

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fifth*

*Legislature*

OF THE

STATE OF MAINE

1971

KENNEBEC JOURNAL  
AUGUSTA, MAINE

### SENATE

Wednesday, January 27, 1971

Senate called to order by the Secretary.

Prayer by the Rev. James M. Mockler of Farmington.

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

Mr. HOFFSES of Knox: Mr. Secretary and Members of the Senate: In view of illness in our Senate President's family, he will not be with us today. We wish for a speedy recovery of the party afflicted.

I would, therefore, nominate the Honorable Senator, Richard N. Berry, as President pro tem for this session this morning.

The SECRETARY: Is it the pleasure of the Senate that Senator Berry be elected President pro tem?

Thereupon, Senator Richard N. Berry was unanimously elected President pro tem for today's session and was escorted to the rostrum by the Sergeant-at-Arms where he assumed the duties of that office.

Reading of the Journal of yesterday.

### Papers from the House Joint Order

ORDERED, the Senate concurring, that the Clerk of the House and the Secretary of the Senate, respectively, be directed to prepare and have printed a list of the members of the 105th Legislature, including therein their seat and auto plate number. (H. P. 286)

Comes from the House Read and Passed.

Which was Read and Passed in concurrence.

### House Papers

Bills, Resolves, and Resolutions today received from the House requiring Reference to Committees were acted upon in concurrence, with the following exceptions:

Bill, "An Act to Authorize Bond Issue in the Amount of \$3,850,000 for Student Housing at Central

Maine Vocational Technical Institute, Eastern Maine Vocational Technical Institute, Northern Maine Vocational Technical Institute, and the Maine Maritime Academy, Site Improvements at Washington County Vocational Technical Institute, Heating and Air Conditioning Shop and Laboratory at Southern Maine Vocational Technical Institute, Completion of School Building at Peter Dana Point Reservation and Tribal Halls for Penobscot and Passamaquoddy Reservations." (H. P. 175) (L. D. 233)

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

On motion by Mr. Katz of Kennebec, referred to the Committee on Education in non-concurrence.

Sent down for concurrence.

Bill, "An Act Relating to Cost of School Construction for State Aid." (H. P. 223) (L. D. 305)

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

On motion by Mr. Sewall of Penobscot, referred to the Committee on Appropriations and Financial Affairs in non-concurrence.

Sent down for concurrence.

On motion by Mr. Hoffses of Knox, Senate in recess, pending the sound of the gavel.

### After Recess

Called to order by the President pro tem.

### Communications

December 2, 1970

To the Governor, Legislature and people of Maine:

I am pleased to present this report on proposed departments as approved by the Legislative Research Committee and its Governmental Operations Sub-committee. As Chairman of this Sub-committee, I want to express my deep gratitude and appreciation for a job well done to all who contributed to this effort. This includes members of the Subcommittee, the Legislative Research Committee, the Area

Coordinators, the staff of the State Planning Office, and the Governor of Maine.

This report represents a well-considered and valid base for government consolidation and reorganization to correct the inefficiencies that exist in the operation of our State government where too many separate agencies try to carry out related functions.

The State of Maine must now follow up this report with the legislation and administrative action needed to implement these recommendations and provide the people of this State with more responsive, economical and efficient State government to deal with its many needs and problems.

Sincerely,

(Signed)

RAYMOND M. RIDEOUT, JR.

Chairman

Governmental Operations Sub-

Committee of the

Legislative Research Committee

(S. P. 138)

Which was Read and with accompanying papers ordered Placed on File.

Sent down for concurrence.

STATE OF MAINE

Senate Chamber

President's Office

Augusta, Maine

January 26, 1971

The Honorable Harry N. Starbranch

Secretary of the Senate

State House

Augusta, Maine

Dear Mr. Starbranch:

Pursuant to the authority vested in me by Section 1399 of Title 21, Revised Statutes of Maine, I hereby appoint the Senator from Franklin, Senator Elden H. Shute, Jr., and the Senator from Cumberland, Senator Ronald L. Kellam, as members of the Campaign Reports Committee.

