

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fifth
Legislature*

OF THE

STATE OF MAINE

Volume II

May 5, 1971 to June 15, 1971

KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Wednesday, May 12, 1971

Senate called to order by the President.

Prayer by Brigadier Alfred E. Davey of Augusta.

Reading of the Journal of yesterday.

**Papers from the House
Non-concurrent Matter**

Resolution, Proposing an Amendment to the Constitution to Permit Insurance of Payments on Mortgage Loans Made for Service Enterprises and the Preservation of Certain Business Enterprises. (S. P. 495) (L. D. 1383)

In the Senate May 7, 1971, the Minority Ought to Pass report Read and Accepted and subsequently the Resolution was Passed to be Engrossed as amended by Senate Amendment "B" (S-154).

Comes from the House, the Majority Ought Not to Pass report Read and Accepted, in non-concurrence.

Thereupon, the Senate voted to Recede and Concur.

Non-concurrent Matter

Bill, "An Act Revising the Harbor Master Law." (H. P. 1058) (L. D. 1449)

In the House May 6, 1971, Passed to be Engrossed as amended by Committee Amendment "A" (H-222).

In the Senate May 10, 1971, Indefinitely Postponed, in non-concurrence.

Comes from the House, that Body having Insisted and asked for a Committee of Conference.

On motion by Mr. Berry of Cumberland, the Senate voted to Adhere.

On motion by Mr. Berry of Cumberland,

ORDERED, the House concurring, that the following be recalled from the Governor's Office to the Senate: Bill, "An Act Appropriating Moneys to Supplement Loans by Maine School Building Authority" (H. P. 1008) (L. D. 1387).

(S. P. 577)

Which was Read and Passed.
Sent down for concurrence.

**Committee Reports
House**

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

Bill, "An Act Relating to Grants for Community Mental Health Services." (H. P. 108) (L. D. 152)

Ought to Pass

The Committee on Health and Institutional Services on, Bill, "An Act Relating to Definition of Resident Trainee, Licensing and Compensation of Board under Laws Relating to Funeral Directors and Embalmers." (H. P. 528) (L. D. 690)

Reported that the same Ought to Pass.

The Committee on Health and Institutional Services on, Bill, "An Act Revising Licensing of Hearing Aid Dealers and Fitters." (H. P. 593) (L. D. 788)

Reported that the same Ought to Pass.

The Committee on Health and Institutional Services on, Bill, "An Act Relating to Salary and Duties of Executive Director and Assistant Director to the State Board of Nursing." (H. P. 594) (L. D. 789)

Reported that the same Ought to Pass.

The Committee on Health and Institutional Services on, Bill, "An Act Appropriating Funds to Continue Housing Services for Older People." (H. P. 675) (L. D. 912)

Reported that the same Ought to Pass.

The Committee on Legal Affairs on, Bill, "An Act Relating to Election of Officers of Hospital Administrative District No. 3 in Aroostook and Penobscot Counties." (H. P. 970) (L. D. 1330)

Reported that the same Ought to Pass.

The Committee on Legal Affairs on, Bill, "An Act to Validate Certain Proceedings Authorizing Ambulance Service for Town of Skowhegan." (H. P. 998) (L. D. 1360)

Reported that the same Ought to Pass.

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

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

Ought to Pass — As Amended

The Committee on State Government on, Bill, "An Act to Provide an Automatic Pay Increase to Classified State Employees Who Pass the Certified Professional Secretary Examination." (H. P. 973) (L. D. 1334)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-238)

The Committee on Transportation on, Bill, "An Act Relating to Weight Tolerances of Vehicles Loaded with Refrigerated Products." (H. P. 976) (L. D. 1338)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-239)

Come from the House, the reports Read and Accepted and the Bills Passed to be Engrossed as Amended by Committee Amendments "A".

Which reports were Read and Accepted in concurrence and the Bills Read Once. Committee Amendments "A" were Read and Adopted in concurrence and the Bills, as Amended, Tomorrow Assigned for Second Reading.

Ought to Pass in New Draft

The Committee on State Government on, Bill, "An Act Relating to Acceptance of Gifts and Purchases of State Lands." (H. P. 787) (L. D. 1063)

Reported that the same Ought to Pass in New Draft Under Same Title. (H. P. 1313) (L. D. 1721)

The Committee on Health and Institutional Services on, Bill, "An Act to Improve the Enforcement of the Marriage Blood Test Requirement." (H. P. 807) (L. D. 1080)

Reported that the same Ought to Pass in New Draft Under Same Title. (H. P. 1312) (L. D. 1720)

The Committee on Health and Institutional Services on, Bill, "An Act to Improve the Procedure for Correcting Vital Statistics." (H. P. 808) (L. D. 1081)

Reported that the same Ought to Pass in New Draft Under Same Title. (H. P. 1311) (L. D. 1719)

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

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

Divided Report

The Majority of the Committee on County Government on, Bill, "An Act Relating to Rates for Room and Board of Prisoners." (H. P. 1142) (L. D. 1583)

Reported that the same Ought Not to Pass.

Signed:

Senators:

PEABODY of Aroostook
MARTIN of Piscataquis
DANTON of York

Representatives:

KELLEHER of Bangor
HAWKENS of Farmington
CHURCHILL of Orland
MILLS of Eastport
BERNIER of Westbrook
IMMONEN of West Paris
DYAR of Strong
WIGHT of Presque Isle
KELLEY of Southport

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

Signed:

Representative:

PONTBRIAND of Auburn
Comes from the House, the Majority Ought Not to Pass report Read and Accepted.

Which reports were Read.

Mr. Bernard of Androscoggin moved that the Bill be tabled and specially assigned for May 18, 1971, pending Acceptance of Either Report.

On motion by Mr. Berry of Cumberland, a division was had. Eleven Senators having voted in the affirmative, and twenty Senators having voted in the negative, the motion to table did not prevail.

Thereupon, on motion by Mr. Berry of Cumberland, tabled and Tomorrow Assigned, pending Acceptance of Either Report.

