

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

Tuesday, July 1, 1969

Senate called to order by the President.

Prayer by The Honorable Richard W. Logan of York.

Reading of the Journal of yesterday.

The President laid before the Senate the first item of unfinished Business:

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

Tabled — June 30, 1969 by Senator Katz of Kennebec until later in the day.

Pending — Enactment.

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

The President laid before the Senate the second item of Unfinished Business:

Bill, An Act Relating to Approval of Appointment of Assistant County Attorneys for Hancock and Washington Counties. (H. P. 1137) (L. D. 1459)

Tabled — June 30, 1969 by Senator Anderson of Hancock until later in the day.

Pending — Enactment.

On motion by Mr. Beliveau of Oxford, retabled 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 Relating to Law Clerks for The Judiciary (S. P. 63) (L. D. 184).

Thereupon, 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 Regulate Sewer Utilities (H. P. 1106) (L. D. 1423).

Thereupon, 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 Educational Costs for Maine Students in Private Schools of Higher Education (H. P. 1232) (L. D. 1565).

Thereupon, 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 Truth in Advertising (S. P. 329) (L. D. 1128).

Thereupon, 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 Amend Bond Issue Acts as to Limitation of Interest (S. P. 540) (L. D. 1614).

Thereupon, this being a Bond Authorization Act and having received the affirmative votes of 29 members of the Senate, was Passed to be Enacted and, having been signed by the President, was by the Secretary presented to the Governor for his approval.

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

An Act Increasing Salaries of Official Court Reporters (S. P. 62) (L. D. 185).

An Act Relating to Secondary School Tuition (H. P. 373) (L. D. 482).

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

An Act to Provide for Full-Time County Attorneys (S. P. 528) (L. D. 1610).

(On motion by Mr. Martin of Piscataquis, temporarily set aside.)

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

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table, An Act Relating to the Borrowing Capacity of School Administrative District No. 70 (H. P. 322) (L. D. 409).

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

The President laid before the Senate the matter previously set aside as requested by Mr. Martin of Piscataquis; An Act to Provide for Full-Time County Attorneys (S. P. 528) (L. D. 1610).

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

Mr. MARTIN of Piscataquis: Mr. President and Members of the Senate: This bill is beyond my qualifications to debate with my learned friend, Senator Beliveau. However, I did a little bit of work on this last night, and I find that, besides accomplishing providing a full-time county attorney for the counties that need a full time county attorney, it also provides for an increase in salary for those who, in my opinion, do not need an increase in salary. I feel that it is above reason and just isn't right to provide public funds for this purpose.

Take for instance my own county, our present county attorney on a part-time job, with very limited efforts required, was getting \$5,000 a year, and this bill would increase his salary to \$7,000 a year. This is true in many other counties. It is a general over-all increase of probably about 30 per cent. I see that it gives an increase in salary and provides for a salary for full-time county attorneys, which I am all in accord with. However, this bill as written, in my opinion, is not right and I would move indef-

inite postponement of this bill and all of its accompanying papers.

The PRESIDENT: The Senator from Piscataquis, Senator Martin, now moves that Bill, An Act to Provide for Full-time County Attorneys, be indefinitely postponed.

The Chair recognizes the Senator from Oxford, Senator Beliveau.

Mr. BELIVEAU of Oxford: Mr. President and Members of the Senate: It is with great reluctance that I oppose my learned and good friend, Senator Martin. Very briefly, you will recall that this bill is a product of the Joint Committee hearings of State Government and Judiciary. It is a compromise between the two bills which would have provided for full-time state's attorneys or full-time district attorneys. The committees concluded that the six largest counties, populationwise, in the State desperately needed full-time prosecutors. The committees also concluded that the status and quality of our prosecution in many counties was such that if we did not make the position more attractive then we could not expect the experienced and qualified lawyers to seek the position.

This bill, for instance, does not set an unreasonably high salary for the full-time prosecutors. In Androscoggin County the county attorney will receive \$12,000, and he is precluded from engaging in any form of civil practice. In Kennebec County, \$12,000. In Penobscot County, \$12,000. The only exception, I believe, is Cumberland County, and, because of the volume and size of that county, the salary was increased to \$15,000.

Now, we must contrast this document with a similar bill, L. D. 1049, which would increase the salaries of the county attorneys, which has a similiar price tag attached to it but does not recognize the problem that we face in our six largest counties. This other document would give them all substantial salary increases and also permit them to engage in civil practice. We have been discussing for the better part of six months the need for improving our quality of law enforcement, quality of prosecution, the need to provide to our law enforcement officials indi-

viduals whom they can confer with regarding criminal prosecution.

The greatest shortcoming of our system today, as I see it, is that in our largest areas, and many of the other areas, because of the small salary that we are paying our county attorneys, they cannot make themselves available to the law enforcement officers for conference and consultation prior to an arrest or prior to a hearing. We all know that an appearance of a county attorney at a hearing is secondary in relation to its importance regarding the preparation of a case. The county attorneys will say, or frequently we will hear the criticism that the county attorney only devotes one or two days a week in court, and that may very well be, but the fact remains that for every day in court it is necessary to devote an equal amount of time in preparation of the case.

Many of us on the committee felt that we did not go far enough as far as salaries are concerned. Even with a salary of \$12,000, we still will not be able to attract the successful attorney or the person who possesses the expertise in this area, but this is a beginning. As I say, this is the product of the Joint Committee of State Government and Judiciary. It is a beginning. We are recognizing at this point the State cannot afford a \$900,000 document which would create full-time State's attorneys or district attorneys, that we do recognize that in these six counties the present system cannot be continued, it is clearly inadequate. I, therefore, urge the members of the Senate to oppose the pending motion so that this document can be enacted.

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

Mr. MARTIN of Piscataquis: Mr. President and Members of the Senate: I can see the intent of this was to establish full-time county attorneys in the counties where full-time men were needed and increase their salary. However, I would like to have someone explain to me how come the salary of the part-time county attorneys were increased accordingly? We

come into Androscoggin County, the full-time county attorney was getting \$6500; being full-time he will get \$12,000, plus a first and second assistant. Then we go into Aroostook County, with a full-time county attorney at a salary of \$6,500, he will get \$12,000, with one assistant. Down the line, every county attorney along down the line, the whole list of counties are increased. From \$5,000 to \$7,000 in Franklin County, a part-time county attorney. From \$5,000 to \$7,000 for part-time in Hancock County. From \$5,000 to \$7,000 in Knox County on a part-time basis. Lincoln County, from \$5,000 to \$7,000 on part-time. The same goes with Oxford County, plus an assistant and \$3,500 to \$4,500 for the assistant. Full-time in Penobscot County.

I have no objection against having a full time attorney where needed and paying the county attorney the salary that he will be satisfied with. However, I certainly cannot go along with increasing the salaries of part-time attorneys who do not give too much of their time, and have their own practice besides that.

As I mentioned a while ago, I am not qualified to argue a bill pertaining to attorneys, and I would appreciate a great deal an explanation from other attorneys in this room. I personally feel that this is an attorneys' bill and I certainly am opposed to it.

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

Mr. CONLEY of Cumberland: Mr. President and Members of the Senate: Many of the members of my party in the Senate feel that I am probably the closest thing to the Maine Bar Association without having passed the bar. I always seem to be traveling, at least in the later days in the accompaniment of several attorneys from the Portland area, and I have had the experience over the last number of years to spend a great deal of time around the Cumberland County Court House.

There is one thing that everyone is crying for today in this country, for more law and order. Although

I can understand the reasoning of the good Senator from Piscataquis, Senator Martin, that he is concerned over the salary increases, I have to sympathize more strongly with the viewpoints of the good Senator from Oxford County, Senator Beliveau, in relating his feelings that in order to get better or real qualified county attorneys to take these jobs that we must pay them a living salary.

I think it is quite obvious to everybody today that a good attorney can make his means very easily in the outside world without becoming involved in criminal law. In fact, today I think that perhaps, and particularly the attorneys are well aware of the fact, that criminal law is not the type of law that is really paying them the big salaries. Many of them are getting away from it and becoming associated mainly with corporations or corporate law and civil law.

I think that pointing to Cumberland County, with the salary increase from \$8,000 to \$15,000 for the full-time county attorney, and in looking at these second and third assistants, the amount of traffic load that is presently in Cumberland County is a great deal of work. For example, they have the business in the District Court in Portland, which is down stairs, on top of that they have Superior Court, as well as the fact that they send their county attorneys also to Bridgton and to Brunswick where they also have two other courts, there is no question that the amount of time that these gentlemen spend at these jobs, and I am speaking mainly here of the assistant county attorneys, they have very little time to engage in any other practice themselves. So, the salaries that are shown here on the books are somewhat small compared to what they actually could be making if they went into private practice.