Pursuant to the authority vested in me by Section 2063 of Title 34, Revised Statutes of Maine, I hereby appoint the Senator from York, Senator Walter W. Hichens, as a member of the Maine Committee on Problems of the Mentally Retarded.

Pursuant to the authority vested in me by Section 201 of Title 3, Revised Statutes of Maine, I hereby appoint the Senator from Somerset, Senator Harvey Johnson, as a member of the Commission on Interstate Cooperation.

Pursuant to the authority vested in me by Section 2803 of Title 20, Revised Statutes of Maine, I hereby re-appoint the Senator from Kennebec, Senator Bennett D. Katz, as a member of the New England Board of Higher Education.

Respectfully yours,

(Signed)

KENNETH P. MacLEOD

President of the Senate

Which was Read and Ordered Placed on File.

#### Senate Papers

Mr. Hoffses of Knox presented the following Joint Resolution and moved its adoption:

#### STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE HUNDRED AND SEVENTY-ONE JOINT RESOLUTION MEMORIALIZING CONGRESS TO PROVIDE FOR INTERGOVERNMENTAL SHARING OF FEDERAL INCOME TAX REVENUE

We, your Memorialists, the Senate and House of Representatives of the State of Maine in the One Hundred and Fifth Legislative Session assembled, most respectfully present and petition your Honorable Body as follows:

WHEREAS, a resolution of our nation's myriad and diverse problems is contingent upon a viable partnership between the Federal Government and strengthened State Governments; and

WHEREAS, the Federal Government, by its extensive reliance on the graduated income tax as a revenue source, has virtually preempted the use of this source from state and local governments, thereby creating a disabling fiscal imbalance between the Federal Government and the state and local governments; and

WHEREAS, increasing demands upon state and local governments for essential public services have

compelled the states to rely heavily on highly regressive and inelastic consumer taxes and property taxes; and

WHEREAS, federal revenues based predominantly on income taxes increase significantly faster than economic growth, while state and local revenues based heavily on sales and property taxes do not keep pace with economic growth; and

WHEREAS, the fiscal crisis at state and local levels has become the overriding problem of inter-governmental relations and of continuing a viable federal system; and

WHEREAS, the evident solution to this problem is a meaningful sharing of federal income tax resources; and

WHEREAS, the United States Congress, despite the immediate and imperative need therefor, has failed to enact acceptable revenue sharing legislation; now, therefore, be it

RESOLVED: That we, your Memorialists, recommend and urge that the Congress of the United States give immediate and favorable consideration to inter-governmental sharing of Federal Income Tax Revenue; and be it further

RESOLVED: That a copy of this Memorial, duly authenticated by the Secretary of State, be transmitted forthwith by the Secretary of State to the President of the Senate and the Speaker of the House of Representatives in the Congress of the United States and to the members of the said Senate and House of Representatives from this State. (S. P. 148)

(Approved for appearance on the calendar pursuant to Joint Rule No. 11)

Which was Read.

The PRESIDENT pro tem: The Chair recognizes the Senator from Arrostook, Senator Harding.

Mr. HARDING of Arrostook: Mr. President and Members of the Senate. I realize that what we do today on this resolution will not have very much effect upon the people of Maine, and probably just about as much effect upon the Congress. However, this resolution

expresses a thought and request which is so repugnant to my idea of what is responsible insofar as state government is concerned, and what is irresponsible insofar as our requests are concerned, that I don't feel like sitting here and acknowledging, by letting this thing go under the hammer, that this expresses my views, because it does not.

Now, I think that under the second Whereas here, where it says "Whereas the Federal Government, by its extensive reliance on the graduated income tax as a revenue source, has virtually preempted the use of this source from state and local governments", that it isn't true. I mean, we have a graduated income tax here in the state and it is up to us: if we want to raise it we can raise it. We don't have to look to the federal government, already in deficit spending, to send us part of the money which they collect.