Divided Report

The Majority of the Committee on Transportation on, Bill, "An Act Relating to Steel Guardrails on the Maine Turnpike." (H. P. 619) (L. D. 830)

Reported that the same Ought Not to Pass.

Signed:

Senators:

GREELEY of Waldo

KELLAM of Cumberland

Representatives:

WOOD of Brooks

CROSBY of Kennebunk

HALL of Windham

LEE of Albion

BARNES of Alton

McNALLY of Ellsworth

DUDLEY of Enfield

KEYTE of Dexter

FRASER of Mexico

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

Signed:

Senator:

JOHNSON of Somerset

Representative:

LEBEL of Van Buren

Comes from the House, the Minority Ought to Pass report Read and Accepted and the Bill Passed to be Engrossed as Amended by House Amendment "A" (H-247)

Which reports were Read.

On motion by Mr. Greeley of Waldo, the Majority Ought Not to Pass Report of the Committee was Accepted in non-concurrence.

Sent down for concurrence.

Divided Report

The Majority of the Committee on Transportation on, Bill, "An Act Relating to Use of Motor Vehicle Dealer Registration Plates." (H. P. 900) (L. D. 1220)

Reported that the same Ought Not to Pass.

Signed:

Senators:

GREELEY of Waldo

KELLAM of Cumberland

Representatives:

WOOD of Brooks

CROSBY of Kennebunk

HALL of Windham

LEE of Albion

BARNES of Alton

McNALLY of Ellsworth

KEYTE of Dexter

FRASER of Mexico

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

Signed:

Senator:

JOHNSON of Somerset

Representatives:

DUDLEY of Enfield

LEBEL of Van Buren

Comes from the House, the Minority Ought to Pass report Read and Accepted and the Bill Indefinitely Postponed.

Which reports were Read.

On motion by Mr. Greeley of Waldo, the Majority Ought Not to Pass Report of the Committee was Accepted.

Divided Report

The Majority of the Committee on Legal Affairs on, Bill, "An Act Relating to Tenants Serving on Local Housing Authorities." (H. P. 424) (L. D. 558)

Reported that the same Ought Not to Pass.

Signed:

Senators:

QUINN of Penobscot

KELLAM of Cumberland

CLIFFORD

of Androscoggin

Representatives:

COTE of Lewiston

CURTIS of Bowdoinham

SILVERMAN of Calais

CROSBY of Kennebunk

BRAWN of Oakland

FECTEAU of Biddeford

EMERY of Rockland

NORRIS of Brewer

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

Signed:

Representative:

SMITH of Dover-Foxcroft

Comes from the House, the Majority Ought Not to Pass report Read and Accepted.

Which reports were Read.

On motion by Mr. Quinn of Penobscot, the Majority Ought Not to Pass Report of the Committee was Accepted in Concurrence.

Senate

The following 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 Working Capital of State Liquor Commission." (S. P. 151) (L. D. 420)

Resolution, Proposing an Amendment to the Constitution to Provide State-wide Referendum on Legislative Action Lowering Water Quality Classification. (S. P. 418) (L. D. 1233)

Sent to the House.

Ought to Pass

Mr. Conley for the Committee on Appropriations and Financial Affairs on, Resolution, Proposing an Amendment to the Constitution Pledging Credit of the State and Providing for the Issuance of Bonds not Exceeding Four Million Dollars for Loans for Maine Students in Higher Education. (S. P. 285) (L. D. 845)

Reported that the same Ought to Pass.

Mr. Schulten for the Committee on Natural Resources on, Bill, "An Act Phasing out Log Driving in the Inland Waters of the State." (S. P. 451) (L. D. 1297)

Reported that the same Ought to Pass.

(On motion by Mr. Wyman of Washington, tabled and Tomorrow Assigned, pending Acceptance of the Committee Report.)

Mrs. Carswell for the Committee on Veterans and Retirement on, Bill, "An Act Relating to Service Retirement of Law Enforcement Officers in the Departments of Sea and Shore Fisheries and Inland Fisheries and Game." (S. P. 415) (L. D. 1231)

Reported that the same Ought to Pass.

Which reports were Read and Accepted, except for the tabled matter, the Bill and Resolution Read Once and Tomorrow Assigned for Second Reading.

The PRESIDENT: The Chair would ask the Sergeant-at-Arms to escort the Senator from Cumberland, Senator Berry, to the rostrum to act as President pro tem.

Thereupon, the Sergeant-at-Arms escorted Mr. Berry of Cumberland to the rostrum where he assumed the duties of President pro tem, and the President retired from the Senate Chamber.

Divided Report

The Majority of the Committee on Labor on, Bill, "An Act Relating to Preference to Maine Workmen and Contractors." (S. P. 163) (L. D. 485)

Reported that the same Ought Not to Pass.

Signed:

Senator:

TANOUS of Penobscot

Representatives:

LEE of Albion

LINCOLN of Bethel

ROLLINS of East Dixfield

SIMPSON of Millinocket

GOOD of Westfield

KELLEY of Machias

The Minority of the same Committee on the same subject matter reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-158)

Signed:

Sensors:

MARCOTTE of York

LEVINE of Kennebec

Representatives:

BEDARD of Saco

McTEAGUE of Brunswick

GENEST of Waterville

BUSTIN of Augusta

Which reports were Read.

On motion by Mr. Marcotte of York, tabled and Tomorrow Assigned, pending Acceptance of Either Report.

Divided Report

The Majority of the Committee on Labor on, Bill, "An Act Providing for Double Compensation for Injuries to Minors under Workmen's Compensation Law If Employment in Violation of Law." (S. P. 334) (L. D. 980)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-159).

Signed:

Sensors:

TANOUS of Penobscot

MARCOTTE of York

LEVINE of Kennebec

Representatives:

SIMPSON of Millinocket
McTEAGUE of Brunswick
GENEST of Waterville
BUSTIN of Augusta
BEDARD of Saco

The Minority of the same Committee on the same subject matter reported that the same Ought Not to Pass.