I think perhaps the good Senator from Oxford County would be the first one to tell you that when he served as county attorney for Oxford County he probably got the salary of what he was probably worth, being fresh out of law

school and on the job training for two years. I think that in respect to the good Senator, I commend him for running for the job over in Oxford County and I am sure that he did an excellent job, but I do feel that if the citizens of the State of Maine are to be protected, if the laws of the State are to be enforced, if we are to get convictions, if the State is to be justified, then we must start looking more realistically at the figures and the price, the salaries that are being paid these gentlemen. I think really right now we are just barely scratching the surface as far as salaries are concerned and I would hope that we would act very favorably on this document this morning.

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

Mr. MARTIN of Piscataquis: Mr. President and Members of the Senate: Again I will say that I am not qualified to argue against my learned friend, Senator Beliveau from Oxford County, and against Senator Conley, an apprentice attorney. However, when the vote is taken I would request a division, please.

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

Mr. VIOLETTE of Aroostook: Mr. President and Members of the Senate: I don't know how well Senator Martin's request for having some remarks by a member of the bar was answered by Senator Conley. I didn't know he was a member of the bar until a couple of minutes ago.

I suppose that this bill that we now have before us, L. D. 1610, is a reflection of conflicting views and opinions as to the way that the prosecution in the State of Maine ought to be developing. I must say that this perhaps does not completely satisfy my feelings on the matter of a prosecution system. I think probably my first inclination would have been to have a prosecution system at the State level, and radiating down to the various counties where we probably could have more uniformity of prosecution and probably also

a more stable system of prosecution.

I know that this view may run contrary to my good friend, Senator Beliveau, and many other people but, nevertheless, running opposite to that as a system or prosecution is a feeling that has been running through me as to the advisability of perhaps shifting so many of our governmental activities to the State level. Three or four years ago I would have fought real hard for a prosecution system at the State level, and would have felt that this would have taken the prosecution out of our elective system and perhaps placed it on a more stable basis on an appointive system. But my thinking in the last couple of years has gone through some turmoil and feeling that perhaps it is not always the best thing to remove elective officers and place them into an appointive system, where eventually we may lose a lot of the interest of our people in the various segments of our governmental activities.

At this point I must say that my thinking is still in a state of flux as to what ought to be the best prosecution system to evolve. I think it is still at this point perhaps at the State level but, nevertheless, I think that it is impossible to achieve at this time because of the conflicting views of many of our people in our legislature. I think this does reflect a very, very grave concern on the part of people as to just what direction our government ought to be taking on these lines.

I look at this bill here as a half-way compromise in fulfilling the real needs of many of our counties to have full-time prosecutors in order to give our law enforcing agencies a better system and placing them in a position to be more able to prosecute crimes in our State. I don't think at this time that this pertains to every county. I know in my county, Aroostook County, a very, very large county, it is almost an impossibility for a part-time man to do a good job, and I know in our more populous counties, with the number of cases coming into court, and particularly since we have had a District Court

system, it has become almost impossible for a part-time county attorney to do the right job. I will say this: attorneys are very pleased when the police officers prosecute their own cases, because we fare much better with them than when the county attorney shows up and prosecutes the case for the officers. Nevertheless, I think in the whole run, when you have a county attorney there to assist the police officers, you get a better law enforcing job and perhaps, in the final analysis, justice is better done.

Now, I accept this compromise bill as something that is moving our prosecution system in the right direction. Perhaps in three or four years from now, or two years from now, we may feel that we should go to a full-time system throughout the entire State, and use the basis that this bill will provide as a means of jumping Statewide to a full-time prosecution system.

With regards to these part-time officers, as concerns Senator Martin, to some degree I have to agree with his position that perhaps some of these part-time county attorneys in some of the less populous counties may be getting overpaid. I can only think on that line that, here again, that if you provide better pay for our county attorneys, even the part-time ones, that they will be able to devote more time to their jobs. I can certainly see some counties in our State, such as Washington County or some of the other counties, that, while they may not be very populous, they are confronted with the very same major geographical problem where the county attorneys go from one court to the other and have to travel thirty, forty, fifty, sixty miles, so while the volume may not be very big, the time involved can be a great factor. I think, in the over-all analysis, that 1610 is a step in the right direction and I think we ought to enact it and see how it works. I would be against the motion of my very good friend, Senator Martin, to indefinitely postpone this bill.

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

Mr. WYMAN of Washington: Mr. President and Members of the Senate: This bill was heard jointly by State Government and Judiciary. The State Government Committee is made up, with one exception, of laymen, and the majority of this committee voted in support of this bill. Maybe I have too good an opinion of myself, but I feel qualified, unlike the good Senator Martin, to talk about this bill. I have had occasion to be an observer in court and I have seen county attorneys struggling to get a conviction. The State has gone to a great expense to apprehend a criminal and bring him into court, and it costs them a lot of money. Then it is up to the county attorneys to get a conviction. They have a very difficult time trying to do their own work and earn enough to live on so that they can get along on these salaries, which are meager.

A good secretary will earn \$6,000 or \$7,000 a year, which would mean close to a \$150 a week which is what we propose in this bill to pay the lowest paid county attorneys. But a good secretary doesn't have to be a member of the bar and doesn't have to be skilled in criminal prosecution. I have had experience hiring lawyers too, and when I get my bill I find that I pay them a good deal more than at the rate of \$7,000 a year. I certainly hope the motion of the good Senator from Piscataquis, Senator Martin, will not prevail.

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

Mr. QUINN of Penobscot: Mr. President and Members of the Senate: I have had ten years experience in this sort of office in Penobscot County and know something about its duties. I feel that this bill is one of the most important law enforcement bills we have at this session. A full-time county attorney can do a much better job than a part-time county attorney that has his mind on other private cases, perhaps in some other county, that are pressing for trial and so forth. He can give his full time to the job and can do a much better job because he

is concentrating his interest on that activity.

Perhaps many do not understand the duties of a county attorney. He not only prosecutes violations of the State laws in which the defendant is presumed to be innocent. He starts off in prosecuting a person who is presumed to be innocent, and he has to convince either a court or the jury that that particular defendant is guilty beyond a reasonable doubt. Now, that is quite a chore. It requires good convincing evidence because the sympathy is always with the defendant. Now, the county attorney not only prosecutes criminal cases, but he advises. He is the attorney for the county, advising the different officers in the county like the Register of Deeds, the Clerk of Courts, the County Treasurer, the County Commissioners, and it is surprising sometimes how much work the county attorney has in the court of the County Commissioners. Further than that, it is his obligation to collect the taxes in the unorganized townships in the county. Now, he not only does that, but he has to serve three District Courts in my county; one at Lincoln, Bangor and Newport.

I feel it is very important to have the county attorney in the county where the crime is committed, because the best way to prosecute an offense is to be right on the job where it is committed. You get more evidence within the first few hours after that crime has been committed. If you have to wait, of course this is only a by-line, for an assistant state attorney to come from Augusta to the scene of the offense, much of the important evidence will have disappeared by the time he gets on the scene. He is coming into a strange area that he knows nothing about, where the county attorney knows the area because he lives in the area.

Now, this is a very important bill, and I hope you will vote against the motion to indefinitely postpone and then vote for the enactment of the bill.

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

Mr. BARNES of Aroostook: Mr. President and Members of the

Senate: I think it is kind of unfortunate we have to have attorneys, including county attorneys, but inasmuch as we do, I suppose we have to pay them an adequate salary. Now that we passed a State income tax we are going to get some of it back anyway, so I am opposed to this motion.

The PRESIDENT: The pending question before the Senate is the motion of the Senator from Piscataquis, Senator Martin, that Bill, "An Act to Provide for Full-Time County Attorneys, be indefinitely postponed. A division has been requested. As many Senators as are in favor of the motion to indefinitely postpone the bill will rise and remain standing until counted. Those opposed will rise and remain standing until counted.

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

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

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

An Act Providing for Sessions of the District Court for Central Hancock at Bucksport (S. P. 69) (L. D. 190).

An Act Appropriating Funds to Operate the Board of Pesticides Control (H. P. 676) (L. D. 875).

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

An Act Appropriating Funds to Aid in Constructing a School Building in Danforth (S. P. 310) (L. D. 1025).

An Act Increasing Borrowing Capacity of School Administrative District No. 14 (S. P. 309) (L. D. 1027).

An Act Permitting the Establishment of an Indian Township Passamaquoddy School Committee (H. P. 1119) (L. D. 1439).

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

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table, An Act to Increase the Retirement Pay of Certain Retired State Police Sergeants (S. P. 214) (L. D. 623).

