

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

Monday, June 30, 1969

Senate called to order by the President.

Prayer by The Honorable Elmer H. Violette of Van Buren.

Reading of the Journal of yesterday.

Enactors

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

An Act Providing for Annual Revision of State Valuation. (H. P. 100) (L. D. 108)

An Act Providing for the Conservation and Rehabilitation of Land Affected in Connection With Mining. (H. P. 1270) (L. D. 1598)

Which were Passed to be Enacted and signed by the President.

Orders of the Day

On motion by Mr. Greeley of Waldo, the Senate voted to take from the Special Highway Appropriation Table, An Act to Authorize the Issuance of Bonds in the Amount of Twenty-one Million, Five Hundred Thousand Dollars on Behalf of the State of Maine to Build State Highways (S. P. 521) (L. D. 1607).

The same Senator then moved the pending question.

Thereupon, this being a Bond Issue and having received the affirmative votes of 29 members of the Senate the Bill was Passed to be Enacted and signed by the President.

On motion by Mr. Greeley of Waldo, the Senate voted to take from the Special Highway Appropriation Table, An Act to Make Allocations from the General Highway Fund for the Fiscal Years Ending June 30, 1970 and June 30, 1971. (H. P. 1244) (L. D. 1579)

This being an emergency measure and having received the affirmative vote of 30 members of the Senate, was Passed to be Enacted and signed by the President.

On motion by Mr. Greeley of Waldo, the Senate voted to take from the Special Highway Appropriation Table, An Act Relating to Allocations from the General

Highway Fund \$65,000 for Reconstruction of Certain Bridges in Baxter State Park (H. P. 112) (L. D. 128).

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

Mr. GREELEY of Waldo: Mr. President and Members of the Senate: This is an emergency measure and the reason for that is that the Highway Department would like to get the bill acted on so they can draw up some plans for these bridges in Baxter State Park. It pertains to three bridges and several culverts that they would like to construct during the summer or fall when the water is at a low level.

The PRESIDENT: Is the Senate ready for the question?

Thereupon, this being an emergency measure and having received the affirmative vote of 30 members of the Senate was Passed to be Enacted and signed by the President.

On motion by Mr. Greeley of Waldo, the Senate voted to take from the Special Highway Appropriation Table, An Act Providing Maintenance of Certain Roads in Baxter State Park (H. P. 230) (L. D. 286).

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

Mr. GREELEY of Waldo: Mr. President and Members of the Senate: There is some construction involved in this act to reconstruct three miles of road within the Park.

I move the pending question.

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

On motion by Mr. Greeley of Waldo, the Senate voted to take from the Special Highway Appropriation Table the following Resolves:

Resolve to Reimburse Bernard J. Kinney of Winthrop for Well Damage by Highway Maintenance (H. P. 56) (L. D. 58).

Resolve to Reimburse Robert Sweet of Lincoln for Well Damage

Resulting from use of Salt on Route 2, (H. P. 87) (L. D. 96).

Resolve to Reimburse Ernest J. Powers of Kennebunkport for Well Damage by Highway Construction (H. P. 137) (L. D. 159).

Resolve to Reimburse Errol Barker of East Stoneham for Well Damage by Highway Maintenance (H. P. 162) (L. D. 201).

Resolve to Reimburse Wilton E. Hodgdon of Embden for Well Damage by Highway Maintenance (H. P. 263) (L. D. 339).

Resolve to Reimburse Tilton Davis of Solon for Damage by Highway Construction (H. P. 264) (L. D. 340).

Resolve to Reimburse Clyde Rollins of Rumford for Damage by Highway Construction (S. P. 132) (L. D. 416).

Resolve to Reimburse Warren F. Chapman of Skowhegan for Well Damage by Highway Maintenance (H. P. 406) (L. D. 517).

Resolve to Reimburse George Burns of Cambridge for Well Damage by Highway Maintenance (H. P. 544) (L. D. 723).

Resolve to Reimburse Irving M. Greenleaf of Rome for Well Damage by Highway Maintenance (H. P. 596) (L. D. 777).

Resolve to Reimburse Elwood A. Jepson of Norridgewock for Well Damage by Highway Maintenance (H. P. 623) (L. D. 811).

Resolve to Reimburse Norman E. Dudley of Waite for Well Damage Caused by Road Construction and Highway Maintenance (H. P. 681) (L. D. 880).

Resolve to Reimburse Elmer L. Rogers of Berwick for Well Damage by Highway Construction (H. P. 719) (L. D. 937).

Resolve to Reimburse Walter Ware of Benton for Well Damage by Highway Maintenance (H. P. 802) (L. D. 1041).

Resolve Reimbursing the Town of Sullivan for Winter Road Improvements (H. P. 853) (L. D. 1095).

Resolve to Reimburse Doris Nankervis of Franklin for Well Damage by Highway Maintenance (H. P. 854) (L. D. 1096).

Thereupon, these Resolves were Finally Passed and signed by the President.

On motion by Mr. Greeley of Waldo, the Senate voted to take from the Special Appropriation Table, An Act Increasing State Aid for Construction on Highways (H. P. 32) (L. D. 33).

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

Mr. GREELEY of Waldo: Mr. President and Members of the Senate: At the present time the law says that a city can appropriate four units of state aid funds for reconstruction of state highways. The present law allows the town a 20 per cent bonus on this construction total fund. This bill, L. D. 33, increases the bonus from 20 per cent to 40 per cent.

Mr. President, I move the pending question.

The PRESIDENT: Is the Senate ready for the question?

Thereupon, the Bill was Passed to be Enacted and signed by the President.

On motion by Mr. Greeley of Waldo, the Senate voted to take from the Special Highway Appropriation Table, An Act Relating to Towns Matching Funds for Reconstructing State Aid Highways (S. P. 128) (L. D. 390).

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

Mr. GREELEY of Waldo: Mr. President and Members of the Senate: This \$1,100,000 on this sheet is set up for 1970 but it doesn't take effect until 1971 because the towns and cities have already had their council meetings and the town meetings so they can't qualify for this year.

To explain this bill, sixteen years ago I had a bill in the Legislature setting up this four-unit bill so that a town under 5,000 population could appropriate four units for reconstruction of state aid roads. Two years ago in the House there was a bill that passed the Legislature allowing any town or city in the State to appropriate four units of state aid funds, but there was an amendment on the bill that said "when monies are available." Well, this year we have made the money available so a city like Portland, Lewiston,

Auburn, or any town or city, can appropriate four units of state aid funds. This bill allows the towns or cities to appropriate six units of state aid funds. This is done at the local level. The town that is large enough, or the city that has its own highway department, can build the road themselves, they can use their own machinery and get reimbursed for the work of their machinery and labor, and it will make a tremendous increase in the construction of a state aid road.

Mr. President, I move the pending question.

The PRESIDENT: Is the Senate ready for the question?

Thereupon, the Bill was Passed to be Enacted and signed by the President.

On motion by Mr. Greeley of Waldo, the Senate voted to take from the Special Highway Appropriation Table, An Act Relating to Winter Maintenance of State Aid Highways and Town Ways by Municipalities (H. P. 1192) (L. D. 1514).

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

Mr. GREELEY of Waldo: Mr. President and Members of the Senate: I would just like to explain what this L. D. does. For quite a few years the State has tried to increase the reimbursement of cities and larger towns on a snow removal program. It has been \$65 a mile for a number of years. This bill sets it up so that any town or city that is over \$750,000 in state valuation will receive \$100 a mile for the reimbursement of the snow removal. Any town that is \$500,000 state valuation or under, the town is obliged to appropriate \$70 a mile and the State will reimburse up to \$400 a mile. Any town that is between the valuation of \$500,000 and \$750,000, the town is obliged to appropriate \$70 a mile and the State will reimburse up to \$300 a mile.

Mr. President, I move the pending question.

The PRESIDENT: Is the Senate ready for the question?

Thereupon, the Bill was Passed to be Enacted and signed by the President.

On motion by Mr. Greeley of Waldo, the Senate voted to take from the Special Highway Appropriation Table, An Act Relating to Apportionment of Cost of Construction of State Aid Bridges, (H. P. 1129) (L. D. 1451).

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

Mr. GREELEY of Waldo: Mr. President and Members of the Senate: A little explanation on this bill: the county share on the construction of a bridge that is built with state, county, and local funds has been 30 per cent. We had a bill introduced and it came before our committee that called for 15 per cent, cutting it down to one-half. So the Highway Committee, by unanimous vote, agreed to go along with 22.5 per cent. What this amounts to is \$70,000 for each year of the biennium.

Mr. President, I move the pending question.

The PRESIDENT: Is the Senate ready for the question?

Thereupon, the Bill was Passed to be Enacted and signed by the President.

On motion by Mr. Greeley of Waldo, the Senate voted to take from the Special Highway Appropriation Table, An Act to Provide that Motor Vehicle Operators' Licenses be Issued on a Staggered Basis of Odd and Even Birth Years (H. P. 754) (L. D. 886).

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

Mr. GREELEY of Waldo: Mr. President and Members of the Senate: This Legislative Document didn't come before our committee; it came before the Committee on Transportation, but it has to do with highway income and highway cost. On the first year of the biennium it is estimated that we lose \$285,310, and the second year of the biennium we will pick up \$263,267. As I understand it, there are almost 400,000 operators' licenses issued in one year, and the next year there is a little over

40,000 licenses issued. So, this will take some time but this is to try to set this up on a staggered basis so that it will even up the workload in the Department of Motor Vehicles.

Mr. President, I move the pending question.

The PRESIDENT: Is the Senate ready for the question?

Thereupon, the Bill was Passed to be Enacted and signed by the President.

On motion by Mr. Greeley of Waldo, the Senate voted to take from the Special Highway Appropriation Table, An Act Establishing A Scenic Highway Board (H. P. 837) (L. D. 1075).

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

Mr. GREELEY of Waldo: Mr. President and Members of the Senate: This evidently is something new on the program, and there is \$1500 set up each year for the biennium.

The PRESIDENT: Is the Senate ready for the question?

Thereupon, this Bill was Passed to be Enacted and signed by the President.

On motion by Mr. Greeley of Waldo, the Senate voted to take from the Special Highway Appropriation Table, An Act Providing for a Feasibility Study of Alternative Methods for Crossing Fore River (S. P. 472) (L. D. 1544).

Thereupon, on motion by Mr. Katz of Kennebec, tabled until later in today's session, pending Enactment.

On motion by Mr. Katz of Kennebec, the Senate voted to take from the table the eleventh tabled and unassigned matter:

Bill, "An Act to Correct Errors and Inconsistencies in the Public Laws" (S. P. 366) (L. D. 1248).

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

Senate Amendment "G", Filing No. S-338, was Read.

The PRESIDENT: The Chair recognizes the same Senator.

Mr. KATZ of Kennebec: Mr. President, may I explain to the

Senate just what this does? It does two things pertaining to L. D. 1608. In the first place, it clarifies that portion of 1608 which ties it with the United States Internal Revenue Code of 1954 and makes it clear that it shall refer to the code as it exists today and not to subsequent changes in the code. The emergency preamble is self-explanatory.

On Page 2, Section 48 (a), when the bill was originally introduced the wording of L. D. 1608 was intended to clarify the law relating to railroads, the railroad excise tax, and to make it conform to the income tax law. We are now advised that rather than do this it might accomplish something exactly the opposite, and it is obscure. This language in the bill is unnecessary because railroads are included by the definition of corporations as set forth in the income tax law, and we think this correction is necessary.

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

The motion prevailed.

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

Mr. KATZ of Kennebec: Mr. President, before passing this for engrossment and sending it forthwith, if there are any other amendments on this bill I wish they would be presented now.