Signed:**Representatives:**

KELLEY of Machias
LINCOLN of Bethel
GOOD of Westfield
LEE of Albion
ROLLINS of Westfield

Which reports were Read.

On motion by Mr. Tanous of Penobscot, the Majority Ought to Pass as Amended Report of the Committee was Accepted, and the Bill Read Once.

Committee Amendment "A" was Read and Adopted and the Bill, as Amended, Tomorrow Assigned for Second Reading.

Final Report

The Committee on Public Utilities submitted its Final Report.

Which was Read and Accepted.
Sent down for concurrence.

Second Readers

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

House

Bill, "An Act Increasing Compensation of Full-time Deputies in all Counties." (H. P. 328) (L. D. 437)

Bill, "An Act Relating to Raising Fees and Expenses of Jurors." (H. P. 1307) (L. D. 1713)

Bill, "An Act Relating to Injury or Incapacity of Wardens of the Departments of Inland Fisheries and Game and Sea and Shore Fisheries." (H. P. 444) (L. D. 578)

Bill, "An Act Relating to Specific Periods of Total Incapacity for Certain Injuries under Workmen's Compensation Law." (H. P. 1308) (L. D. 1714)

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

House — As Amended

Bill, "An Act Relating to Testimony and Proceedings before the

Industrial Accident Commission." (H. P. 464) (L. D. 592)

Bill, "An Act Relating to Total Incapacity Resulting from Second Injuries under Workmen's Compensation Law." (H. P. 679) (L. D. 916)

Bill, "An Act Amending Fees Charged by Registers of Deed." (H. P. 762) (L. D. 1028)

Which were Read a Second Time and Passed to be Engrossed, as Amended, in concurrence.

Senate

Resolve Providing Moneys for Cerebral Palsy Centers. (S. P. 188) (L. D. 549)

Which was 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 Creating the Cobboosee Watershed District. (S. P. 202) (L. D. 587)

An Act Defining the Standards of Judicial Review in Appeals from Orders and Decisions of the Environmental Improvement Commission. (S. P. 565) (L. D. 1703)

An Act Relating to Definition of Construction under Board of Construction Safety Rules and Regulations. (H. P. 152) (L. D. 207)

An Act Appropriating Funds for Educational Costs for Maine Students in Private Schools of Higher Education. (H. P. 475) (L. D. 836)

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

An Act Creating the Maine Health Facilities Authority. (H. P. 1189) (L. D. 1664)

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.

Orders of the Day

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

Senate Reports — from the Committee on Legal Affairs on

Bill, "An Act Relating to Contracts of Teachers with Municipalities." (S. P. 183) (L. D. 535) Majority Report, Ought Not to Pass; Minority Report, Ought to Pass.

Tabled — May 10, 1971 by Senator Johnson of Somerset.

Pending — Acceptance of Either Report.

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

Mr. JOHNSON of Somerset: Mr. President, I move that we accept the Ought to Pass Report of the Committee, and I would speak briefly to the motion.

The PRESIDENT pro tem: The Senator from Somerset, Senator Johnson, moves that the Senate accept the Ought to Pass Report of the Committee.

The Senator has the floor.

Mr. JOHNSON: Mr. President and Members of the Senate: This bill takes the teachers out of a discriminated class as far as public officials are concerned and allows them to serve as town councilmen and in other areas. It is just that simple.

For years now we have kept the teachers from serving in these offices, and in cases where they have run and been elected to town councils and so forth they have lost any pay increase they have been voting on. Under this bill, actually, in a tie vote their vote would not count, or in a very close vote of that type. But we are just putting them in a class by themselves, they are qualified people, they make good town councilmen, and we need these people. To discriminate against them is poor business, I think, and I hope the Senate would accept the Ought to Pass Report.

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

Mr. HOFFSES of Knox: Mr. President and Members of the Senate: I would like to pose a question through the Chair to the good Senator from Somerset, if I may. Would not the passage of such a bill perhaps have a tendency to create a situation where there would be a conflict of interest?

The PRESIDENT pro tem: The Senator from Knox, Senator

Hoffses, poses a question to the Senator from Somerset, Senator Johnson, who may answer if he wishes.

The Chair recognizes the Senator from Androscoggin, Senator Clifford.

Mr. CLIFFORD of Androscoggin: Mr. President and Members of the Senate: I was on the Committee on Legal Affairs which heard this bill. It got an unfavorable report. I think there were only four signers of the Ought to Pass Report, and I think the reason for this was that the bill was misunderstood.

The reason for my standing up here today is to try to clarify this bill, if I can. It may end up that I will confuse everybody, but at least I will give it a stab. I spent some time yesterday afternoon trying to get this thing straight in my own mind in case this came to a debate today.

At the present time a teacher can run for a city council seat or can run for selectman of a town. There is no problem, there is nothing to prevent this, and there is no prohibition at the present time. However, if during his term of office, if a teacher does win the election and becomes a member of the city council, and during the term of office the teacher contracts come up for renewal, and the teacher contracts are being negotiated between the school board and the superintendent of schools and, as a result of these negotiations the teachers receive some sort of a benefit, perhaps an increase in pay under the new contract, then that teacher who was elected to the city council has to make a decision. He either has to resign his post on the city council or he has to resign as a teacher in that municipality.

Now, what this bill would do is simply allow him to retain his seat on the council or, if he was a selectman, to remain as a selectman of that town, and also to continue teaching within the municipality. This is the only thing that this act does. I have checked this out with the Attorney General's office and they are in accord with this thinking.

The place where some people get confused on this bill is that the present law prohibits a teacher who is serving on the council from voting on his or her salary or either indirectly or directly becoming involved with the negotiations on the teacher contract. This is prohibited now under present law. This new bill would not lift that prohibition. In other words, even if this bill passed, a teacher still would not be allowed, either directly or indirectly, to have anything to do with his teacher contract in the negotiations. So, I hope you would accept the motion of Senator Johnson from Somerset and accept the Minority Ought to Pass Report of the Committee.

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

Mr. HOFFSES of Knox: Mr. President and Members of the Senate: If this is the case, it would seem to me that the people in the municipality would not be adequately represented if a member of the town council or city council by law is prevented or prohibited from casting a vote by virtue of his serving as a teacher.