Thereupon, this being an emergency measure and having received the affirmative votes of 28 members of the Senate was Passed to be Enacted and, having been signed by the President, was by the Secretary presented to the Governor for his approval.

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

An Act Reallocating Certain Bond Issue Funds for Norridge-wock Airport (H. P. 939) (L. D. 1200).

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

An Act Relating to Retirement of Justices of the Supreme Judicial and Superior Courts and Judges of the District Court (S. P. 461) (L. D. 1515).

An Act Abolishing the Maine Aeronautics Commission Transferring Certain of its Powers to an Aeronautical Director, Providing for the Tenure and Compensation of such Director and Relating to the Aeronautical Fund (S. P. 383) (L. D. 1356).

An Act Defining the Powers and Duties of the Water and Air Environmental Improvement Commission and Other State Agencies with Respect to Air Pollution (S. P. 502) (L. D. 1597).

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

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

Construction Aid for Certain Units (S. P. 288) (L. D. 930).

Thereupon, this being an emergency measure and having received the affirmative votes of 28 members of the Senate was Passed to be Enacted and, having been signed by the President, was by the Secretary presented to the Governor for his approval.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table, An Act Relating to Increased Board Payments for State Wards (H. P. 620) (L. D. 808).

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

Thereupon, this being an emergency measure and having received the affirmative votes of 25 members of the Senate, with one Senator voting in the negative, 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. Hoffses of Knox, recessed until the sound of the bell.

(After Recess)

Called to order by the President.

Papers From The House

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

Non-concurrent Matter

Bill, "An Act Revising the Maine Mining Law." (H. P. 339) (L. D. 448)

In the Senate June 30, 1969, Passed to be Engrossed as Amended by Senate Amendments "A" (S-166) and "B" (S-344) and House Amendments "A" (H-367) and "B" (H-369) in non-concurrence.

Comes from the House, Passed to be Engrossed as Amended by House Amendment "A" (H-367) and Senate Amendments "A" (S-166) and "B" (S-369) in non-concurrence.

Thereupon, the Senate voted to Recede and Concur.

Communications

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

July 1, 1969

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

Sir:

The Governor of the State having returned to the House:

"An Act relating to Contracts of Loans under Small Loan Agency Law" (H. P. 622) (L. D. 810) with his objections to the same, the House proceeded to vote on the question

"Shall the Bill become a law notwithstanding the objections of the Governor?"

A yea and nay vote was taken; 28 members voted in the affirmative and 89 in the negative, and accordingly the Bill failed to become a law and the veto was sustained.

Respectfully,

(Signed)

BERTHA W. JOHNSON
Clerk of the House

Which was read and ordered Placed on File.

Enactors

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

An Act Establishing the Governor's Committee on Employment of the Handicapped. (S. P. 94) (L. D. 277)

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

An Act Appropriating Funds for Health Education. (S. P. 121) (L. D. 383)

An Act Relating to Expenses of the Clerk of the House of

Representatives and the Secretary of the Senate. (H. P. 44) (L. D. 45)

An Act Changing Name of State Soil and Water Conservation Committee. (H. P. 353) (L. D. 461)

An Act Appropriating Funds for the Operation of the Maine Mining Commission. (H. P. 882) (L. D. 1141)

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

An Act Establishing a Full-time Administrative Hearing Commissioner. (H. P. 1242) (L. D. 1577)

On motion by Mr. Sewall of Penobscot the above Bills were placed on the Special Appropriations Table.

Resolve, Authorizing a Study of the Operational Aspects of the Superior and Supreme Courts. (H. P. 404) (L. D. 515)

Resolve to Reimburse Charles A. Holden of Portland as Agent of Conservator of Casco Mercantile Trust Company. (S. P. 38) (L. D. 121)

On motion by Mr. Sewall of Penobscot, the above two Resolves were Placed on the Special Appropriations Table.

Emergency

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

This being an emergency measure and having received the affirmative vote of 26 Members of the Senate was Passed to be Enacted and, having been signed by the President, was by the Secretary presented to the Governor for his approval.

On motion by Mr. Katz of Kennebec, the Senate voted to take from the Special Legislative Research Table:

JOINT ORDER — Relative to Legislative Research Committee study of L. D. 1170 — Bill, "An Act Relating to Legislative Ethics." (H. P. 1177)

Tabled — May 13, 1969.

Pending — Passage.

Which then received Passage in concurrence.

On motion by Mr. Katz of Kennebec, the Senate voted to take from the Special Legislative Research Table:

JOINT ORDER — Relative to Legislative Research Committee study of L. D. 1144 — Bill, "An Act to Provide for Taxation and Regulation of the Associated Hospital Service of Maine." (H. P. 1226).

Tabled — June 3, 1969 by Senator Katz of Kennebec.

Pending — Passage.

Which then received Passage in concurrence.

On motion by Mr. Katz of Kennebec, the Senate voted to take from the Special Legislative Research Table:

JOINT ORDER — Relative to Legislative Research Committee study of (H. P. 1048) (L. D. 1376) Bill, "An Act Revising the Maine State Personnel Laws." (S. P. 498)

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

Pending — Passage.

Which then received Passage.

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

On motion by Mr. Katz of Kennebec, the Senate voted to take from the Special Legislative Research Table:

JOINT ORDER — Relative to Legislative Research Committee study handling of Oil, gas and petroleum products by ocean vessels within territorial waters of State of Maine. (S. P. 524).

Tabled — June 20, 1969 by Senator Katz of Kennebec.

Pending — Passage.

Which then received Passage.

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

On motion by Mr. Katz of Kennebec, the Senate voted to take from the Special Legislative Research Table:

JOINT ORDER — Relative to the Legislative Research Committee study equity and funding of all state-municipal revenue sharing programs. (H. P. 1284)

Tabled — June 25, 1969 by Senator Katz of Kennebec.

Pending — Passage.

Which then received Passage in concurrence.

On motion by Mr. Katz of Kennebec, the Senate voted to take from the Special Legislative Research Table:

JOINT ORDER — Relative to Legislative Research Committee study desirability and feasibility of establishing a Consumer Credit Code for the State of Maine. (S. P. 536)

Tabled — June 25, 1969 by Senator Katz of Kennebec.

Pending — Passage.

Which then received Passage.

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

On motion by Mr. Katz of Kennebec, the Senate voted to take from the Special Legislative Research Table:

JOINT ORDER — Relative to Legislative Research Committee study of Surficial Mining of Sand, Gravel and Borrow. (H. P. 1288)

Tabled — June 26, 1969 by Senator Katz of Kennebec.

Pending — Passage.

Which then received Passage in concurrence.

On motion by Mr. Katz of Kennebec, the Senate voted to take from the Special Legislative Research Table:

JOINT ORDER — Relative to Legislative Research Committee study subject matter of (H. P. 1043) (L. D. 1366) and (H. P. 1275) (L. D. 1603). (H. P. 1298)

Tabled — June 28, 1969 by Senator Katz of Kennebec.

Pending — Passage.

Which then received Passage in concurrence.

On motion by Mr. Katz of Kennebec, the Senate voted to take from the Special Legislative Research Table:

JOINT ORDER — Relative to Legislative Research Committee determining the feasibility of establishing a Maine Youth Commission. (H. P. 1098)

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

Pending — Passage.

Mr. Katz of Kennebec then moved that the Joint Order be indefinitely Postponed.

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

Mr. REED of Sagadahoc: Mr. President and Members of the Senate: I merely say that, on this particular portion of it, I have no objections one way or the other on these things, but I would like to discuss them with our Majority Floor Leader. Therefore, possibly this could be tabled or possibly we can go on the way we are. I will leave that up to his decision.

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

Mr. Katz of Kennebec was then granted leave to withdraw his motion to Indefinitely Postpone the Joint Order.

On motion by Mr. Katz of Kennebec,

recessed pending the sound of the bell.

(After Recess)

Called to order by the President.

Mr. Wyman of Washington was granted unanimous consent to address the Senate:

Mr. WYMAN: Mr. President and Members of the Senate: Last night we enacted L. D. 925, An Act Relating to Reorganization and Revision of Public Rehabilitation Services. This bill was a pet project of the late Dr. Frederick Hill in Waterville and he talked to me considerably in regard to it. I know if he were alive he would be happy to know that this bill has been enacted into law. I think those of you who were not acquainted with Dr. Hill missed something. He was a very hard working and a very skilled physician.

I recall one time a man from Maine went to New York looking for medical help in Dr. Hill's field, and he was told that the best doctor in the county on that particular problem was right here in Maine. Dr. Hill has given a lot of his time, at times, I am sure, without charge, to help these prob-

lems of rehabilitation. It just seems too bad to let this bill go along without bringing it to the attention of this Senate and making appropriate comment.