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

Mr. MILLS of Franklin: Mr. President, I do understand that this isn't the last, but I have one here, Filing No. 335, Senate Amendment "E", which I offer and move its adoption. I have been informed that there is at least one other; I just got a message from topside about it.

Senate Amendment "E", Filing No. S-335, was Read.

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

Mr. BERRY of Cumberland: Mr. President, would the Senator please explain the amendment?

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

Mr. MILLS of Franklin: Mr. President and Members of the Senate: This is an amendment in regard to one of the appropriation measures which is more than what can be absorbed in the money available, as I understand it. I have been advised from leadership that it is essential to have this amendment, and it is being prepared in my name, but I haven't seen it yet. There is still another one, the good Senator from Cape Elizabeth, Senator Berry, that I still want to bring around here, and I trust you will still be in your seat, and we will talk about it when it comes along.

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

Mr. BERRY of Cumberland: Mr. President, either the explanation is too deep or too shallow for me. I will read the amendment. It says: "The examination may be conducted at the Augusta State Hospital, the Bangor State Hospital, Pineland Hospital and Training Center or at a mental health clinic of or recommended by the Department of Mental Health and Corrections, and when conducted at any such facility shall be the responsibility of a psychiatrist or of a licensed psychologist who may join with him in such an examination." Now, just what is this?

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

Mr. MILLS of Franklin: Mr. President, it is rather plain, I believe, that in about the fifth line from the bottom there is the addition of the words "or of a licensed psychologist." Presently it says "the responsibility of a psychiatrist," and it adds the words "or of a licensed psychologist," which is additive to the substantive measure. I am not enough of a psychiatrist or psychologist to know, but I am enough of a lawyer to know that a licensed psychologist has a great deal of responsibility and a great deal of training and a great deal of ability in this area to determine whether or not a person is subject for commitment. That is in addition to the psychiatrist area.

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

Mr. BERRY of Cumberland: Mr. President, I would like to ask Senator Mills point-blank what kind of an examination are we talking about?

The PRESIDENT: The Senator from Cumberland, Senator Berry, has posed a question through the Chair, which the Senator from Franklin may answer if he desires.

The Chair recognizes the Senator from Franklin, Senator Mills.

Mr. MILLS of Franklin: Mr. President, it is a warm afternoon and I am tempted to take the Fifth Amendment and not answer because he probably isn't going to know any more about it when I get through than he knows now, and which is next to nothing, I suggest. This psychological examination is the usual, what you might say the "headshrinker's test," in which they show them the round balls to see if they will fit into the square holes and the pegs, and they draw some ink spots and ask what they suggest to them. They have had a lot of training in this area. I am sure the good Senator knows this, but a psychologist is not an M.D. He hasn't had the medical training that the psychiatrist has. The psychiatrist is an M.D., but the psychologist is more on the educational line. He has got to be pretty competent, however, in testing these people that don't quite measure up. I think that will do for this afternoon.

The PRESIDENT: The Senator from Cumberland requests permission to speak a fourth time. Is there objection? The Chair hears none. The Senator may proceed.

Mr. BERRY of Cumberland: May I ask Senator Mills if this has the recommendation of Dr. Schumacher for its passage?

The PRESIDENT: The Senator from Cumberland, Senator Berry, has posed another question through the Chair, which the Senator from Franklin may answer if he desires.

The Chair recognizes the Senator from Franklin, Senator Mills.

Mr. MILLS of Franklin: Mr. President, I will spare the Senate further colloquy in this area.

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

Mr. BERRY of Cumberland: Mr. President, I move Senate Amendment "E" be indefinitely postponed.

The PRESIDENT: The Senator from Cumberland, Senator Berry, now moves that Senate Amendment "E" be indefinitely postponed.

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr. President, I request a division.

The PRESIDENT: A division has been requested.

The Chair recognizes the Senator from Oxford, Senator Beliveau.

Mr. BELIVEAU of Oxford: Mr. President and Members of the Senate: Not having read Title 15, Section 101, I assume that this amendment would expand the examination of a person who is committed to the State Hospital or Pineland for criminal activities. It is my understanding that presently he can only be examined by a psychiatrist, and this would extend it to a licensed psychologist. I think that is what we are concerned with. Not having read Title 15, but the other language suggests that we are talking about the examination of a person committed pursuant to a court order. So, this would permit a licensed psychologist, in addition to a psychiatrist, to perform the examination.

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

Mr. STUART of Cumberland: Mr. President, I move this amendment be tabled until later in today's session.

The PRESIDENT: The Senator from Cumberland, Senator Stuart, moves that Legislative Document 1248 be tabled until later in today's session.

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr. President, through the Chair I

ask that the Senator withdraw his motion for a moment.

Thereupon, Mr. Stuart of Cumberland was granted leave to withdraw his tabling motion.

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

Mr. KATZ of Kennebec: Mr. President, I want to call attention to the Senate that this is the one bill that can delay adjournment by one more day. This is the lengthy errors and inconsistencies bill which hasn't even been engrossed and has to be printed. I suggest to you that this is not a bill to get hung up on, and, so far as I know, this amendment is in good faith, it has been presented in good faith, Senator Mills is almost an innocent bystander in having presented it, and I would encourage the Senate to vote on this, and let's get this bill, which is the prime reason for our moving right now down to the other end of the corridor.

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

Mr. STUART of Cumberland: Mr. President, I would like to address a question through the Chair to the good Senator from Kennebec, Senator Katz. Does he understand that this amendment has been approved by Dr. Schumacher?

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

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr. President, I don't know that this has been approved by Dr. Schumacher, but as a tactical procedure might I suggest the cooperation of the Senator in permitting this to go, and then contact the Department and, if there is any question, let's take care of it down at the other end. But time is short and I think that if you will let this go, and take care of it down at the other end, that justice and expedition will be served.

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

Thereupon, Mr. Berry of Cumberland was granted leave to withdraw his motion to Indefinitely Postpone Senate Amendment "E", and Senate Amendment "E" was subsequently Adopted.

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

Mr. KATZ of Kennebec: Mr. President. I heard some conversation a moment ago about an additional amendment. I know of no additional amendment and, if there is one, I would hope that it would be taken care of elsewhere so the bill can be passed to be engrossed now.

Thereupon, the Bill, as Amended, was Passed to be Engrossed.

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 the first tabled and unassigned matter:

HOUSE REPORT — Ought to Pass as Amended by Committee Amendment "A", Filing H-466 from the Committee on State Government on Bill, "An Act Relating to Expenses of the Clerk of the House of Representatives" (H. P. 44) (L. D. 45).

Tabled — June 9, 1969 by Senator Katz of Kennebec.

Pending — Acceptance of Report.

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

Committee Amendment "A", Filing No. H-466, was Read and, on motion by Mr. Katz of Kennebec, Indefinitely Postponed in non-concurrence.

Thereupon, under suspension of the rules, the Bill was given its Second Reading.

Mr. Katz of Kennebec then presented Senate Amendment "B", Filing No. S-337, was Read and Adopted and the Bill, as Amended Passed to be Engrossed in non-concurrence.

On further motion by the same Senator, and under suspension of the rules, sent down forthwith for concurrence.

On motion by Mr. Katz of Kennebec, the Senator voted to take from the table the eighth tabled and unassigned matter.

Bill, An Act to Amend the Charter of the City of Portland, (S. P. 379) (L. D. 1289).

Tabled — June 19, 1969 by Senator Katz of Kennebec.

Pending — Enactment.

Thereupon, on further motion by the same Senator, the Bill was nebec, the Senate voted to take Passed to be Enacted and signed by the President.

On motion by Mr. Katz of Kennebec, the Senate voted to take from the table the ninth tabled and unassigned matter: JOINT ORDER — Relative to Maine Education Council study desirability of establishing a Student Advisory Board, (H. P. 1279).

Tabled — June 23, 1969 by Senator Katz of Kennebec.

Pending — Passage.

Thereupon, on further motion by the same Senator, the Joint Order received Passage in concurrence.

On motion by Mr. Katz of Kennebec, the Senate voted to take from the table the third tabled and unassigned matter: HOUSE REPORTS — from the Committee on Taxation on Bill, "An Act Increasing Certain Motor Vehicle Registration Fees". (H. P. 326) (L. D. 413) Majority Report, Ought to Pass; Minority Report, Ought Not to Pass.

Tabled — June 12, 1969 by Senator Wyman of Washington.

Pending — Motion by Senator Greeley of Waldo to Reconsider Acceptance of the Minority Ought Not to Pass Report.

Mr. Greeley of Waldo was then granted Leave to Withdraw his motion to Reconsider Acceptance of the Minority Ought Not to Pass Report.

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

from the table the fifth tabled and unassigned matter:

Bill, "An Act Relating to Excise Tax on Motor Vehicles" (H. P. 841) (L. D. 1079).

Tabled — June 16, 1969 by Senator Katz of Kennebec.

Pending — Motion by Senator Martin of Piscataquis to Indefinitely Postpone Bill.

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

Mr. KATZ of Kennebec: Mr. President, I understand the pending motion is that of Senator Martin's to indefinitely postpone the bill. I would ask for a division and urge the Senate to vote against the motion. You will notice that we just killed the proposed bill to raise the registration fee. There is a feeling that it would be advisable to accept this, An Act Relating to Excise Tax on Motor Vehicles. We are probably going to have to shave a couple of million dollars from the budget that would normally go to the communities. This will flow about the same amount of money back to the communities and will balance things and make life, if not that much more pleasant, at least not agreeable, so I would ask for a division and urge you to vote against the motion.

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

Mr. Martin of Piscataquis then was granted Leave to Withdraw his Motion to Indefinitely Postpone the Bill.

Thereupon, the Bill was Passed to be Enacted and signed by the President.

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

Mr. WYMAN of Washington: Mr. President and Members of the Senate: This moved a little bit too fast for me. Is it in order to reconsider Item 3? I would like to speak briefly on it.

The PRESIDENT: Under suspension of the rules, the Senator from Washington, Senator Wyman, moves that the Senate reconsider its action whereby it accepted the Minority Ought Not to Pass Re-

port of the Committee on Bill, "An Act Increasing Certain Motor Vehicle Registration Fees." (H. P. 326) (L. D. 413) Is this the pleasure of the Senate?

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr. President and Members of the Senate: Reluctantly I rise to oppose the motion. I feel that this has been debated very substantially. We have just increased the burden on motor vehicles by some two million dollars by the immediate previous motion and, unless there is some new evidence, I would urge the Senate not to reconsider under suspension of the rules.

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

Mr. WYMAN of Washington: Mr. President and Members of the Senate: When we were debating the gas tax I did want to see these measures left until we could look at them all at once. The gas tax was finally left at one cent instead of two, the gas tax increase. Furthermore, in this last bill, which we passed Saturday, we have returned to the law the automobile trade-in allowance, the exemption, so that is quite a help to the motorists.

On this particular bill it is estimated that it will bring in \$5,500,000 and so reduce our bond issues. The Highway Department, as I understand it, will have the money either way, but it will reduce our bonded indebtedness by \$5,500,000. Thus, it will save over a two year period, at five per cent interest, \$550,000, or a half million dollars.

Now, it was pointed out Saturday the advantages of some of these tax measures, that they could be deductible on the income tax. This too is deductible on income tax and, while I am apparently am going to be outvoted, I just don't want to pass up this opportunity to point out that this will save the State of Maine, if we enact it, around half a million dollars in bond interest and that much expense. I hope that motion prevails to reconsider.