I think that also in the Bangor Daily News today there is a column which expresses so well my views on this that I would just like to read them to the Senate for your consideration. This particular sentence is so apropos — it says, "The Federal Government has grown fat and over-powerful because of default at the local level." I couldn't agree with that thought more. It asks this question: "Why should the Federal Government be paying to educate pre-schoolers in West Virginia or educationally deprived teenagers in Tennessee, or to build dormitories on a campus in Oregon because the states and the other units of local government would never do it?" It goes on to say that the only reason for the growth of the federal government is the abdicating of the responsibilities on the local level.

This provision that is asked for in this puts the local and state governments in the position of being like orphans, of saying that we don't have the courage or the guts to pass the taxes to do these things, so we ask you to take the courage that we should have and collect the taxes for us, and don't have any strings attached and send the money back, and then let us

like good children spend it as we like to spend it. Now, those things are just never to be; you are asking for the never-never world, because congressmen are not going to go out on the political limb and face possible defeat by raising high taxes so that you can spend the money in any way you want. This is just not the way things work.

So I just don't feel like sitting here and seeing this resolution go through, with the no-strings-attached type of revenue sharing, and suggesting that I endorse it, because it makes me heartsick now to see how the state governments have surrendered their responsibilities. And for us to take this final step and say, "Yes, go ahead and collect the taxes for us, will you please, because we don't have the guts to do it, but we would like to spend the money after you collect it," I cannot endorse such a suggestion. And for whatever it may be worth, I want to express my personal opposition to this type of thing which the State of Maine would request of the Congress of the United States. Thank you.

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

Mr. KATZ of Kennebec: Mr. President and Members of the Senate: Along the same lines I would like to express my support of the concept of this memorial.

I wish I were good at remembering figures. I wish I could tell you how many good legislators and good governors all around the United States have been defeated in seeking re-election because they have had the guts to try to meet things at the local level.

In particular, I would like to tell you a little something about Governor Tiemann of Nebraska, a man who did exactly what the Senator from Aroostook, Senator Harding said we didn't have the courage to do. Senator Tiemann became governor of a state that was dragging its heels, and he got out and fought. He said "These are the things that the state needs." He was defeated in his bid for re-election by a very substantial margin because he had the

courage to do what he felt was necessary.

I wish I could remember and tell the Senate the percentage of increase in expenditures by state and local governments over a period of time and compare them to reactions by the federal government. I wish I could quote the figures that indicate how many hundreds and hundreds of per cent the bonded indebtedness of local communities, of states, and other political subdivisions have increased in recent years.

I think the State of Maine has lots to be proud of. We have had the courage to do things at the state level that needed doing. We have had the courage to increase the flow of educational support to the towns and cities by eighty-one per cent in just two legislative sessions. We are attempting courageously to meet the problems of the environment at a time when the federal government is creating programs that they are not funding. I think there is an imbalance.

My only misgiving is that there are lots of things that the State of Maine should be doing to clean its own house before it gets federal support. And I can think, of course, of the administration and the laws pertaining to the property tax in the State of Maine which are in a shambles. And I can think about the lack of development of program review and program evaluation at the state level, and I would hope that the flow of federal money would not reduce our incentive to do the things that we should be doing to help ourselves. But there just isn't enough money generated from our tax sources to do the job, and I for one am firmly convinced that the time has come to exercise our sovereign rights and to ask, and even demand, that a greater share of the resources of the country be used by the states for their own problems.

I disagree vehemently with Senator Mansfield last night on TV when he said very, very clearly that as far as he was concerned Washington could do it better.