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

Mr. KATZ: Mr. President and Members of the Senate: It may be of interest to the Senator from Washington to know that by a strange quirk of fate that the torch was thrown into the hands of another Waterville resident, Dr. Leonard Mayo, who has a Ph.D. and is on the faculty of Colby, who became the Chairman of the Maine Commission on Rehabilitation needs. The Senator has picked out the major legislation that was the result of a two-year study of the Commission on Rehabilitation Needs. I know the word "study" doesn't sit well with some legislators, and myself included, but this was one of the most effective jobs. I think that we are also indebted to the leadership of a very little man but a giant, in my mind, Dr. Leonard Mayo of Waterville.

On motion by Mr. Katz of Kennebec, the Senate then voted to Indefinitely Postpone Joint Order — Relative to Legislative Research Committee determining the feasibility of establishing a Maine Youth Commission, (H. P. 1098), 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 Special Legislative Research Table:

JOINT ORDER — Relative to Legislative Research Committee study of L. D. 1307—Bill, "An Act Increasing Certain Liquor License Fees." (H. P. 1221)

Tabled — May 28, 1969 by Senator Katz of Kennebec.

Pending — Passage.

Thereupon, on further motion by the same Senator, Indefinitely Postponed 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 Special Legislative Research Table:

JOINT ORDER — Relative to Legislative Research Committee Study of Discharge of Oil into Tidal Waters. (S. P. 476)

Tabled — May 28, 1969 by Senator Hoffses of Knox.

Pending — Passage.

Thereupon, on further motion by the same Senator, the Joint Order was Indefinitely Postponed.

On motion by Mr. Katz of Kennebec, the Senate voted to take from the Special Legislative Research Table:

JOINT ORDER — Relative to Legislative Research Committee study of County Estimates and Finances. (H. P. 1233)

Tabled — June 3, 1969 by Senator Katz of Kennebec.

Pending — Passage.

Thereupon, on further motion by the same Senator, Indefinitely Postponed 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 Legislative Research Table:

JOINT ORDER — Relative to Legislative Research Committee study of L. D. 1047 — Bill, "An Act Relating to Nonprofit Hospital or Medical Service Organizations." (H. P. 1225)

Tabled — June 3, 1969 by Senator Katz of Kennebec.

Pending — Passage.

Thereupon, on further motion by the same Senator, Indefinitely Postponed 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 Special Legislative Research Table:

JOINT ORDER — Relative to the Legislative Research Committee to study feasibility of providing a regional care facility specializing in tuberculosis at the Central Maine Sanatorium. (H. P. 1237)

Tabled — June 4, 1969 by Senator Katz of Kennebec.

Pending — Passage.

Thereupon, on further motion by the same Senator, Indefinitely Postponed 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 Special Legislative Research Table:

JOINT ORDER — Relative to Legislative Research Committee study of Requirement that Bills and Resolves be accompanied by statement of fact. (S. P. 439)

Tabled — June 4, 1969 by Senator Katz of Kennebec.

Pending — Passage.

Thereupon, on further motion by the same Senator, the Joint Order was Indefinitely Postponed.

On motion by Mr. Katz of Kennebec, the Senate voted to take from the Special Legislative Research Table:

JOINT ORDER — Relative to Legislative Research Committee study of Bill, "An Act Creating the Maine Labor Relations Act." (H. P. 567) (L. D. 748) (H. P. 1252)

Tabled — June 6, 1969 by Senator Katz of Kennebec.

Pending — Passage.

Thereupon, on further motion by the same Senator, Indefinitely Postponed 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 Special Legislative Research Table:

JOINT ORDER — Relative to Legislative Research Committee study of Maine State Retirement System benefits for Law Enforcement Officers. (S. P. 490)

Tabled — June 6, 1969 by Senator Katz of Kennebec.

Pending — Passage.

Thereupon, on further motion by the same Senator, Indefinitely Postponed.

On motion by Mr. Katz of Kennebec the Senate voted to take from the Special Legislative Research Table:

JOINT ORDER — Relative to Legislative Research Committee study of Pineland Hospital and Training Center and Needs of the Mentally Retarded. (H. P. 1258)

Tabled — June 10, 1969 by Senator Katz of Kennebec.

Pending — Passage.

Thereupon, on further motion by the same Senator, Indefinitely Postponed 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 Special Legislative Research Table:

JOINT ORDER — Relative to Legislative Research Committee study of Credit Bureaus and Agencies re Consumer Credit Rating. (H. P. 1273)

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

Pending — Passage.

Thereupon, on further motion by the same Senator, Indefinitely Postponed 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 Special Legislative Research Table:

JOINT ORDER — Relative to Legislative Research Committee Study of Current Forestry Cutting Practices. (S. P. 510)

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

Pending — Passage.

Thereupon, on further motion by the same Senator, Indefinitely Postponed.

On motion by Mr. Katz of Kennebec, the Senate voted to take from the Special Legislative Research Table:

JOINT ORDER — Relative to Legislative Research Committee study of (S. P. 313) (L. D. 1140) on Bill, "An Act Requiring the Registration of Real Estate Subdivisions." (S. P. 505)

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

Pending — Passage.

Thereupon, on further motion by the same Senator, the Joint Order was Indefinitely Postponed.

On motion by Mr. Katz of Kennebec, the Senate voted to take from the Special Legislative Research Table:

JOINT ORDER — Relative to Legislative Research Committee study of Necessary Clerical and Staff Assistance for Legislators. (H. P. 1267)

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

Pending — Passage.

Thereupon, on further motion by the same Senator, Indefinitely Postponed 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 Special Legislative Research Table:

JOINT ORDER — Relative to Legislative Research Committee study subject of Eminent Domain Procedures and Takings. (S. P. 513)

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

Pending — Passage.

Thereupon, on further motion by the same Senator, the Joint Order was Indefinitely Postponed.

On motion by Mr. Katz of Kennebec, the Senate voted to take from the Special Legislative Research Table:

JOINT ORDER — Relative to Legislative Research Committee study subject matter of H. P. 1004 — L. D. 1306 and H. P. 1223 — L. D. 1555. (H. P. 1276)

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

Pending — Passage.

Thereupon, on further motion by the same Senator, Indefinitely Postponed 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 Special Legislative Research Table:

JOINT ORDER — Relative to Legislative Research Committee study of H. P. 95 — L. D. 104 on Bill, "An Act Relating to Chiropractic Services for Injured Employees Under Workmen's Compensation Law." (S. P. 506)

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

Pending — Passage.

Thereupon, on further motion by the same Senator, the Joint Order was Indefinitely Postponed.

On motion by Mr. Katz of Kennebec, the Senate voted to take from the Special Legislative Research Table:

JOINT ORDER — Relative to Legislative Research Committee study providing orderly succession to the office of Governor should he be unable to discharge powers and duties. (S. P. 523)

Tabled — June 20, 1969 by Senator Katz of Kennebec.

Pending — Passage.

Thereupon, on further motion by the same Senator, the Joint Order was Indefinitely Postponed.

On motion by Mr. Katz of Kennebec, the Senate voted to take from the Special Legislative Research Table:

JOINT ORDER — Relative to Legislative Research Committee be Directed to authorize and constitute a Subcommittee on Governmental Operations to study all authorized expenditures and capital expenditures necessary to the conduct of State Government. (H. P. 1280)

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

Pending — Passage.

Thereupon, on further motion by the same Senator, Indefinitely Postponed 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 Special Legislative Research Table:

JOINT ORDER — Relative to Legislative Research Committee

study cost of drugs and medicines to the State (S. P. 526)

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

Pending — Passage.

Thereupon, on further motion by the same Senator, the Joint Order was Indefinitely Postponed.

On motion by Mr. Katz of Kennebec, the Senate voted to take from the Special Legislative Research Table:

JOINT ORDER — Relative to the Legislative Research Committee studying current practices and operations of the Casco Bay Lines. (H. P. 1285)

Tabled — June 25, 1969 by Senator Katz of Kennebec.

Pending — Passage.

Mr. Katz of Kennebec then moved that the Joint Order be Indefinitely Postponed.

On motion by Mr. Conley of Cumberland, retabled until later in today's session, pending the motion of Mr. Katz of Kennebec that the Joint Order be Indefinitely Postponed.

On motion by Mr. Katz of Kennebec, the Senate voted to take from the Special Legislative Research Table:

JOINT ORDER — Relative to Legislative Research Committee to study Adequacy of existing law through acquisition of Taxable Property thru name of Agricultural Societies and Associations which are Tax Exempt. (H. P. 1283)

Tabled — June 25, 1969 by Senator Katz of Kennebec.

Pending — Passage.

