurring, that the Legislative Research Committee study the subject matter of the following Bills:

“An Act Establishing the Environmental Advisory Commission,” House Paper 1043, Legislative Document 1366, and “An Act Providing for Regional Referendum on Location of Industry Substantially Affecting Regional Environment”, House Paper 1275, Legislative Document 1603, for the purpose of devising a practical means of controlling the location of industry which is capable by its location of being harmful to the area surrounding it; and be it further

ORDERED, that the State Environmental Improvement Commission and Department of Economic Development provide the Committee with such information and technical assistance as the Committee deems necessary or advisable to carry out the purposes of this Order; and be it further

ORDERED, that the Committee report the results of its findings and recommendations, including any necessary legislation, at the next regular session of the Legislature. (H. P. 1298)

Comes from the House, Read and Passed.

Which was Read.

On motion by Mr. Katz of Kennebec, placed on the Special Legislative Research Table.

Communications

State of Maine
 House of Representatives
 Office of the Clerk
 Augusta, Maine
 June 27, 1969

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

Sir:

The House today voted to Adhere to its action whereby Bill "An Act Creating the Unclassified State Employees Salary Board and Revising the Salary Plan for Certain Unclassified State Officials" (H. P. 1272) (L. D. 1601) was Indefinitely Postponed.

Respectfully,

/s/ BERTHA W. JOHNSON
Clerk of the House

Which was Read.

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

Mr. KATZ of Kennebec: Mr. President and Members of the Senate: This is the bill that we have been wrestling with and I want to express my appreciation to those members of the Senate who let me have my day in court, however not successful.

Thereupon, the Communication was Placed on File.

Joint Order

On motion by Mr. Martin of Piscataquis,

ORDERED, the House concurring, that the Legislative Research Committee be, and hereby is, directed to study the subject matter of the Bill: "An Act Relating to Property Tax Administration" Senate Paper 515, Legislative Document 1604, introduced at the regular session of the 104th Legislature, to determine whether the best interests of the State would be served by the enactment of such legislation; and be it further

ORDERED, that the State Bureau of Taxation is directed to provide the Committee with such technical information and other assistance as the Committee deems necessary to carry out the purposes of this Order; and be it further

ORDERED, that the Committee report its findings and recommendations at the next regular or special session of the Legislature. (S. P. 543)

Which was Read.

On motion by Mr. Katz of Kennebec, placed on the Special Legislative Research Table.

Enactors

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

An Act Relating to Jurisdiction and Judicial Divisions of the District Court. (S. P. 468) (L. D. 1526)

An Act to Revise the Liquor Laws. (H. P. 1224) (L. D. 1556)

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

Constitutional Amendment

Resolve, Proposing an Amendment to the Constitution Providing for a Full-time Attorney General to Hold Office for Four Years. (S. P. 491) (L. D. 1585)

Comes from the House, having failed of Final Passage.

This being a Constitutional Amendment, and having received the affirmative vote of 30 members of the Senate, the Resolve was Finally Passed in non-concurrence and signed by the President.

Sent down for concurrence.

Emergency

An Act Relating to the Purposes and Powers of the Maine Port Authority. (H. P. 1265) (L. D. 1595)

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

Also today presented to the Governor, having been previously Finally Passed, was Resolve, Proposing an Amendment to the Constitution Providing for Convening of the Legislature at Such Times as the Legislature Deems Necessary. (H. P. 21) (L. D. 24)

Orders of the Day

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

Bill, "An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1970 and June 30, 1971 and Raising Revenue for Funding Thereof." (H. P. 1281) (L. D. 1608)

Tabled—June 27, 1969 by Senator Katz of Kennebec

Pending — Motion by Senator Hoffses of Knox to reconsider action whereby Bill Failed of Enactment.

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

Mr. WYMAN of Washington: Mr. President and Members of the Senate: Those of us who opposed this bill yesterday were too dumbfounded to speak when the good Senator from Sagadahoc impugned our motives, and so I feel compelled to rise in support of this group.

No way is easy in matters of taxes but by far the easier way is to go along, as the saying goes, especially when the tax package contains items which we all want and which our leadership urges so strongly.

This is my seventh term in the Senate, but the first term in which I have broken with the leadership on a major measure.

There are items in this measure which we all want and to which we subscribe, such as additional money for Pineland, Mental Hospitals, the Maine Maritime Academy and a few others. But, Mr. President and Members of the Senate, we have already increased our budget over the budget of two years ago by some 30 million dollars, and this proposal would add another 40 odd million dollars, making an increase of 83 million dollars, or between 35-40 per cent, the biggest, by far, either dollar-wise or percentage-wise in the history of the State. And it doesn't need 83 million dollars additional to take care of the real necessities.

Now, again, it takes more courage and guts, if you will, to oppose a measure which contains items you dearly want than it does to support such a measure.

The good Senator from Sagadahoc impugned our motives yesterday, and, if I read him correctly, he indicated self-interest on our part. Such a statement I refuse and deplore. Each of us who voted against this measure voted our sincere convictions.

Personally, at 69 years of age, I know that when I leave this earth I will not take a single cent with me and, unless the inflation started under and continued through the Roosevelt-Truman Administration, and blown up to oversize by the Kennedy-Johnson Administration, ruins us all, I am not worried about accumulating money or an increase in taxes.

Once more, every single Senator who voted against this bill showed real courage and, if you like, responsibility to those who sent him here, and if there is something wrong with being responsible to what we believe to be the wishes of those who sent us here, so be it.

The easier, and perhaps the more irresponsible way, would be to support the measure, pass the buck to the next legislature, and let them face the problem of raising 50 to 100 million dollars over and above what our present appropriation requires if this is enacted.

The good Senator was looking yesterday for a foot to fill the shoe, well, I can tell him now that he will have to look elsewhere than among those of us who voted against this bill, in the face of the greatest pressure and the greatest offer of rewards I have seen exhibited in the seven terms in which I have served in this Senate. Those Senators who opposed this measure showed outstanding courage and should be commended for it. Thank you.

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

Mr. ANDERSON of Hancock: Mr. President and Members of the Senate: In the early days of this session I addressed the Senate, and at the conclusion of my talk our Majortiy Floor Leader, Senator Katz, was recognized and he said, "Senator Anderson's talk should be repeated, again and again and again, throughout the session." I am going to repeat it now to

show you why I and many other members of this Legislature cannot go along with a budget of this size financed by a State income tax.

Mr. President and Members of the Senate: I am very much disturbed over the financial condition of the State, as undoubtedly all of you are. I don't like to be pessimistic, but I say to you in all sincerity unless we dig in and hold the line in this session we are heading for fiscal collapse.