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

Mr. HOFFSES of Knox: Mr. President and Members of the Senate: As the sponsor of this resolution, and as the Chairman of the Interstate Cooperation Commission, I would like to defend this revenue-sharing proposal. As I mentioned at a caucus the other day of my party members, 93 per cent — and I repeat — 93 per cent of the total personal income tax which is levied upon the people of this country is collected by the federal government. Now, when such a staggering amount of money is collected by our federal government, I ask you in all sincerity what is there left for the states.

As the good Senator from Aroostook has indicated, we do have a state income tax. And I think that it is in the hearts and the minds of every one of these legislators that if they are to impose an increase on our state income tax to meet some of the financial problems of this state that they well know what the net results are going to be when they run for reelection.

Now, the federal government has over the years preempted and assumed the responsibilities of the states. Maybe we are responsible for not holding those responsibilities within our own states, but it is easy, it is the easy route, to let someone else assume those financial responsibilities, and we all are guilty of that act.

Now, through the National Legislative Conference, through the Council of State Governments, through the Conference of Governors, it is the strong wish and desire that the states once again assume their responsibilities and their rights. It is only if we do take back those responsibilities, and those financial responsibilities as well, are we going to continue as individual states. Otherwise we might as well give up and let "Daddy", the big uncle down in Washington, run our whole lives.

I, for one, believe in home rule and I think that we, the people in the State of Maine, are qualified

to spend our money in the best interest of all of the people of the State of Maine. And I disagree with those in our federal system who seem to think that we have the knowledge and the ability to earn the tax dollars, but when they go down to Washington that we do not have the intelligence and the ability to spend that same money when it comes back to the individual state.

Now, ladies and gentlemen, there are virtually nine states in this country that are bankrupt, and untold numbers of cities which are bankrupt from the responsibilities which have been heaped upon them, and in many cases by this same federal government which wants to tax us for ninety-three per cent of our tax dollars, but doesn't want to give any of it back to us.

We all know some of the programs which the federal government has advocated, and we have accepted, and then the federal government moves out from under, and we are saddled with the financial responsibility of continuing those programs or scuttling them. And we all know what the results would be if we scuttled those programs, the hue and cry would be something terrible. So we have to assume that financial responsibility which the federal government has helped to place upon our shoulders.

As the good Senator from Kennebec said, that he was not aware of the increase of the indebtedness which is imposed upon the states, I would like to inform this Senate that the increase in the past six years, the state indebtedness of all of the states in this country, has increased \$140 billion dollars. Now, how long are we going to continue to tax ourselves, to bond ourselves, and continue to give to the federal government the amount of taxes which we are giving to them, and they not giving back to us because we don't have the knowledge and the ability to spend those tax dollars wisely, but we do have the knowledge and ability to create the economy that the government can tax?

I certainly hope the members of this Senate and of this Legislature will wholeheartedly and overwhelmingly endorse this resolution so that we can exert some pressure; not the amount of pressure that a Constitutional Convention would exert, but at least the people in Congress will know what our situation is.

Mr. President, I would respectfully ask for a roll call on this resolution.

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

Mr. LEVINE of Kennebec: Mr. President and Members of the Senate: I feel that this resolution is a very good one for the people of the State of Maine, and it is the right time for presenting this resolution. As we all know, the war is coming to an end in Southeast Asia, and there will be a lot of money saved, the money that is being spent for defense. And if the States don't try to get their share of this money it will be spent in some other way. It would give us an extra burden, and we would have to tax the people in the State of Maine with a tax that we can't afford. So, I back this resolution.

The PRESIDENT pro tem: The Chair recognizes the Senator from Somerset, Senator Johnson.

Mr. JOHNSON of Somerset: Mr. President and Members of the Senate: I have listened with great interest to the remarks of my good, distinguished seatmate, Senator Harding, and I think that he will agree with me that over the years that he and I have been members of this body he has in some cases, and perhaps it could have been many, whereby he has pushed bills in this Legislature, and one of the sales points that I remember was the fact that the federal government would match it fifty-fifty, and that involved us in many areas.