Thereupon, on further motion by the same Senator, Indefinitely Postponed 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 Special Legislative Research Table:

JOINT ORDER — Relative to Legislative Research Committee study of Logs and Pulpwood into Rivers and Streams.

Tabled — June 26, 1969 by Senator Katz of Kennebec. (H. P. 1292)

Pending — Passage.

Thereupon, on further motion by the same Senator, Indefinitely Postponed 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 Special Legislative Research Table:

JOINT ORDER — Relative to Legislative Research Committee study of Bills re Executive Council — H. P. 447, L. D. 571; H. P. 1016, L. D. 1324; and H. P. 1052, L. D. 1418. (H. P. 1286)

Tabled — June 26, 1969 by Senator Katz of Kennebec.

Pending — Passage.

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

Under suspension of the rules, sent down for concurrence.

On motion by Mr. Katz of Kennebec, the Senate voted to take from the Special Legislative Research Table:

JOINT ORDER — Relative to Creation of Special Committee to study General Operations, etc. of State Highway Commission. (S. P. 545)

Tabled — June 26, 1969 by Senator Katz of Kennebec.

Pending — Passage.

Thereupon, on further motion by the same Senator, retabled until later in today's session, pending Passage.

On motion by Mr. Katz of Kennebec, the Senate voted to take from the Special Legislative Research Table:

JOINT ORDER — Relative to Legislative Research Committee study of Feasibility of Implementing a Planning Programming, Budgeting System. (H. P. 1293)

Tabled — June 27, 1969 by Senator Katz of Kennebec.

Pending — Passage.

Thereupon, on further motion by the same Senator, Indefinitely Postponed 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 Special Legislative Research Table:

JOINT ORDER — Relative to Legislative Research Committee study of feasibility of initiating a new Public Health Program under Title 19. (H. P. 1294)

Tabled — June 27, 1969 by Senator Katz of Kennebec.

Pending — Passage.

Thereupon, on further motion by the same Senator, Indefinitely Postponed 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 Special Legislative Research Table:

JOINT ORDER — Relative to Legislative Research Committee study of Bill, "An Act Relating to Property Tax Administration." (S. P. 515) (L. D. 1604) (S. P. 543)

Tabled — June 28, 1969 by Senator Katz of Kennebec.

Pending — Passage.

Thereupon, on further motion by the same Senator, the Joint Order was Indefinitely Postponed.

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

An Act Appropriating Funds for Health Education (S. P. 121) (L. D. 383).

An Act Relating to Expenses of the Clerk of the House of Representatives (H. P. 44) (L. D. 45).

An Act Changing Name of State Soil and Water Conservation Committee (H. P. 353) (L. D. 461).

An Act Appropriating Funds for the Operation of the Maine Mining Commission (H. P. 882) (L. D. 1141).

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

An Act Establishing a Full-Time Administrative Hearing Commissioner (H. P. 1242) (L. D. 1577).

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

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

Resolve, Authorizing a Study of the Operational Aspects of the Superior and Supreme Courts (H. P. 404) (L. D. 515).

Resolve, to Reimburse Charles A. Holden of Portland as Agent of Conservator of Casco Mercantile Trust Company (S. P. 38) (L. D. 121).

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

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table, Resolve, Making a Retroactive Adjustment in the Retirement Pension of Charles Hulbert (H. P. 781) (L. D. 1014).

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

On motion by Mr. Hoffses of Knox, recessed until 2 o'clock this afternoon.

(After Recess)

Called to order by the President.

Papers From The House

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

Joint Order

ORDERED, the Senate concurring, that the Legislative Research Committee be, and hereby is, directed to study the subject matter of the Bill: "An Act Defining the Crime of Theft Known as Shopstealing and Establishing Rights and Penalties,"

Senate Paper No. 503, Legislative Document No. 1599 introduced at the regular session of the 104th Legislature, to determine whether the best interests of the State would be served by the enactment of such legislation; and be it further

ORDERED, that the Office of Attorney General be directed to provide such information and other assistance as the Committee deems necessary to carry out the provisions of this Order; and be it further

ORDERED, that the Committee report its findings and recommendations at the next regular or special session of the Legislature. (H. P. 1299)

Comes from the House, Read and Passed.

Which was Read.

On motion by Mr. Katz of Kennebec, Indefinitely Postponed in non-concurrence.

Sent down for concurrence.

Communications

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

Sir:

The House today voted to Adhere to its action whereby "An Act Creating a School Administrative District for the City of Portland" (H. P. 805) (L. D. 1044) was indefinitely postponed on June 11.

Respectfully,

(Signed)

BERTHA W. JOHNSON
Clerk of the House

Which was Read.

The PRESIDENT: Is it the pleasure of the Senate that this communication be placed on file?

The Chair recognizes the Senator from Cumberland, Senator Kellam.

Mr. KELLAM of Cumberland: Mr. President and Members of the Senate: I would just like to make a little brief comment in relation to this bill relative to the School Administrative District in the City of Portland.

Last evening when we discussed this matter it was pointed out that there was a shortage of funds to enable us to enact this piece of legislation, and at that time I took issue with that particular comment

because I believe that the figures were inaccurate and might mislead some members of the Senate to believe that it would result in dire circumstances if we did eventually enact and have the Governor sign this legislation.

The bill provides for a referendum to be held in the City of Portland to determine whether the residents of the City want a School Administrative District, and the referendum would be held this following December.

The figure that I heard in relation to this bill was something like \$220,000. Now, I think it is somewhat unfortunate probably that the Portland referendum bill did not get on the appropriations calendar as did the other three school administrative district bills which we took up last night, because at that time possibly it could have been determined to more of a degree of certainty what the cost would be and, if it were a matter of cost as has been professed, we could make our decision with a little more accurate information.

The three school district bills that were passed, the Sanford one carries appropriations of \$45,000 for each of the next two years, Swan's Island, roughly \$3,000 for the next two years, and the Saco-Old Orchard one is \$52,000 this current year and about \$74,000 for the second year. These were the figures which were, I believe, relied upon to enable the leadership to believe that these bills could be passed without detriment to the L. D. fund.

The figure of \$220,000 was given in relation to the City of Portland and, in reply to my communication to the Deputy Commissioner of Education relative to the cost of this L. D., the cost would be \$110,000 for the first year, \$110,000 for the second year, in fact it were enacted prior to the close-off date of the first year. That, I presume, is the reason for the base of \$220,000 as the cost.

As we all know, or should know if we are going to discuss these matters, the cut-off date for SAD's is November 1st, and any SAD formed after November 1st does not receive funds for the current year. Consequently, since the referendum involved in this case

is the first Monday of December, it would obviously be impossible to come within the first year, so there would be no first year cost on this L. D. The cost of \$110,303 for the second year, I would presume, is accurate.

In setting up our budget for the Department of Education, an item is provided for the creation of School Administrative Districts. This is usually basically the case of having the school districts provided for under the current law and not by legislative document. During the current year there has been \$100,000 budgeted for that account, and for the second year \$200,000. The Department of Education has this \$300,000 allocated to it for School Districts. I would presume that since this is July, and the School District formation must be by November, that the Department would well know how they are doing in relation to the first year. In any event, if the Portland L. D. was passed, it could be funded from these funds without any impairment whatever to the L. D. money. Consequently, I felt it should have been done in that way or at least, if it were going to be held up, it could not be passed because it was not on the Appropriations Table — I presume that is the attitude of those who oppose it for money matters — we should have been given the opportunity to be on the table and have it considered and having the accurate amount of money considered. I believe it is very unfortunate to get to the waning days of a legislative session and kill off legislation with the argument that we can't afford it when, in fact, it would not impair whatever the funds for the L. D.'s.

I would say that I am sure that the Town of Sanford, which has received this authorization for a School Administrative District, if the voters of that community approve, and I presume they will, I am sure the community of Sanford knows that its School Administrative District must be formed by November 1st in order to receive the first year \$45,000 appropriation. Since the bill will not become law until ninety days after the adjournment, I am sure that the good people from Sanford should be

aware that the town meeting to authorize this SAD would have to be held quite soon thereafter and I presume they are thinking about that. If they do not organize promptly they would lose that \$45,000.

I don't have any motion to make in relation to this matter. I feel that the Senate has considered it very fairly and has treated us well. I believe that the vote last night indicates that this body is responsible and will listen to sound argument and make sound decisions when matters are presented to it, and it certainly has been a pleasure for me to be able to discuss this particular legislation with the Senate. Thank you very much.

The PRESIDENT: Is it now the pleasure of the Senate that this communication be placed on file?