There is no question in my mind but what a major tax is a must at this time to pay for commitments we have made in past ill-considered moments. We have been continually borrowing from the future to promote new programs. If we keep on with this practice the day of reckoning is coming sooner than we think. This is the time in the 104th Legislature to make a thorough evaluation of our assets and liabilities.

We have been all too eager to snap at the dangling bait of federal matching funds. Every time we buy one of these programs we are taking another step toward socialism. And always there is a threat goes with them, do it our way, or else.

All too often when we buy a federal program we create a new bureau, which in turn creates office space with its costly furnishings and personnel to put it into operation. I don't mean to imply we should pass up all federal aid programs. In a few instances federal aid is justifiable.

Fifteen years ago all departments were housed in the State House, with the exception of Health and Welfare and Highway, which shared the building at the rear of the State House now occupied by the Education Department. Now we have the monstrous office building and many other buildings in Augusta to house various branches of departments. Department heads are still crying for more space.

Our population today, approximately one million, is the same as it was fifteen years ago, and yet we have more people on the Health and Welfare and unemployment rolls than we had fifteen years ago.

In fifteen years we have added 3500 employees to the State pay-rolls. Has this increase in State employees added to the comfort of our people? Certainly there is unrest over the ever-increasing burden of taxes. Certainly that which made America the greatest nation in the world, free enterprise, has been discouraged by scores of inspectors and field workers enforcing, in many cases, nonsensical regulations set up by department heads.

There was a time when legislators knew what every department was doing, but no more. They have grown so big and cumbersome there wouldn't be hours enough in the day to check their activities.

There is no question but what there are many programs we are supporting that are not giving the taxpayers value received. These should be weeded out. I would hope as the session wears on that the Leadership may show us how some of these dead-heads may be eliminated. As for any new programs, it is a must that priorities be the watch-word.

Some departments are asking as high as \$15,000,000 more to expand their programs. We are all in sympathy with the needs of some departments, especially increases for retarded children, but we just don't have the ability to pay.

When the time comes that the State's industrial climate warrants new programs, then the increased revenue will give us new and more tax money.

A plank in the Republican platform urges that the states receive shares of federal revenue with no obligatory clause attached. If and when this comes about, it should be a day of celebration. On that day the states will have regained their sovereignty.

There was a time when thrift was a virtue, but now apparently it seems to be un-American to put a dollar away for a rainy day. I believe I can say without contradiction that every legislator in this chamber in campaigning for this office promised economy to his constituents.

Our constituents want progress, but they want it through careful evaluation of all programs. Pro-

gress can be a very short distance from regress if we keep borrowing from the future to create new programs.

In conclusion, the will of the people is the legitimate foundation of government. It is a contrivance of human wisdom to provide for human wants. It is a trust and we as legislators are the trustees. Let's not betray that trust.

Let's show our constituents that the 104th Legislature has the know-how to put the ship of State back on an even keel.

Mr. President and Members of the Senate, I thank you for your kind indulgence.

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

Mr. MILLS of Franklin: Mr. President and Members of the Senate: I want to address myself briefly to the remarks that were made by my good friend and colleague, the good Senator Wyman from Washington. I haven't the record, of course, of what he said but I have a very vivid memory of the remarks that were uttered on the floor a few moments ago. Thank you very much Senator.

I address myself to those remarks which to me impugned the honesty of the leadership of this body and both of its parties. I take strong exception to it, as I recall his remarks and as I peruse them, and I am trying to do this in good nature, my good friend Senator Wyman, without impas-sion. As I peruse these remarks I think I found reference to the fact that many promises have been made, yes, here it is, "in the face of the greatest pressure and the greatest offer of rewards I have ever seen exhibited in the seven terms in which I have served in this Senate, these Senators," referring to the conservative bloc of which he is the apparent leader, "showed outstanding courage and should be commended for it." Well, of course, they should be given courage and commendation for sticking to a position they believe is right. But, Mr. President, I know in my own heart, and I know that my fellow members

know, that this is a false statement that he has made here, "in the face of the greatest pressure and the greatest offer of rewards." I know that that is false and untrue. I say it for this record, that my President, my Floorleader, my Assistant Floorleader, my Minority Leader, and my Minority Assistant Leader, are honest men and have carried this on in a high-minded way. And I might add the Governor of the State, who is of course interested in this. I know that there have been no promises of rewards. For these things, Mr. President, if they took place, would be illegal and would be improper, not only in the eyes of those who judge our ethics but in the eyes of the law. I know that they are not so.

I have not committed myself in this matter. I have voted consistently with one position, and quite likely would again, but I am always fluid in it, and I think it is improper for anybody to take a firm, adamant position in any matter and be unable to change his vote at any time, but no offers have been made and no promises have been made and I know that none will be. I don't think that they have been made, and I am sure that they haven't been made to influence others who have taken positions in this matter, and I think the record should show so.

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

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: The statements just made amaze me. I realize that Senator Mills hasn't been on the third floor too much in the last two days, but he certainly has been around, and he has been in other sessions, and if he is saying what has happened to him I would agree 100 per cent. However, if he is saying that promises have not been made, and if rewards have not been tendered, and if, as the newsmen say, arms have not been twisted, he is completely naive in his comments, because obviously these things happened and they always do happen. I hope he doesn't mean this.

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

Mr. BARNES of Aroostook: Mr. President and Members of the Senate: This is my second term here in this legislature, and maybe the last one. I haven't talked too much. I said very little the first time and not too much this session, and I would just like to put in my two cents worth this morning, with your indulgence, and I will be very brief.

Mention has been made two or three times this morning in reference to the remarks made by my good friend, the Senator from Sagadahoc, Senator Reed. There is no man in this Senate that I have more respect for and more admiration for than Senator Reed. I say this with all sincerity and without any reservations. I have seen him operate during this session, I have worked with him on committee, and I have the greatest admiration and respect for him. I am sure that I understand him, and I am sure that he didn't mean to be critical of the position taken by anybody that voted against that package yesterday. I am sure that he didn't mean to indict or criticize, I am sure he didn't mean to question the sincerity and integrity and firmness of conviction of those people who voted against this package. I just want that on the record. I believe that, I sincerely believe that, and I am sure that he will confirm it.

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

Mr. REED of Sagadahoc: Mr. President and Members of the Senate: I am not going to apologize for what I said yesterday. Maybe I should, and I haven't read it, but I thought I tried to point out to this Senate that there were some who had deep convictions against it and I sympathize with them. I have been in the minority many, many times. In fact, sometimes—I shouldn't say this as Minority Leader—I sometimes feel more comfortable when I am the only one standing and I am in the minority.