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

Mr. CIANCHETTE of Somerset: Mr. President and Members of the Senate: It is my understanding and feeling that between the opponents and proponents of the gasoline tax measure, coupled with the bond issue that we have passed here today, that the proponents of the two cent gas tax did finally agree that we would go to one cent, and that we would not impose the additional increase in registrations if those people would support the bond issue as we had it proposed. I feel, as a member of the Highway Committee, the committee was pretty nearly committed to this, and I hope that the motion to reconsider does not prevail.

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

Mr. WYMAN of Washington: Mr. President and Members of the Senate: Ordinarily I would say no more, I would say nothing on this, other than the fact that we have returned to the automobile owners some \$9,000,000, or something like this, on the automobile trade-in, and to me this changes the whole picture and justifies passage of this bill.

The PRESIDENT: The pending question before the Senate is the motion of the Senator from Washington, Senator Wyman, that the rules be suspended. As many Senators as are in favor of suspending the rules will rise and remain standing until counted.

Those opposed will rise and remain standing until counted.

A division was had. Four Senators having voted in the affirmative, and twenty-three Senators having voted in the negative, the motion did not prevail.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table, An Act Amending Laws Pertaining to the Maine State Prison (H. P. 667) (L. D. 854).

On motion by Mr. Hoffses, and under suspension of the rules, the Senate voted to reconsider its ac-

tion whereby this Bill was Passed to be Engrossed.

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

Senate Amendment "B", Filing No. S-339, was Read.

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

Mr. CONLEY of Cumberland: Mr. President and Members of the Senate: It strikes me as though this is an amendment that we debated sometime earlier in the session as striking out the figure \$50 again, and thereby replacing the figure of \$25. It was my understanding at that time, if I am right, that this is again permissive legislation which would allow the wardens to give up to \$50 to an inmate that was being released. Today when someone is being discharged from one of our institutions I would believe that \$50 is not a luxurious sum, and it might help them to stay on the right track and at least help them to get situated. I would, therefore, Mr. President, move the indefinite postponement of Senate Amendment "B".

The PRESIDENT: The Chair would rule and refer the Senators to Joint Rule 21. The offering of an amendment is out of order, and the motion of the Senator from Cumberland, Senator Conley, that Senate Amendment "B" be indefinitely postponed, is in order. Is it now the pleasure of the Senate to indefinitely postpone Senate Amendment "B"?

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr. President, if the amendment is not acceptable, there is nothing before us then, is there?

The PRESIDENT: If the amendment is not acceptable, then the pending question is the passage of the bill to be engrossed.

The Chair recognizes the Senator from Kennebec, Senator Katz.

Thereupon, on motion by Mr. Katz of Kennebec, retabled until later in today's session, pending Passage to be Engrossed.

On motion by Mr. Sewall of Penobscot, the Senate voted to take

from the Special Appropriations Table, An Act Increasing the Number of Superior Court Justices, (H. P. 955) (L. D. 1236)

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

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

Senate Amendment "B", Filing No. S-340, was Read and Adopted and the Bill Passed to be Engrossed in non-concurrence.

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

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

Mr. REED: Mr. President and Members of the Senate: First I would make a request of the Chair, if it were possible, or as soon as possible, that it might sign item 8 which is Bill, "An Act to Amend the Charter of the City of Portland." The Senator on my left, I am sure, would be very appreciative, as he is very anxious to get this into the Governor's office. I would ask that the Senate Democrats caucus immediately after session in the Judiciary Room. I am sure that if the Senator could get this taken care of, he could be handled much more easily than otherwise. With that, I will sit down.

On motion by Mr. Hoffses of Knox, recessed pending the sound of the bell.

(After Recess)

Called to order by the President.

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

Mr. KATZ of Kennebec: Mr. President, is the Senate in possession of (H. P. 44) (L. D. 45), Bill, "An Act Relating to Expenses of the Clerk of the House of Representatives"?

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

Thereupon, on motion by Mr. Katz of Kennebec, the Senate voted to reconsider its action whereby this Bill was Passed to be Engrossed.

On further motion by the same Senator, the Senate voted to reconsider its action whereby it indefinitely Postponed Committee Amendment "A" and, on subsequent motion by the same Senator, Committee Amendment "A" was adopted in concurrence.

On further motion by the same Senator, the Bill, as Amended, was 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 a matter tabled earlier in today's session, by Mr. Katz of Kennebec:

An Act Amending Laws Pertaining to the Maine State Prison (H. P. 667) (L. D. 854).

Pending — Passage to be Engrossed.

Which was Passed to be Engrossed as amended in concurrence.

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

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table, Resolve, Authorizing a Study of the Operational Aspects of the Superior and Supreme Courts (H. P. 404) (L. D. 515).

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

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

Senate Amendment "A," Filing No. S-347, was Read and Adopted and the Resolve as amended, Passed to be Engrossed in non-concurrence.

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

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table, An Act Revising the Maine Mining Law (H. P. 339) (L. D. 448).

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

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

Senate Amendment "B", Filing No. S-344, was Read and 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. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table, An Act Appropriating Funds for the Operation of the Maine Mining Commission (H. P. 882) (L. D. 1141).

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

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

Senate Amendment "A," Filing No. S-346, was Read and 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. Sewall of Penobscot the Senate voted to take from the Special Appropriations Table, An Act Appropriating Funds for Health Education (S. P. 121) (L. D. 383).

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

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

Senate Amendment "A," Filing No. S-345, was Read and 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 the fourth tabled and unassigned matter:

Bill "An Act Providing for Payment of the 1969 Education Subsidies to Municipalities" (S. P. 414) (L. D. 1379).

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

Pending — Enactment.

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

Mr. REED of Sagadahoc: Mr. President, I would like to make an inquiry through the Chair. Is it my understanding that the second year subsidy allocation bill has been enacted? I would like to direct that question through the Chair to the Senator from Kennebec, Senator Katz.

The PRESIDENT: The Senator from Sagadahoc, Senator Reed, has posed a question through the Chair to the Senator from Kennebec, who may answer if he so desires.

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr. President, that was my presumption, if I could have a moment. Trusting my memory, this is confusing, the money was in the Supplemental Budget so the Bill has already been funded. Now, let's see what happens to the Bill itself. I would urge the Senate join me in hunting for this on the Appropriations Table.

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

Mr. KELLAM of Cumberland: Mr. President, just to be helpful, I think it is still on the Appropriation Table, myself.

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

Mr. KATZ of Kennebec: Mr. President, the answer to the Senator's question is yes, the funds have already been appropriated, but the L. D. itself hasn't been yet

approved. If it will expedite our action, I will withdraw my motion or I will move that the Senate table it until later in today's session.

The PRESIDENT: The Senator from Kennebec, Senator Katz, moves that L. D. 1379 be tabled until later in today's session. Is this the pleasure of the Senate?

The motion prevailed.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table, An Act to Provide a More Equitable Method of Distributing School Subsidy. (H. P. 1254) (L. D. 1586)

Thereupon, the Bill was Passed to be Enacted and signed by the President.

On motion by Mr. Katz of Kennebec, and under suspension of the rules, the Senate voted to take from the table the second matter tabled earlier in today's session, by Mr. Katz of Kennebec:

Bill, "An Act Providing for Payment of the 1969 Education Subsidies to Municipalities." (S. P. 414) (L. D. 1379)

Tabled — June 16, 1969, by Senator Katz of Kennebec.

Pending — Enactment.

This being an emergency measure, and having received the affirmative vote of 31 members of the Senate, was Passed to be Enacted and signed by the President.

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

(After Recess)

Called to order by the President.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table the following:

Resolve, In Favor of the City of Augusta (H. P. 3) (L. D. 3).

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

Resolve, Appropriating Funds for the Perambulation of the Maine-New Hampshire Boundary Line (S. P. 29) (L. D. 87).

Resolve, to Reimburse the Town of Strong for Support to Evangeline C. Bean (H. P. 136) (L. D. 158).

Resolve, Reimbursing Certain Municipalities on Account of Property Tax Exemptions of Veterans (S. P. 75) (L. D. 236).

Resolve, to Reimburse Mrs. Magna O. Fielding of Scarborough for Property Damage by Escapees From Boys Training Center (H. P. 211) (L. D. 261).

Which, except for the matter set aside, were Finally Passed and, signed by the President.

The President laid before the Senate the matter previously set aside as requested by Mr. Berry of Cumberland, Resolve, In Favor of the City of Augusta (H. P. 3) (L. D. 3).

The same Senator then moved that the Resolve be tabled until later in today's session, pending Enactment.

Thereupon, on motion by Mr. Katz of Kennebec, a division was had. Eleven Senators having voted in the affirmative, and nineteen Senators having voted in the negative, the motion did not prevail.

Mr. Berry of Cumberland then moved that the Resolve be indefinitely Postponed.

The PRESIDENT: The Chair recognizes the same Senator.

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: L. D. 3 Reimburses the City of Augusta for taxes which would have been assessed on the property if the property had been privately owned. I recall that the Senator from Kennebec, Senator Katz, many times during our debate on issues this session has said that there were worthy items which would have to suffer this session because there was just not enough money to go around. I would believe that this item of \$28,000 to pay Senator Katz's home city this money is reasonably low on the priority list when we think of some of the other things that will get cut and which are very worthy. The 103rd Legislature defeated this motion and the 102nd did too. I would hope that the body would join me in my motion to indefinitely postpone and I will request a roll call.

The PRESIDENT: A roll call has been requested. Is the Senate ready for the question?

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr. President and Members of the Senate: This was not my bill, I didn't introduce it, I didn't go to the public hearing, and I was not at the leadership meeting when it was approved for passage. As far as I am concerned, the need has been proven over the previous two legislatures, but the bill failed of passage because the money wasn't allocated to it. I think that we have heard enough about this bill for the past two legislatures so that the need has been proved, and I would ask the Senate to go along and against the last minute motion to indefinitely postpone.

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

Mr. Beliveau of Oxford moved that the Resolve be tabled until later in today's session, pending the motion by Mr. Berry of Cumberland to Indefinitely Postpone.

On motion by Mr. Katz of Kennebec a division was had. Ten Senators having voted in the affirmative, and nineteen Senators having voted in the negative, the motion did not prevail.

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 speak briefly against this measure. I think it may be a meritorious measure, as the good Senator from Kennebec has pointed out, but I don't think it is so meritorious it has to be at the top of the barrel. It seems to me it could well wait until some of these urgent and much more meritorious measures had seen the light of day rather than be right at the top of the priority list. Therefore, I will vote against it.

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

Mr. KATZ of Kennebec: Mr. President and Members of the Senate: I call your attention to the reasons that it is at the top

of the priority list is only because of the enthusiasm of the sponsor in pre-filing, and I would suggest to the Senator from Franklin that this is no basis for feeling hostility either towards the sponsor or the measure.

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

Mr. KELLAM of Cumberland: Mr. President and Members of the Senate: This bill came to us quite some time ago now, and I know I was opposed to it then and I haven't changed my mind any. I believe that it is a dangerous thing for the State to start paying money to municipalities in lieu of taxes simply because they have lost tax money due to land takings. I still feel that way and I think it is unfortunate that the Senate isn't willing to allow a matter such as this to stand a little further down the line and maybe take it up later on. I think it is a little easier for us to swallow possibly later, and I believe I agree with Senator Mills that the priority aspect of it is bothersome to me, and I am going to vote against the bill. If it is defeated now, we can think about it a little later on today. I don't believe it hurts a bit for this body to go along with a tabling motion for a short period of time while we discuss matters.

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

Mr. REED of Sagadahoc: Mr. President and Members of the Senate: I guess it was Rodney who used to say when the going gets tough, the tough get going, and it looks like some of them have started already.