Thereupon, the Communication was 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 Establishing a Human Rights Commission." (H. P. 1050) (L. D. 1384) ask leave to report : that the House recede from acceptance of Report "B" reporting "Ought to pass" in new draft (H. P. 1263) (L. D. 1593) under title of "An Act Creating a Human Rights Act for Maine" and from passage to be engrossed as amended by House Amendment "B" as amended by House Amendment "A" Thereto; that the House recede from adoption of the Amendments and indefinitely postpone same in new draft (H. P. 1264) (L. D. 1594) under title of "An Act Establishing a Human Rights Commission", adopt Conference Committee Amend "A" submitted herewith and pass the Bill to be engrossed as amended by Conference Committee Amendment "A"; that the Senate recede from acceptance of Report "A" reporting "Ought to pass in new draft (H. P. 1262) (L. D. 1592) and from passage to be engrossed, and concur with the House.

On the part of the House:

RIDEOUT of Manchester
MARSTALLER of Freeport

On the part of the Senate:

WYMAN of Washington
KATZ of Kennebec
LETOURNEAU of York

Comes from the House, the report Read and Rejected and that Body having further Insisted and asked for a Second Committee of Conference with the following Conferencees appointed on its part:

RICHARDSON
of Cumberland
RIDEOUT of Manchester
McTEAGUE of Brunswick

Which report was Read.

On motion by Mr. Beliveau of Oxford, the Senate voted to Reject the Committee of Conference Report and join in a Second Committee of Conference.

The President appointed as conferencees on the part of the Senate:

Senators:

BARNES of Aroostook
PEABODY of Aroostook
GORDON of Cumberland

Joint Order

Out of order and under suspension of the rules, on motion by Mr. Sewall of Penobscot:

ORDERED, the House concurring, that Bill, "An Act Appropriating Funds for Union River Anadromous Fish Restoration Program," Senate Paper 427, Legislative Document 1425, be recalled from the Legislative Files to the Senate. (S. P. 548)

Which was Read.

Thereupon, a division was had. Twenty-eight Senators having voted in the affirmative, with no negative votes, the Joint Order received Passage.

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 to Provide Protection for the Consumer Against Unfair Trade Practices (H. P. 770) (L. D. 1003).

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 Creating an Administrative Assistant to the Chief Justice of the Supreme Judicial Court (S. P. 369) (L. D. 1282).

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

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table, An Act to Create a State Housing Authority (S. P. 488) (L. D. 1572).

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

Mr. MOORE of Cumberland: Mr. President and Members of the Senate: I feel we would be making a mistake to pass 1572, An Act to Create a State Housing Authority. Earlier in today's session we heard a very good talk from our good Floor Leader, Senator Katz, that we were going to have a complete thorough study of the cost of State Government and try to contain it.

I feel that if we should pass 1572 we would be creating, well, I might say a monster, and it would be true. As it is set up now, it just starts with two, employing two people, at \$68,500 and then \$35,800 for the second year. That would be just the start of it. As we well know, this could grow into one of the largest departments that we have here, when we get into public housing, something that the Federal Government has many agencies in this same field, and I feel that we would be making a great mistake. I would ask for a division on this when the vote is taken.

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

Mr. STUART of Cumberland: Mr. President and Members of the Senate: This bill creating a State Housing Authority is a bill I sponsored. I can't call it my bill. There has been a task force study the housing problems in Maine. This is a bill that a great many people in the legislature feel should pass. I don't want to take the time to go into the desperate housing needs that we have in this State.

I think we know that a lot has to be done. We know that Governor Romney on the national level has great plans. This is a vehicle which can be used in the State of Maine to work with the federal agency. They have great plans for building more housing units, better housing, and they need an agency such as this in each state to deal with. I hope this bill will pass.

The PRESIDENT: The Chair would ask the member of the Health and Welfare Department to leave the rear of the Senate Chamber.

Mr. STUART: I don't know how many have read the bill in detail, but the Housing Authority will serve as a clearing house for information relating to housing, it will develop plans, coordinate technical assistance. I have attended several meetings, starting away back at the Holiday Inn when ex-Governor Hoff was here, and I am sure many of you were there.

The bill does several things, and I hate to have it referred to as a monster. It is anything but that. I will be terribly disappointed if it does not pass today because, as I ride about the countryside, I see the housing that so many people have, and you can't rely on individual builders to solve this problem, but this agency could be a vehicle for doing that. To cite one example, what they have done in Rockland. They have a home for low-income retired people. I drove down there about a month ago when they had their open house, and it is most impressive. I hope that any of you that ever go to Rockland will go to see this home that Reverend Kinney is in charge of. It is beautiful, I am proud to see that we have such a place in Maine, and this is the type of thing that we can have more of if we

have an organization that knows how to go about it.

This does not replace any municipal housing unit. It will help a town get a municipal housing authority started and, as the Reverend Kinney told me, they could have had this housing project completed in half the time had they known how to go about it.

I am sure that you have all had experience and know how difficult it is to work with these federal agencies and know the right people to get the project going. Well, this housing authority can do just that here in Maine. I don't worry about it being a monster. The price tag is small. I know the people that are concerned with this, I believe in them, and I certainly hope you oppose the motion to indefinitely postpone this bill. I request a division.

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

Mr. VIOLETTE of Aroostook: Mr. President and Members of the Senate: I haven't had anything to do directly with this legislation, both in its inception and steering it through this legislature up to the present point. I would want to say, however, that I think it is an exceedingly desirable piece of legislation and ought to be enacted.

I want to cite to you the benefits that a housing authority at the municipal level can have. My community of Van Buren was one of the very, very first — I think it was the first or the second municipal authority created in the State of Maine under the enabling legislation that the legislature created in 1949 and 1950. I am a former chairman of this housing authority and know the work it has done in my community. We built a fifty-unit housing development under this authority, housing of low-cost rental for our lower income families that were at that time living in all sorts of completely and totally inadequate housing facilities, facilities that had no bathroom, no toilet, some of them which had no water facilities whatsoever. Our low-income rental families in our community took advantage of this to the resulting

benefit of these families and their children. In 1962 we built an additional forty units, aimed at providing housing for our low income families and for our elderly people. This again has had a very beneficial influence on the people of our community. In toto, we have provided ninety units of housing to both low-income families and elderly people who would not otherwise have been able to secure adequate housing. This was done at no cost to the community whatsoever, but was totally and completely financed by the Federal Housing Administration.

I think that this type of work can be implemented at the State level and be used in those areas where they are not now being implemented, and I agree with the Senator from Cumberland, Senator Stuart, that the enactment of this legislation will not cost the State of Maine a great amount of money, but I think the resulting benefits in being able to steer, organize and see to the construction of low-cost rental housing in Maine on the whole will be very, very beneficial. I think that we ought to remember that because of the somewhat rural aspect of our State that the opportunities, both in the banking circle and other financial circles, are very, very inadequate to provide for construction of low-cost rental housing. I sincerely hope that this legislation will receive passage and be funded.

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

Mr. HOFFSES of Knox: Mr. President and Members of the Senate: I feel compelled to rise in discussion of this matter. Being in the building construction business myself, I feel that I do have some particular interest and I would like to set the record straight on some of the matters which have been brought up.

First of all, the population of the State of Maine has been more or less stagnant; it has not changed for several years. We have approximately one million people in the State of Maine. Now, I know for a fact that there are many new buildings going up, new houses, constantly in the State of

Maine. I do not believe that the buildings that we have are deteriorating at such a rapid rate of speed that the new construction is falling behind.

We are interested in home rule, we passed a home rule bill here. It was most interesting to hear the remarks of the good Senator from Aroostook, Senator Violette, when he very proudly discussed what they had done up in his town. I believe this same thing can be done in other towns and cities throughout the State of Maine. Let's keep the home rule. Let's let those people provide these programs that they want for their people in their respective communities.

I agree with the Senator from Cumberland that this will eventually create a monster. I see no way out of it; it can't help but create a monster. Here we are interested in streamlining our government and cutting down on agencies, and we day by day are creating more of them. I do not believe that the population in the State of Maine warrants a housing authority at this time. Now, when such time as the population is exploding in the State of Maine and we need additional housing units arrives, then is the time to build them.

I am quite familiar with the building that was constructed in the City of Rockland, it being within my district. That shows what the people can do without a state housing authority. Let's see if the other municipalities can't do the same, and I know that Rockland is very proud of that building which they have. I believe that this is not necessary legislation at this time, and I would hope that you would go along with the motion to indefinitely postpone this bill.

The PRESIDENT: The Chair would inform the Senator that there is no motion to indefinitely postpone before the body.

Mr. HOFFSES: Mr. President, I will make such a motion.

The PRESIDENT: The Senator from Knox, Senator Hoffses, moves that Legislative Document 1572, Bill, An Act to Create a State Housing Authority, be indefinitely postponed.