I assume that some things, as far as the Appropriations Table have been offered. In fact, I know they have to some Senators. But certainly, if the money is available, and they support us, and the cause is worthy, and this Legislature has passed judgment on everything that is on that Appropriations Table, then I see nothing wrong with this.

I have campaigned a number of times; I have won and I have lost. I can say this: that I have never promised anything to my constituents other than to do the best job that I can. I have always rebelled against the legislators, and I have run against some, that have promised this or that. I think that it is wrong because no one can take and make rash promises because no one knows what the future is going to hold for any one of them.

I was at the first of this week willing to cut, but where? To keep the first year of the school subsidy in at 4.9, and then cut out the second year? To me, that is irresponsible, and yet it seems as if this was one of the suggestions where we could cut. To pass the first year for the University of Maine and leave out the second year? To me, that is irresponsible. That is like putting a gun to this legislature's head and tell us that we have got to come in here and pass a major tax a year before an election. You know, we have been having quite an election right up here this past week. I was just as critical at some of the members, in what I said yesterday, and probably intended more at some of the members in my own party, as well as the Republican Party.

As far as the Senator from Washington, Senator Wyman, is concerned, I know right from the very depths he believes that the personal income tax is the worst thing that could ever happen to this State, but there are others who say, "Yes, we are going to need a broad base tax, we are going to come to an income tax." But what they are saying is that someone else is going to have to vote for it, I am not.

We talk about the needs that are here and the things that we want, and yet we say we want to cut. This, to me, is not consistent. This is what I was speaking against. I just felt as if there were twenty-two in this Senate that could in good conscience go with this package, and I think there is a like number in the other branch that could. It is going to be tough for them. All I can say is that for those who wish to take that roll call sheet and spring it a month before election, I just hope it flies high for the next two years for everyone to see. I don't know what is going to be the outcome of this session but I am still hoping.

Maybe it was unwise for me to speak out yesterday, but that was the way I felt and I believed in what I was saying, and I do now. I do not mean to incriminate or misjudge people here. I have said many times that if everyone in my district and every one that voted for me wanted me to do something that I felt that it was the wrong thing, I would do what I thought was right because they are not going to be my ultimate judge. I have tried to legislate on those bases.

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

Mr. WYMAN of Washington: Mr. President and Members of the Senate: I had no intention, although it may have sounded that way, of impugning motives of our leadership or those who were against us. I did feel that Senator Reed yesterday was impugning our motives in his speech, but I respect him highly and I might very well have misread him, and in this case I certainly apologize.

The two points that I was trying to make were that we are all political animals, and we know that normally this is a certain amount of offering and giving and taking that goes with the Legislature. I simply tried to make the point that there was more than I have ever seen before, and to give credit, not to criticize those who are making these offers, but to give credit to those who stood up and

voted against this tax. As far as the leadership goes, I have no criticism; it is perfectly normal, but I do think that the people who opposed this tax deserve credit, and that was my intent. That was the point that I was trying to make.

The other point that I was trying to make is that I think when we increase this budget by \$83,000,000 that we are just going too far. An income tax or sales tax, or anything you have, is secondary to increasing the budget by this amount, in my own thinking.

The PRESIDENT: The Chair would ask the Sergeant-at-Arms to escort the Minority Leader to the rostrum.

At this point the Sergeant-at-Arms escorted Senator Reed of Sagadahoc to the rostrum where he assumed the duties of President pro tem, and President MacLeod was escorted by the Sergeant-at-Arms to the floor of the Senate Chamber where he assumed the seat of Minority Floor Leader.

The PRESIDENT pro tem: The Chair recognizes the Senator from Penobscot, Senator MacLeod.

Mr. MacLEOD of Penobscot: Mr. President and Members of the Senate: I know that it doesn't help for the presiding officer to come down off the rostrum and stand here and debate or discuss issues when I should be up there doing my job but I feel, for the second time this session, and I promise you it will be the last, that I did have to come down. I wanted to stand by this seat and follow the speech which was just made by the Senator from Sagadahoc.

I was one of those who went up in January, when the Senator from Hancock, Senator Anderson, made his speech about economy in government, and I congratulated him. Not a word that he said this morning when he repeated that speech do I now disagree with, and this is after six months of living here. State Government and the cost of State Government is growing at an appalling rate and we are faced now with a thirty-five per cent in-

crease, approximately, over spending just two years ago.

The Legislature does not have the tools, the equipment and the technical help to do the job, and we haven't had them. The present Chief Executive and the Chief Executive that preceded him for seven years had the tools and they have, for some reason, just refused to exercise them. I am not saying this against Governor Curtis as a person nor against John Reed as a person, but for nine years we should have had a full-time Governor who was working to do the things that the Senator from Hancock, Senator Anderson, was talking about in his speech in January and again here today. I pledge to you that with whatever influence that I have with this Legislature we are going to provide the Legislature with the tools, through the Appropriations Committee under Senator Sewall, working three or four days a month in the interim, with funds and staff to go into these departments and carry on the job that they did with the Part I Budget of the $\$ \frac{1}{2}$ million cut, which was an historical cut. We truly must do the job in this Legislature if it is not going to be done from the front office, because I agree with the Senator from York, Senator Logan, when he said there are now four branches of government: the Executive, the Judicial, the Legislative and the Bureaucracy. This is what we must attack, the Bureaucracy. There is waste over there, there are people that can be eliminated, and we all know it, but we can't do it by a slash; we have to do it intelligently.

Now, let us look on the other side of the coin for just a minute. Let us look at what is in this package. We have committed to our care kids, in some cases orphans, in some cases kids who have been abused and beaten by their parents so badly that Health and Welfare removed them from the custody of their parents and they became State wards and we put them in foster homes. We are paying \$55 a month for board. Any of you with a family know what \$55 a month will do to provide for a child in the proper surround-

ings. In the supplemental bill we have a tremendous increase to go to \$65 a month.

We have in that bill provisions for a little additional staff for the Division of the Aid to the Blind. All of us here have bought a pack of cigarettes or a coke or a cup of coffee downstairs, and we have seen a woman who is fully functioning as a human being because she has had the benefit of this training with the one-person staff that Health and Welfare has had for six hundred blind people in the State that could be getting this same training to go out into society. There is some money in there for that.

We have gone over the twelve odd millions in school subsidies. We have gone over the money for the ADC, which our local cities and towns have no control over. It is controlled by Health and Welfare, but they have to ante up the eighteen per cent.