I think maybe it is just as well if we tell you about what we have tried to do. We have picked off some bills, and they are not necessarily priority bills. Then we told the good Senator from Penobscot, Senator Sewall, to mix them up a little bit and throw them out. I don't know that the first choice is as wise as it might be simply because the Majority Floor Leader happens to be from the City of Augusta. But I have fought two tabling motions, and I will con-

tinue to fight tabling motions because we have got to get on with the business at hand.

I would say that no real line of priority has been established. We have taken bills that generally we have tentatively agreed upon, a number have agreed upon them, and we are throwing them out to you. There doesn't seem to be much object at this time to start tabling so that this Senate and the House in its entire wisdom can set up a priority list. It doesn't seem to me that we will be done by the Fourth of July if we take this procedure. Therefore, I would hope you would make judgment upon this bill.

I would say that since my time here I have never seen a table being treated as well as this one has been. We have tried to be fair, we are going to make mistakes, but I hope we decide these things as they come up, and not start tabling them.

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

Mr. MARTIN of Piscataquis: Mr. President and Members of the Senate: In my brief experience here there are many things that I don't know, but I am going to act according to my conscience on this. I feel that the City of Augusta is justified in receiving this reimbursement in that, as I understand the problem, the State of Maine purchased this building and rented it and received some rentals. I believe that the City of Augusta is justified in receiving this reimbursement, and I am going to vote in favor of this Resolve.

The PRESIDENT: Is the Senate ready for the question? A roll call has been requested. In order for the Chair to order a roll call, under the Constitution, it requires the affirmative vote of 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 recognizes the Senator from Penobscot, Senator Sewall.

Mr. SEWALL of Penobscot: Mr. President and Members of the Sen-

ate: Very briefly, I would like to refresh the minds of the Senators on this item. This building was occupied by the Internal Revenue Service and owned by a private individual. The State bought it and the Internal Revenue Service continued to stay in there. The building became tax exempt, of course, when the State took it over. The State did collect rent on it until such time as they moved the Department of Health and Welfare into it. So, on the Appropriations Committee we felt that this was a moral commitment to the city.

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

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: I noticed that Senator Sewall skipped over L. D. 129, Resolve, Reimbursing Mars Hill Utility District for Bonds Issued for Sewer Construction. Am I to understand that this item will be indefinitely postponed?

The PRESIDENT: The Senator from Cumberland, Senator Berry, has posed a question through the Chair, which any Senator may answer if he desires. The pending question before the Senate, is the motion of the Senator from Cumberland, Senator Berry, that Resolve, in Favor of the City of Augusta, be indefinitely postponed.

The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: It just happens that L. D. 129 is exactly the same amount of money, less \$12, than L. D. 3. Now, I say that this list of priorities we are talking about is something that we should keep in mind then, that the money, and small money it is—this is out of the surplus incidentally, and it appropriates a pretty good slug of the surplus that is left, in my understanding, for this particular purpose, which appears to have a certain political overtone.

We do have priorities here. I would say just pick this L. D. 129, the people of Mars Hill are far more entitled to reimbursement for \$28,000 than are the people of Augusta. The people of Mars Hill in good faith constructed a sewage

treatment plant, they went on the line for \$500,000 or \$600,000 for bonds, and then the State came along and downgraded the river so their sewage treatment plant was absolutely useless. These people are paying for these bonds in their sewage charges.

In my opinion, here is just one item that is more worthy of consideration than the City of Augusta being reimbursed for something that happened four or five years ago of this particular nature. The 103rd turned this down for very good reasons. I would say that the priorities of the unfortunate people in the State, who are suffering financially from lack of social care, for school subsidies, for all of this with which we have entertained over the last three or four days, puts this very, very low on the system of priorities. I would hope that you would support my motion.

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

Mr. SEWALL of Penobscot: Mr. President and Members of the Senate: I would just say this: it would be extremely premature to judge what will happen to any one L. D. by the order in which they will be presented to this body.

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

Mr. MILLS of Franklin: Mr. President and Members of the Senate: I would like to inquire why it has to be such a mystery how things are coming up. It is in order and chronological, apparently, in regard to the L. D.'s, and then you start keeping everybody guessing by jumping all over the place. Why can't they come up in order the same as any usual printed calendar is, the way it is printed and presented. Is there any reason why people can't anticipate and know that at a certain time after one item that the next item will follow it That would be a little fairer to the body considering it. Could the Senator from Penobscot answer that please?

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

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

Senate: At very best, clearing an Appropriation Table is not an easy job, and it is an awful lot harder when there are fifteen hands on the wheel. Some of these bills are being amended, some of them are being reviewed in various departments now, and I want to compliment the Senator from Penobscot, Senator Sewall, for handling this in what I consider a very fair manner. I think the Senate will certainly be approving of the total picture, but I would ask you to get your hands off the steering wheel and let the man do the job.

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

Mr. REED of Sagadahoc: Mr. President and Members of the Senate: In answer to the Senator from Franklin, Senator Mills, somewhat, and as I told the caucus, I guess I know why usually this table is cleared about two or three o'clock in the morning, or after everyone is bushed. We are doing it in broad daylight and this is the reason, to have discussion. In answer somewhat to the question, the final total commitment has not been made at this point. Therefore, to base an assumption that because one is passed and therefore, the next one is not going to pass, would be a false assumption. There are some that we have picked off and there has been some approval of, and we are going to pass these through fifteen or twenty at a time, then go back and pick up some more. Therefore, I would think it would be very difficult to make 100 per cent firm commitments to this entire list at this time and, therefore, we are trying to avoid the very thing that he is saying. I suppose maybe logically you could find that this is the way it should be done.

The PRESIDENT: Is the Senate ready for the question? The pending question before the Senate is the motion of the Senator from Cumberland, Senator Berry, that Resolve in Favor of the City of Augusta, be indefinitely postponed. A "Yes" vote will be in favor of indefinite postponement; a "No" vote will be opposed.

The Secretary will call the roll.

ROLL CALL

YEAS: Senators Anderson, Berry, Dunn, Kellam, Moore and Quinn.

NAYS: Senators Barnes, Beliveau, Bernard, Boisvert, Cianchette, Conley, Duquette, Gordon, Greeley, Hanson, Hoffses, Katz, Letourneau, Levine, Logan, Martin, Mills, Minkowsky, Peabody, Reed, Sewall, Stuart, Tanous, Violette and President MacLeod.

ABSENT: Senator Wyman.

A roll call was had. Six Senators having voted in the affirmative, and twenty-five Senators having voted in the negative, with one Senator absent, the motion did not prevail.

Thereupon, the Resolve was Finally Passed and signed by the President.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table, An Act Establishing a Full-Time Administrative Hearing Commissioner (H. P. 1242) (L. D. 1577).

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

Mr. Wyman of Washington then presented Senate Amendment "B" and moved its Adoption.

Senate Amendment "B", Filing No. S-348, was Read.

The PRESIDENT: The Chair recognizes the same Senator.

Mr. WYMAN of Washington: Mr. President and Members of the Senate: As far as I know, all hands agreed to some changes in this bill and we thought the changes had been made. This one change we find has not been made and, therefore, I offer this amendment and insofar as I know it is agreeable to everybody.

The PRESIDENT: Is the Senate ready for the question?

Thereupon, Senate Amendment "B" 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. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table, Resolve, to Reimburse Charles A. Holden of Portland as Agent of Conservator of Casco Mercantile Trust Company (S. P. 38) (L. D. 121).

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

Mr. Conley of Cumberland then presented Senate Amendment "A" and moved its Adoption.

Senate Amendment "A", Filing No. S-349, was Read and Adopted and the Resolve, as Amended, Passed to be Engrossed in non-concurrence.

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

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table the following matters:

An Act Increasing Compensation of Members of the Legislature (H. P. 73) (L. D. 73).

An Act Relating to Poll Taxes Paid to Caswell Plantation (H. P. 199) (L. D. 246).

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

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

An Act Relating to Maine State Prison Minimum Security Unit (H. P. 435) (L. D. 559).

Which were Passed to be Enacted and signed by the President.

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 \$1,900,000 for the Development, Expansion and Improvement of State Park and Forestry Facilities and for the Completion of the State's Marine Research Laboratory (H. P. 309) (L. D. 396).

Thereupon, this being a Bond Authorization Act and having received the affirmative votes of 30 members of the Senate was Passed

to be Enacted and signed by the President.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table, An Act to Authorize Bond Issues in the Amount of \$9,800,000 to Provide Funds for School Building Construction Under the Provisions of Section 3457 and section 3459 of Title 20, R. S. and \$800,000 to Provide Funds for the Construction of Regional Technical and Vocational Centers Under the Provisions of Section 2356-B of Title 20, R. S. (H. P. 402) (L. D. 513).

Thereupon, this being a Bond Authorization Act and having received the affirmative votes of 30 members of the Senate was Passed to be Enacted and signed by the President.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table the following:

Resolve, In Favor of Town of Haynesville for Development of a Recreational Area (H. P. 423) (L. L. 547).

Resolve, In Favor of Rodrigue J. Albert, M.D. of Fort Kent and Peoples Benevolent Hospital of Fort Kent (H. P. 456) (L. D. 593).

Resolve, Discharging Town of Shapleigh from Part of the Indebtedness to State Board of Education for Preparation of Agreement for Dissolution of School Administrative District No. 57 (H. P. 460) (L. D. 597).

Resolve, Reimbursing Town of Orono for Support of Nonsettled Cases (H. P. 762) (L. D. 982).

Resolve, to Reimburse Mr. and Mrs. Laurie E. Mann of Augusta for Property Taken by State (H. P. 803) (L. D. 1042).

Which were Finally Passed and signed by the President.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table, An Act Relating to Temporary Loans by State (H. P. 85) (L. D. 94).

This being an emergency measure and having received the affirmative vote of 30 Members of the Senate was Passed to be Enacted and signed by the President.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table the following:

An Act Relating to Poll Taxes Paid to Prentiss Plantation (H. P. 78) (L. D. 78).

An Act Providing Reimbursement for High School Diploma Programs in Maine's General Adult Evening Schools (H. P. 215) (L. D. 265).

An Act Increasing Mileage Allowance for State Employees on State Business (H. P. 308) (L. D. 395)

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

An Act Revising the State Board of Arbitration and Conciliation Law (H. P. 437) (L. D. 561).

Which were Passed to be Enacted and signed by the President.

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 \$2,515,000 for the Construction and Improvement of Facilities for the Treatment and Care of the Mentally Ill, Mentally Retarded, and the Youthful and Adult Offender at our Mental Health and Corrections Institutions (H. P. 311) (L. D. 398).

Thereupon, this being a Bond Authorization Act and having received the affirmative vote of 31 members of the Senate was Passed to be Enacted and signed by the President.

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 \$310,000 for the Construction of Water and Sewage Facilities at the Indian Reservations (H. P. 312) (L. D. 399).

Thereupon, this being a Bond Authorization Act and having received the affirmative vote of 31 members of the Senate was Passed to be Enacted and signed by the President.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table the following:

An Act Establishing an Occupational Safety Rules and Regulation Board (H. P. 338) (L. D. 447).

An Act Relating to Death Benefits Before Retirement Under State Retirement System (S. P. 175) (L. D. 576).

An Act to Provide Funding for Police Professional Liability Insurances for Maine State Police Officers (H. P. 855) (L. D. 1097).

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

An Act Relating to State Appropriation for Local Law Enforcement (S. P. 357) (L. D. 1221).

(On motion by Mr. Logan of York, temporarily set aside.)

An Act Reactivating the Governor's Committee on Children and Youth and the Governor's Advisory Council on the Status of Women and Continuing Activities of the Committee on Aging (H. P. 1072) (L. D. 1253).