I would think that this would definitely be either a conflict of interest or a neglect, or whatever term you want to use, because they cannot vote on the town council on this measure. Therefore, you would not have full representation of the people on this council if they are prevented from voting.

We have before us, or have had, the opinion that a selectman cannot serve as a member of the legislature, or a person who is serving in some other capacity, such as overseer of the poor, as is the case in many towns. It has been concluded that they cannot serve as a member of the legislature. So it would seem to me that you have a similar situation here in regard to a teacher serving on a town or city council and not voting on this measure.

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 think perhaps if that is

the case we should amend the bill and include selectmen also, because I do know that there is a mayor in this Legislature who is serving in both capacities, and I can't see what difference that would make. A selectman and a mayor, in my book, are very close to the same thing.

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

Mr. KATZ of Kennebec: Mr. President and Members of the Senate: Over the years we have established areas of conflict of interest. A county commissioner cannot serve in the legislature. A mayor can, a councilman can, and a teacher can. I think this bill is a natural extension of the right of a teacher to serve his state.

I am aware of the fact that the 11,000 teachers of the state as a block are the best educated members of the state. If we have an egghead population, and I am sure they don't think of themselves as eggheads, they are it. And I think the bill is fair and equitable. It has one great safeguard that I call to your attention. The safeguard is that these are elective offices, and any misgivings about the local community will be expressed by the electorate. That is protection enough, as far as I am concerned, and I am in favor of the bill.

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

Mr. VIOLETTE of Aroostook: Mr. President and Members of the Senate: I would hope that the Senate would accept the Minority Ought to Pass Report. I think certainly teachers ought to have the same opportunities to serve in elective offices as any other citizen.

To answer some of the remarks made by the Senator from Knox, Senator Hoffses, regarding the possibility of some persons not being able to serve in two capacities, and he refers to elected municipal officials not being able to serve in the legislature, well, these are elected officials and they are not employees.

In regards to conflicts of interest, I think we see every day

elected officials at the municipal, at the county and at the state level being faced with the question of having to disqualify themselves when directly or indirectly the matters under consideration by the body on which they serve are matters that could be in conflict with their interest, and they disqualify themselves. We have seen members of the Senate here disqualify themselves from voting on certain matters because their integrity told them that there might be a possible conflict. We see this also at the municipal and other levels, and certainly I think that same thing would apply in this case. I hope that the Senate would accept the Minority Ought to Pass Report.

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

Mr. QUINN of Penobscot: Mr. President and Members of the Senate: As a member of the Legal Affairs Committee, I signed the Majority Ought Not to Pass Report because of a report from the Attorney General's office that it was a conflict of interest.

The PRESIDENT pro tem: The Chair recognizes the Senator from Androscoggin, Senator Clifford.

Mr. CLIFFORD of Androscoggin: Mr. President and Members of the Senate: Senator Quinn just made a remark about an opinion from the Attorney General's office. I have that same opinion, or at least I think I do, and it was addressed to Douglas Smith, a Representative on the Legal Affairs Committee. I think if he interprets that letter as saying that this act is a conflict of interest I don't think he is reading it properly. At least I don't read it that way, and I disagree with his interpretation.

I would like to make this point: This exact same question was the subject matter of a law suit in November of 1968 in the City of Augusta. A Supreme Court Judge sat as a single justice in the case and rendered a decision, which is on my desk and which I have read, and which John Benoit, who was the Deputy Attorney General involved in the letter, gave to me yesterday morning. The one thing in that case which I think is impor-

tant to this debate is that Judge Webber said that a city councilor who is a teacher, that that is not a common law conflict of interest. It becomes a conflict of interest when he votes on his own salary but, otherwise, it is not a conflict of interest.

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

Mr. TANOUS of Penobscot: Mr. President and Members of the Senate: It seems to me that ultimately the people at the local level will be deciding whether they are going to elect a teacher if they so desire and I would think that under the principle of home rule which we passed here last session, and we have stayed with it on various bills, I would think this is the same concept. The people would still have to vote for an individual, a teacher, or whoever they want to vote for, so I don't think we are going to extend any power by voting for this particular bill, and the people still have the ultimate choice of deciding whether they want to vote for that person or not.

While I am up here I would like to question Senator Clifford from Androscoggin as to whether the opposite would also carry true: if an individual is on the board of selectmen or councilmen, would he then be able to get a job as a teacher? I can see an individual elected to the board who is not a teacher, but would the converse also apply? Would he be able to become a teacher or take on a teaching position after he has been elected? Thank you.

The PRESIDENT pro tem: The Chair recognizes the Senator from Androscoggin, Senator Clifford.

Mr. CLIFFORD of Androscoggin: Mr. President and Members of the Senate: To answer the question of the Senator from Penobscot, Senator Tanous — I think I have the question correct — could a person who is serving on the city council apply to that municipality and be employed as a teacher? The answer is that he can do that now. There is nothing in any law that I know about which would prohibit him from doing that now. I think we are not talking

about that particular question. I mean, I don't think that is pertinent to this discussion here.

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

Mr. HOFFSES of Knox: Mr. President and Members of the Senate: I would like to make only one observation. The good Senator from Penobscot, Senator Tanous, has pointed out about the people deciding who they shall elect to their town or city council. I would only point out to you that it is the people in a county who, by the same token, elect their county commission, yet we have a restriction there.

The PRESIDENT pro tem: Is the Senate ready for the question? The question before the Senate is the motion of the Senator from Somerset, Senator Johnson, that the Senate accept the Minority Ought to Pass Report. All those in favor of accepting the Minority Ought to Pass Report of the Committee will say "Yes"; those opposed "No".

A viva voce vote being taken, the Minority Ought to Pass Report of the Committee was Accepted, the Bill Read Once and Tomorrow Assigned for Second Reading.

At this point President MacLeod entered the Senate Chamber and proceeded to the rostrum where he thanked Senator Berry for performing the duties assigned to him as President pro tem.