Ten years ago we weren't doing anything in water pollution. We knew our environment was poisoning us but we weren't doing anything. Now we have taken real steps this session, both in legislation strengthening the laws that are on the books and also with increased staff and money to buy equipment to help that staff carry out the laws that we have enacted here, because we can't let our environment poison us. We have also made strides on starting in on air pollution before it is too late. There is money in there for that.

At Pineland ten years ago a kid or adult with an I. Q. of 40 to 50 remained there and stayed there as a vegetable for the rest of his life. Through the use of physical therapists which we used to have down there, which we don't have any longer because they have all resigned, but through the use of psychological help to these kids they have now gone and actually increased the I. Q.'s by 15 and 20 from 30 to 50 to 60 and 70, so that now some of these people are able to go out and hold jobs in the daytime and come back to that institution at night. They are earning money, and they are earning more money than the people who work on the ward at night taking care

of them. That is the Part II Budget.

We can cut four or five million off. There is an amendment that is going to be offered here this morning to cut five million off, because if we don't pre-engross it the bill is completely dead, having failed of reconsideration here and in the other body. Then we are going to send it over to the other body and see what they do with it.

I never thought in January that I could vote for a State personal income tax and a corporate tax. I told all my people back home, "Don't worry. There is one thing you don't have to worry about; there won't be any personal income tax this session." Leadership of both parties have said, "No personal income tax, and no six cent sales tax." I can vote for this personal income tax and this corporate tax with pride because I feel it is the most equitable, compared to going to six cents with the auto trade-in still in there, this is the most equitable tax that there is, and so I can vote for it with pride.

Let's go to one more program that is in the Part II. There is money in there for drugs and dental care for those that are medically indigent. My father gets \$94 a month from Social Security. His drugs cost him between 18 and 20 bucks a month, give or take a dollar or two. He has children around who pay for those drugs, but there are many in this State on Social Security that aren't ill enough to go to the hospital under Medicare but who have to have drugs regularly, like my dad, and they don't have the family that can buy drugs for them. So, we have a program in there to start, about half a million dollars, I believe it is, with a lot of federal matching money coming in. As the Senator from Hancock said, Senator Anderson, some of this matching money is good, and certainly it is in this area.

An overwhelming majority of this body yesterday voted for this package, 19 to 13 or, actually, 20 to 12, but we need two-thirds under our Constitution in order to have this act effective July 1. Obviously we don't have two-thirds here this

morning so we are going to have to put an amendment on, if we are allowed to, and send it over to the other branch to keep it alive. But if we don't enact something this session along the area of \$38 million to \$40 million, the alternatives have been offered and we have seen the packages, there have been a hundred packages, and I would like to be able to pass a \$33 million package with a tax to finance it that would do the job, but it won't do the job because the schools won't get their subsidies, the University of Maine won't get their money and ADC. So, it isn't a savings; it is a shifting of the burden from the State back to the cities and towns. If we fail to do it here at the State level, which we have failed to do in many cases, it is going to be a direct conduit from Washington to the local level, and they will have a federal coordinator here in Augusta instead of a governor who will just be handling the dough as it goes down through, and in some cases they will just by-pass him and go directly to the cities and towns. They have already done this in some areas because we haven't lived up to our responsibilities.

Let's send the bill to the other branch this morning, and let's hope they can get 101 votes. It is a hot day and there is a big clam-bake planned at 12:00 o'clock for the Minority Party in here but which, Statewide, appears to be the Majority Party. Let's get it over there and have it enacted, and let's stick around here and give it 22 votes when it comes back. We all share the same fears and the same concerns as to the size of it, and I share those fears and concerns, and let us as legislators do everything we can to strengthen this branch of government and have these interim committees with staff and technical help. Let Senator Sewall and his Committee go to work. Let Legislative Research with a strong Governmental Operations Committee go to work, and let's not be niggardly with our funds because it may mean millions for fifty or seventy-five thousand out of here.

I do want to say that I have never heard a finer speech in my

life than was given here just a few minutes ago by the Senator from Sagadahoc, Senator Reed, and I am proud that I can stand at this seat and be allowed to use this seat and this podium to express my remarks. I sat here two years ago, and I had the Senator from Sagadahoc for a seatmate for a few months, and those were very enjoyable months. Thank you very much. (Applause — the Members rising.)

At this point the Sergeant-at-Arms escorted the President to the rostrum where he assumed his duties as President of the Senate, and the Sergeant-at-Arms then escorted Senator Reed to his seat on the floor of the Senate.

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

Mr. KATZ of Kennebec: Mr. President, you have been missed on the floor this year.

I want to express, as Majority Leader, just a few seconds in comments about my experience this year working with a man who many people say is considerably more conservative than I, and working with an Assistant Floor Leader who many people say is considerably more conservative than I. Out in the corridor I hear from time to time that there has been a split, that it is Harrison Richardson down at the other end of the corridor and Bennett Katz, liberals, versus the rest of them. Mr. President, I would like to tell the Senate what you already know, that at this end of the corridor there has not been not one harsh word, not one bit of lack of respect, and nothing but harmony. Differences of opinion, sure, but harmony and mutual respect. For me it is a joy and a pleasure to have served with you as President. I have to admit that there was a time when I wanted you to sit down here rather than up there, Mr. President, but after seeing the performance that you gave today I must say that we have paid a high price for seeing you up there.

I move the pending question.

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

Mr. LEVINE of Kennebec: Mr. President and Members of the

Senate: I suppose some people, when they spoke about changing, must have been referring to me. I was opposed right along to a personal income tax. I changed yesterday and voted for it. I consider myself a liberal when it comes to human needs and I am very conservative as to waste.

After I was elected here, in the first caucus the Democrats had, the first thing I mentioned was that there is a lot of waste as far as State employees are concerned. I am not going to be a politician; I am going to speak just as plainly as can be.

Now, why did I change my vote? This package here is not good for me as far as I am concerned personally. I will be paying a corporate tax and I will be paying a six per cent personal income tax as I will be in that bracket, and I thank God that I am there. When they talked about a personal income tax, when they had a four or five per cent straight personal income tax, I didn't like it because that would make the poor man, the one who couldn't afford it, pay the same as the fellow in the higher bracket that could afford it.

None of us like taxes, and I don't think that the next Legislature, the 105th Legislature, would have to come up with the figures, that some people have suggested. I am not a very good speaker, I have an accent, but when it comes to figures I can figure as good as anybody here. Nobody should praise himself, that is a sin. It says in the Bible that a stranger should praise you; don't praise yourself. I am going to do on my own some research too, and spend my own money, and come up with the figures where we can save to give additional services. That is what we have to do now. There are some things in the budget that I don't like, but I have to go along with it. It is awful easy to be a spoiler. As I mentioned before, I will be one of the highest, as far as taxes are concerned, to be paying for this package, but I am happy that people who work for me or people who work in the mill will be better off under this package than I am. I think they would be better off if they were in my place where they would have to pay more. I

wish everybody here was in the six per cent income tax bracket because they would be better off, I will tell you that much. That is what changed my mind.