However, in the other area, on this memorialization to Congress, I have put in three of these in my time and I have yet to see any results. So, I do wonder whether a memorialization to Congress would have any effect except to be read by different people.

And I am not sure just how I would vote on it but those are my remarks.

The PRESIDENT pro tem: A roll call has been requested. In order for the Chair to order a roll call it must have the affirmative vote of one-fifth of the members of the Senate. All those in favor of ordering a roll call will please rise and stand in their places until counted.

Obviously more than one fifth having arisen, a roll call is ordered. The question before the Senate is the motion of the Senator from Knox, Senator Hoffses, that the Joint Resolution be adopted. If you are in favor of adopting this Joint Resolution you will vote yes; if you are opposed you will vote no.

The Secretary will call the roll.

#### ROLL CALL

YEAS: Senators Anderson, Berry, Carswell, Chick, Conley, Danton, Dunn, Graham, Greeley, Hichens, Hoffses, Johnson, Katz, Levine, Marcotte, Martin, Minkowsky, Moore, Peabody, Quinn, Schulten, Sewall, Shute, Tanous, Violette, and Wyman.

NAYS: Senators Fortier, Harding, and Kellam.

ABSENT: Senators Bernard, Clifford, and President MacLeod.

A roll call was had. Twenty-six Senators having voted in the affirmative and three Senators having voted in the negative, with three Senators absent, the Joint Resolution was Adopted.

Sent down for concurrence.

#### Agriculture

Mr. Chick of Kennebec presented, Bill, "An Act Relating to Boarding of Dogs." (S. P. 139) (L. D. 378)

Which was referred to the Committee on Agriculture and Ordered Printed.

Sent down for concurrence.

#### Business Legislation

Mr. Minkowsky of Androscoggin presented, Bill, "An Act Relating to Definitions and Credit Cards Under Truth-in-Lending Law." (S. P. 140) (L. D. 379)



Which was referred to the Committee on Business Legislation and Ordered Printed.

Sent down for concurrence.

#### **Fisheries and Wildlife**

Mr. Violette of Aroostook presented, Bill, "An Act Relating to Open Season on Moose." (S. P. 141) (L. D. 380)

Which was referred to the Committee on Fisheries and Wildlife and Ordered Printed.

Sent down for concurrence.

#### **Health and Institutional Services**

Mr. Greeley of Waldo presented, Bill "An Act Creating the Model White Cane Law for the Blind." (S. P. 142) (L. D. 381)

Which was referred to the Committee on Health and Institutional Services and Ordered Printed.

Sent down for concurrence.

#### **Legal Affairs**

Mr. Chick of Kennebec presented, Bill, "An Act Relating to Expenditure of Municipal Funds for Roads Used by Nonresidents." (S. P. 143) (L. D. 382)

Which was referred to the Committee on Legal Affairs and Ordered Printed.

Sent down for concurrence.

#### **Natural Resources**

Mr. Moore of Cumberland presented, Bill, "An Act Relating to Extension of Time for Operation of Certain Wastewater Treatment Plants Without a Certified Operator." (S. P. 144) (L. D. 383)

Which was referred to the Committee on Natural Resources and Ordered Printed.

Sent down for concurrence.

#### **Taxation**

Mr. Chick of Kennebec presented, Bill, "An Act Relating to Increase of Assessments on Real Estate." (S. P. 145) (L. D. 384)

The same Senator presented, Bill, "An Act Relating to Current Use in the Assessment of Real Estate Taxation." (S. P. 146) (L. D. 385)

Which were referred to the Committee on Taxation and Ordered Printed.

Sent down for concurrence.

#### **Veterans and Retirement**

Mr. Moore of Cumberland presented, Bill, "An Act Relating to Death Benefits for Fish and Game and Coastal Wardens under the State Retirement System." (S. P. 147) (L. D. 386)

Which was referred to the Committee on Veterans and Retirement and Ordered Printed.