Whereupon, the Sergeant-at-Arms escorted Senator Berry to his seat on the floor of the Chamber, amid the applause of the Members of the Senate.

Mr. Shute of Franklin was granted unanimous consent to address the Senate.

Mr. SHUTE: Mr. President and Members of the Senate: We in the County of Franklin are proud of our many assets. Not only is the area a great recreation area four seasons of the year, but we are particularly proud in Farmington of the McCleery family. Mr. and Mrs. Robert McCleery are the parents of this year's Miss Maine, U.S.A.

A few years ago her older sister, Susan, was designated as the Maine Apple Queen. This young lady, Ruth McCleery, is a sophomore at the University of Maine, where she is majoring in Sociology. Not only has she acquired the title of Miss Maine, U.S.A., but she also has been the Maine Dairy Princess, and is this year's Ski Maine Queen.

Mr. President and Members of the Senate: It gives me a great deal of pleasure to present the entry from the State of Maine, who will go to Miami, Florida tomorrow to represent Maine in the Miss U.S.A. Pageant, Miss Ruth McCleery of Farmington. (Applause)

The PRESIDENT: The Chair would ask if the Senator from Franklin, Senator Shute, would escort Miss McCleery to the rostrum for any remarks she might care to make.

Thereupon, Mr. Shute of Franklin escorted Miss McCleery to the rostrum, where she addressed the Senate as follows:

Miss McCLEERY: Hello. It is nice to be with you this morning. I want to thank all of you for inviting me to be here today. I would like to present President MacLeod with a "Ski Maine" car sticker and a membership card, which all of you will have delivered to you by the pages.

I hope as your ambassador to Miami that I will do the state a great honor and justice, and I hope that I can show them what Maine people are really like, and I hope that I can promote our state and get some of those Florida-ites up here to Maine. Thank you. Whereupon, Senator Shute escorted Miss McCleery from the rostrum to a seat in the rear of the Chamber, amid the applause of the Senate, the members rising.

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

HOUSE REPORTS — from the Committee on Education on Bill, "An Act Relating to School Construction Aid for All Administrative Units." (H. P. 737) (L. D. 999) Majority Report, Ought to

Pass; Minority Report, Ought Not to Pass.

Tabled — May 10, 1971 by Senator Katz of Kennebec.

Pending — Acceptance of Either Report.

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

Mr. KATZ of Kennebec: Mr. President, the purposes for which this bill has been held, which is the placing of L. D. 421 on the Appropriations Table earlier this week, having been accomplished, I move that this bill and its accompanying papers be indefinitely postponed.

The PRESIDENT: The Senator from Kennebec, Senator Katz, moves that Legislative Document 999 be indefinitely postponed. Is this the pleasure of the Senate?

The motion prevailed.

Sent down for concurrence.

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

Bill, "An Act to Create a School Administrative District for the Town of Orono." (H. P. 804) (L. D. 1077)

Tabled — May 10, 1971 by Senator Katz of Kennebec.

Pending — Motion by Senator Quinn of Penobscot to Reconsider Acceptance of Majority Ought Not to Pass Report.

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

Mr. QUINN of Penobscot: Mr. President and Members of the Senate: L. D. 1077 is An Act to Create a School Administrative District for the Town of Orono. The Town of Orono is in a unique situation. Approximately 90 to 95 percent of the real estate is owned by the state, is not taxable, and contains the University of Maine.

Orono's tax base consists of 5 percent commercial or industrial property and 90 to 95 percent residential property. 45 percent of the students in Orono's elementary and high schools are children of instructors, professors and employees of the University of Maine. Orono needs the benefits of a school administrative district.

They have tried to form a school administrative district with neighboring towns. Bangor and Old Town each have a good high school with over 500 students, and each is presently eligible for state construction aid. Orono High School has only 380 students, including 5 percent tuition students from the Town of Veazie, and it is not eligible for state construction aid.

Orono negotiated with the Town of Veazie to associate with them in a school administrative district, and on January 13, 1971 Orono citizens voted overwhelmingly to join with Veazie in creating a school administrative district. However, Veazie turned down this proposition by a vote of 336 to 102.

Presently there are seven towns with single town school administrative districts. Because of these facts, the merits of the case, and in justice and all fairness, Orono should be allowed a school administrative district. I hope that the Senate will support my motion which is pending to reconsider our action whereby the Majority Ought Not to Pass Report of the Committee was accepted, and accept the Minority Ought to Pass Report. Thank you.

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

Mr. KATZ of Kennebec: Mr. President and Members of the Senate: In opposing the motion for reconsideration I ask for a division.

This is rather a confusing area, but we just indefinitely postponed L.D. 999, and I said the reason we did was because we have passed to the Appropriations Table L.D. 421. L.D. 421 is going to cause a substantial amount of construction aid to flow to Orono for the first time. The only advantage of an S.A.D. to Orono is that it gets more state money, and I think we are doing that splendidly with L.D. 421, and the notion of creating another single town district is not very palatable to me.

If you pass this bill, the only influence will be to get other taxpayers all over the state to increase the flow of tax support to Orono.

I sympathize very greatly with Orono's problem, the rejection of a school administrative district, and I wish that they had been more successful. But Orono is above average in its ability to support education, and the effect of this bill would be to tap taxpayers all over the state to support it additionally, even above the construction aid that we are going to give them for the first time. So I think I can in conscience oppose the motion for reconsideration, with the assurance that we are doing something good for Orono that we have not done for many years anyway through the vehicle of L.D. 421.

The PRESIDENT: A division has been requested.

The Chair recognizes the Senator from Penobscot, Senator Tanous.

Mr. TANOUS of Penobscot: Mr. President and Members of the Senate: I rise to support my good friend, Senator Quinn from Penobscot, on this matter. It seems to me we have enacted similar legislation in the past, and I don't see why we should at this time discriminate against another request similar to five or six others that we have enacted before in this Legislature.

I certainly think that Orono has done all that they can to form a school district, they have been rejected by their neighbors, and one can hardly blame them because of the tax structure they have in Orono. I highly endorse this concept of permitting them to have a school district as they have requested of us. Thank you.