Nobody bought me. There isn't enough money in the world to buy me. I don't need any money, thank God, I am doing all right and there isn't enough money to buy me. Although somebody did tell me today that if I voted for the tax that my bills would go down. But nobody can twist my arm because when they start twisting it goes the other way. I am not going to change. I am still going to go along for the tax. I am taxing myself higher than maybe one or two here, but I am taxing myself and I am willing to pay. Nobody likes taxes, I am against income taxes and, as I said before, I am going to work hard because I have got the time. I have got the tools, and I am going to bring in proposals to the leadership, whoever it will be, and help them, whoever should present it, and I don't know who it will be, that will show a savings that we can have, and we should be able to have new services at no additional taxes.

The PRESIDENT: Is it now the pleasure of the Senate that the Senate reconsider its action whereby Legislative Document 1608 failed of enactment?

The motion prevailed.

Thereupon, on motion by Mr. Katz of Kennebec, and under suspension of the rules, the Senate reconsidered its action whereby the Bill was Passed to be Engrossed.

On further motion by the same Senator, and under suspension of the rules, the Senate reconsidered its action whereby House Amendment "D" was Adopted.

The PRESIDENT: The Chair recognizes the same Senator.

Mr. KATZ of Kennebec: Mr. President, I have an amendment in my hand now which would reduce the corporate tax from five per cent to four per cent, which would result in a reduction of the tax package by about \$5 million. Mr. President, I present Senate Amendment "A" to House Amend-

ment "D" and move its adoption.

Senate Amendment "A," Filing No. S-333, to House Amendment "D" was Read.

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

Mr. BERRY of Cumberland: Mr. President, I wonder if the Majority Floor Leader would tell us where this cut will be made in the appropriations?

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

Mr. KATZ of Kennebec: Mr. President, it is general knowledge that the program is overfunded by about this amount of money to make additional accommodations for programs which the Governor considered essential and other things. This will reduce it \$5 million without reducing the services that have already been presented to you and about which you already know.

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

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: I can't believe my ears. Does the Majority Floor Leader mean that there was a slush fund, a kitty, in here of four or five million dollars in this budget, in these times, and under these circumstances?

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

Mr. KATZ of Kennebec: Mr. President, I will try not to be intimidated by the theatrics of the morning, but I think it is general knowledge, and certainly the gentleman who previously spoke has done with others about as much homework on this bill as anybody else, that the revenues that were raised by this measure, and I am sure every member of the Senate knew about it, or certainly had the opportunity to know, were in the vicinity of \$45 million, plus.

I am certain that every member of this Senate and every member of this Legislature realized that, so far, we have put about \$40 million, plus, of services next to it. This includes \$12½ million in school subsidies, and I am sure

every member of the Senate realized that there was a varying amount of L. D.'s. When I say there are no cuts in here, there are going to be some cuts but they will be of a modest nature, and I am not exactly certain of the totals, but they will be completely minor and they certainly won't be cuts that are offensive to anyone in this chamber.

Mr. President, while I have the floor, not for the purpose of swaying any votes, but because of the voters back home that are going to be speaking to us over the weekend, I would like to present some facts that perhaps they don't have and perhaps you don't have at the moment. I ask you to be patient because I am not trying to sway your vote, but I am trying to present some information that you perhaps don't have, and it pertains to the school subsidies.

Mr. President, I wonder if I am speaking loudly enough, I am not at full power this morning. Am I being heard, sir?

The PRESIDENT: The Chair hears you.

Mr. KATZ: There are those who say, I suspect, that they would be better off if they didn't; they are the lucky ones. Of this budget about \$15 million will flow back to the towns and cities in several different forms. The greatest form, of course, is school subsidies and school expenses. There is a \$22 million bond issue which, I understand, may be in jeopardy because it involves a cost, but it saves the communities a million dollars in interest charges that presently they have to incur because of the fact that they have their educational expenses right along, and the State only pays them on a lump-sum basis. But the \$12½ million school subsidy is the easiest place to cut. It is the most vulnerable place to cut, and I thought I might give you people an idea of where you can cut some money.

For those of you who live in Androscoggin, if we fall on our faces and go home without any package passed, you will be saving the State \$577,000. That is \$577,000 that is presently earmarked, under this fantastically inflated program that is being so bruised

and abused, that is slated to go to Androscoggin County to attempt to keep pressures off the property tax.

Those of you who come from Aroostook and have varying notions about this, something very unusual happens in Aroostook because Aroostook seems to, considering its population, get a fantastic heavy impact in school subsidies this biennium. If this program fails, and if we go home in failure, Aroostook is going to lose \$1,788,000. I don't know the nature of Aroostook, I have only been there once in my life, but it seems to me that it could have a very interesting impact on Aroostook property taxes.

Cumberland County. Well, Cumberland County is our major county, and Cumberland only stands to lose \$1,892,000. Franklin County will stand to lose \$273,700. I repeat, I am not repeating these figures in order to lobby your votes, but it is because I think they are important facts and they should be introduced into this case.

Hancock County. Hancock will lose \$453,000. And Hancock's impact of the change in State valuation is very high indeed. My County, Kennebec, will lose \$965,000. Even a little community, like the SAD in Gardiner and the SAD in Hall-Dale, adds up to several hundred thousand dollars in losses. Knox County will lose \$566,000. Lincoln County will lose \$258,000 for the biennium. Oxford County will only lose \$612,000. Penobscot will be rather badly hurt, \$1,398,000. Piscataquis, \$421,000. Sagadahoc, \$215,400. Somerset, \$904,000. Waldo, \$395,000. Washington County seems to get hurt about as badly as any county in the State, I think, probably because Washington was hurt so badly by the 1968 revaluation by the State of Washington County property, and Washington stands to lose \$638,500. This is in school subsidies only. It has nothing to do with ADC. It has nothing to do with savings to the communities because of the \$22 million bond issue.

Mr. President and Members of the Senate: I thank you for your patience. I felt that these facts should be introduced somewhere,

and this is probably the proper place and the proper time.

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

Mr. WYMAN of Washington: I would like to ask a question of the good Senator from Kennebec, Senator Katz. He talks about losing this money as though it is being thrown out of the window. He cited Cumberland County as losing well over a million dollars. Now, I wonder if he would be good enough to tell us how much Cumberland County is going to contribute to this million dollars if they receive it back.