Sent down for concurrence.

#### **Orders**

On motion by Mr. Sewall of Penobscot,

ORDERED, that all Bills and Resolves carrying or requiring an appropriation or involving a loss of revenue that are in order to be passed to be enacted, or finally passed, shall, at the request of a member of the Committee on Appropriations and Financial Affairs, be placed on a special calendar to be called up for consideration only by a member of that committee.

Which was Read and Passed.

#### **Committee Reports House**

The following unanimous Ought Not to Pass reports shall be placed in the legislative files without further action pursuant to Rule 17-A of the Joint Rules:

Bill, "An Act Relating to Suspension of Operator's Motor Vehicle License When Person Convicted of Larceny or Breaking and Entering." (H. P. 15) (L. D. 24)

Bill, "An Act Prohibiting Persons Riding in Bodies of Trucks." (H. P. 19) (L. D. 28)

#### **Leave to Withdraw**

The Committee on Fisheries and Wildlife on Bill, "An Act Repealing the Licensing of Guides and Permits for Camp Trip Leaders Under Fish and Game Laws." (H. P. 63) (L. D. 104)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the report Read and Accepted.

Which report was Read and Accepted in concurrence.

**Ought to Pass**

The Committee on Transportation on Bill, "An Act Relating to the Content of Motor Vehicle Operators' Licenses." (H. P. 4) (L. D. 4)

Reported that the same Ought to Pass.

The Committee on Transportation on Resolve, Designating Certain Bridge Across the Penobscot River as "Levi Lancaster Memorial Bridge." (H. P. 43) (L. D. 75)

Reported that the same Ought to Pass.

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

Which reports were Read and Accepted in concurrence, the Bill and Resolve Read Once and Tomorrow Assigned for Second Reading.

**Ought to Pass — As Amended**

The Committee on Education on Bill, "An Act Relating to Conferring Degrees by Unity College." (H. P. 92) (L. D. 136)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-5).

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

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

**Senate**

The following unanimous Ought Not to Pass reports shall be placed in the legislative files without further action pursuant to Rule 17-A of the Joint Rules:

Bill, "An Act Relating to Transportation of Goods in Commerce on Sundays." (S. P. 6) (L. D. 20)

Bill, "An Act Relating to Lights on School Buses." (S. P. 8) (L. D. 22)

Sent to the House.

**Divided Report**

The Majority of the Committee on State Government on Bill, "An Act Relating to Offices of Health and Welfare Department Located Outside of Augusta." (S. P. 21) (L. D. 49)

Reported that the same Ought Not to Pass.

Signed:

Senators:

JOHNSON of Somerset

CLIFFORD of

Androscooggin

Representatives:

DONAGHY of Lubec

MARSTALLER of Freeport

HANSON of Gardiner

STILLINGS of Berwick

CURTIS of Orono

STARBIRD of Kittery

HODGDON of Kittery

COONEY of Sabattus

FARRINGTON of Old Orchard Beach

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

Signed:

Senator:

WYMAN of Washington

Representative:

GOODWIN of Bath

Which reports were Read.

The PRESIDENT pro tem: The Chair recognizes the Senator from Cumberland, Senator Carswell.

Mrs. CARSWELL of Cumberland: Mr. President and Members of the Senate: The Health and Welfare Department has five offices in the City of Portland scattered all over the city, to the tune of forty-three thousand dollars a year rent.

Now, I feel that this is not in the interest of economy or good service to the taxpayer. A person needing child and family services goes to the east end of the city, practically, to get service there, then must go downtown to get eye care and special services, must go up toward the west, up on State Street, to get alcoholic rehabilitation services, and I could go on and on to tell you that but by the time the person gets the total services that that person needs he is pretty well tired out. And I

guarantee there is perhaps quite a bit of duplication. So, I would hope that somebody would table this bill until February 9th, so we can see whether or not the Health and Welfare Department is going to do something about organizing its services in one location.