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

Mr. HARDING of Aroostook: Mr. President and Members of the Senate: I rise to join the good Senator from Penobscot, Senator Quinn, in asking that you support his motion for reconsideration.

In other circumstances I have asked this body to support Pownal, when they found themselves in the position that Orono does, to support Madawaska when they found themselves in the position that Orono has, and I want to be consistent on that. I believe that Orono has

made a case for itself to be a single administrative district, and I hope that you will support the Senator from Penobscot, Senator Quinn, in his motion.

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

Mr. QUINN of Penobscot: Mr. President, when the vote is taken, I move that it be taken by a roll call.

The PRESIDENT: A roll call has been requested. Is the Senate ready for the question? The pending question before the Senate is the motion of the Senator from Penobscot, Senator Quinn, that the Senate reconsider its action whereby it accepted the "Majority Ought Not to Pass Report of the Committee on Bill, "An Act to Create a School Administrative District in the Town of Orono."

A roll call has been requested. In order for the Chair to order a roll call, it requires the affirmative vote of one-fifth of those Senators present and voting. Will all those Senators in favor of ordering a roll call please rise and remain standing until counted. Obviously more than one-fifth having arisen, a roll call is ordered.

The pending question before the Senate is the motion of the Senator from Penobscot, Senator Quinn, that the Senate reconsider its action whereby it accepted the Ought Not to Pass Report of the Committee on Bill, "An Act to Create a School Administrative District in the Town of Orono." A "Yes" vote will be in favor of the motion to reconsider; a "No" vote will be opposed.

The Secretary will call the roll.

ROLL CALL

YEAS: Senators Anderson, Bernard, Carswell, Clifford, Conley, Danton, Fortier, Graham, Greeley, Harding, Hichens, Hoffses, Johnson, Kellam, Levine, Martin, Moore, Peabody, Quinn, Schulten, Shute, Tanous, Violette, Wyman and President MacLeod.

NAYS: Senators Berry, Chick, Dunn, Katz, Marcotte, Minkowsky and Sewall.

A roll call was had. Twenty-five Senators having voted in the affirmative, and seven Senators hav-

ing voted in the negative, the motion prevailed.

Thereupon, the Minority Ought to Pass Report of the Committee was Accepted, the Bill Read Once and Tomorrow Assigned for Second Reading.

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

Bill, "An Act Establishing Licensing for the Marketing of Potatoes." (S. P. 574) (L. D. 1718)

Tabled — May 11, 1971 by Senator Berry of Cumberland.

Pending — Passage to be Engrossed.

On motion by Mr. Berry of Cumberland, retabled and Tomorrow Assigned, pending Passage to be Engrossed.

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

Bill, "An Act to Improve the Efficiency and Fairness of the Local Welfare System." (H. P. 741) (L. D. 1003)

Tabled — May 11, 1971 by Senator Berry of Cumberland.

Pending — Passage to be Engrossed.

Mr. Dunn of Oxford then presented Senate Amendment "A" and moved its Adoption.

Senate Amendment "A", Filing No. S-160, was Read and Adopted and the Bill, as Amended, Passed to be Engrossed in non-concurrence.

Sent down for concurrence.

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

SENATE REPORTS — from the Committee on State Government on Bill, "An Act Establishing a Maine State Liquor Control Board." (S. P. 300) (L. D. 857) Majority Report, Ought Not to Pass; Minority Report, Ought to Pass.

Tabled — May 11, 1971 by Senator Berry of Cumberland.

Pending — Motion by Senator Hichens of York to Accept the Minority Ought to Pass Report.

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

Mr. JOHNSON of Somerset: Mr. President, I would request a division on the motion.

The PRESIDENT: A division has been requested.

The Chair recognizes the Senator from York, Senator Hichens.

Mr. HICHENS of York: Mr. President and Members of the Senate: First I want to thank you for the privilege of having this bill tabled so that you might receive the literature which was placed on your desk last Monday. I trust that many of you have read portions of this pamphlet, at least, to acquaint yourself with the proposal which L. D. 857 does suggest.

At the close of the 104th session, I think that I would have had difficulty in having the privilege of presenting this bill because there were many, many Senators and Representatives who were interested in proposing such a measure. For some reason or another the interest had died down, perhaps for political reasons: the fact that some of those who were members of that legislature have had different jobs given to them, and so the interest isn't as great as it was two years ago. However, the problem still exists, and as you have had opportunity to read this brochure I will not read it for you, but I would draw your attention to page four and the reasons for the presentation of L. D. 857. "At the present time, liquor enforcement is carried out in a Division which operates under the direction of a three-man Maine State Liquor Commission.

"The members of the State Liquor Commission and the Chairmen of that Commission attain their positions through political appointment. While this is a part of the orderly process of government, it tends to place less than a desirable weight of influence upon the administration of enforcement.

"By nature of the State Liquor Commission, there is a lack of continuity of Commission policy, especially in the area of enforcement. This is the natural result of changes in the make-up of the Commission whose members are not necessarily trained or experienced in law enforcement.

"Under the present set-up, the Commission makes the rules, rules on the rules, and supervises the enforcement of the rules. (In effect, the Commission, under the present administrative set-up, umpires its own ballgame, with possible detriment to the public and to the alcoholic beverage industry.)"

At the hearing which was held before the State Government Committee I, as the sponsor, presented the arguments on this brochure, and I was supported by Timothy Murphy, who was of late the Enforcement Director of the State Liquor Commission. The only opponent was Mr. Dennett of the beer and wine wholesalers and Commissioner Ingraham.

I would cite to you this morning several discrepancies in the Liquor Commission and their enforcement program. One very flagrant one was last fall, after the people voted to have wine in the grocery stores, it was an amazing thing that on the first day of January the stores had all of the supplies on their shelves. It was against the law to have transported these wines to the stores under the present rules, and when the Commissioner was confronted with that problem he admitted that he had closed his eyes to the distribution of wines to these stores so that they would be on the shelves for January 1st. Two years ago when Mr. Murphy was given his walking papers as retirement at age 65 they were supposed to name a man to replace him immediately. The Personnel Board kept after the Governor and Mr. Ingraham to have a man replace Mr. Murphy, but this was not done until after the election last November.