The PRESIDENT: The Senator from Washington has posed a question through the Chair which the Senator from Kennebec may answer, if he so desires.

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr. President, this is an interesting question and I am flattered to think that the gentleman would presume that I had the answer. The question here is more a question of who pays the load. There is a very real difference in who pays certain kinds of taxes. The people, in the last analysis, will pay, but with the program in front of you the Federal Government is going to pay a heck of a share of the load. This is quite different from saying to you that if the program and all our programs do go down the drain that the property owner is going to pay every penny of this.

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

The motion prevailed.

Thereupon, House Amendment "D", as Amended by Senate Amendment "A" thereto, was Adopted and the Bill, as Amended, Passed to be Engrossed in non-concurrence.

Under suspension of the rules, sent down forthwith for concurrence.

On motion by Mr. Katz of Kennebec, the Senate voted to take from the table Bill, "An Act to Correct Errors and Inconsistencies

in the Public Laws" (S. P. 366) (L. D. 1248).

The PRESIDENT: The Chair recognizes the same Senator.

Mr. KATZ of Kennebec: Mr. President, in the bill with which we have just dealt there is some question of one phrase which pertains to the Internal Revenue Code of 1954 as pertains to the proposed tax package. As a clarification, as a germane clarification, I present Senate Amendment "D" to L. D. 1248, under Filing 332, and move its adoption.

The PRESIDENT: The Senator from Kennebec, Senator Katz, offers Senate Amendment "D" to Senate Paper 366, Legislative Document 1248 and moves its adoption. The Secretary will read the amendment.

Senate Amendment "D", Filing No. S-332, was Read and Adopted.

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

Mr. MILLS of Franklin: Mr. President, I didn't dare to make a motion to table right then because I felt I would lose it, but I have one more amendment to this bill, and Senator Berry has been in his seat constantly for the last four or five days, and I haven't been out as much as he reported I was a few minutes ago because I have been here to see about him, and I have an amendment that I have sort of half way cleared with him, and I know that if it runs into him - it may not be germane anyway - but I am going to try it later. I lost the original that was on my desk, and Mr. Slosberg is making up another original, so if this could stay on the table another hour or two then I will have this little gem to present.

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

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: I have reached exalted heights now when the Chairman of Judiciary clears some of his amendments with me. I really feel that the session is ending in a blaze of glory. Seriously though, I do have some concern about the amendment which Senator Katz is

putting on the omnibus bill, particularly in view of the fact that we had the budget document in front of us. I suppose technically and legally this is reasonably satisfactory to amend it, but it certainly seems to be the wrong procedure that we do not put this Senate Amendment "D", S-332, onto our budget document so that we do have a constitutional document that we will enact. There is no question about it, Senator Katz says there is some doubt; there is no doubt that this needs to go on it to make it legal. Has the Senate lost possession of this document, Mr. President, the budget?

The PRESIDENT: The Chair would inform the Senator that the matter is not before the Senate because under suspension of the rules it was sent forthwith to the other body.

The Chair recognizes the Senator from Kennebec, Senator Katz.

Thereupon, on motion by Mr. Katz of Kennebec, tabled pending Passage to be Engrossed.

Mr. Barnes of Aroostook was granted unanimous consent to address the Senate.

Mr. BARNES: Mr. President, I wonder if the good Senator from Kennebec, the Majority Leader, would be willing to take Item 2 on Page 3 off the table so we can act on it.

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

Mr. KATZ of Kennebec: Mr. President, may I approach the rostrum?

The PRESIDENT: The Senate will stand at ease.

(Senate at Ease)

Called to order by the President.

(Off Record Remarks)

On motion by Mr. Katz of Kennebec,

recessed pending the sound of the bell.

After Recess

Called to order by the President.

Papers From The House

Out of order and under suspension of the rules, the Senate voted

to take up the following papers from the House:

Non-concurrent Matter

Bill, "An Act Providing for Presidential Preferences in Primary Election." (H. P. 1151) (L. D. 1473)

In the House June 27, 1969, Passed to be Enacted.

In the Senate June 27, 1969, Indefinitely Postponed, in non-concurrence.

Comes from the House, that Body having Insisted.

Mr. Tanous of Penobscot then moved that the Senate Recede and Concur.

On motion by Mr. Anderson of Hancock, a division was had. Nine Senators having voted in the affirmative, and thirteen Senators having voted in the negative, the motion did not prevail.

Thereupon, on further motion by Mr. Anderson of Hancock, the Senate voted to Adhere.

Enactors

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

An Act Providing for the Uniform Deceptive Trade Practices Act. (H. P. 950) (L. D. 1229)

Which 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 the State for Guaranteeing Portions of Certain Home Mortgages and Housing Development. (S. P. 390) (L. D. 1315)

Comes from the House, having failed of Final Passage.

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

The Chair recognizes the Senator from Knox, Senator Hoffses.

Mr. HOFFSES of Knox: Mr. President, I ask for a division.

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

Mr. MOORE of Cumberland: Mr. President and Members of the Senate: There has been a lot of

feeling expressed here for the concern of the growth of State Government and the cost. I can assure you that if we enter into a program like this that the cost is going to be beyond anyone's expectations today, and I urge you to vote against the enactment of this bill.

The PRESIDENT: Is the Senate ready for the question? All those in favor of the passage of this Resolve will rise and stand in their places until counted. All those opposed will rise and remain standing until counted.

A division was had. Eight Senators having voted in the affirmative, and fifteen Senators having voted in the negative, and eight being less than two-thirds of the Senators present, the Resolve failed of Final Passage in concurrence.

Emergency

An Act Providing Funds for the Official Observance of the 150th Anniversary of the Formation of the State of Maine. (H. P. 590) (L. D. 732)

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

Bond Issue

An Act to Amend Bond Issue Acts as to Limitations of Interest. (S. P. 540) (L. D. 1614)

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

On motion by Mr. Hoffses of Knox,

recessed until 1:45 o'clock this afternoon.

After Recess

Called to order by the President.

Papers From The House

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

Committee Reports House

Committee of Conference Report

The Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill, "An Act Relating to Property Tax Administration." (S. P. 392) (L. D. 1340)

ask leave to report: that they are unable to agree.

On the part of the Senate:
SEWALL of Penobscot
KATZ of Kennebec
MARTIN of Piscataquis

On the part of the House:
BRAGDON of Perham
EVANS of Freedom
DUDLEY of Enfield

Which report was Read and Accepted.

Sent down for concurrence.