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

Mr. Wyman of Washington then moved that the Bill be tabled and specially assigned for February 9, 1971, pending Acceptance of Either Report.

On motion by Mr. Hoffses of Knox a division was had. Twenty-two Senators having voted in the affirmative, and four Senators having voted in the negative, the motion prevailed.

### Second Readers

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

#### Senate

Bill, "An Act Relating to Use of Money Received by the Penobscot Bay and River Pilotage Commission." (S. P. 10) (L. D. 38)

Resolve Providing Funds for Conservation Education. (S. P. 64) (L. D. 129)

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

Sent down for concurrence.

#### Enactors

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

An Act Increasing Assistance to War Orphans in Securing Higher Education. (S. P. 17) (L. D. 45)

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

An Act Relating to Time Change of Enrollment in a Political Party. (S. P. 23) (L. D. 51)

An Act Relating to Reports of Registration and Enrollment of Voters. (S. P. 30) (L. D. 63)

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

### Emergency

An Act to Validate Certain Proceedings Authorizing the Issuance of Bonds and Notes by School Administrative District No. 72. (H. P. 25) (L. D. 34)

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.

### Emergency

An Act Relating to Nonlapsing Funds for Armory Construction. (H. P. 26) (L. D. 35)

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.

### Emergency

An Act Validating Certain Proceedings at Town Meeting of Winslow. (H. P. 37) (L. D. 69)

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.

### Orders of the Day

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

Bill, "An Act to Authorize Bond Issue in the Amount of \$19,145,000 for the Construction and Renovation of Higher Education Facilities at the University." (S. P. 129)

Tabled—January 26, 1971 by Senator Sewall of Penobscot.

Pending—Reference.

On motion by Mr. Sewall of Penobscot, referred to the Committee on Education and Ordered Printed.

Sent down for concurrence.

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

Bill, "An Act Appropriating Funds for Capital Expenditures and Equipment at the University of Maine at Farmington." (S. P. 130)

Tabled—January 26, 1971 by Senator Sewall of Penobscot.

Pending—Reference.

On motion by Mr. Sewall of Penobscot, referred to the Committee on Appropriations and Financial Affairs and Ordered Printed.

Sent down for concurrence.

(Off Record Remarks)

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

**Papers from the House**

**Joint Resolution**

**STATE OF MAINE**

IN THE YEAR OF OUR LORD  
ONE THOUSAND NINE  
HUNDRED AND SEVENTY-ONE  
JOINT RESOLUTION IN

RECOGNITION OF  
MOST REVEREND EDWARD C.  
O'LEARY'S ELEVATION TO  
HIGHER OFFICE

WHEREAS, Edward Cornelius O'Leary, son of Mrs. and the late Cornelius O'Leary of Bangor, chose to study for the priesthood in the Roman Catholic Church; and

WHEREAS, in keeping with his deep faith and profound scholastic

abilities he was ordained into the priesthood on June 15, 1946, just prior to his 26th birthday; and

WHEREAS, on January 25, 1971 he was appointed by His Holiness Pope Paul VI as Auxiliary Bishop for the Diocese of Portland; and

WHEREAS, this event is a milestone in Maine history for he is the second native son since the establishment of the diocese well over a century ago to be ordained to serve as Bishop; now, therefore, be it

RESOLVED: That we, the Members of the Senate and House of Representatives of the One Hundred and Fifth Legislature assembled, extend to Most Reverend Edward C. O'Leary, D.D. our warmest congratulations as Auxiliary Bishop of the Diocese of Portland; and be it further

RESOLVED: That a duly authenticated copy of this Resolution be transmitted forthwith to Bishop O'Leary in honor of the occasion. (H. P. 320)

Comes from the House Read and Adopted.

Which was Read and Adopted in concurrence.

On motion by Mr. Hoffses of Knox,

Adjourned until 1:30 tomorrow afternoon.