Which, except for the matters set aside, were Passed to be Enacted and signed by the President.

The President laid before the Senate the matter previously set aside as requested by Mr. Logan of York: An Act Relating to State Appropriation for Local Law Enforcement (S. P. 357) (L. D. 1221).

The PRESIDENT: The Chair recognizes the same Senator.

Mr. LOGAN of York: Mr. President and Members of the Senate: I would like to state for the record that the funding in there, excepting that which goes to the Maine Law Enforcement Planning or Assistance Agency, is intended by this Legislature to finance the training of local law enforcement officers. Thank you Mr. President.

Thereupon, the Bill was Passed to be Enacted and signed by the President.

The President laid before the Senate the matter previously set aside as requested by Mr. Beliveau of Oxford: An Act to Provide Funding for Police Professional Liability Insurances for Maine State Police (H. P. 855) (L. D. 1097).

The PRESIDENT: The Chair recognizes the same Senator.

Mr. BELIVEAU of Oxford: Mr. President and Members of the Senate: I note that this L. D. would provide for liability insurance for State police officers. I think it is a commendable document. In reviewing this, I note that earlier today we appropriated \$18,525 to the bill. Out of the general fund we are now providing for an additional \$6,000. Am I to assume that the eighteen plus six is \$25,000 which represents the premium on the liability insurance policy for a year or two years for three hundred men? Is the \$25,000 the premium on the policy? Would someone care to answer this for me?

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

The Chair recognizes the Senator from Waldo, Senator Greeley.

Mr. GREELEY of Waldo: Mr. President and Members of the Senate: The \$9,000 for each year of the biennium is the Highway's share, 75 per cent, and the \$3,000 each year of the biennium comes from the general fund. State Police salaries are the same, seventy-five and twenty-five.

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

Mr. BELIVEAU of Oxford: Mr. President and Members of the Senate: I am aware of the contributions from Highway and the general fund, but I want to know is the \$25,000 the premium for the liability insurance policy for two years?

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

Mr. REED of Sagadahoc: Mr. President and Members of the Senate: It seems to me that that was a legitimate question and I think

maybe we should have an answer for it. I would like to see maybe someone table it for a few minutes.

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 Enactment.

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 \$770,000 for the Construction and Improvement of Vocational Educational Facilities at Northern, Southern, Eastern and Central Maine Vocational — Technical Institutes, and for the Construction and Improvement of Education Facilities at Maine Maritime Academy and the Unorganized Territory Schools and Indian Schools (H. P. 317) (L. D. 404).

Thereupon, this being a Bond Authorization Act and having received the affirmative vote of 30 Members of the Senate was Passed to be Enacted and signed by the President.

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).

Thereupon, this being a Bond Authorization Act and having received the affirmative vote of 30 Members of the Senate was Passed to be Enacted and signed by the President.

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 Paper from the House:

Non-concurrent Matter

An Act to Correct Errors and Inconsistencies in the Public Laws. (S. P. 366) (L. D. 1248)

In the Senate June 30, 1969, Passed to be Engrossed as Amended by Committee Amendment "A" (S-317) and Senate Amendments "D" (S-332) "E" (S-335) and "G" (S-338).

Comes from the House, Passed to be Engrossed as Amended by Committee Amendment "A" (S-317), Senate Amendments "D" (S-332) "E" (S-335) and "G" (S-338) and House Amendments "A" (H-593) "B" (H-594) and "D" (H-611) in non-concurrence.

On motion by Mr. Katz of Kennebec, the Senate voted to Recede from its action whereby the Bill was Passed to be Engrossed.

On further motion by the same Senator, the Senate voted to Recede from its action whereby Senate Amendment "G" was Adopted and, on subsequent motion by the same Senator, Senate Amendment "G" was Indefinitely Postponed.

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

Senate Amendment "J", Filing No. S-350 was Read and Adopted. House Amendment "A", Filing No. H-593, was Read and Adopted in concurrence.

House Amendment "B", Filing No. H-594, was Read and Adopted in concurrence.

House Amendment "D", Filing No. H-611, was Read and Adopted in concurrence.

Mr. Mills of Franklin then presented Senate Amendment "I" and moved its Adoption.

Senate Amendment "I", Filing No. S-343, was Read and Adopted.

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

Senate Amendment "H", Filing No. S-343, was Read.

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

Mr. VIOLETTE of Aroostook: Mr. President, perhaps we might just have an explanation as to what the amendment applies to. Can anyone give us an answer? The inspectors or agents of licensing authorities, what licensing is it? Could we have an explanation?

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

Mr. MILLS of Franklin: Mr. President, this Senate Amendment "H" is to implement and provide the authority in the inspection service to the State, the Liquor Commission, for instance, the Liquor Inspectors, the Food Inspectors in the City of Portland and possibly Augusta or Bangor, with the power to police licensed premises that fall within the purview of the discrimination law as heretofore enacted.

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

The motion prevailed and the Bill, as Amended, Passed to be Engrossed in non-concurrence.

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

(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.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table, An Act Changing Name of State Soil and Water Conservation Committee (H. P. 353) (L. D. 461).

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

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

Senate Amendment "A", Filing No. S-352 was Read and Adopted and the Bill, as Amended, Passed to be Engrossed in non-concurrence.

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 to Establish a Police Training Facility (L.D. 17).

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

An Act to Amend the New England Higher Education Compact (S.P. 237) (L.D. 711)

An Act Relating to Credit for Military Service Under State Retirement Law (H. P. 576) (L.D. 762)

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

An Act Amending Laws Pertaining to the Maine State Prison (H.P. 667) (L.D. 854)

An Act Appropriating Funds to Defray Part of Cost of Radio Homing Beacon at Norridgewock Airport (H. P. 914) (L.D. 1175).

Which, except for the matters set aside, were Passed to be Enacted and signed by the President.

The President laid before the Senate the matter previously set aside at the request of Mr. Beliveau of Oxford:

An Act Relating to Credit for Military Service Under State Retirement Law (H. P. 576) (L. D. 762).

The PRESIDENT: The Chair recognizes the same Senator.

Mr. BELIVEAU of Oxford: Mr. President and Members of the Senate: Although this document under the General Fund for '70 and '71 indicates that there will be a possible future cost, it is my understanding that the future cost will be very substantial because it will permit State employees to receive credit for military service. I do not believe that we have been accurately advised as to exactly how much money this will cost us in the future. It is my understanding that it will be very substantial, starting immediately, or at least starting within the next biennium.

In view of the mysterious air that seems to surround this document, Mr. President, I move for its indefinite postponement.

The PRESIDENT: The Senator from Oxford, Senator Beliveau, now moves that Legislative Document 762 be indefinitely postponed.

On motion by Mr. Katz of Kennebec, a division was had. 10 Senators having voted in the affirma-

tive, and 17 Senators having voted in the negative, the motion did not prevail.

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

Mr. BELIVEAU of Oxford: Mr. President, in view of the action on this, possibly someone can tell me approximately how much money they anticipate it will cost us. Someone should know something about the document that we are passing upon here.

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

Mr. HANSON of Kennebec: Mr. President and Members of the Senate: About the only information I can give you is according to what I received from Mr. Walters, and I will read exactly what he wrote to us: "Under the present law any person who has fifteen years contributing service, and has military service which was rendered prior to employment with the State, may purchase up to four years of said military service. However, this bill changes that so that the combination of prior services and membership services may be used to attain the fifteen years needed to purchase the military time.

"There is no way to obtain a cost, and this program, if adopted, would require that we accumulate the liabilities as incurred and present them to the next following legislature."

I have no figures on it and was unable to obtain any.

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

Mr. KELLAM of Cumberland: Mr. President, I would like to ask for a little clarification. Does this mean, according to what Senator Hanson has said, that if a person had 10 of 12 years in the military service that he could work three, four or five years for the State government and then be eligible for retirement? Is that the explanation?

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

Mr. HANSON of Kennebec: Mr. President, he may purchase up

to four years only. So, he could be in the service for 15 or 20 years, but he could still purchase only four years or have credit for four years of military service.

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

Mr. MILLS of Franklin: Mr. President and Members of the Senate: I believe this would affect me. I had some State service prior to the War and then immediately following the War some State service in the legislature. I am, like most all of you, in the State Retirement System and could buy that four years. But I think it is just buying something in the dark if we put this on the books without any cost estimates whatsoever. It is just dandy to give veterans' preferences and veterans' benefits, but to enact the law and then find out the costs later is completely irresponsible, it seems to me.

If this is a desirable thing to do, it would seem to me that the proper way to approach it is to get a study going to find out among your State personnel how many would be affected, what their requirements would be, and how much it is going to cost the State. I think it is completely irresponsible for us to put something on the books and then automatically saddle the next legislature with its cost without having any foresight today as to what it would be.

Is there a pending question, Mr. President?

The PRESIDENT: The pending question is the enactment of the document.

Mr. MILLS: I move, Mr. President, that this be indefinitely postponed.

The PRESIDENT: The Chair would inform the Senator that without an intervening motion, as a motion to indefinitely postpone has previously been made and defeated, even though there has been intervening debate, the motion is out of order.

The Chair recognizes the Senator from Somerset, Senator Cianchette.

Mr. CIANCHETTE of Somerset: Mr. President and Members of the Senate: I must admit that I am

at a little bit of a loss as to the exact details of this document at this time. However, I will try to recall from the Retirements Committee on which I served. This certainly is not as broad as what has been outlined here. This relates, the best I recall, to a person who is in State service and leaves State service for military service, returns to State service, if I recall correctly, within one year from the time they are released from military duty. So, this is not nearly as broad as might be determined here. Certainly I don't have the statute that it relates to here, but I am certain that the Retirements Committee, under the circumstances that have been pointed out here, would not have passed a bill such as this out Ought to Pass, and I am certain this bill was passed out Ought to Pass from the Committee, without it being well studied at that time.

We had many bills dealing with retirements, and I certainly must confess that I do not remember the exact details, however, I certainly hope that this bill is not indefinitely postponed at this time. If it needs some more clarification, perhaps it can be held up until somebody gets the time to get the facts back again.

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

Mr. HANSON of Kennebec: Mr. President, on the notes that I have here, this would affect possibly three people, according to the information we received before our committee. I will be frank with you, we were unable to obtain any price tag on this but, after much study, it was turned out as Senator Cianchette said.

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

Mr. MILLS of Franklin: Mr. President, I am going to have to ask respectfully to be excused from voting because I think I am the fourth person it would affect. I was in the State Legislature when I went on active duty in the Navy in 1942. When I came off active duty, within a year I was back in the Legislature, so I think I would qualify to tack on those four

years under the Retirement System. I have a financial interest in the outcome of this measure, so I will refrain from voting.

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

Mr. BELIVEAU of Oxford: Mr. President and Members of the Senate: After reading the document and listening to Senator Hanson's explanation, I don't seem to see any connection here. The document says that a State employee shall be entitled to this credit only if at point of retirement he shall have at least fifteen years creditable service in the State Retirement System. It deletes the term "membership" and replaces it with the word "creditable." Unless there are amendments to this that I am not familiar with. Are there any amendments to this document?

The PRESIDENT: The Chair would answer in the negative, there are no amendments.

Mr. BELIVEAU: Well, if there are no amendments, then it seems that some of the explanations that were presented here are in error, because this simply reduces it to 15 years of creditable service. Who determines what is considered to be creditable service? Are there regulations or are there other statutory provisions? I can envision here a person who can be in the service for four years and at the end of sixteen years could retire. It seems to me this is a very frequent occurrence today and it could result in a substantial expense on the part of the State.