Enactors

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

Emergency

An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1970 and June 30, 1971 and Raising Revenue for Funding Thereof. (H. P. 1281) (L. D. 1608)

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

Mr. KATZ of Kennebec: Mr. President and Members of the Senate: We are down to the final hour and, amazingly enough, one would suspect that there is nothing new to be said, but I think there is. It is important enough so that I am amazed it hasn't been said before.

I suspect that if the Legislative Research Committee were given a task, and we entitled the task to bring in, "Wanted: a new partner to help pay for Maine taxes." I think probably this would result in a tax package such as we have before us today. This is a \$40,000,000 tax package. I ask you gentlemen to go along with me as I pursue a few steps to show you exactly how it is going to work.

Maine taxpayers and Maine corporations are going to be asked to pay \$40,000,000. Every penny of that \$40,000,000 is eligible as a tax credit against a federal income tax, against their adjusted gross federal income. Now, it is not possible to tell you exactly how much of a reduction in federal income tax liability this is going to result

in for Maine people and Maine corporations, but I would challenge anyone here to take any issue with the reasonableness of my figures when I suggest to you that this is going to result in tax credits to Maine people and Maine corporations of \$11,000,000 in the years following the tax years in question. \$11,000,000 of federal money; enough federal money in tax rebates to pay almost the entire increase in our school subsidy proposals, \$11,000,000 that will help to be paid for by people all over the United States. Now, before someone stands up and says, "After all, whose money is it but ours?" I will say it is a very, very big difference between who pays this package and who pays the present method of financing State programs.

There are some 35 States in the United States who presently have income tax programs and for many years Maine people unknowingly and cheerfully have been helping to pay to finance the programs in other States through this tax device. You can find fault with my words but you can't find fault with my reasoning.

If I were to suggest to you this is a \$40,000,000 tax package that will result in a net cost to Maine taxpayers of \$29,000,000, I challenge anyone here, perhaps they can find fault with the complete accuracy of my figures within a per cent or two, three, four, or five, but I challenge anyone to challenge the conclusion that I am coming to. What it means here is that we are being asked to pass a program that will result in a net of \$29,000,000 in cost to Maine taxpayers which will purchase \$40,000,000 in State services. It is hard for me to understand how a factor of such significance has not been suggested and repeated again and again here because it is literally true.

There are many of you who have been locked into position because you had a feeling that the program was too big, and I am saying to you that this program actually, in its impact on the Maine taxpayer, is a little closer to a \$29,000,000 program. If you come up again and say, "Well, we

will end up paying it anyway," I say that certainly is not true, because we have been acting like Santa Clauses for years in helping other states to do that which I suggest that you do today.

Mr. President, I hope that everybody here will re-evaluate their position and feel, as I do, a sense of confidence that my position can be justified with my constituents based upon all the facts that are presently at our disposal. I would ask those of you that have expressed hostility to examine your souls, and examine what you are buying, examine the net cost to what you are buying, and come to the conclusion that you should vote "Yes" and support this package. When the vote is taken I ask it be taken by a roll call.

The PRESIDENT: A roll call has been requested.

The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: I am sure that, as Senator Katz has indicated, there has been quite a lot of soul searching going on and I am sure, as he has not indicated, that all of us know that a \$29,000,000 net increase in cost to Maine corporations is what we are voting on, and not the \$40,000,000 tax package. This is simple arithmetic that I can assure him that the 32 Senators all can understand and have thought about.

The impact of a \$29,000,000 income tax on the economy of the State of Maine probably will not be calamitous. However, as has been pointed out repeatedly here, without using words such as "hostility," and using words which embrace every conceivable program that has been thrown into the budget, as President MacLeod did this morning, to get our vote, I would once again reiterate for those of us who are very concerned about the future of the State that we are voting on far more than a \$29,000,000 federal tax net increase in cost.

The \$83,000,000 increase in spending, cut down from Governor Curtis's \$126,500,000 increase in spending, indicates in the years ahead, at least two years from now, a minimum of \$106,000,000 increased budget cost to keep the

State operating. Now, if we are having the problem raising this rather small figure, apparently, what are we going to do when we get to the \$106,000,000? What we are going to do when we get to the \$106,000,000 that is necessary is that we are going to increase that net \$29,000,000 cost to our Maine corporations, and if we are increasing it proportionately it would go somewhere to the vicinity of not less than \$50,000,000. There will also, of course, be the false bait of picking up the increase in the personal income tax which is hanging over us too.

It was my good fortune last night to have an education by the people I like to have teach me, an education which perhaps some of us in this body have not had the benefit, and that is to listen to the people back home. I was on a radio program on a large station in Portland for an hour and half, from 9 until 10:30, and the people that called in asking questions and making comments were the people that put all of us here. They were the people in the \$3,000 to \$5,000 to \$6,000 or \$7,000 class. There was one dear lady who said she was in the \$25,000 class and was deploring that she couldn't send her child to college, but she was certainly in the minority. These people had as a common factor in their comment that the cost of running State government was way too high.

It has been indicated both by Senator Reed, by President MacLeod and by Senator Katz, that we have nowhere to turn and that if we do make any attempt to cut this budget, to put in efficiency, to cut down on this rapid expansion of State Government, that there is no place to turn. Well, there is a place to turn. We all know that we can cut the expenses of State Government a reasonable figure, like another say eight or nine million dollars, we will get the subsidies that Senator Katz read off this morning to impress us, we will get all these programs we are talking about without, of course, the ADC, and without the high increase in the school subsidies, but we do have a place to turn. This is where the people of the State of Maine want us to turn.

I hope that you will agree and vote against the enactment of this bill at the present time.

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

Mr. KATZ of Kennebec: Mr. President and Members of the Senate: At the present time? Are we talking about March? Are we talking about April? I have waited with baited breath all session for those who have had previous experience in dealing with State finances to make a constructive and specific contribution to the area of State spending, without success.

When I made some figures a few minutes ago and talked in terms of a \$29,000,000 net impact, I urged anyone to challenge the statement. So, I feel I have a right, when the Senator from Cumberland, stands up and introduces into the record almost as a factual statement that the increase in cost of the next legislature is going to be \$106,000,000, I think I have earned the right to challenge that statement.

There has been debate at the other end of the corridor and I think here to the effect that the school subsidies alone will result in a \$21,500,000 increase in the next biennium. I may not be an Appropriations man, but when it comes to school subsidies I recognize nonsense when I hear it. The school subsidy bill that is before you has been tailored specifically to protect the 105th Legislature against any built-in statutory increase whatsoever, and if the members of the Senate haven't had that pointed out to them up to now I think they should. If ever we had a school subsidy program that we wanted to put on the books that said that the legislature shall remain in complete control of expenses, it is the one that you voted on so favorably so far.