Two years ago as I visited the State Liquor Commission offices we saw some of the enforcement men sitting around in chairs. We asked them why they were not out on the job and they said that there was not enough money available for them to carry out the enforcement program because it was being used for promotional purposes. I can go on this morning citing other reasons for a needed change.

Some members of the State Government Committee were dis-

turbed by the appropriations which was listed on page 5 of the bill. This appropriation was the same amount that is being paid now for the Liquor Enforcement Division of the State Liquor Commission, and there will be no added cost. In closing my statement this morning I would read the statement of fact and ask your consideration of this: "The old method of enforcing liquor laws and regulations has, in the light of rising liquor law violations, become obsolete.

"The enforcement system followed in the past has been good, and effective, but it is no longer so. The old system of enforcement must be modernized.

"The purpose of this bill is to bring about a modernization of liquor law enforcement." I ask for your favorable vote on the Ought to Pass Report.

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

Mr. JOHNSON of Somerset: Mr. President and Members of the Senate: I think the good Senator hit the nail on the head when he said that only four people showed up for this bill: two for and two against. To a certain extent they both had a certain interest in this bill.

We have had this set-up going now since the state became a monopoly state, where the state authorized the liquor set-up. I checked with the Attorney General after the hearing to find out how many complaints he has had, and he said he has had less this year than he has ever had before as far as the enforcement of these liquor laws are concerned.

It would seem to me that what we are doing is changing something now that, as far as I am concerned, and I am sure the committee felt that way, that it is operating well and as good as can be expected. I would think that changes at this stage, when there is really nothing that I can see that would be detrimental to the present operations and their enforcement would be ridiculous. I would move that the bill now be indefinitely postponed.

The PRESIDENT: The Senator from Somerset, Senator Johnson, moves that Bill, "An Act Establishing a Maine State Liquor Control Board", be indefinitely postponed.

The Chair recognizes the Senator from Androscoggin, Senator Clifford.

Mr. CLIFFORD of Androscoggin: Mr. President, I would like to inquire as to the signatures on the committee report.

The PRESIDENT: The Secretary will give the report.

The SECRETARY: The Majority Report, which is Ought Not to Pass, was signed by Senator Clifford, Senator Johnson, Representatives Stillings, Curtis, Farrington, Hodgdon, Cooney, Goodwin, and Senator Wyman. The Minority Ought to Pass Report was signed by Representatives Donaghy, Mars-taller and Starbird.

The PRESIDENT: Is the Senate ready for the question? As many Senators as are in favor of the motion of the Senator from Somerset, Senator Johnson, that the Bill be indefinitely postponed will please say "Yes"; those opposed "No".

A viva voce vote being taken, the motion to indefinitely postponed prevailed.

Sent down for Concurrence.

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

Bill, "An Act Repealing Certain Procedure for Registration of Voters." (H. P. 187) (L. D. 244)

Tabled — May 11, 1971 by Senator Berry of Cumberland.

Pending — Enactment.

On motion by Mr. Wyman of Washington, the Bill was 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, Resolve, Providing Retirement Benefit for Clyde Walker of Hallowell. (H. P. 319) (L. D. 419)

Pending — Enactment.

The PRESIDENT: The Chair recognizes the same Senator.

Mr. SEWALL of Penobscot: Mr. President, I now yield to the good

Senator from Hancock, Senator Anderson.

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

Mr. ANDERSON of Hancock: Mr. President and Members of the Senate: Just a word of explanation in regard to this resolve. At an executive session of the Veterans and Retirement Committee a few weeks ago we heard a resolve and passed it out Ought to Pass in favor of Clyde P. Walker. Now, Clyde was a member of the state police and was injured in the line of duty. I have just learned, much to my sorrow, that he has passed away. So, I respectfully request that this resolve be indefinitely postponed, and I so move, Mr. President.

The PRESIDENT: The Senator from Hancock, Senator Anderson, moves that L.D. 419 be indefinitely postponed. Is this the pleasure of the Senate?

The motion prevailed.

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 Fees and Compensation of the State Board of Administrators of Medical Care Facilities. (S. P. 238) (L. D. 754)

Pending — Enactment.

On motion by Mr. Minkowsky of Androscoggin, and under suspension of the rules, the Senate voted to reconsider its previous action whereby this Bill was Passed to be Engrossed.

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

Senate Amendment "A", Filing No. S-157, was Read.

The PRESIDENT: The Chair recognizes the same Senator.

Mr. MINKOWSKY: Mr. President and Members of the Senate: The purpose of this amendment is simply to put an emergency preamble onto it. Two days ago the State Board of Administrators, which we created during the 104th Legislature, held examinations for 144 applicants. This gave them sufficient revenue in which to operate their board without drawing money

from the general fund of the State of Maine. And this is the only purpose of adding this amendment on, so as soon as they do have sufficient revenue that they can pay their own way. I might add, Mr. President and Members of the Senate, there are 300 applicants who will take this examination before the year is out.

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

Sent down for concurrence.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table An Act to Appropriate Moneys for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1972 and June 30, 1973. (S. P. 533) (L. D. 1577)

The PRESIDENT: The Senator has the floor.

Mr. SEWALL: Mr. President and Members of the Senate: As I am sure that you are well aware this is the so-called Part I Current Services Budget, I would like to say a very few words in way of explanation of this document. It will not require additional revenues to fund, even though it is in the amount of approximately \$371.5 million dollars. But I would point out to the Senate that there are two items in this document that traditionally would have been funded out of current revenues, had they been available.

The first time is the matter of bond service, bond retirement, in the amount of slightly over eleven million dollars. This item in this document will be taken out of surplus, of which, as I am sure you are all aware, we have a substantial amount at this point. This is the first time. That traditionally would have been funded in the Current Services Budget but, due to the size of the surplus and due to the fact that there are other needs that in the opinion of the Appropriations Committee were more pressing, this item will be taken out of surplus.