I don't intend to overburden you people with argument on this, but I think we are concerned with expanding State services, with expanding costs, and here is one area where we are making provisions for possible future costs and nothing more. I think that where we are operating in such an unclear area that this is one area that we could focus on and defeat this document so that when we do pass upon it we will have some specific figures before us. So, I would ask for a division on the pending motion, Mr. President, and urge the members to vote against enactment.

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

Mr. REED of Sagadahoc: Mr. President and Members of the Senate: I don't know as we chose this particular one and went over the bill as such—I think that maybe the sponsor's name sort of caught my eye, and then the next thing was "Possible future cost", but there is no particular cost on it now. I do understand the concern, and I personally feel — and maybe I am speaking out of tune now — but I would have no objection if this was tabled so that when we come back here after supper the Retirement Committee can get together with some of those who have serious questions in regard to it and we can hear from them. I don't know at this time if we should really carry forward debate on a bill such as this and, therefore, I would almost think that it ought to be tabled until later today.

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

Thereupon, on motion by Mr. Cianchette, of Somerset, tabled until later in today's session, pending Enactment.

The President laid before the Senate the matter previously set aside at the request of Mr. Conley of Cumberland:

An Act to Establish a Police Training Facility (L. D. 17).

The PRESIDENT: The Chair recognizes the same Senator.

Mr. CONLEY of Cumberland: Mr. President and Members of the Senate: I rise in opposition to L. D. 17 and would like to express several reasons why this bill should be indefinitely postponed. On the surface this bill would appear to create a police training facility, or police academy, for municipal and county police officers. However, for all practical purposes, at this time the bill would, for lack of adequate funding, provide only a few staff to conduct training programs for municipal police officers and county sheriff personnel.

The purpose of the bill is certainly commendable on its surface, however, one very important fact, in my opinion, has been overlooked. The bill clearly creates a duplicating agency. There is already in existence an agency called the Maine Law Enforcement Council, which is much more representative of law enforcement than the board of commissioners in L. D. 17. The Law Enforcement Council has a full-time staff which is highly qualified in the training field. It has only recently completed the first year local law enforcement plan for the cities, towns and counties to meet the requirements of the Safe Streets Act.

It seems to me that the fundamental question before us is whether or not training of municipal and county law enforcement personnel should be a State responsibility or whether it might be a program in which the municipalities and counties could pool their resources and talent and develop an adequate training program. I, for one, would favor taking advantage of a cooperative effort of the municipalities and counties until such time as it can be demonstrated that the program does not work. I do not favor stifling the initiative of local government's cooperative efforts, but encourage them. Therefore, Mr. President and Members of the Senate, I move the indefinite postponement of this L. D.

The PRESIDENT: The Senator from Cumberland, Senator Conley, moves that Bill, An Act to Establish a Police Training Facility, L. D. 17, be indefinitely postponed.

The Chair recognizes the Senator from York, Senator Logan.

Mr. LOGAN of York: Mr. President and Members of the Senate: I would like to go back a little bit as I have more or less been expecting this. I would like to say to begin with that L. D. 17 has indeed been funded this very evening in 1221, in which \$60,000 was appropriated for the purposes of police training. This \$60,000 will generate \$970,000 in federal funds.

Now, the question is: who is going to do the training and who is going to administer the funds?

The Maine Law Enforcement Council, to which my distinguished colleague, Senator Conley, has referred, is a committee of the Maine Municipal Association, and its organization and composition is established by the by-laws of the Maine Municipal Association and can be changed. Let me add to that, in effect, whoever does the training of our police officers is going to set, in the long run, the policies and the standards of our police departments. The question is: do we want an organization, a public organization, set up by statute for administering these funds, or do we want the Maine Municipal Association to administer them? Part of the by-laws state that the Council shall make periodic reports to the Maine Municipal Association as directed by the Executive Committee of the Maine Municipal Association.

The Maine Municipal Association through its staff shall receive and disburse all moneys and keep an accurate account of all financial transactions of the Maine Law Enforcement Council. Is this what you want?

I would submit to you that a private organization has no place in the training of public police officers. It should be done, as is suggested in L. D. 17, by a public organization set up under the statute in a formal fashion.

I would also submit for your consideration that this afternoon I talked with his Excellency concerning this very matter, and he indicated that he wanted L. D. 17 passed so that his options would be open for future action.

Although I can understand the pressures that have been brought to bear on this matter, and understand the sources, I think that it would be a serious mistake at this time to indefinitely postpone L. D. 17, and I would urge you to vote against the motion. Thank you.

The PRESIDENT: Is the Senate ready for the question? The pending question before the Senate is the motion of the Senator

from Cumberland, Senator Conley, that Bill, An Act to Establish a Police Training Facility, be indefinitely postponed. As many Senators as are in favor of the motion to indefinitely postpone the bill will rise and remain standing until counted.

The Chair recognizes the Senator from Cumberland, Senator Conley.

Mr. CONLEY of Cumberland: Mr. President and Members of the Senate: My chief opposition to this bill today is the fact that I feel primarily, and particularly in the law enforcement field, that we should be getting back closer to home on the local level relative to this subject. I know in the short number of years I have been here in Augusta that, if anything, we have been giving more and more power to the State Police and getting away from what I feel is our objective, to get back into the local area and to strengthen our own communities in this field.

I think if we keep shrinking from our obligations at home, and continue to pass them over to the State, that we are not living up to the commitments that we should have to our home towns. This is not an attitude of being against the State Police; in that aspect I think they do a good job, but I honestly believe that we should get back home and strengthen things on a local basis. Therefore, Mr. President, I hope that this bill would be indefinitely postponed, and I would ask for a division on it.

The PRESIDENT: A division has been requested. The Chair recognizes the Senator from York, Senator Logan.

Mr. LOGAN of York: Mr. President and Members of the Senate: I would hasten to reassure my distinguished colleague, Senator Conley, that the police training facility as set up under L. D. 17 is indeed in the hands of our local officials. The Attorney General and the Chief of the Maine State Police are on the Board of Commission ex-officio, as they are also on the Board of Commission of the Law Enforcement Council. The other

members are as follows: The county attorney, the sheriff, and three other persons who shall be officers of municipal police departments. Control is indeed at the local level. Thank you, Mr. President.

The PRESIDENT: Is the Senate ready for the question? The question before the Senate is the motion of the Senator from Cumberland, Senator Conley, that Bill, An Act Establishing a Police Training Facility, be indefinitely postponed. A division has been requested. As many Senators as are in favor of the motion of the Senator from Cumberland to indefinitely postpone the bill will rise and remain standing until counted. All those opposed will rise and remain standing until counted.

A division was had. Nine Senators having voted in the affirmative, and twenty-one Senators having voted in the negative, the motion did not prevail.

Thereupon, the Bill was Passed to be Enacted and signed by the President.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table the following matters:

An Act Revising the State Board of Pesticides Control Law (H. P. 1097) (L. D. 1415).

An Act Relating to Privately Owned Business, Trade and Technical Schools (H. P. 1112) (L. D. 1432).

An Act Appropriating Moneys for a State Vocational and Technical Institute in Waterville (S. P. 477) (L. D. 1554).

An Act To Create the Maine Land Use Regulation Commission and to Regulate Realty Subdivisions (H. P. 1234) (L. D. 1566).

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

An Act Relating to the Water and Air Environmental Improvement Commission (S. P. 322) (L. D. 1084)

Which, except for the matter set aside, were Passed to be Enacted and signed by the President.

The President laid before the Senate the matter previously set aside at the request of Mr. Beliveau of Oxford: An Act to Create

the Maine Land Use Regulation Commission and to Regulate Realty Subdivisions (H. P. 1234) (L. D. 1566).

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

Mr. BELIVEAU of Oxford: Mr. President and Members of the Senate: Will someone tell me what this bill is all about before we pass on it. It calls for a \$50,000 appropriation, and apparently we are rapidly approaching the end of the session here, and I want to know why do we need a Land Use Regulation Commission and why do we need to regulate realty subdivisions? Finally, why do we need \$50,000?

The PRESIDENT: The Senator has posed a question through the Chair to any Senator who may answer if he desires.

The Chair recognizes the Senator from Sagadahoc, Senator Reed.

Mr. REED of Sagadahoc: Mr. President and Members of the Senate: I am just one member of the committee, and there are probably others such as the Senator from Cumberland, Senator Berry, who could explain it better than I. This is the so-called wildlands zoning bill, and one of the things we had to do in order to pass it was to change the name because they didn't particularly like the word "wildlands." What it does is set up a zone around any public road within, I think, a mile of a great pond, and any great pond that has five or more dwellings on it. Roughly, that is it. Now, my point has been that actually there isn't a cost on this because eventually this area that will be zoned will bring in more than enough tax revenue. My only feeling was that if you were going to put this expense on it, that you could almost turn around and increase the general fund revenue by that amount, but sometimes it is rather hard to convince people of these things. But, basically, this measure is the wildlands zoning bill which, I feel, is very much needed in the State of Maine.

The PRESIDENT: Is the Senate ready for the question?

Thereupon, the Bill was Passed to be Enacted and signed by the President.

On motion by Mr. Hoffses of Knox, recessed until 8:15 o'clock this evening.

After Recess

Called to order by the President.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table the following matters:

Resolve, Providing for Purchase of One Hundred Copies of History of Parkman (H. P. 540) (L. D. 719).

Resolve, to Reimburse Kermit Sanborn of South Portland for Damage by Escapees From Boys Training Center (H. P. 595) (L. D. 776).

Resolve, Providing for Purchase of Copies of History of Sanford (H. P. 677) (L. D. 876).

Resolve, Providing for Purchases of Copies of History of Auburn (H. P. 1077) (L. D. 1400).

Resolve, to Reimburse Julia Junkins of South Portland for Damage to Property (H. P. 1078) (L. D. 1401).

Which were Finally Passed and signed by the President.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table, An Act to Authorize the Town of Swan's Island to form a School Administrative District (H. P. 1082) (L. D. 1403).

Thereupon, this being an emergency measure and having received the affirmative vote of 27 Members of the Senate was Passed to be Enacted and signed by the President.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table, An Act Relating to Approval of Appointment of Assistant County Attorneys for Hancock and Washington Counties (H. P. 1137) (L. D. 1459).

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

Mr. BELIVEAU of Oxford: Mr. President, before acting on this, I think it is necessary for me to point out to the members of the Senate that there is a companion bill providing for full-time county

attorneys and also increasing substantially the salaries of county attorneys. At the time that the bill was reported out from committee it was understood that similar legislation providing for additional assistants in these various counties would be deferred because provisions had been made in this main bill. As a result of this, bills which provided for assistants in other counties, other than Hancock and Washington Counties, were defeated. I do believe that this document should be deferred until such time as we have passed on the main bill. So, I ask that someone table this item until tomorrow or later in today's session, so that we can consider them all at one time.

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

Mr. Anderson of Hancock then moved that the matter be tabled until later in today's session.

On motion by Mr. Sewall of Penobscot, a division was had. Fourteen Senators having voted in the affirmative, and thirteen Senators having voted in the negative, the motion prevailed.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table, An Act to Authorize Bond Issues in the Amount of \$22,000,000 to Provide Funds for Foundation Program School Subsidies for the Period Beginning January 1, 1970 and Ending June 30, 1970 Under the Revised Statutes, Title 20, Sections 3721 to 3724. (H. P. 1143) (L. D. 1467).

Thereupon, this being a Bond Authorization Act and having received the affirmative vote of 29 Members of the Senate was Passed to be Enacted and signed by the President.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table, An Act Appropriating Funds for Military and Naval Children's Home (H. P. 1203) (L. D. 1530).