The Chair recognizes the Senator from Oxford, Senator Beliveau.

Mr. BELIVEAU of Oxford: Mr. President and Members of the Senate: I think it is important before we go any further that we clear the record here. First of all, with the exception of moneys that will be required to begin the project, the so-called seed money, the \$68,000 this year and \$35,000 next year, this will not cost the State, because the costs of administration will be realized from the bonds that are sold.

This bill authorizes the Housing Authority to sell revenue bonds or to pledge the full faith and credit of the State up to \$20,000,000 and, in turn, this of course would generate new capital for house construction here in the State of Maine. To say that this bill was very controversial would be an understatement.

The new draft was drawn with the assistance of bond counsel, savings banks, commercial banks and the State Government Committee. We were, first of all, convinced of the need for this, the need for finding additional capital in the State for housing construction, and I would suggest to good Senator Hoffses that if he doesn't believe, if he doesn't think that the condition of rural housing in this State has reached a deplorable state, I would suggest that he join me in a tour of Oxford, Franklin and Somerset Counties and I will point out to him situations where people would like very much to build new homes but are unable to secure sufficient financing at a commercial savings bank. This would generate \$20,000,000 for housing in the State of Maine at no cost, with the exception of this seed money which we have here.

As to the concern over home rule, I would direct the Senator's attention to Section 1 of L. D. 1572, which clearly prohibits any interference by the Housing Authority without the consent of the city or town which has one. They will not be competing with local municipal housing authorities but, in fact, will be assisting them. If the Senator would read the document in detail and more particularly, I direct his attention to Section 4553, 4601, which outlines in detail exactly

what the authority can do, how it can develop plans and assist your local housing authorities. I don't believe that we are trying to usurp the jurisdiction by municipalities, but we are just trying to supplement and assist them in developing and encouraging the creation of housing authorities.

A housing authority is badly needed in Maine. As was indicated earlier, the condition of our rural housing is deplorable, that people in the low income brackets are unable to secure adequate financing through our banks. With the assistance of this housing authority, I am certain that we will be able to rectify a very bad situation which exists in Maine, and I trust you will all oppose the pending motion so that this document can be enacted.

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

Mr. MOORE of Cumberland: Mr. President and Members of the Senate: I have read the bill several times, and there are paragraphs in it that sound very good and there are others that would concern you some. It also authorizes this authority to buy mortgages from insurance companies, banks and from the Federal Government. I don't know why we should, but it will give us that authority.

Speaking about these homes that we are building for the low income and the elderly, in Portland on Cumberland Avenue, I went through that apartment house the other day, something over a hundred apartments, beautiful, but we didn't need a state housing authority to create it. Up in Guilford, I have been through that one, that little Town of Guilford. It was financed and built under the Farm Home Administration, and we didn't need any public housing authority for the State of Maine to create these. It was the same in Rockland and many places. There is no question that if the people want it in a locality they can have it, and we don't have to create something like this here, because you know just as well as I know that this will not be handled by any two men when we get into hundreds and thousands of mortgages.

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

Mr. CONLEY of Cumberland: Mr. President and Members of the Senate: I would just like to clarify one of the statements that the good Senator from Cumberland, Senator Moore, made in reference to housing on Cumberland Avenue in Portland. This building is primarily for the elderly and it was established through the Portland Housing Authority. But, unfortunately, other communities throughout the State don't have a housing authority and, therefore, it is a necessity for the State to step in.

To clarify the record even moreso, the City of Portland is well aware of the fact that we are in dire need right at the moment of over 2,000 units of housing. I am sure that if this bill is passed it will give Portland a shot in the arm, making the need more aware for middle and low-income people to be able to build some housing for themselves, and I hope we go along with the passage of this document.

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

Mr. WYMAN of Washington: Mr. President and Members of the Senate: This came out of State Government, and I suspect I went along with the report. However, at the risk of incurring the displeasure, of those who feel we should not change our minds after having made a report, I have had second thoughts on it, and I am not going to vote for this.

The point has been made that the bankers like it. Why wouldn't bankers like guaranteed loans? I don't know of anybody in business who wouldn't like to have their loans guaranteed.

Now, it has been mentioned that we have homes in Rockland, in Van Buren, in Guilford, and apparently this is being accomplished without this bill, but here we are attempting to set up another department to do somewhat similar to what the Federal Government is doing. Senator Sewall talked a day or two ago and indicated that his Committee on Appropriations would like to be charged with the duty of cutting

the State Government everywhere it could in trying to effect economy. I certainly don't see how you are going to effect economy by starting new departments.

Now, I wonder if any of you have ever seen a state department that has been started with one or two people but what has expanded and expanded. It may not be a monster, but I just can't conceive of the fact that this won't be a bigger department and part of the Part I Budget will come from the 105th Legislature, and will continue to expand, which is just what most of the Senators have indicated they don't want. I certainly hope you will support the motion of Senator Hoffses.

The PRESIDENT: The pending question before the Senate is the motion of the Senator from Knox, Senator Hoffses, that Bill, An Act to Create a State Housing Authority, Legislative Document 1572, be indefinitely postponed. The Chair will order a division. As many Senators as are in favor of the motion of the Senator from Knox 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. Twelve Senators having voted in the affirmative, and sixteen Senators having voted in the negative, the motion did not prevail.

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

The President laid before the Senate the second item of Unfinished Business:

Bill, An Act Relating to Approval of Appointment of Assistant County Attorneys for Hancock and Washington Counties (H. P. 1137) (L. D. 1459).

Tabled — June 30, 1969 by Senator Anderson of Hancock until later in the day.

Pending — Enactment.

Thereupon, this being an emergency measure and having received the affirmative vote of 28 members of the Senate was Passed

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

Mr. Beliveau of Oxford then moved that the Senate reconsider its action whereby the Bill was Passed to be Enacted, whereupon Mr. Minkowsky of Androscoggin moved that the matter be tabled until later in today's session, pending the motion by Mr. Beliveau of Oxford to Reconsider.

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

Mr. KATZ of Kennebec: Mr. President, I wonder if the Senator from Androscoggin would withhold his motion for a moment until I have made a comment.

Thereupon, Mr. Minkowsky of Androscoggin 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 and Members of the Senate: Regarding the motion to reconsider, right at the moment we are racing against the clock, and the only question as to whether we can adjourn today is the question of printing and mechanics. If there is any way of disposing of this matter now, I would urge the proponents or opponents to dispose of it now.

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

Mr. BELIVEAU of Oxford: Mr. President and Members of the Senate: My concern for this is that Senator Wyman just indicated to me that this bill would give them a second assistant county attorney, and it certainly wasn't our intention to give them two in one year, although certainly they are entitled to it as a matter of right, because of the high crime rate in Washington County. But, in any event, if that is the case, and I certainly want to agree with Senator Wyman because there is one thing about the good Senator, he has been consistent, I think, on a few occasions, and he indicated to me a minute ago that

we already enacted a bill that gives them an assistant county attorney. Now, apparently he wants to disagree with me, and I will give him the floor.

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

Mr. WYMAN of Washington: Mr. President and Members of the Senate: I think maybe I am in error. We had a bill in State Government for an assistant county attorney for Hancock County. We amended it to include Washington County, and I suspect this is the same bill. Has it been on the Appropriations Table, can anybody tell me?

The PRESIDENT: The Chair would answer in the affirmative.

Mr. WYMAN: Well, I think it is probably the same bill, because I thought it had already been enacted, so I do hope we will go along and not reconsider it. I don't think it has been enacted. I thought we had enacted a measure of this kind, but I think it has been on the Appropriations Table.

The PRESIDENT: Is the Senator inquiring about Legislative Document 1459?

Mr. WYMAN: Yes.

The PRESIDENT: This has just been enacted just now, and there is a motion to reconsider by the Senator from Oxford, Senator Beliveau.

Mr. WYMAN: But it has been on the Appropriations Table?

The PRESIDENT: The answer is in the affirmative.

Mr. WYMAN: Well, then this is the same bill. I am very sorry. I will oppose the motion to reconsider.

Thereupon, Mr. Beliveau of Oxford was granted leave to withdraw his motion to Reconsider.

The President laid before the Senate the twenty-fifth matter on the Legislative Research Table: Joint Order Relative to the Legislative Research Committee studying current practices and operations of the Casco Bay Lines.

Tabled — earlier in today's session by Mr. Conley of Cumberland.

Pending — the motion by Mr. Katz of Kennebec to Indefinitely Postpone.

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

Mr. CONLEY of Cumberland; Mr. President and Members of the Senate: I tabled this order earlier today in the hope that many of the Senators would have an opportunity to be able to read the order to see exactly what the order meant.