Perhaps it might be well if I just took a moment to point out to you, because we will have questions, that according to this new change in subsidy bill it will be the responsibility of the State Board of Education to make a recommendation to the Governor, whereupon the Governor will make recommendation to the legislature,

and the Governor and the legislature, and I think the implication of the law is: bearing in mind what the state can afford, will then make a recommendation for school subsidies to the 105th.

If the statement pertaining to a \$21,500,000 increase in State subsidies is so completely inaccurate and so completely lacking in knowledge, I have a feeling that I would challenge to the rest of this \$106,000,000 increase.

The fact remains, ladies and gentlemen, that I haven't heard any suggestion from anybody else this entire legislative session of any package or tax program that will let us go to our people and offer them the \$40,000,000 in services, that I am completely convinced that we need, at a net cost to them of about \$29,000,000. If there is anyone in this chamber at this late hour who can offer such an answer, I say let's evaluate your program. But if you can't, and if you are vaguely interested in having our cake and eating it too, and having a \$40,000,000 program paid for by \$29,000,000 worth of taxpayers' money in the State of Maine, I say please vote with us.

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

Mr. DUNN of Oxford: Mr. President and Members of the Senate: Yesterday I placed on your desk a sheet of paper that is a graph drawn up in March of this year for the Legislative Finance Office. If you follow through for the last five legislatures there has been an average of 23.4 per cent increase.

In this graph for the 104th Legislature it gives the figure of a total budget of \$315,000,000, where at the present time that has been raised to \$323,000,000. What we are voting on today is a total of \$323,000,000. The figures here from the Legislative Finance Office for the 103rd give a \$235,600,000 total budget, which means that we are somewhere between an \$87,000,000 and \$88,000,000 increase. With the figures in here, with that \$23,400,000 increase, bring this to a total for the next time around of \$389,000,000. If you bring us up to date, and add a few more million, you are up to the \$400,000,000

mark. This is what we are faced with for the next time around, there is no question about it.

I think we speak sometimes about responsibility, and I wonder sometimes just where does that lay. Do we have the responsibility to try to temper these things a little bit and move a little bit moderately, or do we go for a big program like this and lay in front of the next legislature a tremendous burden that is going to be as difficult or more difficult to meet than it is now? I certainly am not ready to vote for a package of this size for two reasons: the size of the package and also the tax. I don't think at this time that I could vote for an income tax, but the size of the package is my main issue. So I will be voting against this.

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

Mr. SEWALL of Penobscot: Mr. President and Members of the Senate: I rise to speak not as a Republican or as a Democrat. I am speaking as Chairman of the Appropriations Committee. I would simply like to again reassure the members of this body that the basic budget on which these figures are based was arrived at by people who I was proud to serve with, who I felt did take off their partisan hats when we went into that committee room downstairs.

I sincerely feel that this budget was pared down as far it could be to still give the services that the State must supply its citizens. We acted throughout our hearings and our executive sessions both, if you would call them liberals and conservatives, alike in a way so that we could determine what was being done would be truly in the best interests of the people in the State of Maine. I still feel that way today after six months, and I certainly hope that the members of this Senate will do the right thing this afternoon and vote for this tax package.

The PRESIDENT: The pending question before the Senate is the enactment of Bill, An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30,

1970 and June 30, 1971 and Raising Revenue for Funding Thereof. A roll call has been requested. Under the Constitution, in order for the Chair to order a roll call, it requires the affirmative vote of 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 Chair will state the question once more. The pending question before the Senate is the enactment of Bill, "An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1970 and June 30, 1971 and Raising Revenue for Funding Thereof. A "Yes" vote will be in favor of enactment; a "No" vote will be opposed.

The Secretary will call the roll.

ROLL CALL

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

NAYS: Senators Anderson, Barnes, Berry, Dunn, Greeley, Minkowsky, Peabody, Tanous and Wyman.

ABSENT: Senators Moore and Quinn.

A roll call was had. Twenty-one Senators having voted in the affirmative, and nine Senators having voted in the negative, with two Senators absent, twenty-one being less than two-thirds of the membership, the Bill failed of Enactment in non-concurrence.

Mr. Katz of Kennebec then moved that the Senate reconsider its action whereby Bill, "An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1970 and June 30, 1971 and Raising Revenue for Funding Thereof", failed of Enactment.

Thereupon, on motion by Mr. Hoffses of Knox, tabled until later

in today's session, pending the motion by Mr. Katz of Kennebec to Reconsider.

On motion by Mr. Katz of Kennebec, recessed pending the sound of the bell.

(After Recess)

Called to order by the President.

The President laid before the Senate the matter tabled earlier in today's session, by Mr. Hoffses of Knox: Bill, An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1970 and June 30, 1971 and Raising Revenue for Funding Thereof (H. P. 1281) (L. D. 1608)

Pending — Motion by Mr. Katz of Kennebec that the Senate reconsider its action whereby the Bill Failed of Enactment.

Mr. Katz of Kennebec then moved the pending question.

Thereupon, the Senate voted to reconsider its action whereby the Bill Failed of Enactment.

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

Mr. KATZ of Kennebec: Mr. President, I now move for the final enactment of this package and I ask for a roll call.

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

Obviously more than one-fifth having arisen, a roll call is ordered. The pending question before the Senate is the enactment of Bill, "An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1970 and June 30, 1971 and Raising Revenue for Funding Thereof". A roll call has been requested. A "Yes" vote will be in favor of

enactment; a "No" vote will be opposed.

The Secretary will call the Roll.

ROLL CALL

YEAS: Senators Beliveau, Bernard, Boisvert, Cianchette, Conley, Duquette, Gordon, Hanson, Hoffses, Katz, Kellam, Letourneau, Levine, Logan, Martin, Mills, Minkowsky, Reed, Sewall, Stuart, Violette and President MacLeod.

NAYS: Senators Anderson, Barnes, Berry, Dunn, Greeley, Peabody, Tanous and Wyman.

ABSENT: Senators Moore and Quinn.

A roll call was had. Twenty-two Senators having voted in the affirmative, and eight Senators having voted in the negative, with

two Senators absent, twenty-two being more than two-thirds of the membership, 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.

Mr. Mills of Franklin then moved that the Senate reconsider its action whereby this bill was Passed to be Enacted.

On further motion by the same Senator, a division was had. No Senators having voted in the affirmative, and thirty Senators having voted in the negative, the motion did not prevail.

On motion by Mr. Hoffses of Knox, adjourned until Monday, June 30, 1969, at 1:00 o'clock in the afternoon.