Thereupon, this being an Emergency measure and having received the affirmative vote of 28 Members of the Senate was Passed to

be Enacted and signed by the President.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table, An Act Permitting the Municipalities of Old Orchard Beach and Saco to Form a School Administrative District and Contract for Part of its Students with Thornton Academy (H. P. 624) (L. D. 812).

Thereupon, this being an emergency measure and having received the affirmative vote of 29 Members of the Senate was Passed to be Enacted and signed by the President.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table, An Act Providing a Bond Issue in the Amount of One Hundred Thousand Dollars for Docking Facilities for Passengers and Freight at Matinicus Island (S. P. 374) (L. D. 1284).

Thereupon, this being a Bond Authorization Act and having received the affirmative vote of 28 Members of the Senate was Passed to be Enacted and signed by the President.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table, An Act Increasing the State Contingent Account (S. P. 435) (L. D. 1454).

Which was Passed to be Enacted and signed by the President.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table, An Act Pertaining to the Maine School Building Authority (H. P. 1140) (L. D. 1463).

Thereupon, this being an emergency measure and having received the affirmative vote of 28 Members of the Senate was Passed to be Enacted and signed by the President.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table, An Act to Authorize General Fund Bond Issue in Amount of

Fifty Million Dollars for Planning, Construction and Equipment of Pollution Abatement Facilities (S. P. 343) (L. D. 1209).

Thereupon, this being a Bond Authorization Act and having received the affirmative vote of 26 Members of the Senate, with 2 Senators having voted in the negative, was Passed to be Enacted and signed by the President.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table, An Act Providing a Bond Issue in the Amount of Two Hundred and Ten Thousand Dollars for Construction of Necessary Added Facilities at Camp Waban, York County (H. P. 949) (L. D. 1227).

Thereupon, this being a Bond Authorization Act and having received the affirmative vote of 29 Members of the Senate was Passed to be Enacted and signed by the President.

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

Mr. SEWALL of Penobscot: Mr. President, on Resolve in Favor of the City of Augusta, (H. P. 3) (L. D. 3), I move that the Senate reconsider its action whereby this Resolve was Finally Passed to be enacted, and hope that the Senate will vote against me.

On motion by Mr. Katz of Kennebec, a division was had. No Senators having voted in the affirmative, and 27 Senators having voted in the negative, the motion to reconsider did not prevail.

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:

Communications

State of Maine
House of Representatives
Office of the Clerk
Augusta, Maine

June 30, 1969

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

Sir:

The House today voted to Adhere to its action whereby Resolve Proposing an Amendment to the Constitution Providing for the Election of the Attorney by the Electors (S. P. 491) (L. D. 1585) failed final passage.

Respectfully,

/s/ BERTHA W. JOHNSON
Clerk of the House

Which was Read and Ordered
Placed on File.

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 Providing for Regional Referendum on Location of Industry Substantially Affecting Regional Environment." (H. P. 1275) (L. D. 1603) ask leave to report: that they are unable to agree.

On the part of the House:

BRAGDON of Perham
FARNHAM of Bangor
HARDY of Hope

On the part of the Senate:

BERRY of Cumberland
REED of Sagadahoc
SEWALL of Penobscot

Comes from the House, the report Read and Accepted.

Which report was Read and Accepted in concurrence.

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 the Employment of the Handicapped." (S. P. 487) (L. D. 1571) ask leave to report: that the House recede from Indefinite Postponement and from passage to be engrossed, recede from acceptance of the Report of the Committee on State Government reporting "Ought to Pass" in new draft (S. P. 487) (L. D. 1571) and substitute the original Bill (S. P. 94) (L. D. 277) under title of "An Act Establishing the Governor's Committee on Employment of the Handicapped" for the Report, adopt Conference Committee Amendment "A" sub-

mitted herewith and pass the Bill to be engrossed as amended by Conference Committee Amendment "A" (H-612).

that the Senate recede and concur with the House.

On the part of the House:

RIDEOUT of Manchester
LEVESQUE

of Madawaska
MARSTALLER

of Freeport

On the part of the Senate:

WYMAN of Washington
KATZ of Kennebec

Comes from the House, the report Read and Accepted and the Bill Passed to be Engrossed as Amended by Conference Committee "A" (H-612) in non-concurrence.

Which report was Read and Accepted in concurrence.

Thereupon, the Senate voted to Recede and Concur.

Final Reports

The Committee on State Government submitted its Final Report.

The Committee on Taxation submitted its Final Report.

Which reports were Read and Accepted. Sent down for concurrence.

On motion by Mr. Hoffses of Knox, recessed, pending the sound of the bell.

After Recess

Called to order by the President.

(Off Record Remarks)

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 Increasing Salaries of County Attorneys and Assistant County Attorneys." (H. P. 1049) (L. D. 1377) ask leave to report: that the House recede from recommitting the Bill and the "Ought to Pass" as amended by

Committee Amendment "A" Report of the Committee on State Government, that the House substitute the Bill for the Report, adopt Conference Committee Amendment "A" submitted herewith and pass the Bill to be engrossed as amended by Conference Committee Amendment "A"; that the Senate recede and concur with the House.

On the part of the House:

RIDEOUT of Manchester
RICHARDSON

of Cumberland
JALBERT of Lewiston

On the part of the Senate:

LOGAN of York
TANOUS of Penobscot
BELIVEAU of Oxford

Comes from the House, the report Read and Accepted and the Bill Passed to be Engrossed as Amended by Conference Committee "A" (H-613) in non-concurrence.

Which report was Read.

The PRESIDENT: Is it now the pleasure of the Senate to accept the report of the committee of conference?

The Chair recognizes the Senator from Oxford, Senator Beliveau.

Mr. BELIVEAU of Oxford: Mr. President and Members of the Senate: I would like to explain very briefly what this report represents. This is a bill which carries a \$101,000 price tag which provides for salary increases for the county attorneys and their assistants. Again, it is my belief that this document should be considered along with the other bill which provides for full-time county attorneys in our six largest counties, and also provides for salary increases for them and their assistants. That bill carries a price tag of \$105,000, approximately \$4,000 more than this one.

The issue is whether or not we want to continue our present system of county attorneys and completely disregard the need of full-time prosecution in our largest counties, whether or not we can continue to permit part-time prosecution, whether or not we want to continue the caliber and quality of our prosecutors. It is my opinion that if we are going to act in

this area that we should adopt the Bill, L.D. 1610, which is the bill that was reported out of the Joint Committees of State Government and Judiciary. Therefore, I would strongly urge that we defer action on this document until later in the session when we can consider all three at one time. I would request that some member table this item until later in today's session.

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

Thereupon, on motion by Mr. Mills of Franklin, tabled until later in today's session, pending Acceptance of the Report of the Committee of Conference.

On motion by Mr. Cianchette of Somerset, the Senate voted to take from the table, An Act Relating to Credit for Military Service Under State Retirement Law (H.P. 576) (L.D. 762).

The PRESIDENT: The Chair recognizes the same Senator.

Mr. CIANCHETTE of Somerset: Mr. President and Members of the Senate: I checked during the recess with Mr. Walters, the Executive Secretary of the Retirement System to refresh my memory on this bill. This action changing one word in this document would only relate to service rendered prior to 1942. It is possible that there are persons who may come under this, although to his knowledge there are none. It is aimed at the participating districts, some of whom have requested that they be allowed to give service credit for some of their employees.

We understand there would be no cost to the State if this is allowed to be enacted, but it would give the benefit to those participating districts, who choose to do so, to bring into their retirement the same privileges that State employees now have. I trust that you will enact the bill.

The PRESIDENT: Is the Senate ready for the question?

Thereupon, the Bill was Passed to be Enacted and signed by the President.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table the following matters:

Resolve, Reimbursing Mars Hill Utility District for Bonds Issued for Sewer Construction (H. P. 113) (L. D. 129).

Resolve, in Favor of Louis J. Doyle of Pownal for Automobile Damage Sustained Through Wrongful Act of State Ward (H. P. 212) (L. D. 262).

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

Resolve, in Favor of Matinicus Isle Plantation (H. P. 1213) (L. D. 1545).

Which were Finally Passed and signed by the President.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table, An Act Providing for Maintenance of a Certain Road Leading to Baxter State Park (H. P. 229) (L. D. 285).

On further motion by the same Senator, Indefinitely Postponed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table, An Act Relating to Disability Retirement and Retirement Allowances Under State Retirement System (H. P. 242) (L. D. 297).

On further motion by the same Senator, Indefinitely Postponed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table, An Act Relating to Expenses of State Liquor Commissioner (S. P. 152) (L. D. 433).

On further motion by the same Senator, Indefinitely Postponed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table, An Act Increasing the Num-

ber of Official Court Reporters (S. P. 137) (L. D. 34).

On further motion by the same Senator, Indefinitely Postponed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table, An Act to Encourage the Use of Electronic Voting Systems by Municipalities (H. P. 382) (L. D. 491).

On further motion by the same Senator, Indefinitely Postponed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table, An Act Relating to Compensation of Patients and Inmates at State Institutions (H. P. 431) (L. D. 555).

On further motion by the same Senator, Indefinitely Postponed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table, An Act Relating to Education of Indians (H. P. 531) (L. D. 702).

On further motion by the same Senator, Indefinitely Postponed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table, An Act Relating to Uniform Dispositions of Unclaimed Property Act (S. P. 267) (L. D. 905).

On further motion by the same Senator, Indefinitely Postponed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table, An Act Establishing a Study Committee on Water Resources (S. P. 281) (L. D. 928).

On further motion by the same Senator, Indefinitely Postponed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table, An Act Providing Free Tuition at State Colleges for Students From Low Income Families (S. P. 345) (L. D. 1211).

On further motion by the same Senator, Indefinitely Postponed in non-concurrence.

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 Funds to Expand Homemaking Services in the Department of Health and Welfare (H. P. 539) (L. D. 718).

An Act Authorizing Harness Racing Commission to Employ a Veterinarian (H. P. 591) (L. D. 772).

An Act Relating to Reorganization and Revision of Public Rehabilitation Services (H. P. 711) (L. D. 925).

An Act Relating to Closing of Private and Parochial Schools (H. P. 804) (L. D. 1043)

An Act Establishing the Law Enforcement Planning and Assistance Agency (H. P. 1046) (L. D. 1374)

Which were Passed to be Enacted and signed by the President.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table the following matters:

An Act Relating to a Maine-New Hampshire Interstate School Compact (S. P. 387) (L. D. 1378).

An Act to Create a School Administrative District in the Town of Sanford (H. P. 1065) (L. D. 1394).

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

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

An Act Relating to Allowance for Widows of Justices of the Supreme Judicial Court and the Superior Court (H. P. 1228) (L. D. 1561).

Which were Passed to be Enacted and signed by the President.

On motion by Mr. Sewall of Penobscot, the Senate voted to take

from the Special Appropriations Table, An Act Exempting Water and Air Pollution Control Facilities From Sales and Use Taxes (S. P. 117) (L. D. 326).

Which was Passed to be Enacted and signed by the President.

On motion by Mr. Katz of Kennebec, and under suspension of the rules, the Senate voted to take from the table a matter tabled earlier in today's session, An Act Providing for a Feasibility Study of Alternative Methods for Crossing Fore River (S. P. 472) (L. D. 1544).

On further motion by the same Senator, Indefinitely Postponed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table, An Act to Authorize Bond Issues in the Amount of \$50,000,000 to Provide Funds for School Building Construction Under the Revised Statutes, Title 20, Sections 3457, 3458, and 3459 (H. P. 158) (L. D. 197).