The second item of this document I want to call to the attention

of the Senate is the Health and Welfare Budget. This, again is approximately six million dollars short of the amount of money required to continue assistance and hospital and medical payments in the area of welfare. Possibly this could be considered a Part II item, possibly a Part I item; it is very hard to tell. These definitions are made by people like ourselves, and possibly it could be considered a new expanded service. Certainly it is expanding our case load rate which is increasing at an alarming rate. Your Appropriations Committee felt, however, that this could justifiably be put in Part II, and we feel that there will be a Part II. At least we will bring out a Part II for your consideration somewhere within the next week or two. We think we will have tax revenues available. There will be new taxes, not substantial taxes, but enough to fund this welfare item, if they are accepted by this body and the other body. So that we do not feel that we have acted irresponsibly in placing the additional moneys required for welfare in Part II. And if Part II for some reason or other does not pass, the state will simply have to draw the line on the increasing case load in Health and Welfare.

These are the only two items that I did want to call to the attention of this Senate so that nobody will be under any illusion as to what was meant when we said that this document will be funded by current and available revenues. So, Mr. President, I now move the enactment of L.D. 1577.

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

Mr. VIOLETTE of Aroostook: Mr. President and Members of the Senate: You may recall that when this L.D. came to the floor of the Senate I offered amendments with regard to certain matters of which we were not quite satisfied, which had been omitted from the document, and at that time specifically referring to our request for removal of language for restricting or apparently restricting enrollment at the University of Maine. Also part of the amendments was

requesting that some of the planning personnel in DED be restored. Another item was the restoration of the Deputy Commissioner of Indian Affairs, and at that time the Senate rejected these amendments.

We have now been given what I am hopeful are reasonable assurances from the leadership that these items which we requested to become part of Part I of the Budget are going to be a part of the L.D. 237, which is the additional appropriation for expenditures, they are going to be a part of that L.D., and we also hopefully and have been given reasonable assurances that the document, as it will be reported out from the Appropriations Committee, will be enacted. In view of that, I also join in the request of the Senator from Penobscot that the Senate enact today the Current Services Budget.

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

Mr. KATZ of Kennebec: Mr. President and Members of the Senate: I want to acknowledge the usual tremendous hard and effective work of the Senator from Penobscot, Senator Sewall, and members of his Appropriations Committee in turning out a document that is an extremely good document within the framework of our system, but I shall vote against it today because of my very deep and basic dissatisfaction with the system.

I shared with many of you a traumatic experience here two years ago in June on a very hot day when we passed the state income tax. And it was my duty at that time not only to vote for the income tax but to actually go out and solicit additional votes and support for it. At that time I naively assured the Senate that we could do better and we would do better the next time; that we would not be put in the position of coming up to the final days of the session desiring to cut appropriations and spending but not having any ability or competence to evaluate programs to cut. I naively felt that during the interim time that the Legislative Research Com-

mittee, and perhaps those of us in the legislative leadership, could form a better system for the 105th. We haven't, and our heritage that we will pass along to the 106th is more of the same.

Our system piles effectively programs on top of existing programs, and it says in effect that \$370 million dollars of state spending is sacrosanct because the programs were previously authorized. We may not have enough money to do some of the things we would like to do for other state services, such as the elderly, because there isn't any money. And the main reason there isn't enough money is because the legislature has not geared itself to effectively evaluate its programs.

I had hoped that perhaps through the State Auditor's Office that we could have program evaluations. I had hoped that perhaps through additional staffing of the legislature we could dig into current spending, so just because you had a bill that came along that cost \$50,000, and there wasn't any money after the Current Services Budget was passed, that it wasn't necessarily dead. Well, this Current Services Budget effectively uses up all our competence for spending within the tax revenues available to us, and it perpetuates problems rather than solve them. And anyone who takes this as a criticism of the Appropriations Committee is really not getting the import of what I am saying.

I am saying that I think that the referendum for the income tax which we are facing later this year should have been clear warning to this legislature that we cannot continue doing business as usual, that we cannot continue the system of two budgets that accepts current services as sacrosanct, and then says let's try and scurry around and try some new money for things we must do. I apologize for taking up the Senate's time this morning, and I would be embarrassed if my vote in protest were joined by others, I am sure, but I think the legislature can do better and we really must do better.

The PRESIDENT: Is the Senate ready for the question?

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

Mr. Dunn of Oxford was granted unanimous consent to address the Senate:

MR. DUNN: Mr. President and Members of the Senate: I have to say that I have over the years been in sympathy with the remarks that have just been made by Senator Katz, but I would like to call your attention to the particular problems and the difficulty in cutting a lot of areas. I look at three departments, Education 128 million dollars. We look at Health and Welfare, and here again we put in a bill to do something about step-fathers in the hope that maybe we can change the requirements for the programs. Something has to be done in that area if you are going to make any change there. And the Health and Welfare Budget is \$28.7 and \$29.2. Mental Health and Corrections, and to me this is probably the most difficult of any area, when we think about the Augusta Hospital, the Bangor Hospital, Pineland and so forth, and their budget is \$24,000,000 and \$27,700,000. The biggest part of your state expenses are tied up

in three or four departments, and they are pretty difficult to cut unless we change some rules. Now, this is up to the legislature. If they want to do that, then some changes can be made.

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

MR. HARDING: As I mentioned to you members of the Senate the other day, when we were debating the act repealing certain procedures for registration of voters, that this is probably the one bill here that my wife is very, very interested in, and there are about two thousand new registrants in my district that have been able to vote by reason of it. If she were here today I know that she would want to go over and personally thank the good Senator from Washington, Senator Wyman, for the motion that he made. And I promise the good Senator that when she does come down she will remember him, and that she will personally express her appreciation to him. Of course, I also express my appreciation and my wife's appreciation to all members of the Senate in voting with the good Senator.

(Off Record Remarks)

On motion by Mr. Hoffses of Knox,

Adjourned until 9 o'clock tomorrow morning.