I have been a resident of Portland for most of the years of my life, and ever since I can remember there has always been a good deal of frustration by the citizens of the Casco Bay Islands. Back during the 100th Legislature apparently there were enough problems and enough emotion stirred up that the legislature at that time passed a study for the legislature to go over the problems of transportation to the islands in Casco Bay, and apparently they came back with certain recommendations to the legislature. One thing they did suggest was that a continuing study go on of the needs of the islanders for transportation within that region.

Now, I am not the sponsor of this particular order before the Senate today, but I do sympathize with the sponsor of it and the over four hundred commuters of the Casco Bay Islands who have signed a petition to present to the legislature relative to the study that is now before you. I have spoken with several members of this Senate relative to the language within this order and, although, as I stated previously, I am not the drafter of the order, I do recognize the need to set up some sort of rules and regulations for the Public Utilities Commission to be able to clarify exactly what regulations the various transportation agencies dealing with transportation in that area should have to follow.

Now, it is apparent that there are many complaints from the residents of the islands or this order would never be here. I have been informed that there are over several hundred public carriers licensed by the Coast Guard on

the coast of Maine, and only two of these are under the jurisdiction of the Public Utilities Commission.

The one being directly concerned mostly with the transporting of the islanders in Casco Bay is the Casco Bay Line. It is unfortunate that the owner of that line has always been a very notorious individual in the papers around Portland and, although I think that he is trying to do a good job, I am afraid that many times there is a tremendous amount of valid complaints as to the operations of that line. I think the people of that area are entitled to some sort of hearing, some sort of an investigation, or some sort of a study committee relative to this subject, mainly to give the Public Utilities Commission itself some means of setting up guidelines or regulations to be able to do as the order has indicated. I would hope that the members of this Senate here today would pass this order, at least to get into a way of looking into the situation to see if we can't clarify the problems that now exist in the transportation area there.

The PRESIDENT: The pending question before the Senate is the motion of the Senator from Kennebec, Senator Katz, that Joint Order, House Paper 1285, be indefinitely postponed.

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr. President, I request a division. The reason that this order did not get favorable approval by the leadership is that we want to restate our intention: that whatever manpower there is available, whatever time there is available, we would like to concentrate on State Government operations. Consequently, this, along with some other very, very important studies, which normally might have been undertaken, have been deferred.

The PRESIDENT: Is the Senate ready for the question? The pending question before the Senate is the motion of the Senator from Kennebec, Senator Katz, that House Paper 1285, Joint Order Relative to the Legislative Research Committee studying current practices and operations of the

Casco Bay Lines, be indefinitely postponed. As many Senators as are in favor of indefinite postponement will rise and remain standing until counted. Those opposed will rise and remain standing until counted.

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

Thereupon, the Joint Order received Passage in concurrence.

The President laid before the Senate the thirty-second matter on the Legislative Research Table: Joint Order Relative to Creation of Special Committee to study General Operations, etc. of State Highway Commission (S. P. 545).

Tabled — earlier in today's session by Mr. Katz of Kennebec.

Pending — Passage.

Mr. Katz of Kennebec then moved the pending question.

Thereupon, the Joint Order received Passage.

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 Providing for State Contribution to the Cooperative Soil Survey (H. P. 904) (L. D. 1165).

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

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

Senate Amendment "A", Filing No. S-353, was Read and Adopted and the Bill, as Amended, Passed to be Engrossed in non-concurrence.

Sent down forthwith for concurrence.

On motion by Mr. Sewall of Penobscot, the Senator voted to take from the Special Appropriations Table, An Act Adjusting State Employees Pay (H. P. 1009) (L. D. 1311).

Thereupon, this being an emergency measure and having

received the affirmative vote of 24 Members of the Senate was Passed to be Enacted and, having been signed by the President, was by the Secretary presented to the Governor for his approval.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table, An Act Relating to Special Offices for Indian Tribes (H. P. 395) (L. D. 505).

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

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.

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

Senate

Committee of Conference Report

The Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill, "An Act to Provide for the Construction and Improvement of Airports Throughout the State, for a Tourist Information Building at Kittery; the Repair, Planning and Improvement of Certain State-owned Buildings and Institutions and Provide for Other Essential Improvements to Facilities for the Department of the Adjutant General, Finance and Administration Veterans Services and the Maine Port Authority by Issuing Bonds in the Amount of \$1,940,000." (H. P. 307) (L. D. 394)

Ask leave to report: That the Senate recede from passage to be engrossed as amended; that the Senate recede from adoption of Committee Amendment "A" as amended that the Senate recede from adoption of Senate Amendment "C" to Committee Amendment "A"; that the Senate indefinitely postpone Senate Amendment "C" (S-285) to Committee Amendment "A" in concurrence; that the Senate adopt Conference Committee Amendment "A" (S-

354) to Committee Amendment "A" submitted herewith; that the Senate adopt Committee Amendment "A" as amended by Conference Committee Amendment "A" thereto and Senate Amendments "B" and "D" thereto in non-concurrence; that the Senate pass the Bill to be engrossed as amended by Committee Amendment "A" (H-487) as amended by Conference Committee Amendment "A" (S-354) thereto and Senate Amendment "B" (S-277) thereto and Senate Amendment "D" (S-288) thereto in non-concurrence;

That the House recede and concur with the Senate.

On the part of the Senate:

BERRY of Cumberland
KELLAM of Cumberland
GORDON of Cumberland

On the part of the House:

RICHARDSON of
Cumberland
HASKELL of Houlton

Which report was Read and Accepted.

Thereupon, the Senate voted to Recede from its action whereby the Bill, as Amended, was Passed to be Engrossed.

Recede from Adoption of Committee Amendment "A".

The Senate then voted to Recede from its action whereby Senate Amendment "C" to Committee Amendment "A" was Adopted and, subsequently Senate Amendment "C" to Committee Amendment "A" was Indefinitely Postponed in concurrence.

Conference Committee Amendment "A", Filing S-354, to Committee Amendment "A" was Read and Adopted and Committee Amendment "A", as Amended by Conference Committee Amendment "A" and Senate Amendments "B" and "D" thereto, was Adopted.

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

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr. President, this is a rather complicated amendment and I would suggest either we be given a few minutes to digest it or defer action on it for the moment. Might I suggest, Mr. President, that we might

take care of the other item in front of us and then give us a few minutes to consider this one?

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

Thereupon, on motion by Mr. Hoffses of Knox, tabled until later in today's session, pending Passage to be Engrossed.

Committee of Conference Report

The Committee of Conference on the disagreeing action of the two branches of the Legislature, on Resolve in favor of Town of Harrington for Medical Care of an Indigent. (H. P. 543) (L. D. 722)

Ask leave to report: That the Senate recede and concur in accepting the Majority "Ought to Pass" Report of the Committee and pass the Resolve to be engrossed in concurrence.

On the part of the Senate:

WYMAN of Washington
PEABODY of Aroostook
CONLEY of Cumberland

On the part of the House:

LINCOLN of Bethel
CURTIS of Bowdoinham
QUIMBY of Cambridge

Which report was Read and Accepted.

Thereupon, the Senate voted to Recede and Concur.

Sent down for concurrence.

(Off Record Remarks)

The President laid before the Senate the Committee of Conference Report on House Paper 307, Legislative Document 394, tabled earlier in the session by Mr. Hoffses of Knox, pending Passage to be Engrossed.

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

Mr. KELLAM of Cumberland: Mr. President, having gotten the impression that an explanation is in order, I would say in relation to Conference Committee Amendment "A", and the various steps being taken in relation to the Conference Committee Report, that it is necessary, in order to put in what is in effect a third generation amendment, we have to back up and re-adopt the various other amendments. I think if this report

is looked at that the body will realize that we are right back where we started from, except that Conference Committee Amendment "A" replaces Conference Committee Amendment "C", and in the replacement process has added a paragraph which is down toward the bottom, the next to the last paragraph on the first page, having to do with the Maine Port Authority collecting from the parties using the ferry terminal the money that is being invested in it. In other words, over a period of time the \$500,000 bond issue would be recovered to the State of Maine.

I believe it is an exceptionally good amendment, in view of the fact that we have so many bond issues. I think this will improve greatly the chances of this particular bond issue at the referendum.

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

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

(Senate at Ease)

Called to order by the President.

Thereupon, the Bill, as Amended, was Passed to be Engrossed in non-concurrence.

Sent down for concurrence.

All Bills Passed to be Enacted and Resolves Finally Passed on June 30, 1969, which were to be presented to the Governor, were by the Secretary today presented to the Governor for his approval.

On motion by Mr. Logan of York, Adjourned until 9 o'clock tomorrow Morning.