Thereupon, this being a Bond Authorization Act and having received the affirmative vote of 26 Senators, with one Senator voting in the negative, was Passed to be Enacted and signed by the President.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table, An Act Relating to Inspection and Advertising of Farm Products (H. P. 1219) (L. D. 1552).

On further motion by the same Senator, Indefinitely Postponed in non-concurrence.

Sent down for concurrence.

(Senate at Ease)

Called to order by the President.

On motion by Mr. Katz of Kennebec, the Senate voted to take from the table the second tabled and unassigned matter: Bill, "An Act Relating to the Taxation of Farm Machinery" (H. P. 1216) (L. D. 1548).

Tabled—June 11, 1969 by Senator Katz of Kennebec.

Pending—Enactment.

On further motion by the same Senator, Indefinitely Postponed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Katz of Kennebec, the Senate voted to take from the table the sixth tabled and unassigned matter: Bill, "An Act Creating a School Administrative District for the City of Portland" (H. P. 805) (L. D. 1044).

The same Senator then moved that the Bill and all accompanying papers be Indefinitely Postponed.

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

Mr. KELLAM of Cumberland: Mr. President and Members of the Senate: It is probably a little late in the day to be opposing the indefinite postponement motions as they seem to go through quite easily. However, it appears to me quite unusual that we would have a situation where a various number of similar bills are up for enactment. We have during the course of this evening enacted 1403, 812 and 1394, having to do with Swan's Island, Old Orchard Beach and Sanford, and the leadership here feels it necessary that the one in relation to Portland should be indefinitely postponed. I fail to see the reasoning of such action.

I believe it was well discussed on prior occasions as to the need for such a bill, or at least the worthiness of it, and the bill would go back to referendum in the City of Portland. The only problem I see with the bill really is whether the people of Portland really want it, and I suppose there would be considerable discussion in that regard if it does come up for referendum in the City.

I certainly feel it is very inappropriate for the Senate leadership to feel that we should just knock this one off and kill it at this stage of the game. This bill did not pass the House, at least the final time, due to some, I believe, misunderstanding as to the power of vetoing the directors or the school committee's actions.

It seems to me that the bill has considerable merit. I believe that we have for the last dozen years

been engaged in the school district law, and everybody recognizes that eventually a desirable school system would require that all the units of this State be divided into school districts. I feel that the law is made for everybody, we should all be able to come within the law, and if the City of Portland wishes, after referendum, to engage in a single school administrative district, they should be allowed to do so.

I have heard of no worthwhile objection from anyone to this bill. There were some allusions to the fact that it might cost the State some money, and I think that would probably be the most inappropriate reason of them all. I believe the matter should at this time not be indefinitely postponed, and sent back to the House where the matter can be discussed. The House is the body which has deliberated on this bill, certainly to a greater extent than we have here, and I think that, if it is to die at all, it should die down there.

I would hope that we would, in all fairness, not single out one particular city to be told that, as far as the school administrative district law in the State of Maine is concerned, that their votes are welcomed for any gains that can be given to it and the Representatives of Portland are welcomed to participate in the educational matters of the State to try to improve education, but that they shouldn't come forth and make any requests to participate in that improvement. I hope that the Senate tonight will try to show some sense of fairness and reject the pending motion for indefinite postponement. I would ask for a division.

The PRESIDENT: A division has been requested.

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr. President and Members of the Senate: Purely and simply on the merits of the cost of the bill, and that is what an Appropriations Table is for, and the Senate is the place for ultimate consideration, this bill has a cost for this biennium of \$220,000, and it is \$220,000 we don't have.

The City of Portland has gotten a \$500,000 increase in school subsidies in the second year of this biennium alone, which indicates our compassion for the problems of Portland. But I would ask the Senate to go along with the motion for indefinite postponement because of the cost of \$220,000.

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

Mr. CONLEY of Cumberland: Mr. President and Members of the Senate: Earlier today on the Senate Advance Journal, on Item 8, this Senate enacted a bill which would allow the citizens of Portland to re-examine their form of government. As I look at the bill which is before us, the bill that we are debating at this time, an act which would create a school administrative district for the City of Portland, it is unfortunate for us that the City of Portland has not taken an official stand relative to this item, because of the fact that we don't have what we call a leader within the city government, being under a city manager form of government.

The Chairman of the Portland School Board came before the Education Committee and very strenuously exerted his efforts on behalf of this piece of legislation to come back before the citizens of Portland, and a large majority of the School Board supported his stand. It seems unfortunate to me, and it seems also that it is not quite up to par, that the Senate earlier today enacted a single school administrative district for the Town of Sanford and yet, when the City of Portland has this piece of legislation before us, asking for the same opportunity as Sanford has asked, that we are to be denied.

The Majority Floor Leader has mentioned a price tag of \$220,000 for the biennium. Now, it is my understanding from the sponsor of the bill that it would only cost the State \$100,000 because of the fact that this would have to go to referendum — whether or not the citizens of Portland approved it or not would be another thing—but if they did approve it the cost

at this time would be for one year out of this biennium.

So, I would just ask that the Senate give us the same consideration that it has given to Sanford and the other municipalities that have asked to join a school administrative district, and that we pass this bill to allow the citizens of Portland to have their choice to themselves as to whether or not they want to become an SAD. At least I think we should give it that much consideration that we pass this bill and send it back to the other body to allow them at least one more opportunity of looking this bill over. I would ask for a division on the motion.

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

Mr. KELLAM of Cumberland: Mr. President and Members of the Senate: I would only say I would dispute, without having the figures readily available, I would dispute the figures given by the Majority Leader as to the cost of \$220,000 for this law. I see no reason to object to the formation of the Portland District just on that basis and, since the matter must go out to referendum, we certainly realize that it is not a question of immediate formation or that the money is determined at this particular time. Thank you.

The PRESIDENT: The pending question before the Senate is the motion of the Senator from Kennebec, Senator Katz, that Bill, "An Act Creating a School Administrative District for the City of Portland," be indefinitely postponed. A division has been requested. As many Senators as are in favor of the motion of the Senator from Kennebec, Senator Katz, will rise and remain standing until counted. All those opposed will rise and remain standing until counted.

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

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

Mr. KATZ of Kennebec: Mr. President, may I have the status of the bill?

The PRESIDENT: The bill was indefinitely postponed on enactment in the House of Representatives.

Thereupon, the Bill was Passed to be Enacted in non-concurrence and signed by the President.

Sent down for concurrence.

On motion by Mr. Katz of Kennebec, the Senate voted to take from the table the seventh tabled and unassigned matter, Bill, "An Act Revising the Maine State Personnel Laws" (H. P. 1048) (L. D. 1376).

Tabled — June 17, 1969 by Senator Katz of Kennebec.

Pending — Enactment.

On further motion by the same Senator, Indefinitely Postponed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Katz of Kennebec, the Senate voted to take from the table the tenth tabled and unassigned matter, Bill, "An Act Providing for a Bond Issue in the Amount of Thirty Million Dollars to Reconstruct Route 6" (S. P. 358) (L. D. 1222).

Tabled — June 26, 1969 by Senator Berry of Cumberland.

Pending — Enactment.

Thereupon, this being a Bond Authorization Act and having received the affirmative vote of 21 Members of the Senate, with 8 Senators having voted in the negative, 21 being more than two-thirds of the Senators present and voting, was Passed to be Enacted.

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

Mr. TANOUS of Penobscot: Mr. President, I move this matter be reconsidered, and I urge everybody to vote against my motion.

A viva voce vote being taken, the motion to reconsider did not prevail.

Thereupon, the Bill was signed by the President, and by the Secretary presented to the Governor for his approval.

Under suspension of the rules, the Senate voted to take from the

table a matter tabled earlier in today's session:

Committee of Conference Report

The Committee of Conference on the disagreeing action of the two branches of the Legislature, on

Bill, "An Act Increasing Salaries of County Attorneys and Assistant County Attorneys." (H. P. 1049) (L. D. 1377) ask leave to report: that the House recede from recommitting the Bill and the "Ought to Pass" as amended by Committee Amendment "A" Report of the Committee on State Government, that the House substitute the Bill for the Report, adopt Conference Committee Amendment "A" submitted herewith and pass the Bill to be engrossed as amended by Conference Committee Amendment "A";

that the Senate recede and concur with the House.

On the part of the House:

RIDEOUT of Manchester
RICHARDSON

JALBERT of Lewiston

On the part of the Senate:

LOGAN of York
TANOUS of Penobscot
BELIVEAU of Oxford

Comes from the House, the report Read and Accepted and the Bill Passed to be Engrossed as Amended by Conference Committee "A" (H-613) in non-concurrence.

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

Mr. BELIVEAU of Oxford: Mr. President and Members of the Senate: Solely for the reason of expediting this matter, I move that we accept the Report of the Committee of Conference.

The PRESIDENT: The Senator from Oxford, Senator Beliveau, now moves that the Senate accept the Report of the Committee of Conference. Is this the pleasure of the Senate?

The motion prevailed.

Thereupon, the Senate voted to Recede and Concur.

On motion by Mr. Hoffses of Knox, recessed pending the sound of the bell.

After Recess

Called to order by the President.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table the following matters:

An Act Providing for Clinical Treatment and Rehabilitation of Alcoholics (H. P. 280) (L. D. 356).

An Act Appropriating Funds to Administrative Hearing Commissioner for Subpoenas to Parents of Minors (H. P. 290) (L. D. 366).

An Act Eliminating Boards of Visitors for State Institutions and Creating Committee on Corrections (H. P. 303) (L. D. 379).

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

An Act Appropriating Funds to Establish Renal Dialysis Centers (S. P. 292) (L. D. 972).

On further motion by the same Senator, Indefinitely Postponed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table, An Act Appropriating Funds for Union River Anadromous Fish Restoration Program (H. P. 427) (L. D. 1425).

The same Senator then moved that the Bill and all accompanying papers be Indefinitely Postponed.

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

Mr. ANDERSON of Hancock: Mr. President and Members of the Senate: I rise in opposition to the motion and would voice my opposition. I can't understand how the Appropriations Committee has changed their minds; they were all for this.

Now, this bill, L. D. 1425, will be a boon not only to Ellsworth but to Hancock County and the State as well, and what they put into it will come back to the State tenfold. This scheme of getting the

fish to come back into the rivers has been tried out in Canada and it has proven very, very successful. It is a very small amount and it certainly would mean a lot, as I say, to Hancock County and the State of Maine. I would certainly hope that the motion to indefinitely postpone would not prevail. I ask for a division, Mr. President.

The PRESIDENT: A division has been requested.

The Chair recognizes the Senator from Penobscot, Senator Sewall.

Mr. SEWALL of Penobscot: Mr. President and Members of the Senate: I would certainly agree with Senator Anderson that we were in favor of this fish restoration program in Hancock County, very definitely, we thought it was an excellent program. On the other hand, I would point out to the members of the Senate that our supply of cash is not inexhaustible. A few minutes ago we passed a bill which we recommended not passing in the amount of \$220,000. We cannot find ourselves in a minus position when this activity is over.

The PRESIDENT: Is the Senate ready for the question? The pending question before the Senate is the motion of the Senator from Penobscot, Senator Sewall, that Bill, An Act Appropriating Funds for Union River Anadromous Fish Restoration Program, be indefinitely postponed. A division has been requested. As many Senators as are in favor of the motion to indefinitely postpone will rise and remain standing until counted.

A division was had. Sixteen Senators having voted in the affirmative, and twelve Senators having voted in the negative, the motion prevailed and the Bill was Indefinitely Postponed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Hoffses of Knox, adjourned until 10 o'clock tomorrow morning.